

**THE INSPECTORATE'S REPORT  
ON  
CPS SOUTH YORKSHIRE**

**REPORT 10/04**

**JULY 2004**

# **CPS SOUTH YORKSHIRE**



## **AREA OFFICE**

Sheffield

## **OTHER OFFICES**

Barnsley, Doncaster, Rotherham

## **MAGISTRATES' COURTS**

Barnsley, Doncaster, Rotherham, Sheffield

## **CROWN COURTS**

Doncaster, Sheffield

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## **PREFACE**

Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi) was established by the Crown Prosecution Service Inspectorate Act 2000 as an independent statutory body. The Chief Inspector is appointed by, and reports to, the Attorney General.

HMCPsi's purpose is to promote continuous improvement in the efficiency, effectiveness and fairness of the prosecution services within a joined-up criminal justice system, through a process of inspection and evaluation; the provision of advice; and the identification of good practice. It works in partnership with other criminal justice inspectorates and agencies, including the Crown Prosecution Service (CPS) itself, but without compromising its robust independence.

The main focus of the HMCPsi work programme is the inspection of business units within the CPS – the 42 Areas and Headquarters Directorates. In 2002 it completed its first cycle of inspections during which it visited and published reports on each of the 42 CPS Areas as well as the Casework and Policy Directorates within CPS Headquarters. A limited amount of re-inspection was also undertaken. In this second cycle of inspections some significant changes have been made in methodology in order to enhance the efficiency of HMCPsi itself and adapt its processes to developments both within the CPS and the wider criminal justice system. The four main changes are: the adoption of a four-year cycle with each Area now receiving two visits during that period, one of which may be an intermediate (as opposed to full) inspection; a risk assessment technique has been developed to determine the appropriate type of inspection and the issues which should be covered; an inspection framework has been developed founded on the EFQM (Business Excellence Model); and we have incorporated requirements to ensure that our inspection process covers all matters contained in the inspection template promulgated by the Commission for Racial Equality. HMCPsi will also be using a wider range of techniques for gathering evidence.

The Government has initiated a range of measures to develop cohesion and better co-ordinated working arrangements amongst the criminal justice agencies so that the system overall can operate in a more holistic manner. Public Service Agreements between HM Treasury and the relevant Departments set out the expectations which the Government has of the criminal justice system at national level. The framework within which the system is managed nationally has been substantially revised and that is reflected by the establishment in each of the 42 criminal justice areas of a Local Criminal Justice Board. During the second cycle of inspection, HMCPsi will place even greater emphasis on the effectiveness of CPS relationships with other criminal justice agencies and its contribution to the work of these new Boards. For this purpose, HMCPsi will also work closely with other criminal justice Inspectorates.

Although the inspection process will continue to focus heavily on the quality of casework decision-making and casework handling, it will continue to extend to overall CPS performance. Consistently good casework is invariably underpinned by sound systems, good management and structured monitoring of performance. Although reports in our first cycle tended to address management and operational issues separately from casework, that fundamental linkage will now be reflected more fully through the EFQM-based inspection framework. Inspection teams comprise legal inspectors, business management inspectors and casework inspectors working closely together. HMCPsi also invites suitably informed members of the public nominated by national organisations to join the process as lay inspectors.

These inspectors are unpaid volunteers who examine the way in which the CPS relates to the public, through its dealings with witnesses and victims, its external communication and liaison, its handling of complaints and the application of the public interest test contained in the Code for Crown Prosecutors.

HMCPSI has offices in London and York. The London office has a Group which undertakes inspections in Southern England, whilst the Group based in York carries out inspections in Northern England and Wales. Both offices undertake thematic reviews and joint inspections with other criminal justice inspectorates. At any given time, HMCPSI is likely to be conducting six geographically-based or Directorate inspections and two thematic reviews, as well as joint inspections.

The inspection framework we have developed from the Business Excellence Model can be found summarised at Annex 1. The chapter headings in this report relate to the key requirements and the sub-headings relate to the defining elements or standards against which we measure CPS Areas. These are set out in full in Annex 1A and are cross-referenced to the sub-headings in the text.

The Inspectorate's reports identify strengths and aspects for improvement, draw attention to good practice and make recommendations in respect of those aspects of the performance which most need to be improved. The definitions of these terms may be found in the glossary at Annex 9.

During the second cycle of inspections, a database will be built up enabling comparisons to be drawn between performances of CPS Areas. The table of key performance indicators within this report makes such comparison with the aggregate data gathered from the first 21 inspections. HMCPSI points out the care which must still be undertaken if readers are minded to compare performance described in this report with the overall CPS performance in the first cycle. Although many of the key requirements remain and are tested by the same standard, the composition of the file sample has altered and this may make such comparisons unreliable. For that reason, no comparisons are made in this report with the first cycle.



## 1 INTRODUCTION

- 1.1 This is Her Majesty's Crown Prosecution Service Inspectorate's report about CPS South Yorkshire, which serves the area covered by the South Yorkshire Police. It has four offices, at Barnsley, Doncaster, Rotherham and Sheffield. The Area Headquarters (Secretariat and Corporate Services) is based at the Sheffield office.
- 1.2 Area business is divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Unit (CJU) is responsible for the conduct of all cases dealt with in the magistrates' courts. The CJU has bases at Barnsley, Doncaster, Rotherham and Sheffield. The Trial Unit (TU), based at Sheffield, reviews and handles cases dealt with in the Crown Court.
- 1.3 The CCP's Board (CCPB) consists of the Chief Crown Prosecutor (CCP), Area Business Manager (ABM), Unit Heads and Narrowing the Justice Gap (NJG) Project Manager. It meets monthly to consider Area business.
- 1.4 In December 2003, the Area employed the equivalent of 168.3 full-time staff (excluding three full-time staff employed in the Records Centre). The Area Secretariat comprises the CCP, ABM, NJG Project Manager and the full-time equivalent of 5.3 other staff. Additionally, Corporate Services employed the full-time equivalent of 12.2 staff. Details of staffing of the units are:

<b>Grade</b>	<b>Sheffield TU</b>	<b>Barnsley CJU</b>	<b>Doncaster CJU</b>	<b>Rotherham CJU</b>	<b>Sheffield CJU</b>
Level E	2				1
Level D	2	1	1	0.9	1
Level C lawyers	15.9	6.4	7.9	5	18.2
Level B3 caseworkers	1				
Level B2 caseworkers	3		1	1	3
Level B1 caseworkers	28	1 (shared with Doncaster)		1 (shared with Sheffield)	7.1
Level A caseworkers	18.8	1	5	2	12.6
<b>TOTAL</b>	<b>70.7</b>	<b>9.4</b>	<b>14.9</b>	<b>9.9</b>	<b>42.9</b>

A detailed breakdown of staffing and structure can be found at Annex 2.

1.5 Details of the Area's caseload in the year to September 2003 are as follows:

<b>Category</b>	<b>Area numbers</b>	<b>Area % of total caseload</b>	<b>National % of total caseload</b>
Advice to police	1,336	3.3	6.1
Summary motoring	15,371	37.4	32.4
Other summary	5,035	12.3	20.4
Either way and indictable only	19,099	46.5	40.4
Other proceedings	221	0.5	0.8
<b>TOTAL</b>	<b>41,062</b>	<b>100%</b>	<b>100%</b>

1.6 The Area's Crown Court finalised cases in the year to September 2003 are:

<b>Crown Court finalised cases</b>	<b>Area numbers</b>	<b>Area % of total caseload</b>	<b>National % of total caseload</b>
Indictable only	1,090	26.2	31.8
Either way offences	1,882	45.1	44.1
Appeals against conviction or sentence	253	6.1	8.9
Committals for sentence	942	22.6	15.2
<b>TOTAL</b>	<b>4,167</b>	<b>100%</b>	<b>100%</b>

1.7 A more detailed table of caseload and case outcomes compared with the national average is attached at Annex 3 and a table of caseload in relation to Area resources at Annex 4. CPS South Yorkshire (in common with other CPS Areas) has benefited from a significant increase in its budget since our last inspection in order to drive up performance. As a result, the Area has been able to recruit more staff and reduce the average numbers of cases dealt with per lawyer and caseworker.

### **The report, methodology and nature of the inspection**

1.8 The inspection process is based on the inspection framework summarised at Annex 1. The chapter headings in this report relate to the key requirements and the sub-headings relate to the defining elements or standards against which we measure CPS Areas. These are set out in full in Annex 1A and are cross-referenced to the sub-headings in the text.

1.9 There are two types of inspection. A full inspection considers each aspect of Area performance within the framework. An intermediate inspection considers only those aspects which a risk assessment against the key elements of the inspection framework, and in particular the key performance results, indicates require attention. These key results are drawn from the Area's own performance data, and other performance data gathered within the local criminal justice area.

- 1.10 The scope of the inspection is also influenced by the length of time since performance was previously inspected. The assessment in respect of CPS South Yorkshire also drew on findings from the previous inspection of the Area, a report of which was published in February 2001. It was consequently decided that the inspection of CPS South Yorkshire should be a full one.
- 1.11 Our previous report made a total of 14 recommendations and seven suggestions, as well as identifying four aspects of good practice. In the course of this inspection, we have assessed the extent to which the recommendations and suggestions have been implemented, and a synopsis is included at Annex 5.
- 1.12 Our methodology combined examination of 249 cases finalised between October and December 2003 and interviews with members of CPS staff at all levels, criminal law practitioners and local representatives of criminal justice agencies, as well as community representatives. Our file sample was made up of magistrates' courts and Crown Court trials (whether acquittals or convictions), cracked and ineffective trials and some specific types of case. A detailed breakdown of our file sample is shown at Annex 6. A list of individuals from whom we received comments is at Annex 7. The team carried out observations of the performance of advocates and the delivery of service at court in both the magistrates' courts and the Crown Court.
- 1.13 Inspectors visited the Area between 9 - 16 February 2003. The lay inspector for this inspection was Mary Bedells, who was nominated by Victim Support. The role of the lay inspector is described in the Preface. The lay inspector examined files that had been the subject of complaints from members of the public and considered letters written by CPS staff to victims following the reduction or discontinuance of a charge. She also visited some courts and had the opportunity to speak to some of the witnesses after they had given evidence. This was a valuable contribution to the inspection process. The views and findings of the lay inspector have been included in the report as a whole, rather than separately reported. She gave her time on a purely voluntary basis, and the Chief Inspector is grateful for her effort and assistance.
- 1.14 The purpose and aims of the Inspectorate are set out in Annex 8. A glossary of the terms used in this report is contained in Annex 9.

## **2 SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS**

### **Overview**

- 2.1 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.
- 2.2 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 Areas.
- 2.3 The Area works closely with its criminal justice system (CJS) partners, and through good partnership working is able to drive up performance.
- 2.4 Even so, there are issues that need to be addressed by the Area, and we set out our recommendations in this chapter, and in the body of the report.

### **Key performance results**

- 2.5 The Area generally delivers good key performance results; it is meeting its target in relation to the 'narrowing the justice gap' initiative and is improving its performance in relation to cracked and ineffective trials.
- 2.6 The Area has proper systems in place to monitor and progress persistent young offender (PYO) cases, and over the past five quarters the Area has met or bettered the national PYO target. The latest figures available (October to December 2003), indicate that the average 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).

### **Casework**

- 2.7 During the year ending September 2003, the Area dealt with 39,726 cases in the magistrates' courts and 4,167 cases in the Crown Court. In addition it dealt with 1,336 requests from the police for pre-charge advice.
- 2.8 Decision-making is generally sound, with lower rates of adverse outcomes than the national average in all categories.
- 2.9 Together with the police and the magistrates' courts, 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 trials are ready to proceed when listed.
- 2.10 The Area has a number of cases which should be committed for trial but are discharged through lack of preparation. The systems for monitoring these cases need to be improved.

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

- 2.11 Advocacy in the Area is generally satisfactory, and all the CPS advocates that we observed were satisfactory in all respects, or better.
- 2.12 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.
- 2.13 Instructions to counsel and the recording of events at court, as well as file endorsements generally, need to be improved.

### **Victims and witnesses**

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

### **Performance management**

- 2.16 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.
- 2.17 Even so we have some concerns that some aspects of poor performance are not being tackled in a timely manner.

### **People management and results**

- 2.18 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.
- 2.19 Communications within the Area are already sound, but 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.
- 2.20 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. The Area is an active participant in the 'Race to Train' partnership and in the external 'Race to Train' partnership training programme.

### **Management of financial resources**

- 2.21 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. The Area has a number of experienced staff to manage its finance.

### **Partnerships and resources**

- 2.22 There is full participation within the Local Criminal Justice Board (LCJB) and a partnership approach which 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.
- 2.23 A clearer focus on the full benefits of the LCJB Performance sub groups needs to be defined. The Area needs to ensure that the joint performance management (JPM) pilot is producing measurable and agreed results across all the units and take action to refocus some of the efforts that are being invested in JPM.

### **Policy and strategy**

- 2.24 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 CCPB level, with accountability for actions being taken. This aids clear communication of policy and strategy within the Area.
- 2.25 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**

- 2.26 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.
- 2.27 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.
- 2.28 The CCP chairs the LCJB Public Confidence Group.

### **Leadership and governance**

- 2.29 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.

- 2.30 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**

- 2.31 The Area has approached the NJG initiative positively, and appointed a NJG Project Manager to take it forward. As with other 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**

- 2.32 The use of Case Progression Officers in both magistrates' courts and Crown Court cases and a move to make PTRs more effective has produced positive trends.
- 2.33 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%.
- 2.34 In the Crown Court the proportion of ineffective trials for the quarter from November 2003 to February 2004 is 11.8%, which is substantially better than the national average of 18.4%.

#### **Value for money**

- 2.35 Area managers demonstrate their awareness of value for money issues.

#### **Equality and diversity issues**

- 2.36 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.
- 2.37 The Area took positive steps to implement the European 'Year of the Disabled' initiative.

#### **Recommendations**

- 2.38 We make recommendations about the steps necessary to address significant weaknesses relevant to important aspects of performance, which we consider to merit the highest priority.
- 2.39 We have 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**

- 2.40 We have 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).



### 3 KEY PERFORMANCE RESULTS

**Target 1: To improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.2 million by 2005-06; with an improvement in all CJS areas, a greater increase in the worst performing areas, and a reduction in the proportion of ineffective trials.**

<b>CPS PERFORMANCE</b>	<b>National Target 2003-2004</b>	<b>National Performance Cycle to date*</b>	<b>Area Target 2003-2004</b>	<b>Area Performance</b>
<b>MAGISTRATES' AND YOUTH COURT CASEWORK</b>				
<b>Advice</b>				
Decisions complying with evidential test in the Code <sup>1</sup>	-	99%	-	100%
Decisions complying with public interest test in the Code <sup>1</sup>	-	97.6%	-	100%
<b>First Review</b>				
Decisions to proceed at first review complying with the evidential test <sup>1</sup>	-	98.5%	-	99.2%
Decisions to proceed at first review complying with public interest test <sup>1</sup>	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at first review <sup>1</sup>	-	78.3%	-	75%
<b>Discontinuance</b>				
Discontinuance rate of completed cases (CPS figure)	-	12.4%	-	14.9%
Discontinued cases with timely discontinuances <sup>1</sup>	-	74%	-	87.8%
Decisions to discontinue complying with the evidential test <sup>1</sup>	-	92.8%	-	95.1%
Decisions to discontinue complying with the public interest test <sup>1</sup>	-	91.6%	-	97.4%
Discontinued cases where all reasonable steps had been taken to request additional evidence/information <sup>1</sup>	-	88.6%	-	95%
<b>Level of charge</b>				
Charges that required amendment and were amended in a timely manner <sup>1</sup>	-	75.3%	-	100%
Cases that proceeded to trial or guilty plea on the correct level of charge <sup>1</sup>	-	97%	-	100%
<b>Cracked and ineffective summary trials</b>				
Cracked trials as recorded by CPS and magistrates' courts JPM	-	(Jul-Sep 03) 37.9%	-	(Jul-Sep 03) 35.3%
Cracked trials in file sample that could have been avoided by CPS action <sup>1</sup>	-	21.3%	-	3 out of 13 (23.1%)
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	(Jul-Sep 03) 29.7%	-	(Jul-Sep 03) 25.2%
Ineffective trials in the file sample that could have been avoided by CPS action	-	_ 4	-	0 out of 1
<b>Summary trial</b>				
Acquittal rate in magistrates' courts (% of finalisations) – CPS figure	-	1.9%	-	0.9%
Decisions to proceed to trial complying with the evidential test <sup>1</sup>	-	95.5%	-	100%
Decisions to proceed to summary trial complying with the public interest test <sup>1</sup>	-	99.7%	-	100%
Cases with timely summary trial review <sup>1</sup>	-	78.7%	-	88.9%
Requests for additional evidence/information made appropriately at summary trial review <sup>1</sup>	-	76.3%	-	100%
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome <sup>1</sup>	-	46.3%	-	0 out of 5

<b>CPS PERFORMANCE</b>	<b>National Target 2003-2004</b>	<b>National Performance Cycle to date*</b>	<b>Area Target 2003-2004</b>	<b>Area Performance</b>
<b>CROWN COURT CASEWORK</b>				
<b>Committal and service of prosecution papers</b>				
Cases with timely review before committal, or service of prosecution case in "sent" cases <sup>1</sup>	-	77.4%	-	83.7%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors <sup>1</sup>	-	96.7%	-	98.9%
Decisions to proceed at committal/service of prosecution papers stage complying with public interest test in the Code for Crown Prosecutors <sup>1</sup>	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at committal/service of prosecution case review <sup>1</sup>	-	87.7%	-	100%
Timely and correct continuing review after committal	-	84.3%	-	100%
Cases with timely service of committal papers on defence	80%	75.1% 84.2% <sup>3</sup>	-	80.6% <sup>1</sup> 87% <sup>2</sup>
Cases with timely delivery of instructions to counsel	84%	83.7% 84.9% <sup>3</sup>	-	97.5% <sup>1</sup> 93% <sup>2</sup>
Instructions to counsel that were satisfactory <sup>1</sup>	-	64.6%	-	61.7%
<b>Cracked and ineffective trials</b>				
Cracked trials as recorded by CPS and Crown Court JPM	-	(Dec-Feb 04) 39.1%	-	(Dec-Feb 04) 58.3%
Cracked trials that could have been avoided by CPS action <sup>1</sup>	-	19.5%	-	0 out of 24
Ineffective trials as recorded by CPS and Crown Court JPM	-	(Dec-Feb 04) 18.4%	-	(Dec-Feb 04) 11.8%
Ineffective trials where action by CPS could have avoided an adjournment <sup>1</sup>	-	- <sup>4</sup>	-	0 out of 1
<b>Level of charge</b>				
Charges that required amendment and were amended in a timely manner <sup>1</sup>		85.6%		100%
Indictments that required amendment <sup>1</sup>		25.7%		22.2%
Cases that proceeded to trial or guilty plea on the correct level of charge <sup>1</sup>		97.9%		100%
<b>Judge ordered and judge directed acquittals</b>				
JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome <sup>1</sup>	-	20.7%	-	21.7%
<b>Trials</b>				
Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) <sup>2</sup>	-	10.1%	-	5%
<b>NARROWING THE JUSTICE GAP</b>				
Percentage brought to justice against the baseline for 2001-02 as recorded by JPIT	Target +5%	+6% (as at Sept 03)		+9.7% (as at Oct 03)

<sup>1</sup> as assessed by HMCPsi from examination of the file sample during inspection

<sup>2</sup> self-assessment by Area

<sup>3</sup> nationally collated figure based on Area self-assessment returns

<sup>4</sup> insufficient numbers of files to provide reliable data

\* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 31st December 2003

**Target 2: To improve the level of public confidence in the criminal justice system, including increasing that of ethnic minority communities, and increasing year on year, the satisfaction of victims and witnesses, whilst respecting the rights of defendants.**

<b>CPS PERFORMANCE</b>	<b>National Target 2003-2004</b>	<b>National Performance Cycle to date*</b>	<b>Area Target 2003-2004</b>	<b>Area Performance</b>
<b>MAGISTRATES' AND YOUTH COURT CASEWORK</b>				
<b>Disclosure</b>				
Cases where primary disclosure properly handled <sup>1</sup>		72.7%		80%
Cases where secondary disclosure properly handled <sup>1</sup>		61.1%		100% 2 out of 2
<b>Witness care</b>				
Trials where appropriate use made of S9 CJA 1967 <sup>1</sup>		97%		100%
Trials where appropriate use made of the witness care measures <sup>1</sup>		88.4%		100% 1 out of 1
<b>CROWN COURT CASEWORK</b>				
<b>Disclosure</b>				
Cases where primary disclosure properly handled <sup>1</sup>		85.9%		84.4%
Cases where secondary disclosure properly handled <sup>1</sup>		59.8%		69.2%
<b>Witness care</b>				
Trials where appropriate use made of witness phasing/standby <sup>1</sup>		81.9%		100%
Trials where appropriate use made of the witness care measures <sup>1</sup>		92.8%		100%
<b>MAGISTRATES' COURTS AND CROWN COURT</b>				
<b>Custody time limits</b>				
Cases in sample where expiry dates accurately calculated	-	93.2%	-	96%
<b>OTHER ISSUES</b>				
<b>Payment of witness expenses</b>				
Payment of witness expenses within 10 days of receipt of claim <sup>2</sup>	100%	Oct-Dec 03 98.7%	100%	Oct-Dec 03 100%
<b>Handling of complaints</b>				
Complaints replied to within 10 days <sup>2</sup>	94%	Oct-Dec 03 85%	95%	92.9%
<b>Citizens charter commitment</b>				
MPs correspondence replied to within 15 days <sup>2</sup>	100%	Oct-Dec 03 92.7%	-	100%
<b>Improving productivity</b>				
Reduce sick absence rate per member of staff	10.6 days (2001)	Not available	8.6 days	4.8 days
<b>OTHER ASPECTS OF CPS PERFORMANCE</b>				
<b>CJS Youth Justice Performance Measures (shared between Home Office, Department of Constitutional Affairs (formerly LCD) and CPS)</b>				
To halve time from arrest to sentence for persistent young offenders from 142 to 71 days by 31 March 2002	71 days	66 days (Oct - Dec 03)	71 days	65 days (Oct - Dec 03)

<sup>1</sup> as assessed by HMCPSI from examination of the file sample during inspection

<sup>2</sup> self-assessment by Area

\* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court up to 31st December 2003

## **Commentary**

- 3.1 The Area's sound decision-making, supported by good case management systems, ensure good overall handling of casework. It reinforces this by a systematic review and self-assessment processes, over and above the national systems of quality assurance.
- 3.2 The Area has implemented Compass, a shadow charging scheme and is involved in the street crime initiative.
- 3.3 All of these have placed additional burdens on the Area's resources, but it has managed these in a positive way, and has continued to perform well.

## ***Advice to police***

- 3.4 In the year ending September 2003, the Area had a low rate of advice (3.3% compared with 6.1% nationally), but any issues may have been overtaken by the full implementation of a shadow charging scheme in the Area.
- 3.5 The Review of the Criminal Courts in England and Wales (2001) by Sir Robin Auld (the Auld report) recommended that the CPS assume responsibility for charging. The relevant legislation has now been enacted and will be brought into force progressively.
- 3.6 Before the statutory provisions are brought into force, with the agreement of the police, the Area has implemented a limited shadow charging scheme.
- 3.7 The Area has seven designated charging centres, and the scheme became fully operational just before Christmas 2003. Area managers are aiming to implement the more intensive statutory charging scheme during May 2004.
- 3.8 The scheme has been generally well received by the police, although some issues have arisen, for example, about apparent disparity in the 'take-up' rate at different charging centres. The Area proposes to carry out a full review of the scheme during March 2004, so that such issues can be identified and addressed.
- 3.9 The provision of the charging centres has had the effect of reducing significantly the number of formal written requests for pre-charge advice from the police.

## ***Quality of decision-making***

- 3.10 Decision-making in the Area is sound, with the Code tests being applied properly in 99.2% of cases at initial review, in all summary trial reviews and in 98.9% of committal reviews.
- 3.11 Prosecutors identified the need to amend charges, and undertook amendment in a timely manner, in all relevant cases in the file sample. The number of charges that required amendment was relatively low, which indicates a satisfactory standard of initial charging by the police.
- 3.12 In some judge ordered acquittals (JOAs), the CPS could have done more, either by strengthening the case evidentially, or by taking the decision to drop the case earlier.

### ***Continuing review***

- 3.13 In the file sample, prosecutors identified the need for additional evidence or information and made appropriate requests in all cases, both at summary trial and committal review.

### ***Discontinuance***

- 3.14 The Area's rate of discontinuance is higher than the national average, but should reduce as a result of pre-charge advice becoming more available.
- 3.15 Although the Area's performance in relation to the application of the Code tests to decisions to discontinue, and the timeliness of discontinuance, is better than national performance in the inspection cycle-to-date, these are both aspects that are capable of improvement.

### ***Discharged committals***

- 3.16 Whilst it is not possible, with the current Area monitoring system, to calculate the number of committals that are discharged because of lack of preparation or the number of cases which are subsequently re-instated, the figures are likely to be relatively low.
- 3.17 However, the Area needs to take steps to improve its monitoring to ensure that it has accurate data as to the number involved, and that there is a drive, wherever appropriate, for cases to be re-instated.

### ***Level of charge***

- 3.18 Cases proceeded on the correct charges in all the magistrates' courts and Crown Court cases in the file sample.
- 3.19 The appropriate charging standard was applied in all 28 relevant cases in the file sample.

### ***Ineffective trials***

- 3.20 The proportion of ineffective trials is lower than the national average and is reducing. This reflects the successful inter-agency co-operation which is not confined to this issue.
- 3.21 The proportion of cracked trials in the magistrates' courts is also reducing (from 36.8% in April-June 2003 to 35.3% in July-September 2003), but the proportion of cracked trials in the Crown Court remains particularly high (58.3% compared with a national average of 39.1% in December 2003-February 2004).

### ***Persistent young offenders***

- 3.22 The Area has consistently met the national target over the past five quarters. The latest figures (up to December 2003) indicate that the average period between arrest and sentence has been reduced to 65 days, which is better than the national target of 71 days and performance nationally (66 days).

### ***Persistent offenders***

- 3.23 The Area has provided a training programme on NJG generally, which included coverage and explanation of the persistent offenders initiative and the targets involved. Written guidance specifically relating to persistent offenders has also been issued to all staff, and circulated to other partner agencies.

### ***Sensitive cases***

- 3.24 The Area generally deals with the various categories of sensitive cases satisfactorily, having designated prosecutors as specialists in relation to each of the categories.
- 3.25 The Area needs to improve its monitoring systems in relation to cases arising from racial incidents.

### ***Adverse outcomes***

- 3.26 The proportion of adverse cases is lower than the national average in all categories. However, in five of 15 JOAs examined (33.3%), the outcome had been foreseeable at an earlier stage, and the CPS could have done more to avoid the acquittal or terminated the case at an earlier stage.

### ***Narrowing the justice gap***

- 3.27 The Area has adopted a positive approach to dealing with the NJG initiative. It has appointed two members of staff, a NJG Project Manager and Project Officer.
- 3.28 The Area was set a target of bringing 25,751 offences to justice (being a 5% increase on the 2001-02 baseline figure). In the year ending October 2003, 26,892 offences had been brought to justice, being 9.7% above the baseline figure.

### ***Disclosure***

- 3.29 The Area deals with primary and secondary disclosure satisfactorily, and generally the Area's performance is better than performance nationally in the inspection cycle-to-date.
- 3.30 There were five cases in the file sample where there was sensitive unused material, which was dealt with properly in each case.

## 4 CASEWORK

### Pre-charge advice to police (CAP1)

- 4.1 We have commented on the impact of the charging scheme in paragraphs 3.4-3.9, and the consequent reduction in the number of formal advices.
- 4.2 The police generally value the advice they receive, although there were some issues about the timeliness. We examined 11 advice cases and found that the Code tests had been applied properly in each case. Most advice was well presented, often typed, and comprehensive, giving a full explanation for the advice given.
- 4.3 The advice had been given within the agreed time guidelines in six cases (54.5%). This is similar to the proportion found during the last inspection (55%) which resulted in a recommendation about timeliness.
- 4.4 Each of the units had logs to monitor the timeliness of formal requests for advice, although there was no evidence in the TU that their system was capable of chasing overdue advices.
- 4.5 One impact of the charging scheme is that formal requests for written advice will be fewer, and confined to the more complex and/or serious cases, which, because of their nature, often take longer to deal with.
- 4.6 Nevertheless, Unit Heads will want to assure themselves that formal requests for advice are given appropriate priority, and that there are effective systems in place to monitor and maintain timeliness.

#### Aspects for improvement

- \* Timeliness of dealing with formal requests for advice.

### Cases ready to proceed at first date of hearing (CAP2)

- 4.7 Files are generally made available to prosecutors in sufficient time for them to carry out initial reviews and prepare for court.
- 4.8 In the file sample there was a satisfactory record of review against the evidential Code test in 61 out of 78 cases (78.2%), and the public interest test in 60 out of 77 relevant cases (77.9%).
- 4.9 However, we observed overnight and indictable only cases sent to the Crown Court, both in the file sample and at court, where either no review endorsement or an inadequate one was made. As these cases frequently involve the more serious categories of offence, this was a cause for concern.
- 4.10 We deal with our concerns about file endorsements generally in paragraphs 5.8-5.11.

### **Bail/custody applications (CAP3)**

- 4.11 Prosecutors are generally given sufficient information to enable them to make proper decisions as to whether to oppose bail or to apply for conditions of bail. We were told that, generally, CPS prosecutors dealt with such applications properly.

### **Discontinuances in magistrates' courts (CAP4)**

- 4.12 In the year ending September 2003, the Area had a higher discontinuance rate than the national average (14.9% compared with 12.4%).
- 4.13 We examined 41 cases that had been discontinued in the magistrates' courts. The evidential Code test had been correctly applied in the decision to discontinue in 39 of the cases (95.1%), and the public interest test in 38 out of 39 relevant cases (97.4%).
- 4.14 In general the police were satisfied with the level of consultation before cases were discontinued, which has improved as a direct result of prosecutors and the police being co-located in the units. As the police in the TU will be moving to separate accommodation, we suggest that a more formal process be introduced.

### **Summary trial preparation (CAP5)**

- 4.15 The Area has introduced sound, and sometimes innovative, systems to deal with summary trial preparation.
- 4.16 The magistrates' courts, police and CPS have been working together to improve the effectiveness of the PTRs, and an Area-wide protocol has been agreed. Pilot PTR courts are being held (except, at this stage, in Barnsley). The CPS has committed itself to using experienced prosecutors to deal with PTRs, and is looking to improve its processes.
- 4.17 When a full file is received from the police, it is reviewed by a Case Progression Officer, who requests or chases any obvious outstanding evidence or information. If appropriate, the file is passed to a lawyer for consideration of difficult or complex evidential matters. A comprehensive form has been introduced to deal with PTR reviews.
- 4.18 Overall, performance in relation to PTRs has improved as evidenced by a reduction from around 48% to 16% in the number of PTRs that have to be further adjourned. This approach may also be contributing to the improvement in the rate of cracked and ineffective trials (which we discussed at paragraphs 3.20-3.21).
- 4.19 When a trial has been fixed, a further trial-readiness check is carried out two or three weeks before the trial date by a lawyer.
- 4.20 The Sheffield CJU is piloting a system whereby the reviewer combines the process of file checking with the production of a trial brief to assist the prosecutor conducting the summary trial.



- 4.21 The reviewer uses a check-list proforma which ensures that essential procedural steps have been taken. The proforma is then used to create a trial brief, similar to the instructions prepared for counsel appearing in the Crown Court.
- 4.22 The trial briefs that we found in the file sample were of a high standard, setting out the issues in the case, the acceptability of possible alternative pleas, and providing other useful information about the case and its history.
- 4.23 Most trials are prosecuted by agents, and the trial brief provides them with comprehensive instructions about the case. The trial brief still provides a useful aid to case preparation to any CPS prosecutor. We commend the use of summary trial briefs as **good practice**.
- 4.24 The Area is now considering extending the use of trial briefs to other CJUs.
- 4.25 However, when we examined trial cases on site, the trial brief had not been regularly prepared: some files had a completed proforma on them (which would have provided the necessary information to the agent, albeit in not such a readily readable format), but others had nothing.

#### **Committal and Crown Court case preparation (CAP6)**

- 4.26 In the file sample, committal papers (or the prosecution papers in sent cases) had been prepared in a timely manner in 29 out of 36 cases (80.6%), which is very similar to our findings in the inspection cycle-to-date (80.3%). In three out of 22 cases (13.6%) a committal hearing was adjourned because of lack of preparation.
- 4.27 Area managers told us that late or unsatisfactory police files place a strain on the Area's ability to prepare committals properly and in a timely manner, and we consider that there is a need for this to be addressed by the TU - with the police - on a partnership basis. We comment further on this in paragraphs 7.7-7.9.
- 4.28 Some committals are discharged because the prosecution is not ready and the court refuses an adjournment. However the extent of the problem is not clear, nor is it clear how many cases which are discharged in this way, are re-instated. This aspect was the subject of a recommendation in the last report.
- 4.29 The Area has a system for recording discharged committals. We examined the records for the period from November 2003 to December 2004, and found that the system has a number of weaknesses.
- 4.30 The record does not differentiate between committals discharged because the prosecution have been unable to prepare the case, and those discharged because the reviewer has determined that there is insufficient evidence to proceed. Upon checking the records of 15 cases, we found that five had been discharged because of lack of preparation, which might suggest that the number of committals discharged in this way is relatively low.

- 4.31 However, there are no prompts or triggers to chase the progress of cases after discharge. There is no monitoring in relation to chasing a full file or outstanding evidence from police. The longer the delay in making the decision, the less likely it is to be practicable to re-instate the proceedings.
- 4.32 In many instances, there was no evidence that a decision had ever been made. Forms had not been returned in 11 cases over the same period, so there is a possibility that the number of discharged committals in this category is significantly higher.
- 4.33 The system does not monitor cases that are actually re-instated, and so the extent to which cases are pursued remains a matter of conjecture, and any attempt to provide any data has to be based on anecdote.
- 4.34 Committals discharged through lack of preparation have an adverse impact on public confidence, and have been a cause for concern in many Area reports. In this Area, a recommendation made in the last report has not been effectively implemented.
- 4.35 If the committal hearing is not effective, an adjournment is more likely to be granted if a full and detailed explanation of the cause of the delay is presented.
- 4.36 It is therefore essential that an effective system is in place to ensure that CJU prosecutors are fully apprised of the circumstances, including what steps have been taken by the TU prosecutors responsible for the papers to progress the case. In September 2002, the Area introduced a 'committal adjournment form' that is intended to fulfil this function.
- 4.37 However, this form is not always used, or where it is used, does not always contain all the relevant information.

**Aspects for improvement**

- \* Consistent completion and use of the committal adjournment form.

**RECOMMENDATION**

**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.**

- 4.38 In 26 out of 29 cases (89.7%) sent to the Crown Court under section 51, Crime and Disorder Act 1998, the prosecution case papers had been served within the period directed by the court.

- 4.39 In the sample, all cases were ready to proceed to the plea and directions hearing (PDH), and any orders made at the hearing were complied with in a timely manner. However, concerns were raised with us about CPS readiness at PDHs and some orders not being complied with, particularly in the Crown Court at Sheffield. Some of the orders might not be complied with due to lack of caseworker presence in court to record them, which is an issue that we deal with in more detail at paragraph 5.15.
- 4.40 Instructions to counsel were satisfactory in 29 out of 47 cases (61.7%), which is less than our findings (64.6%) in the inspection cycle-to-date. This confirms an Area self-assessment on the quality of instructions to counsel in the last quarter of 2003, which also concluded that the quality needed to be improved.
- 4.41 In some instructions, there had been no attempt to identify the issues in the case, draw attention to particular aspects of the case that were significant, or give guidance on the acceptability of alternative pleas.
- 4.42 Some of the cases in the file sample, as well as some cases that we looked at whilst on site, involved serious or complex offences, often of a sensitive nature, including allegations of child abuse, serious sexual offences and race crimes. Instructions of good quality assist prosecutors in the preparation of cases, which in turn contributes to improved presentation of those cases in the Crown Court.

**RECOMMENDATION**

**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.**

**Disclosure of unused material (CAP7)**

- 4.43 In general the Area's performance in relation to disclosure is sound, and all of the prosecutors have received training in the new guidelines.
- 4.44 In the file sample, primary disclosure was dealt with properly in the magistrates' courts in 16 out of 20 cases (80%) compared with 72.8% found in our inspection cycle-to-date.
- 4.45 The CJU Heads are clearly conscious of the need to ensure that the obligations relating to disclosure are properly carried out. The Sheffield CJU introduced a prominent 'caution' document, which is placed on the front of the file whenever disclosure is found to be outstanding. These documents were successful in ensuring that reviewers and caseworkers remained aware of the work to be done on the file.
- 4.46 The police schedules often provided only limited information about the unused material, but this was offset by the practice of providing copies of the material itself in many cases.

- 4.47 Secondary disclosure arose in two of the magistrates' courts cases we examined, and had been dealt with properly and in a timely manner in both.
- 4.48 In the Crown Court, we found that primary disclosure had been dealt with properly in 38 out of 45 cases (84.4%) which is slightly less than the figure found in the inspection cycle-to-date (85.9%), and secondary disclosure in 18 out of 26 cases (69.2%), which is higher than our national figure to date (59.8%).

#### **Sensitive cases (CAP8)**

- 4.49 The Area has designated specialist prosecutors for all categories of sensitive cases, including those which relate to fatalities arising from road traffic incidents, or fall within the street crime initiative. Some other categories of case which, whilst not 'sensitive' as such, are deemed to require particular care and attention - such as cases originating from the British Transport Police - are subject to similar arrangements.
- 4.50 Other prosecutors may conduct these types of case, which enables a wider number of them to gain valuable experience in relation to such cases, whilst at the same time ensuring that they have readily available to them the skills and expertise of the specialists.
- 4.51 The specialist prosecutors themselves often broaden their own expertise relating to the issues that impact on their cases by engaging with agencies and communities outside the CPS, such as domestic violence fora or minority ethnic groups.
- 4.52 Generally child abuse and child witness cases are handled well. The CPS policy on child abuse cases was properly applied in all the relevant cases in our file sample. We also noted examples of good quality, sensitive letters written to the victims of child abuse under the DCV scheme.
- 4.53 Prosecutors need to document better their viewing of the video recorded evidence of child witnesses. The file was endorsed with the lawyer's views on the quality of such evidence in only four of eight relevant cases. This qualitative assessment is important.
- 4.54 There is an inter-agency Domestic Violence Protocol, and those cases we examined had been dealt with effectively and in accordance with CPS policy. There was a high incidence of cases where the victim sought to withdraw, which is a common occurrence in this type of case, but the police had provided adequate information about the background in each case, enabling the CPS to make informed and robust decisions. Consideration was given to the possibility of applying for witness summonses to secure the attendance of victims where appropriate, and in some cases such summonses were obtained.
- 4.55 The CPS handling of cases arising from racist incidents is generally sound. We examined seven cases, and found that CPS policy on the prosecution of racial incidents had been properly applied in all of them. In three cases charges were amended to include a racial element.

- 4.56 However, there were underlying concerns about some aspects of the preparation and management of these cases. We looked at the instructions to counsel in five Crown Court cases, and found that they were less than satisfactory in three. There was no reference to the racial aspects of the case in the instructions, despite the fact that in one of the cases the CPS had amended the original basic assault charge to a racially aggravated offence.
- 4.57 South Yorkshire, like other CPS Areas, is required to monitor offences arising from racial incidents, and a form should be completed at the conclusion of each appropriate case. The forms should then be collated, and the consequent data recorded.
- 4.58 During the course of the file examination we found such forms, some not completed, retained on the file. These were all cases that had been completed, and at the time of the examination the forms should have been removed and collated. Clearly this had not been done, and data relating to these cases will either be collated late or, possibly, not at all.

**Aspects for improvement**

- \* Proper implementation of the racial incidents monitoring system.

**Youth cases (CAP13)**

- 4.59 The Area has specialist youth prosecutors, and it is the general view of other agencies that youth cases are properly prosecuted. This view was supported by our examination of 17 youth cases.
- 4.60 The Area has sound systems in place across the county to monitor and progress PYO cases. The performance figure had been reduced to 65 days in the quarter ending December 2003, which is better than the national target of 71 days from arrest to sentence.

**File/message handling (CAP9)**

- 4.61 Guidelines for efficient and effective handling of files within the co-located CJUs are in place and comprehensive although, following the implementation of Compass, the guidelines require review and updating.
- 4.62 Such review should also consider the procedure for the supply of files in preparation for court.
- 4.63 The co-located CJU teams have continued to use the single file system, but this has caused some difficulties, with the competing interests of the police and CPS exacerbated by the introduction of Compass and poor file endorsements.
- 4.64 The TU uses a dual file system, on the basis that the single file system was not appropriate for their files.
- 4.65 There were no obvious delays in the post system either for receipt or despatch of post and the planned introduction of secure email should further improve the situation.

### **Custody time limits (CAP10)**

- 4.66 We examined 20 magistrates' courts and five Crown Court files on site, to determine compliance with custody time limit (CTL) procedures. Expiry dates were correctly calculated in all but one of the cases (95.8%) and compare favourably with the average of the cycle-to-date (92.5%). The Area has not had any custody time limit failures in the last 12 months.
- 4.67 The incorrect expiry date related to a CJU file and confirms the Area's need to ensure that all review and expiry dates are double-checked and that this is evidenced. From our review of the systems and the file sample, this does not always happen.
- 4.68 As with some files in other parts of the file sample, the quality of endorsements was inconsistent, some being less than satisfactory. One of the Crown Court files, which related to multiple defendants, was insufficiently clear as to why, and if any, of the defendants were in custody.
- 4.69 As the Area has recently conducted an operational review of CTLs; shortcomings have been identified and remedial action is planned.

#### **Aspects for improvement**

- \* Ensure essential actions in CTL systems are fully and consistently implemented throughout the Area.

### **Joint action to improve casework (CAP11)**

- 4.70 The Area and its CJS partners work well together. There are a number of joint initiatives, such as the PTR pilot discussed at paragraph 4.16, that demonstrate the goal shared by the various agencies to achieve good performance.
- 4.71 Formal JPM meetings with the police have been superseded by CJU Joint Management Board meetings, which devote a considerable proportion of their time to discussing and resolving performance issues. The TU also hold such meetings, but it is clear that there is not an acceptance of the accuracy of the file quality/timeliness data by the police, which is a bar to effective engagement and resolution of issues. This is a matter that needs to be addressed, and which we deal with further in paragraphs 7.7-7.9.
- 4.72 The Area's current contribution to the street crime initiative is impressive. It has designated prosecutors to assist with ensuring these cases receive appropriate priority, and a premium service has been implemented.

### **National Probation Service and Youth Offending Teams (CAP12)**

- 4.73 During the course of this inspection, it was apparent that the service of appropriate case information has improved, and was not raised as an issue by either recipient.
- 4.74 It was difficult to tell in all cases in the file sample whether or not the material had been served because of lack of recording. However, where we could ascertain service, it had been timely.

#### **Appeal and committal for sentence processes (CAP14)**

- 4.75 Caseworkers generally prepare the instructions to counsel. In complex cases or where there are unusual issues, the caseworker is able to refer to a prosecutor.
- 4.76 These cases are dealt with satisfactorily, and we were not made aware of any concerns on the part of representatives of other agencies.

#### **Appeals against unduly lenient sentences (CAP15)**

- 4.77 Area prosecutors are aware of the national guidelines in relation to appeals against unduly lenient sentences. We were informed that there were very few appeals, although we did see one case where the possibility of an appeal had been properly considered.
- 4.78 Prosecutors and caseworkers are also aware of the need to ensure that victims in appropriate cases are made aware of their rights in relation to initiating such an appeal, including a direct approach to the Law Officers where the CPS is not minded to initiate a reference.

#### **Recording of case outcomes (CAP16)**

- 4.79 The Area has set a general target of finalising cases within 24 hours, and did not have a backlog of cases awaiting finalisation. It has recently conducted a self-assessment of the accuracy of finalisation codes being used. In our file sample there were no wrongly categorised files.
- 4.80 The single file system used throughout the CJUs has resulted in the police having responsibility for the storage of files. Whilst retrieval of these files is satisfactory, we noticed in our file sample that over-enthusiastic stripping of files had occurred. This may create problems for example when subsequently dealing with complaints. The Area had already become aware of this issue prior to the inspection, and has taken steps to rectify the situation.
- 4.81 TU files are stored at Sheffield and can be easily retrieved.

#### **Information on operational and legal issues (CAP17)**

- 4.82 In the last report we were impressed by the quality of communication in the Area, and found this high standard has been maintained, with a number of systems in place to ensure that information is disseminated both effectively and efficiently.
- 4.83 Area staff have been kept fully up-to-date in relation to the implementation of a number of new and important initiatives, both casework and administration related.
- 4.84 Information is passed to staff by written bulletins, including ones from the CCP, issued on red paper to ensure that they are easily distinguishable from other pieces of information and assist in stressing their importance. Full use is also made of electronic mail.

- 4.85 Team meetings are held by all units on a relatively regular basis, and are minuted, so that those who cannot attend can be aware of the issues raised.
- 4.86 Some casework issues relate only to individuals, and in these cases Team Leaders or Unit Heads will deal with issues on an individual basis.

### **Strengths**

- \* Comprehensive systems for disseminating information on operational and legal issues, and learning points are disseminated to staff.

### **Readiness for court (CAP18)**

- 4.87 From our observations, prosecutors in the magistrates' courts are generally in possession of the files for their court in sufficient time to enable them to prepare properly for court. Similarly, because of the summary trial checks that are in place, the case is usually in a position to proceed.
- 4.88 In the file sample, we found that the instructions to counsel had been delivered within the Bar Standard time guidelines in 38 out of 46 cases (82.6%), against a national target of 84%. We were unable to determine timeliness in seven of the cases because of lack of endorsement, but late delivery of briefs was not raised as an issue with us. We have referred earlier to the need to improve the quality of instructions.

### **Learning points (CAP21)**

- 4.89 Area managers are alive to the benefit of learning from the Area's experience, and Adverse Case Reports are completed realistically and objectively. This enables learning points to be identified and disseminated.
- 4.90 Similarly, issues arising from the Casework Quality Assurance scheme were identified, and disseminated if they related to general issues. Issues relating solely to individuals would be dealt with on a one-to-one basis.
- 4.91 The comprehensive systems for circulating information generally are employed to ensure that any learning points are made known to the staff. We have discussed these systems in more detail in paragraphs 4.82-4.86.
- 4.92 Whilst communication of general learning points is an Area strength, communication of learning points between the TU and the CJUs on specific cases would benefit from improvement. Any revision of the original CJU review of a case by the TU was not always explained for future reference to similar cases.
- 4.93 It is important that CJU prosecutors remain aware of issues arising in the Crown Court, both for the purposes of improving their review of cases, and to ensure that they do not become de-skilled in an important aspect of CPS work.



**Strengths**

- \* Strong commitment to communication of learning points.

**Aspects for improvement**

- \* Exchanging case information between the TU and CJUs.

## 5 ADVOCACY AND QUALITY OF SERVICE DELIVERY

### Advocacy standards and monitoring (CAP19)

- 5.1 The Area has a significant number of very experienced lawyers who produce a good standard of advocacy, and this was supported by what we were told by other agencies. The quality of decision-making by lawyers in court was also the subject of favourable comment.
- 5.2 We observed four counsel in the Crown Court and all except one were competent in all respects. However, the evidence we received revealed concerns about the selection of counsel for some sensitive cases, and more generally about the expertise of some prosecuting counsel.
- 5.3 We observed 18 other advocates in the Crown Court, magistrates' courts and youth courts. Of these, 17 were CPS staff and included lawyers and designated caseworkers (DCWs). All but one of these were competent in all respects, with three being above average in some respects.
- 5.4 We did encounter some concern about the standard of agents, used mainly to prosecute summary trials, which often focused on the adequacy of preparation. A substantial proportion of the summary trials either crack or are otherwise ineffective. For example, in the week prior to inspectors being on site, 36 of the 38 trials either cracked or were ineffective.
- 5.5 When this occurs the agent may be required to take over the list from another courtroom. As with any prosecutor, the limited time available for preparation can have an adverse impact on case presentation. This is perhaps more of a reflection on listing arrangements and the effectiveness of PTRs, than the abilities of advocates.
- 5.6 Monitoring in the magistrates' courts is undertaken regularly, feedback is given, records kept, and the results ultimately collated. There is a less systematic regime of monitoring in the Crown Court, although counsel are monitored for the purposes of re-grading, or if an issue has arisen about ability.
- 5.7 A comprehensive operational review of advocacy standards was undertaken by the Area, which reported in February 2004. The findings showed that the standard of advocacy in the Area was generally good, which generally accords with our findings. The report made recommendations, including that the TU adopt the CJU system of advocacy monitoring.

#### Strengths

- \* Appropriate systems in place to monitor all prosecution advocates in the magistrates' courts.

### **Aspects for improvement**

- \* Improved monitoring in the Crown Court.

### **Court endorsements (CAP20)**

- 5.8 In the file sample, we found proceedings at court had been properly recorded in 73 out of 77 cases (94.8%) in the magistrates' courts, and in 44 out of 46 cases (95.6%) in the Crown Court. We found examples, however, outside this particular sample where endorsements relating to magistrates' courts hearings were extremely difficult to read or inadequate. During our court observations in the magistrates' courts, there were a number of cases - particularly overnight remands - which did not have any record of review.
- 5.9 The last report contained a recommendation to improve the quality and clarity of all magistrates' courts file endorsements. Two self-assessments undertaken by the Area over a two-year period have identified that there remains a need for improvement.
- 5.10 Area managers acknowledge that this is an issue that needs to be addressed urgently, and are considering the options available to encourage improvement, including use of objective setting through the appraisal system.
- 5.11 Nevertheless, the standard of all endorsements - including review endorsements, which we have referred to earlier in this report - require improvement, and therefore we deal with the whole issue with one inclusive recommendation.

### **RECOMMENDATION**

**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.**

### **Court preparation (QSD1)**

- 5.12 Court preparation is generally good and, in particular, youth court preparation was very good. We were also encouraged to see administrative support available at Sheffield Magistrates' Court before the business of the day commenced.
- 5.13 In some instances agents do not receive their files until the morning of the court. This may result from practices within agents' chambers, or late delivery from the CPS.

### **Strengths**

- \* Good court preparation, particularly in the youth courts, and administrative support provided in Sheffield Magistrates' Court.

### **Aspects for improvement**

- \* Timeliness of providing magistrates' courts files to agents.

### **Attendance at court (QSD2)**

- 5.14 CPS advocates attend court in good time, allowing time to review any outstanding cases or overnight remands. We observed this time before court being used to discuss cases with the defence and court.
- 5.15 Caseworker coverage in the Crown Court is generally on a 1:1 basis, although we did see evidence of caseworkers attending court in a less than timely fashion. There was evidence that in some PDHs a caseworker was not present, resulting in orders not being recorded and subsequently not complied with. On the other hand we received positive evidence from agencies about the professionalism and good support provided by caseworkers at the Crown Court.

### **Accommodation (QSD4)**

- 5.16 There is accommodation available at or near all of the magistrates' courts and Crown Court centres in the Area. The size and quality of the rooms varies, but the Area has adequate accommodation to enable it to conduct its business efficiently.

## 6 VICTIMS AND WITNESSES

### Witnesses at court (QSD3)

- 6.1 Witnesses at court are generally treated with courtesy, and consideration is given to their needs. Much of this is attributable to the police and the Witness Service, although inspectors observed good examples of witness care by CPS caseworkers at court and gathered evidence from other agencies about the approachability, helpfulness and responsiveness of lawyers and caseworkers.
- 6.2 However, it is not common practice for counsel to introduce themselves to witnesses before court commences.
- 6.3 The working relationship with the Witness Service and Victim Support is good. The CPS provides copies of the List of Witnesses to Attend Court (LWACs) in all cases, and copies of referral forms in cases involving children. Additional information is provided by CPS in domestic violence and street crime cases.
- 6.4 Where witnesses are stood down, this needs to be communicated more effectively to the Witness Service if it is to deploy its volunteers efficiently.
- 6.5 Whilst on-site we noted the monitoring log showed a steady increase in the use of the Special Measures now available for certain categories of young or vulnerable witnesses, although all cases require appropriate consideration on a case-by-case basis. In our file sample, applications for Special Measures were made in all appropriate cases.
- 6.6 A Witness Care Pilot scheme is now operating in Sheffield. Whilst accepting that the Pilot scheme is early in its life, it did not appear to inspectors that there was clarity as to its aims and objectives. A certain lack of direction indicated that there needs to be a clear definition of who are the partners to the scheme, what their roles are, and what the scheme aspires to achieve.

#### Aspects for improvement

- \* Clarification of the aims and objectives of the Witness Care Pilot scheme to ensure that staff at all levels are aware of their roles and responsibilities.

### Direct Communication with Victims (CAPI3)

- 6.7 The Area has a separate Victim Information Bureau (VIB) in the CJU and the TU, staffed by B1 and A2 caseworkers. The letters they draft are checked by the appropriate lawyer for accuracy. The quality of letters is very good, but there are issues regarding the lack of identification of cases with a notifiable victim in some instances and, more significantly, a major problem regarding timeliness.
- 6.8 Appropriate training has been delivered to staff and we were encouraged to hear that all VIB staff had received the national CPS training on DCV. One member of the VIB had attended a training course on plain English. All staff watched the training video prior to roll out of the scheme, and new staff were provided with a DCV induction pack.

- 6.9 After implementation of the scheme, evaluation was undertaken by PA Consulting who found that it had benefited from proper planning; the overall project leadership and governance had worked particularly well.
- 6.10 In the file sample there were a number of cases where a charge had been altered at court and this had been explained to the victim at court, but there was then no follow-up letter. Overall, in a sample of 42 relevant cases, the victims had been notified of the decision in 22 cases (52.4%).
- 6.11 The quality of letters is very good, in particular the comprehensive explanations and the plain language used. In addition to letters arising as part of the file sample, a further 35 letters were considered on site. Eighteen were very good with regard to the explanation given or language used, and a further 15 were good in both respects.
- 6.12 Timeliness of letters is, however, poor. On-site examination showed that the CJU average time was 15 days and the TU eight days. These letters should be sent within five days, with a national target for 70% to be sent within this period. The Area recognises that improvement is required, and it is, of course, fundamental to the DCV initiative that not only are the letters informative, but that information is delivered to the victims in a timely fashion.
- 6.13 There was no evidence of notification being made to victims by telephone, but we did find evidence that VIB staff are regularly engaged with telephone calls from victims requiring further information or explanation.

### **Strengths**

- \* The quality of the letters to victims is of a high standard, both in regard to the explanations given and the language used.

### **RECOMMENDATION**

**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).**

### **Meetings with victims and relatives of victims (DCV5)**

- 6.14 The office in Sheffield has an appropriate room to facilitate meetings with victims, and suitable rooms are also available for those CPS staff who are co-located in Barnsley, Doncaster and Rotherham. Meetings with victims are still relatively uncommon, and in this Area there have been only three meetings in the past three years, with two of those meetings taking place outside CPS offices.

### **Victims' Charter (CR2)**

- 6.15 In the file sample we found that witness warnings were sent to the police in a timely manner in all cases and, where appropriate, attendance of witnesses was staggered, with prosecuting counsel being asked for appropriate timings for attendance. Special Measures were sought in all appropriate cases.
- 6.16 In addition, appropriate use was made of the provisions to agree evidence under section 9, Criminal Justice Act 1967, in all of the cases.
- 6.17 In general, the adherence to the Victims' Charter by CPS South Yorkshire is good. There are good relationships with other agencies, so that overall, the needs of victims and witnesses are being met.

## 7 PERFORMANCE MANAGEMENT

### Performance standards (PM1)

- 7.1 The Area has defined standards for performance and staff are aware of the expectations and requirements. National standards for casework quality are developed to meet local needs. The Area has a systematic approach to capturing performance information and a sound system in place to ensure that regular feedback is given, both at individual and group levels.
- 7.2 The CCP and ABM hold quarterly performance meetings with Unit Heads and Team Leaders to review performance, using comprehensive management and performance information covering all aspects of work to set the agenda. Aspects of poor and strong performance are discussed.
- 7.3 Links between working levels within the Area have been forged to ensure that there is a natural progression of information on performance, both up and down the management chain.

#### Strengths

- \* Systematic approach to capturing performance information, using it to develop performance improvement, and give feedback.

### Performance monitoring (PM2)

- 7.4 The Area performance pack is comprehensive, with clear links between the data collected and performance targets set in the Area and Unit Business Plans. The CCPB receive monthly performance data covering all internal and external measures. There is a strong ethos in the Area to improving performance and a strong focus on ensuring that areas where performance can be improved are given priority. The CCP and ABM are actively involved in driving and directing performance improvement with a strong sense of accountability and responsibility being held by senior and middle managers.
- 7.5 The Area has developed a self-assessment process to allow it to understand and improve its core business. This process produces regular management reports in the form of mini-inspections. A programme of inspections is linked to key measures, areas of national focus and the Risk Register/Certificate of Assurance. Reports are considered by the CCPB and recommendations for improvement are assigned for implementation and action. We commend this process as **good practice**.
- 7.6 One aspect of poor performance which had been highlighted within the self-assessment process was the standard of file endorsements, a weakness identified during our last inspection. Although the Area has a sound process to highlight aspects of weakness, and the self-assessment process is a valuable tool in producing performance information for management, we were disappointed that the standard of file endorsements had not improved. Although not indicative of Area performance in general, we have concerns that some aspects of poor performance are not being tackled in a timely manner.



### **Joint performance management (PM3)**

- 7.7 The Area is actively involved in managing performance jointly with its partners, and has been paramount in developing a structured process to ensure regular and active joint performance management across the CJS. It actively participates in a number of joint performance groups as well as a senior manager chairing the County Performance Group (CPG).
- 7.8 To clarify the true extent of the quality of police files received by the Area, 100% of files received in the Doncaster CJU are jointly assessed for timeliness and quality. In other CJUs a two-week dip sample is used. This approach is helping to produce a shared understanding of requirements and agreed management information and trend analysis.
- 7.9 Within the TU, 100% of received files are monitored by the CPS. However, the joint approach taken within the CJUs is not apparent. Work needs to be undertaken jointly with police to develop effective relationships and agree file quality and evidential standards, in order to make the JPM process as effective as it is within the CJUs.

#### **Aspects for improvement**

- \* Ensure action is taken within the TU to develop a shared understanding on file standards and enable managers and police supervising officers to engage in an effective partnership approach to JPM.

### **Risk management (PM4)**

- 7.10 Linking corporate risk and the self-assessment process has given the Area the ability to manage risk pro-actively. Quarterly risk reviews by the CCPB and the appointment of accountable officers for each risk ensures that the Area actively considers how risks can be mitigated and planned for. The systematic approach to risk management, with clearly defined links to the planning cycle and Annual Certificate of Assurance, as well as the strong sense of management accountability for progressing risk, makes this a clear strength.

#### **Strengths**

- \* The Area approach to risk management and mitigation.

### **Continuous improvement (PM5)**

- 7.11 Staff at all levels strive to improve performance. There is a culture within the Area of looking self critically at current performance and using this to improve. Staff are actively involved in the improvement process and recommendations and action plans are developed to produce performance improvement. The Area actively encourages other partners to consider performance through working within local and Area performance groups.

### **Accounting for performance (PM6)**

- 7.12 This aspect is covered at paragraphs 7.5-7.6 above.

## 8 PEOPLE MANAGEMENT AND RESULTS

### Human resource planning (P1)

- 8.1 The Area, in particular the CCPB, has a clear sense of direction and an understanding of the staffing needs to deliver its priorities and key aims. The Area is currently at full strength within the lawyer cadre.
- 8.2 Sound management information on staffing is received by the CCPB enabling a structured approach to manage staffing and succession planning. The Area Human Resources (HR) Model - with links to finance and affordability - ensures that the senior team can plan human resources and assess any business risks.

#### Strengths

- \* The Human Resources Model which links human resource planning to cost and affordability, allowing the CCPB to manage staffing in a structured approach.

- 8.3 The HR Model is a valuable tool which the Area reviews on an ongoing basis in the light of major change, for example it was amended to reflect the need for additional administrative staff during the implementation of Compass. We encourage a pro-active approach in using the Model.

### Staff structure (P2)

- 8.4 Staff structure is regularly and appropriately reviewed. Recently structures have changed to deliver Compass and charging as effectively as possible.
- 8.5 Pressures on accommodation in Rotherham have meant that the optimum structure for that unit may not have been produced. The implementation of Compass has added further complications as administrative support is required, but there is no space for additional staff. The Area is aware of the issue and is in active negotiation with the police.

### Staff development (P3)

- 8.6 The staff survey identified that staff feel satisfied with the opportunities available to them to improve their skills. This was also confirmed during interviews, where staff expressed the view that training was embedded in the culture. The recent Investors in People (IiP) reassessment of the Area also commented favourably on training and the development of staff.
- 8.7 The Area has an extensive programme of training and development including access to project work, lead responsibilities and representational roles which encourage staff to develop new skills. It also sponsors two legal trainees as part of the Legal Scholarship scheme.

- 8.8 The Area Training Plan includes costs and the number of training places available, and collates and controls access to both national and regional courses. It is linked to the HR Plan and, as such, also includes the cost of backfilling. The CCPB discuss Area training but there is no formal system in place to demonstrate that training is linked to the business objectives as defined in the Area or Unit Business Plans.

#### **Performance review (P4)**

- 8.9 The Area had returned 100% of Performance Appraisal Reports by June 2003, compared with 70% nationally. This strong performance is mirrored in the Area's approach to performance review.
- 8.10 Standards and objectives are clearly outlined and are linked to Area and Unit Plans and objectives. The IiP reassessment confirmed that individual reports linked to the corporate objectives, but also suggested that the Area may need to invest more time to appraisal discussion. Staff at all levels are aware of how the process works and the Area uses a system of personal job objectives to measure and improve performance, for example, an objective on the standard of file endorsements.
- 8.11 The Area annually undertakes a 10% check on standards and fairness of appraisals. Additionally, in September 2003 the Area self-assessment process undertook a more thorough review on the standard of performance appraisal within the Area. Findings were favourable.

#### **Management involvement (P5)**

- 8.12 Information is shared with staff through a variety of methods, using team meetings, the Area newsletter and CCP's bulletins. Meetings in the main are minuted and these are shared within the represented groupings.
- 8.13 We have some concern that cross-grade meetings are not common place throughout the Area. We recognise there are acceptable reasons behind this approach to meetings, but it can introduce artificial barriers and perceptions which are not beneficial to constructive team working. The Area needs to consider how key messages can be cascaded to all staff, ensuring that this process invokes a feeling of ownership.
- 8.14 The Area is actively trying to re-invigorate the Area Sounding Board. There is an intention to use the Sounding Board to develop and plan for new initiatives.

#### **Aspects for improvement**

- \* The Area needs to ensure that the limited use of cross-grade meetings does not inhibit staff from being actively involved in the communications process.

### **Good employment practice (P6)**

- 8.15 Against its own target of 8.6 days a year sickness for each member of staff, the Area figure had been reduced to 4.8 days up to September 2003. Staff are aware of Area performance and there is an active push to manage absence and reduce sickness.
- 8.16 Staff felt the Area took family-friendly policies seriously and this was evident in the large number of part-time staff whose working patterns are managed to maximise both the benefits to the business as well as the staff.
- 8.17 There is full compliance with guidance and relevant legislation in respect of personnel and employment issues.

### **Equality and diversity (P7)**

- 8.18 The Area has active policies to promote equality and diversity. It has an Equality and Diversity Group, which acts as a sounding board for the development of equality and diversity plans, and also has a role in monitoring performance. The Area currently employs 4.2% of staff from minority ethnic backgrounds, exceeding the make-up of the local population of 3.8%.
- 8.19 Positive action in the Area to promote equality and diversity include:
- \* 60% of staff have attended 'Race to Train' scenario workshops.
  - \* Appointed the Communications Manager with lead responsibility for community engagement.
  - \* Taken positive action to mark the European Year of the Disabled.
  - \* Participating annually in the University *Choices and Voices* conference for young people from minority ethnic groups.
  - \* Increasing upwards the target for recruitment from minority ethnic backgrounds as current targets have been exceeded.
  - \* Implemented a positive action work placement scheme (which received a commendation at the recent CPS Equality and Diversity Awards ceremony).

#### **Strengths**

- \* Action taken to implement equality and diversity throughout the workplace, using a variety of available methods to communicate the importance of this issue to staff.

### **Health and safety (P8)**

- 8.20 The staff survey showed that 52% of staff in the Area agreed or strongly agreed that health and safety issues were taken seriously in the Area, which was 16% better than the national average.
- 8.21 CCPB receive quarterly Health and Safety Reports. We saw evidence that issues highlighted in these reports were rectified and management accountability is allotted to ensure that health and safety issues are progressed.
- 8.22 The Area has a number of trained Health and Safety Officers and arrangements are in place to ensure that work place assessments are undertaken, as well as regular full checks.

## 9 MANAGEMENT OF FINANCIAL RESOURCES

### Staff financial skills (MFR1)

- 9.1 The Area has a clearly defined structure to support financial management and the ABM has developed a systematic structure to manage the Area's budget. This system is complementary to the staffing model used within the Area and allows the senior team to understand the impact of key decisions on the budget.
- 9.2 Although the ABM controls budget activity, there are a number of other staff who have budget experience and are involved in the process, giving the Area an adequate contingency to control the budget in the event of staff absence.
- 9.3 Some of the budget heads have been devolved to Unit Heads for monitoring in an attempt to give them the capability to take responsibility for the impact of decisions. This devolution is supported by unit administrative managers who have budget experience. In principle, although a sound approach, there is little room for manoeuvre as central control of the budget and static staff costs exist. The Area may need to consider whether there is any real advantage in devolving budgets as there is strong budget awareness within the senior team.

#### Strengths

- \* The system and controls to manage, monitor and undertake budgetary activity.

### Adherence to financial guidelines (MFR2)

- 9.4 The Area complies with the guidelines and rules for financial management. It has developed a systematic process to review its budget. Quarterly reviews are undertaken and Resource Accounting and Budgeting procedures are followed. Known spend and anticipated expenditure informs monthly allocation. Any discrepancy in expenditure against estimate is challenged.

### Budgetary controls (MFR3)

- 9.5 Monthly updates are considered at the CCPB and action taken to remedy any budgetary matters. Additional Area allocations have been correctly allocated to budget codes and these have been managed in a systematic way.
- 9.6 Linking the budget and staffing model has allowed the Area to take quick decisions on staffing matters. This was particularly evident when the Area received additional funding for the pre-charging pilot.

### Management of prosecution costs (MFR4)

- 9.7 Effective systems are in place to ensure that counsel fees are paid correctly and on time. Payment of fees performance is included within the CCPB performance pack.

- 9.8 The Area met its target for Higher Court Advocate (HCA) usage in 2002-03 and is on target to do the same for 2003-04. However the TU Unit Head has identified that there is some work to do with regard to court listings if additional HCA capabilities are to be fully utilised. The Area has bid for an additional HCA in the current round of recruitment.
- 9.9 The Area has correctly managed and controlled expenditure on budget code 3010.

**Value for money approach (MFR5)**

- 9.10 Systematic processes and sound performance data on budgetary matters ensures that CCPB can make decisions that offer value for money. Controls and checks undertaken by the ABM and other staff involved in budgets also demonstrate an awareness of cost.

## **10 PARTNERSHIPS AND RESOURCES**

### **CJS partnerships (P&R1, KPR8)**

- 10.1 The Area has developed strong partnerships with all agencies within the CJS. This approach has been consolidated by active involvement in the Local Criminal Justice Board (LCJB) (and its forerunner). The Area also benefits from relationships that have been established through participating in the street crime initiative. Every agency within the CJS that we talked to demonstrated a commitment to deliver, and there was a constant refrain that the goal within South Yorkshire is to deliver by 'making it happen'. This approach is evident in the structure of the LCJB and the active concentration on improving current performance against all key measures.
- 10.2 The appointment of a CPS senior manager to oversee LCJB initiatives, and to chair the CPG, has ensured that the Area can actively participate and influence the CJS. Membership of local performance sub groups has also had the beneficial impact of developing strong relationships at working level with partners. Monitoring performance at both county and local level has allowed the CPS and partners to identify issues and address these in a timely and joined-up manner.

### **Improving local CJS performance (CR4)**

- 10.3 As discussed above there is a sound system in place within the Area to assess CJS performance, although it is still developing. Action has been taken by the CCP to influence how the CPG can be held accountable to the LCJB. The chair of the CPG has also recently become active in encouraging a review of the performance monitoring structure. This work should encourage a more fundamental concentration on accountability, both in local performance groups and the CPG. This in turn should allow the LCJB to consider issues of a cross-cutting strategic nature and enable it to direct performance improvement activity.
- 10.4 The Area has clearly demonstrated how participating in partnership working can improve performance; this is evident within the results in relation to street crime and the re-invigorated JPM system. Both of these activities have been closely linked by a need to learn from experience and the use of performance data to direct resources.

### **Information technology (P&R2)**

- 10.5 Compass was rolled out in the Area in November/December 2003. Although our site visit was soon after implementation, we saw evidence of sound planning. A strategic decision has been taken by the CCPB to stage the migration of data to the new system, which is a sound approach. All staff have been trained and initial take up of the system has been good at all levels.
- 10.6 The Area demonstrates a strong capacity to use IT to develop management information. Even though this may be the skill of few; having the right people in the right jobs to get best use of IT is to be praised.



### **Buildings, equipment and security (P&R3)**

- 10.7 Accommodation within the Area generally meets the needs of the business. However, a number of recent issues have caused the Area to reconsider the adequacy of the current estate. The co-located accommodation at Rotherham is too small to meet the Area's changing needs, and active negotiation is being held in an attempt to resolve the issue. Additionally, the increase in the numbers of staff to service new initiatives has placed pressure on the accommodation at Greenfield House (Sheffield). Negotiations have reduced the pressures as police staff from the TU will move to new police premises in April 2004. This may be the most effective way to deal with accommodation pressures but will require careful management to ensure effective partnership working.
- 10.8 Security arrangements at all sites within the estate are stringent. All staff seen were wearing passes and all visitors are required to sign in and are escorted on and off site.

### **Partnership with Headquarters and the Service Centre (P&R4)**

- 10.9 The frequent turnover of staff within certain parts of the Service Centre has caused the Area some problems. The Area has recently had to undertake its own recruitment exercise to fill its vacancies. In order to fill gaps in the services provided by the Service Centre, the Area expanded the HR role of a staff member within the Area Secretariat.
- 10.10 The CCP and ABM are actively involved in many national initiatives and groups, and there is a strong relationship with CPS Headquarters.

## 11 POLICY AND STRATEGY

### Stakeholders (P&S1)

- 11.1 The Area Business Plan (ABP) includes targets and objectives that take account of all stakeholder needs. The joint performance groups at local and county level have allowed the Area to influence and reflect the expectations of key stakeholders within key processes and work activities.
- 11.2 The involvement of the Area in the street crime initiative has forged strong links within the CJS. These have been built upon to establish a relationship which challenges current performance and strives to improve. The regular changes to the court listing pattern, to improve effective use of resources, ably demonstrates how the Area as an equal partner can both influence and respond to CJS stakeholders.

### Performance measurement (P&S2)

- 11.3 Performance measurement and management by the Area is a strength. There is a focus within the Area on improvement by analysis of internal performance measures. Best practice across the CJS to improve and facilitate improvement is shared as appropriate.
- 11.4 The Area's self-assessment process clearly links findings from previous HMCPSI reports and ensures that these are tested within the remit of the self-assessment. Additionally, the CCPB discusses how improvements can be made to current business processes using the findings of Area self-assessments. This improvement process has a direct link to operational policy and consequently has resulted in enhancement to key targets and processes.

### Review (P&S3)

- 11.5 There is full and systematic review undertaken of all plans within the Area, and staff are aware of the timetable. The Area has recently established a dedicated post within the Secretariat to oversee the review process in relation to performance, project support and to lead the Area's self-assessment programme. The appointment of this post-holder should enable the Area to implement and act upon the findings of self-assessment reviews in a more timely manner.
- 11.6 Plans and Area priorities are updated in line with the findings. As with many Areas, South Yorkshire has had to implement a number of major initiatives in a limited timeframe, for example charging, Compass and the witness pilot. This has had some impact on the ability of the Area to review these initiatives. As both charging and the witness pilot are fundamental to the improved delivery of criminal justice, earlier and fuller initial review or management attention may have been appropriate. The Area has recognised this as a risk, and developed a formal review timetable and outputs to capture lessons learnt and potential process improvements.

#### Strengths

- \* The Area approach to checking and reviewing of plans.

#### **Framework of key processes (P&S4)**

- 11.7 The Area self-assessment reviews several of its key processes in a systematic way. Linked to this has been the recent focus on process review to aid the smooth implementation of new initiatives, specifically Compass and the shadow charging pilot.
- 11.8 Business managers within the units are the identified process owners, with overall responsibility for process ownership resting with the ABM. However, as each business manager has accountability for a discrete part of the Area's business, there is some risk that processes may develop in isolation. The Area needs to ensure that there is a systematic approach to process review to ensure consistency.

#### **Communication and implementation (P&S5)**

- 11.9 The Area has a systematic approach to communicating key business priorities and policies. A clear link to the planning process ensures staff are aware of the aims and objectives of the Area and how this fits with the wider CJS. The last staff survey indicated that, against national average, 15% more staff in South Yorkshire were aware of the visions and aims of the Area and that they understood the wider picture in relation to criminal justice.

## **12 PUBLIC CONFIDENCE**

### **Complaints (CR1)**

- 12.1 The Area's system for dealing with complaints is sound. Satisfactory logs are maintained which indicate timely responses; this was confirmed by the complaints letters we examined on site.
- 12.2 Unit Heads generally deal with complaints and the response letters. The letters we sampled were of a good quality: the explanations provided were clear, addressing all the issues raised and using appropriate language.
- 12.3 There is analysis of the outcome of complaints and where appropriate, any lessons to be learned are disseminated to members of staff.

### **Minority ethnic communities (CR5)**

- 12.4 The cases with a minority ethnic dimension in the file sample were handled in accordance with the Code and CPS policy. However, as discussed at paragraphs 4.57-4.58, racist incident monitoring forms are not always being completed and consequently cases are not being appropriately logged.
- 12.5 The Area is taking increasing steps to engage with the local minority ethnic communities. Senior management in the Area have recently attended meetings with the Racial Equality Council and improved links have been attained.

### **Safeguarding children (CR7)**

- 12.6 The cases in the file sample involving allegations of child abuse were dealt with in a satisfactory manner.
- 12.7 The Area has designated relevant specialist prosecutors, who act as a point of reference for any queries, and provide assistance to other prosecutors where appropriate. An Area representative regularly attends the local Area Child Protection Committee.

### **Community engagement (CR6 and SR1)**

- 12.8 The Area adopts a systematic and pro-active approach to community engagement. There is a clear plan, with all activities collated by the recently appointed Communications Officer.
- 12.9 The Area is outward looking and is continuing to develop links within the community, and with local groups such as the Local Authority Area Panels and the South Yorkshire Domestic Violence Forum. The Area is also involved in the 'Magistrates' project, and representatives have attended colleges and job fairs.
- 12.10 The Area acknowledges that there are not unlimited resources to dedicate to community engagement, and there is a need to prioritise community involvement to ensure optimum engagement, whilst at the same time fitting in with the ABP and LCJB public confidence strategy.

### **Strengths**

- \* The Area's overall systematic and pro-active approach to community engagement.

### **Media engagement (SR2)**

- 12.11 The appointment of the Communications Officer is enabling the Area to build on the level of interaction with the media. Closer links are being established with the local press and this is evidenced by a number of articles examined whilst on site. A systematic and pro-active approach has been adopted ensuring good news stories and negative press are managed in a way to appropriately raise the profile and confidence in the CPS. A partnership approach has been adopted with police to ensure that a joined-up strategy to media engagement is taken by both agencies.

### **Public confidence (SR3)**

- 12.12 The CCP chairs the LCJB Public Confidence Group. Following public consultation by the LCJB, an Action Plan has been compiled, directed at improving public confidence locally.
- 12.13 The local Police Authority, on a bi-annual basis, issue a consultation questionnaire directed at members of the public, to obtain feedback on various issues relating to the local police. The Area, in its role as a partner within the LCJB, identified this as an opportunity to secure data on other criminal justice issues that impact on public confidence. After consultation with the Police Authority, a selection of questions on issues that relate to the CPS and the criminal justice system as a whole will be included in the questionnaires, with effect from February 2004. This will provide reliable quantitative information on public confidence, whilst using a minimum of resources.

## **13 LEADERSHIP AND GOVERNANCE**

### **Vision and values (L&G1)**

- 13.1 The vision and values of the Area are clearly outlined to staff in the ABP. To reinforce the key messages, including targets and priorities, a laminated credit card sized document is issued to all staff. Unit Plans and individual Business Plans are clearly linked to the Area vision and communicated to staff.
- 13.2 A large proportion of staff have a clear understanding of the Area's vision. There is an awareness in the Area of not only the goals for the CPS, but also the wider CJS perspective. However, there was evidence that some staff were not fully aware of the direction or the current drive to improve, other than how it impacted on their daily work. The Area should consider how to ensure that all staff are made aware of how its vision and aims impact in a holistic manner, rather than specifically.
- 13.3 Managers at all levels demonstrate an awareness of how the current performance of the unit or team can influence and impact overall Area performance.

### **Staff recognition (L&G2)**

- 13.4 The Area IiP reassessment identified that some work needed to be undertaken to ensure that there was consistency in staff recognition across the Area. The Area developed an Action Plan to tackle all of the issues raised in the IiP reassessment, but decided to await work from CPS Headquarters on reward and recognition throughout the Service.
- 13.5 Staff receive feedback on performance, but in the main this is concentrated on areas that require improvement. The Area needs to turn its focus to celebrating success. Any process developed should be complementary to the internal communications strategy.
- 13.6 The TU has recently established a Sounding Board to engage staff in the decision-making process. Although relatively new, it has been instrumental in ensuring that decisions are made from a basis of understanding on issues that affect the majority of staff within the unit.

### **Management structure (L&G3)**

- 13.7 The Area management structure is sound. The Area approach is to ensure that there is management capability and resource outside of the Unit Head structure to support the implementation of fundamental initiatives - achieved in part by the appointment to the CCPB of the NJG Project Manager. This approach has ensured that staff at the CCPB have not been overburdened.
- 13.8 The CCPB sets the strategic direction for the Area. There is a clear understanding within the Board of roles, and the Area has developed plans that explicitly outline responsibility and accountability at a senior level for delivery against Unit and Business Plans. A defined timetable to aid review and planning is also undertaken by the CCPB. Staff at all levels are aware of responsibilities within the senior team, which has been aided by little change to members over the past five years.

- 13.9 At unit level the Area has a similar management structure. Unit Heads have an appropriate management team, which is responsible for performance and also produces Unit Plans.

#### **Organisational structure (L&G4)**

- 13.10 The current organisation of the Area reflects the needs of the business as it currently exists. The split between the TU and four CJUs is a systematic approach to service the courts and ensure that work is carried out in a cost effective and efficient manner. The Area's approach to co-location has allowed it to develop effective relationships with the police as well as ensure that local issues can be addressed.
- 13.11 A number of posts within the Area Secretariat have recently been created or re-focussed to assist in the development of Human Resources, give the Area the capacity to implement self-assessment findings systematically, and service national requirements for performance information. Additionally, the Area recently appointed a Communications Officer. Once these new staff are settled in their roles and responsibilities, the Area should benefit from the change and the additional investment in the support roles.
- 13.12 The Area performance across the range of key measures indicates that the current structure is working. The decision not to appoint dedicated lawyers to the street crime initiative, but to nominate designated lawyers instead, ensures that the Area can service the requirements of the initiative and not remove entire lawyer resources from the Area programme. This approach works well and ensures that experience is developed by the many and not the few.

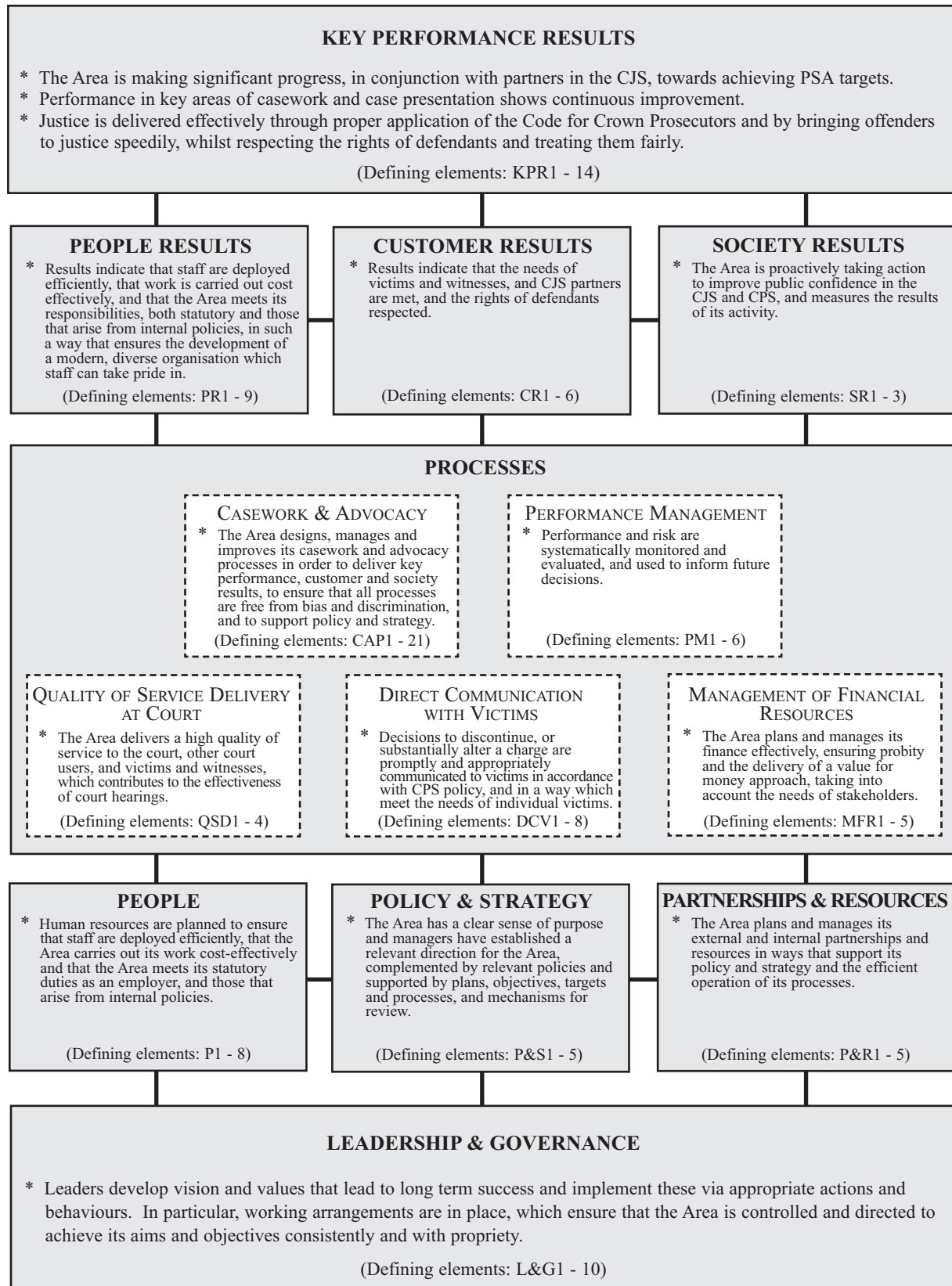
#### **Action plans (L&G5)**

- 13.13 The Area demonstrates that it has developed a systematic approach to planning. Local plans had also been developed for all business planning processes. Plans are regularly reviewed and action is taken in light of any review findings.
- 13.14 The ABP, supported by Unit Plans, outlines strategic priorities and allocates responsible officers for delivery against the plans. Unit Plans have been adapted to reflect local priorities and performance and also take account of CJS partners.

#### **Criminal justice system co-operation (L&G6)**

- 13.15 There is a wide level of commitment from all levels in the Area to working with others to achieve the aims of the CJS. The CCP chairs the Public Confidence sub group and the ABM and Unit Heads attend local CJS fora. The creation of the NJG post within the CCPB to specifically focus on delivering CJS priorities and chair the CPG has enabled the Area to communicate and actively drive the focus of the LCJB.
- 13.16 The approach to joint performance accountability through the CPG has ensured that CJS partners are able to understand the needs and priorities of others whilst recognising blockages to business process. The approach to joint performance, while still in somewhat of a formative stage, has encouraged improvement and understanding both at local and county level.

**BUSINESS EXCELLENCE MODEL INSPECTION MAP**





## KEY REQUIREMENTS AND INSPECTION STANDARDS

### CASEWORK (Chapter 4)

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**KEY REQUIREMENT: THE AREA DESIGNS, MANAGES AND IMPROVES ITS CASEWORK PROCESSES IN ORDER TO DELIVER KEY PERFORMANCE, CUSTOMER AND SOCIETY RESULTS, TO ENSURE THAT ALL PROCESSES ARE FREE FROM BIAS AND DISCRIMINATION, AND TO SUPPORT POLICY AND STRATEGY**

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#### **Advice to police (CAP1)**

*Standard:* early consultation, and charging advice are dealt with appropriately in a timely way, and in accordance with Code tests, CPS policy and local protocols, and advice is free from bias and discrimination.

#### **Cases ready to proceed at first date of hearing (CAP2)**

*Standard:* joint CPS/police processes ensure cases ready to proceed at first date of hearing and that casework decisions are free from bias and discrimination.

#### **Bail/custody applications (CAP3)**

*Standard:* joint CPS/police processes ensure appropriately informed bail/custody applications are made and decisions are free from bias and discrimination.

#### **Discontinuances in magistrates' courts (CAP4)**

*Standard:* discontinuances in magistrates' courts or Crown Court are based on all available material and are timely.

#### **Summary trial preparation (CAP5)**

*Standard:* summary trial processes ensure that the pre-trial review (if there is one) and trial dates are effective hearings.

#### **Committal and Crown Court case preparation (CAP6)**

*Standard:* Area processes for cases "sent" or committed for trial to the Crown Court ensure that:

- a) service of the prosecution case on the defence takes place within agreed time periods before committal/plea and directions hearing (PDH);
- b) prosecution has taken all necessary steps to make the PDH and trial date effective; and
- c) prosecutor is fully instructed.

#### **Disclosure of unused material (CAP7)**

*Standard:* disclosure is full and timely and complies with CPIA and CPS policy and operational instructions in both the magistrates' courts and Crown Court.

**Sensitive cases (CAP8)**

*Standard:* sensitive cases (race crime, domestic violence, child abuse/child witness, rape, fatal road traffic offences, homophobic attacks) are dealt with in a timely way in accordance with CPS policy and in a manner which is free from bias and discrimination.

**File/message handling (CAP9)**

*Standard:* file/message handling procedures support timely casework decisions and actions in both the magistrates' courts and Crown Court.

**Custody time limits (CAP10)**

*Standard:* systems are in place to ensure compliance with statutory and custody time limits in both the magistrates' court and Crown Court.

**Joint action to improve casework (CAP11)**

*Standard:* Area has effective processes and partnerships with other agencies to improve timeliness and quality of casework review and preparation for both the magistrates' court and Crown Court and that partnership decisions reflect the general duty under the Race Equality Scheme.

**National Probation Service and Youth Offending Teams (CAP12)**

*Standard:* the provision of information to the Probation Service is timely and enables the production of accurate reports free from discrimination and bias.

**Youth cases (CAP13)**

*Standard:* youth cases are dealt with in a timely way (in particular persistent young offenders) and in accordance with CPS policy and in a manner which is free from bias and discrimination.

**Appeal and committal for sentence processes (CAP14)**

*Standard:* appeal and committal for sentence processes ensure appeal/sentence hearings are fully prepared and presented.

**Appeals against unduly lenient sentences (CAP15)**

*Standard:* submissions to the Attorney General of potential references to the Court of Appeal against unduly lenient sentences are made in accordance with CPS policy and current sentencing guidelines, and are free from bias and discrimination.

**Recording of case outcomes (CAP16)**

*Standard:* recording of case outcomes and archiving systems are efficient and accurate.

**Information on operational and legal issues (CAP17)**

*Standard:* information on operational and legal issues is efficiently and effectively disseminated.

### **Readiness for court (CAP18)**

*Standard:* joint CPS, police and court systems ensure files are delivered to the correct court in a timely manner and are ready to proceed.

### **Learning points (CAP21)**

*Standard:* learning points from casework are identified and improvements implemented.

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## **ADVOCACY AND QUALITY OF SERVICE DELIVERY (Chapter 5)**

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**KEY REQUIREMENT: THE AREA DELIVERS A HIGH QUALITY OF SERVICE, INCLUDING ADVOCACY, TO THE COURT, OTHER COURT USERS, AND VICTIMS AND WITNESSES, WHICH CONTRIBUTES TO THE EFFECTIVENESS OF COURT HEARINGS**

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### **Advocacy standards and monitoring (CAP19)**

*Standard:* selection and monitoring of advocates in the magistrates' courts and Crown Court ensures cases are presented to a high standard and in a manner which is free from bias and discrimination, and that selection of advocates complies with CPS general duty under the Race Relations (Amendment) Act 2000.

### **Court endorsements (CAP20)**

*Standard:* court endorsements are accurate and thorough and timely actions are taken as a result.

### **Court preparation (QSD1)**

*Standard:* preparation for court is efficient and enables business to proceed and progress.

### **Attendance at court (QSD2)**

*Standard:* staff attendance at court is timely and professional, and the correct levels of support are provided.

### **Accommodation (QSD4)**

*Standard:* the CPS has adequate accommodation at court and there are sufficient facilities to enable business to be conducted efficiently.

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## **VICTIMS AND WITNESSES (Chapter 6)**

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### **KEY REQUIREMENTS:**

- \* **THE NEEDS OF VICTIMS AND WITNESSES ARE MET**
  - \* **DECISIONS TO DISCONTINUE, OR SUBSTANTIALLY ALTER A CHARGE ARE PROMPTLY AND APPROPRIATELY COMMUNICATED TO VICTIMS IN ACCORDANCE WITH CPS POLICY, AND IN WAY WHICH MEETS THE NEEDS OF INDIVIDUAL VICTIMS**
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### **Witnesses at court (QSD3)**

*Standard:* witnesses are treated with consideration at court and receive appropriate support and information.

### **Direct Communication with Victims (CAP13)**

*Standard:* victims are informed of decisions to discontinue or change charges in accordance with CPS policy on Direct Communication with Victims.

### **Meetings with victims and relatives of victims (DCV5)**

*Standard:* meetings are offered to victims and relatives of victims in appropriate circumstances, staff are adequately prepared and full notes are taken.

### **Victims' Charter (CR2)**

*Standard:* results indicate that the needs of victims and witnesses are consistently met in accordance with the Victims' Charter.

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## **PERFORMANCE MANAGEMENT (Chapter 7)**

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**KEY REQUIREMENT: PERFORMANCE AND RISK ARE SYSTEMATICALLY MONITORED AND EVALUATED, AND USED TO INFORM FUTURE DECISIONS**

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### **Performance standards (PM1)**

*Standard:* performance standards are set for key aspects of work and communicated to staff.

### **Performance monitoring (PM2)**

*Standard:* performance is regularly monitored by senior and middle management against plans and objectives, targets and standards are evaluated, and action taken as a result.

### **Joint performance management (PM3)**

*Standard:* systems are in place for the management of performance jointly with CJS partners.

#### **Risk management (PM4)**

*Standard:* risk is kept under review and appropriately managed.

#### **Continuous improvement (PM5)**

*Standard:* the Area has developed a culture of continuous improvement.

#### **Accounting for performance (PM6)**

*Standard:* the Area is able to account for performance.

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### **PEOPLE MANAGEMENT AND RESULTS (Chapter 8)**

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#### **KEY REQUIREMENTS:**

- \* **HUMAN RESOURCES ARE PLANNED TO ENSURE THAT STAFF ARE DEPLOYED EFFICIENTLY, THAT THE AREA CARRIES OUT ITS WORK COST-EFFECTIVELY AND THAT THE AREA MEETS ITS STATUTORY DUTIES AS AN EMPLOYER, AND THOSE THAT ARISE FROM INTERNAL POLICIES**
  - \* **RESULTS INDICATE THAT STAFF ARE DEPLOYED EFFICIENTLY, THAT WORK IS CARRIED OUT COST-EFFECTIVELY, AND THAT THE AREA MEETS ITS RESPONSIBILITIES, BOTH STATUTORY AND THOSE THAT ARISE FROM INTERNAL POLICIES, IN SUCH A WAY THAT ENSURES THE DEVELOPMENT OF A MODERN, DIVERSE ORGANISATION WHICH STAFF CAN TAKE PRIDE IN**
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#### **Human resource planning (P1)**

*Standard:* human resource needs are systematically and continuously planned.

#### **Staff structure (P2)**

*Standard:* staff structure and numbers enable work to be carried out cost effectively.

#### **Staff development (P3)**

*Standard:* staff capabilities are identified, sustained and developed.

#### **Performance review (P4)**

*Standard:* staff performance and development is continuously reviewed and targets agreed.

#### **Management involvement (P5)**

*Standard:* management has an effective dialogue with staff and fosters a climate of involvement.

**Good employment practice (P6)**

*Standard:* management meets its statutory obligation as an employer and demonstrates good employment practice.

**Equality and diversity (P7)**

*Standard:* action has been taken to implement CPS equality and diversity initiatives and all staff are treated equally and fairly.

**Health and safety (P8)**

*Standard:* mechanisms are in place to address requirements under health and safety legislation.

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**MANAGEMENT OF FINANCIAL RESOURCES (Chapter 9)**

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**KEY REQUIREMENT: THE AREA PLANS AND MANAGES ITS FINANCES EFFECTIVELY, ENSURING PROBITY AND THE DELIVERY OF A VALUE FOR MONEY APPROACH TAKING INTO ACCOUNT THE NEEDS OF STAKEHOLDERS**

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**Staff financial skills (MFR1)**

*Standard:* the Area has the appropriate structure and staff with the necessary skills to plan and manage finance.

**Adherence to financial guidelines (MFR2)**

*Standard:* the Area complies with CPS rules and guidelines for financial management.

**Budgetary controls (MFR3)**

*Standard:* the Area has effective controls to facilitate an accurate appreciation of its budgetary position for running costs.

**Management of prosecution costs (MFR4)**

*Standard:* prosecution costs are effectively managed and represent value for money.

**Value for money approach (MFR5)**

*Standard:* the Area demonstrates a value for money approach in its financial decision-making.

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## **PARTNERSHIPS AND RESOURCES (Chapter 10)**

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**KEY REQUIREMENT: THE AREA PLANS AND MANAGES ITS EXTERNAL AND INTERNAL PARTNERSHIPS AND RESOURCES IN WAYS THAT SUPPORT ITS POLICY AND STRATEGY AND THE EFFICIENT OPERATION OF ITS PROCESSES**

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### **CJS partnerships (P&R1)**

*Standard:* partnerships with other CJS agencies are developed and managed.

### **CJS agencies (KPR8)**

*Standard:* partnerships with other CJS agencies are improving quality and timeliness of casework and ensure that decisions are free from bias.

### **Improving local CJS performance (CR4)**

*Standard:* CJS partners are satisfied with the contribution the CPS makes to improving local Area performance.

### **Information technology (P&R2)**

*Standard:* information technology is deployed and used effectively.

### **Buildings, equipment and security (P&R3)**

*Standard:* the Area manages its buildings, equipment and security effectively.

### **Partnership with Headquarters and the Service Centre (P&R4)**

*Standard:* the Area has a good working partnership with Headquarters Departments and the Service Centre.

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## **POLICY AND STRATEGY (Chapter 11)**

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**KEY REQUIREMENT: THE AREA HAS A CLEAR SENSE OF PURPOSE AND MANAGERS HAVE ESTABLISHED A RELEVANT DIRECTION FOR THE AREA, COMPLEMENTED BY RELEVANT POLICIES AND SUPPORTED BY PLANS, OBJECTIVES, TARGETS AND PROCESSES, AND MECHANISMS FOR REVIEW**

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### **Stakeholders (P&S1)**

*Standard:* policy and strategy are based on the present and future needs and expectations of stakeholders.

### **Performance measurement (P&S2)**

*Standard:* policy and strategy are based on information from performance measurement, research and related activities.

**Review (P&S3)**

*Standard:* policy and strategy are developed, reviewed and updated.

**Framework of key processes (P&S4)**

*Standard:* policy and strategy are developed through a framework of key processes.

**Communication and implementation (P&S5)**

*Standard:* policy and strategy are communicated and implemented.

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**PUBLIC CONFIDENCE (Chapter 12)**

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**KEY REQUIREMENTS:**

- \* THE AREA IS PRO-ACTIVELY TAKING ACTION TO IMPROVE PUBLIC CONFIDENCE IN THE CJS AND CPS, AND MEASURES THE RESULTS OF ITS ACTIVITY
  - \* RESULTS INDICATE THAT THE NEEDS OF VICTIMS AND WITNESSES, AND CJS PARTNERS, ARE MET, AND THE RIGHTS OF DEFENDANTS RESPECTED
- 

**Complaints (CR1)**

*Standard:* complaints are effectively managed to increase satisfaction and confidence.

**Minority ethnic communities (CR5)**

*Standard:* the Area ensures that high casework standards are maintained in cases with a minority ethnic dimension in order to increase the level of confidence felt by minority ethnic communities in the CJS.

**Safeguarding children (CR7)**

*Standard:* the Area safeguards children through its casework performance and compliance with CPS policy in relation to cases involving child abuse and work through with other agencies, including the Area Child Protection Committee(s).

**Community engagement (CR6)**

*Standard:* the Area has appropriate levels of engagement with the community.

**Media engagement (SR2)**

*Standard:* the Area engages with the media.

**Public confidence (SR3)**

*Standard:* public confidence in the CJS is measured, evaluated and action taken as a result.

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## **LEADERSHIP AND GOVERNANCE (Chapter 13)**

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**KEY REQUIREMENT: LEADERS DEVELOP VISION AND VALUES THAT LEAD TO LONG TERM SUCCESS AND IMPLEMENT THESE VIA APPROPRIATE ACTIONS AND BEHAVIOURS. IN PARTICULAR, WORKING ARRANGEMENTS ARE IN PLACE, WHICH ENSURE THAT THE AREA IS CONTROLLED AND DIRECTED TO ACHIEVE ITS AIMS AND OBJECTIVES CONSISTENTLY AND WITH PROPRIETY**

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### **Vision and values (L&G1)**

*Standard:* vision and values are developed and support a culture of continuous improvement.

### **Staff recognition (L&G2)**

*Standard:* managers actively motivate, recognise and support their staff.

### **Management structure (L&G3)**

*Standard:* the Area has developed an effective management structure to deliver Area strategy and objectives.

### **Organisational structure (L&G4)**

*Standard:* the Area has developed an effective organisational structure to deliver Area strategy and objectives.

### **Action plans (L&G5)**

*Standard:* effective plans of action, which identify key issues, and which reflect CPS and CJS strategic priorities, and local needs, are in place.

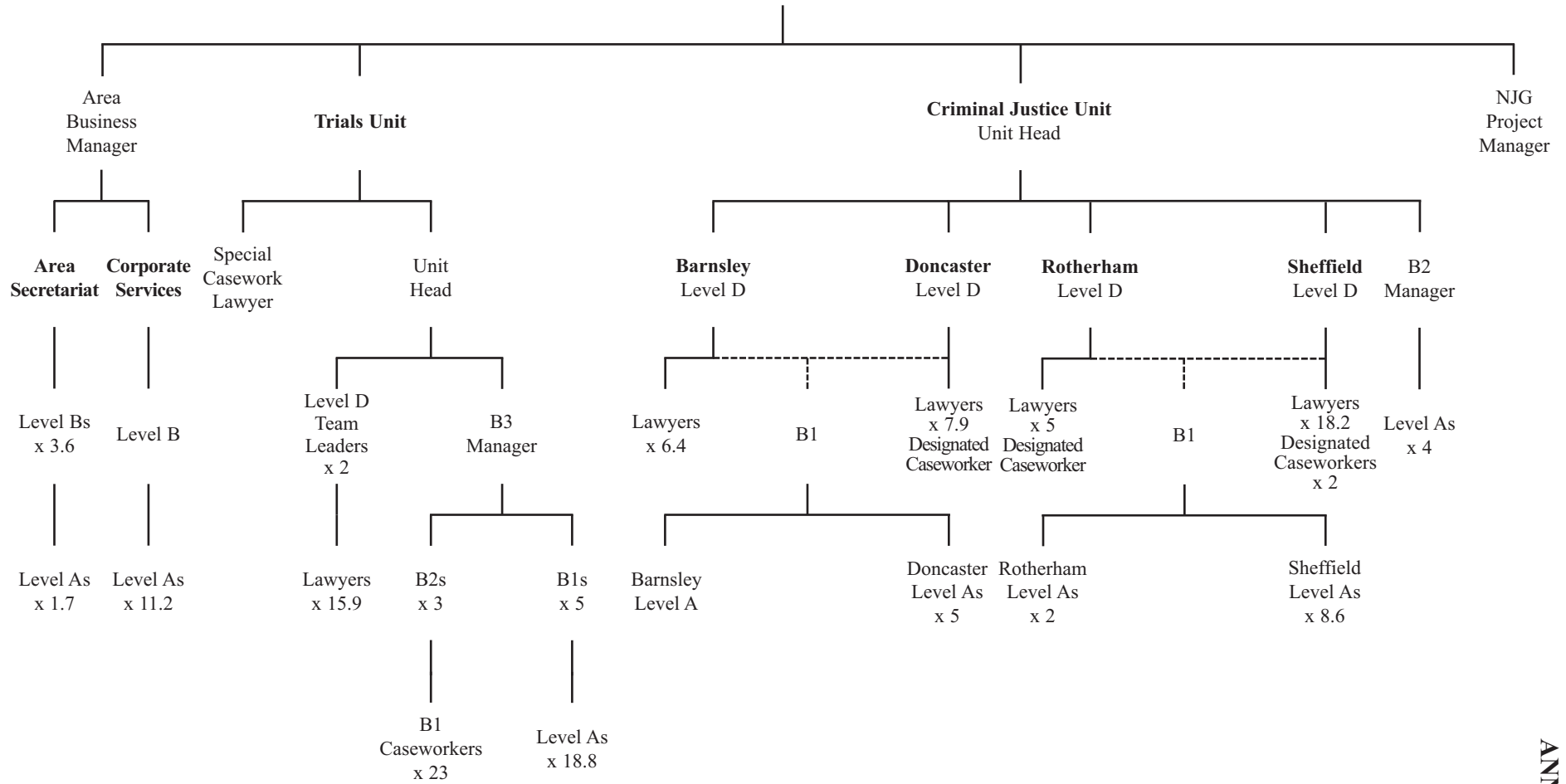
### **Criminal justice system co-operation (L&G6)**

*Standard:* the Area co-operates with others in achieving aims set for the criminal justice system.

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# CPS SOUTH YORKSHIRE STAFF STRUCTURE

CHIEF CROWN PROSECUTOR



## AREA CASELOAD FOR YEAR TO SEPTEMBER 2003

Types of case - Magistrates' Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Advice	1,336	3.3	87,160	6.1
Summary motoring	15,371	37.4	465,494	32.4
Summary non-motoring	5,035	12.3	292,912	20.4
Either way & indictable	19,099	46.5	580,483	40.4
Other proceedings	221	0.5	11,920	0.8
<b>Total</b>	<b>41,062</b>	<b>100</b>	<b>1,437,969</b>	<b>100</b>

Completed cases - Magistrates' Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Hearings	28,478	72.1	986,750	73.7
Discontinuances	5,901	14.9	165,380	12.4
Committals	2,936	7.4	91,919	6.9
Other disposals	2,190	5.5	94,840	7.1
<b>Total</b>	<b>39,505</b>	<b>100</b>	<b>1,338,889</b>	<b>100</b>

Case results - Magistrates' Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	24,819	87.0	797,340	80.2
Proofs in absence	2,608	9.1	135,439	13.6
Convictions after trial	747	2.6	43,312	4.4
Acquittals: after trial	330	1.2	15,614	1.6
Acquittals: no case to answer	28	0.1	2,076	0.2
<b>Total</b>	<b>28,532</b>	<b>100</b>	<b>993,781</b>	<b>100</b>

Types of case - Crown Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Indictable only	1,090	26.2	39,530	31.8
Either way: defence election	567	13.6	14,420	11.6
Either way: magistrates' direction	1,315	31.6	40,296	32.5
Summary: appeals; committals for sentence	1,195	28.7	29,917	24.1
<b>Total</b>	<b>4,167</b>	<b>100</b>	<b>124,163</b>	<b>100</b>

Completed cases - Crown Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	2,573	86.6	78,085	82.9
Cases not proceeded with	309	10.4	13,179	14.0
Bind overs	42	1.4	1,198	1.3
Other disposals	48	1.6	1,784	1.9
<b>Total</b>	<b>2,972</b>	<b>100</b>	<b>94,246</b>	<b>100</b>

Case results - Crown Court	South Yorkshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	2,229	85.9	58,490	73.2
Convictions after trial	233	9.0	13,091	16.4
Jury acquittals	107	4.1	6,806	8.5
Judge directed acquittals	26	1.0	1,523	1.9
<b>Total</b>	<b>2,595</b>	<b>100</b>	<b>79,910</b>	<b>100</b>

## TABLE OF RESOURCES AND CASELOADS

<b>AREA CASELOAD/STAFFING CPS SOUTH YORKSHIRE</b>		
	<b>February 2004</b>	<b>October 2000</b>
Lawyers in post (excluding CCP)	63.3	48
Cases per lawyer (excluding CCP) per year	648.7	797.6
Magistrates' courts contested trials per lawyer (excluding CCP)	17.5	38.5
Committals for trial and "sent" cases per lawyer (excluding CCP)	47	60.1
Crown Court contested trials per lawyer (excluding CCP)	5.8	6.9
Level B1, B2, B3 caseworkers in post	46.1	32
Committals for trial and "sent" cases per caseworker	63.7	90.2
Crown Court contested trials per caseworker	7.9	10.3
Running costs (non ring fenced)	£6,391,626	£4,004,200

NB: Caseload data represents an annual figure for each relevant member of staff.

**IMPLEMENTATION OF RECOMMENDATIONS/SUGGESTIONS FROM REPORT  
PUBLISHED IN FEBRUARY 2001**

	<b>RECOMMENDATIONS</b>	<b>POSITION IN FEBRUARY 2004</b>
<b>R1</b>	The CCP ensures that effective systems are in place to provide advice to the police within 14 days, whilst maintaining existing quality.	Not achieved. Timeliness does not appear to have changed since the last report. However, the implementation of the charging scheme means that the majority of what would have been advice files are going through that scheme (and dealt with in a timely manner). To that extent, the issue may not have the priority that it would have had at the time of the last report.
<b>R2</b>	The CCP ensures that the policy for the re-instatement of discharged committals is consistently and systematically applied at the correct level and as soon as possible.	Partially achieved. A system is in place to monitor discharged committals, with a procedure for recommendations for re-instatement to be considered. However, the systems need to be improved to ensure that all cases are progressed in a timely manner, and decisions are properly recorded. This is the subject of a recommendation in this report.
<b>R3</b>	The CCP and Heads of Units ensure that all prosecutors make full records of initial and continuing review considerations and decisions.	Not achieved. The issue of the quality of file endorsements generally remains a concern, and is the subject of recommendation in this report.
<b>R4</b>	The CCP urgently implements systems to ensure that correspondence and papers received are immediately linked to files and dealt with promptly.	Achieved. It appears that in general correspondence and papers are linked to files and actioned. There were no substantial backlogs.
<b>R5</b>	The Heads of Units ensure that the arrangements for the cover of work of absent staff at all levels are effective.	Achieved. This does not appear to be an issue at this stage.

	<b>RECOMMENDATIONS</b>	<b>POSITION IN FEBRUARY 2004</b>
<b>R6</b>	The CCP takes immediate steps to implement the recommendations of the Area's review of the custody time limit system and, in particular, to ensure that it is effectively monitored at an appropriate level.	Partially achieved. The systems in place are basically sound, but there is a greater need for 'double checking', as explained in the text of this report.
<b>R7</b>	The Head of the Trial Unit ensures that all indictments are checked, both as to form and substance, after committal and before they are lodged with the Crown Court.	Achieved. Indictments are checked, and the proportion of them that require amendment is now lower than the national average in the inspection cycle-to-date.
<b>R8</b>	The CCP introduces a system of quality assurance to improve the quality and clarity of all magistrates' courts file endorsement.	Partially achieved, in so far as systems have been introduced to monitor the quality of endorsement (through Casework Quality Assurance or the two self-assessment exercises), but work still needs to be done to implement improvement (see the comments to recommendation 3 above).
<b>R9</b>	The CCP takes immediate steps to improve the order of all files and to monitor the effectiveness of the new arrangements for their management.	Achieved. Files inspected were in good order.
<b>R10</b>	The CCP ensures that the new protocol for the provision of information to the Youth Offender Teams is implemented immediately and that its effectiveness is monitored.	Achieved. This is no longer an issue, with information generally being provided as required.
<b>R11</b>	The Heads of Units ensure that there is a structured and effective monitoring of the performance of lawyers, DCWs and agents in court, and that immediate and structured feedback is given with training where appropriate.	Partially achieved. Monitoring of CPS prosecutors is being undertaken, but there needs to be more systematic monitoring of agents and counsel.

	<b>RECOMMENDATIONS</b>	<b>POSITION IN FEBRUARY 2004</b>
<b>R12</b>	The CCP, with representatives of Victim Support, the Witness Service and the police, reviews the effectiveness of systems for the care of witnesses and ensures that there is an established means of communication at management level.	Achieved. In addition to improving liaison generally, the Area is now undertaking the Witness Care Pilot.
<b>R13</b>	The CCP and Heads of Units ensure that: <ul style="list-style-type: none"> <li>* all TQ1s are accurate and returned promptly;</li> <li>* results are analysed and discussed regularly with the police; and</li> <li>* failed case trends in the Crown Court are discussed with the police.</li> </ul>	Substantially achieved. The Joint Management Boards of the units (all of which are now co-located) are used as the venue to discuss effectively performance issues. As mentioned in the report, the situation in the TU could, by closer engagement, be made more effective.
<b>R14</b>	The CCP: <ul style="list-style-type: none"> <li>* monitors the quality of replies to complaints; and</li> <li>* ensures the accuracy of data for the timeliness of response to complaints.</li> </ul>	Achieved. Both quality and timeliness of complaints is monitored, and the standard of responses is good.
	<b>SUGGESTIONS</b>	<b>POSITION IN FEBRUARY 2004</b>
<b>S1</b>	The CCP ensures that: <ul style="list-style-type: none"> <li>* agreement is reached with the police, countywide, about the types of files suitable for pre-charge advice;</li> <li>* agreement is reached with the police, countywide, about the amount of evidence and information required to be submitted for advice to be given; and</li> <li>* files are submitted through appropriate channels.</li> </ul>	Achieved. All of the files in the sample were appropriately submitted, and the police are aware of the quality of files required for submission, and the appropriate channels for submission. In practice, this suggestion is largely overtaken by the implementation of the charging scheme.

	<b>SUGGESTIONS</b>	<b>POSITION IN FEBRUARY 2004</b>
<b>S2</b>	The CCP ensures that a written record of informal advice is provided to the police.	Achieved. In practice, what used to be informal advice is now being channelled through the charging centres, where there are appropriate systems for recording advice given.
<b>S3</b>	The Heads of Units ensure that clear allocation systems - at an appropriate level - are in place, which have proper regard for the weight of cases and lawyer availability.	Achieved. Files are now appropriately allocated.
<b>S4</b>	The CCP seeks the assistance of the local Trial Issues Group in developing a co-ordinated approach to improving the effectiveness of the PTR hearings throughout the Area.	Achieved. PTR pilots are being undertaken, and are viewed as being successful.
<b>S5</b>	The Head of the Trial Unit ensures that a structured approach is made to the caseworker coverage of each Crown Court. In particular they should ensure that caseworkers remain with cases where appropriate and that full notes and endorsements are made for the benefit of those taking over a case.	Substantially achieved. Caseworker coverage is now 1:1, and the standard of endorsements and file notes is high. However, the Area is not able to consistently achieve continuity of case coverage in all appropriate cases.
<b>S6</b>	The CCP and ABM ensure that there is a clear policy for the full deployment of DCWs as an Area resource and that negotiations continue with the magistrates' courts' managers to enable their greater use.	Achieved. DCWs are now fully deployed.
<b>S7</b>	The CCP considers the appointment of a member of the CCPB as an Area Liaison Officer to act as a contact point for the British Transport Police (BTP) and to examine ways in which communication can be improved.	Achieved. The CJU Head is the Liaison Officer, supported by a designated prosecutor within the CJU. Liaison between the Area and the BTP has been held out by BTP as being amongst the best in the country.



**TOTAL NUMBER OF FILES EXAMINED FOR  
CPS SOUTH YORKSHIRE**

	<b>Number of files examined</b>
<b>Magistrates' courts cases/CJUs:</b>	
Advice	11
No case to answer	5
Trials	31
Discontinued cases	41
Domestic violence cases	(27)
Youth trials	(17)
Cracked trials	13
Ineffective trials	1
Cases subject to custody time limits	20
<b>Crown Court cases/TU:</b>	
Committals discharged after evidence tendered/sent cases dismissed after consideration of case	1
Judge ordered acquittals	40
Judge directed acquittals	9
Trials	47
Child abuse cases	(24)
Race crime	(6)
Cracked trials	24
Ineffective trials	1
Rape cases	(18)
Street crime cases	(17)
Cases subject to custody time limits	5
<b>TOTAL</b>	<b>249</b>

When figures are in brackets, this indicates that the cases have been counted within their generic category eg trials.

**LIST OF LOCAL REPRESENTATIVES OF CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED IN OUR INSPECTION**

**Crown Court**

Her Honour Judge Davies  
His Honour Judge Goldsack QC  
Ms M Ellis, Crown Court Manager, Doncaster Crown Court  
Mr L Heffernan, Crown Court Manager, Sheffield Combined Courts' Centre

**Magistrates' Courts**

District Judge Browne, Sheffield Magistrates' Court  
District Judge Fletcher, Sheffield Magistrates' Court  
District Judge Rosenberg, Barnsley Magistrates' Court  
Mr I Goldsby-West JP, Chair South Yorkshire Magistrates' Courts' Committee  
Mr C Atkinson JP, Chair Sheffield Petty Sessional Area  
Mrs M W Nuttall JP, Chair Rotherham Petty Sessional Area  
Mrs A Roberts JP, Chair Doncaster Petty Sessional Area  
Mr S Caven, Justices' Chief Executive, South Yorkshire Magistrates' Courts' Committee  
Mr A Davison, Clerk to the Justices, Rotherham Magistrates' Court  
Mr D White, Clerk to the Justices, Sheffield Magistrates' Court

**South Yorkshire Police**

Mr M Hedges QPM LLB, Chief Constable  
Chief Superintendent C Burbeary  
Chief Superintendent S Chapman  
Superintendent J Williams  
Chief Inspector N Whitehouse  
Inspector J Wright  
Sergeant S Woodward  
Mr R Hooley

**British Transport Police**

Sergeant D McMenemy

**Defence Solicitors**

Mr M Cowling

**Counsel**

Miss L Marshall

**Probation Service**

Ms H Harker, Chief Probation Officer, South Yorkshire Probation Service

**Witness Service**

Mrs E Pack  
Mrs V Beevers

**Victim Support**

Mrs C Empson, Area Manager

**Youth Offending Teams**

Miss G Ackerley  
Mr T Hart  
Mr P R Hesketh  
Mr G McNulty

**Community Groups**

Mr S Ali, Maari Project  
Mr P Khan, Maari Project  
Ms F Keith, Maari Project  
Ms M Storey, Sheffield Domestic Violence Abuse Forum  
Mrs K Brown, Choices & Voices Programme Lifelong Learning, Sheffield Hallam University

Members of Parliament with South Yorkshire constituencies were also invited to contribute.

## HMCPST VISION, MISSION AND VALUES

### Vision

HMCPST's purpose is to promote continuous improvement in the efficiency, effectiveness and fairness of the prosecution services within a joined-up criminal justice system through a process of inspection and evaluation; the provision of advice; and the identification of good practice. In order to achieve this we want to be an organisation which:

- performs to the highest possible standards;
- inspires pride;
- commands respect;
- works in partnership with other criminal justice inspectorates and agencies but without compromising its robust independence;
- values all its staff; and
- seeks continuous improvement.

### Mission

HMCPST strives to achieve excellence in all aspects of its activities and in particular to provide customers and stakeholders with consistent and professional inspection and evaluation processes together with advice and guidance, all measured against recognised quality standards and defined performance levels.

### Values

We endeavour to be true to our values, as defined below, in all that we do:

- |                        |   |
|------------------------|---|
| <b>consistency</b>     | Adopting the same principles and core procedures for each inspection, and apply the same standards and criteria to the evidence we collect.           |
| <b>thoroughness</b>    | Ensuring that our decisions and findings are based on information that has been thoroughly researched and verified, with an appropriate audit trail.  |
| <b>integrity</b>       | Demonstrating integrity in all that we do through the application of our other values.  |
| <b>professionalism</b> | Demonstrating the highest standards of professional competence, courtesy and consideration in all our behaviours.                                     |
| <b>objectivity</b>     | Approaching every inspection with an open mind. We will not allow personal opinions to influence our findings. We will report things as we find them. |

Taken together, these mean:

We demonstrate integrity, objectivity and professionalism at all times and in all aspects of our work and that our findings are based on information that has been thoroughly researched, verified and evaluated according to consistent standards and criteria.

## GLOSSARY

<b>ADVERSE CASE</b>	A <i>NCTA</i> , <i>JOA</i> , <i>JDA</i> (see separate definitions) or one where magistrates decide there is insufficient evidence for an <i>either way</i> case to be committed to the Crown Court
<b>AGENT</b>	Solicitor or barrister not directly employed by the CPS who is instructed by them, usually on a sessional basis, to represent the prosecution in the magistrates' court
<b>AREA BUSINESS MANAGER (ABM)</b>	Senior business manager, not legally qualified, but responsible for finance, personnel, business planning and other operational matters
<b>AREA MANAGEMENT TEAM (AMT)</b>	The senior legal and non-legal managers of an Area
<b>ASPECT FOR IMPROVEMENT</b>	A significant weakness relevant to an important aspect of performance (sometimes including the steps necessary to address this)
<b>CATS - COMPASS, SCOPE, SYSTEM 36</b>	IT systems for case tracking used by the CPS. Compass is the new comprehensive system in the course of being rolled out to all Areas
<b>CASEWORKER</b>	A member of CPS staff who deals with, or manages, day-to-day conduct of a prosecution case under the supervision of a Crown Prosecutor and, in the Crown Court, attends court to assist the advocate
<b>CHIEF CROWN PROSECUTOR (CCP)</b>	One of 42 chief officers heading the local CPS in each Area, is a barrister or solicitor. Has a degree of autonomy but is accountable to Director of Public Prosecutions for the performance of the Area
<b>CODE FOR CROWN PROSECUTORS (THE CODE)</b>	The public document that sets out the framework for prosecution decision-making. Crown Prosecutors have the DPP's power to determine cases delegated, but must exercise them in accordance with the Code and its two tests – the evidential test and the public interest test. Cases should only proceed if, firstly, there is sufficient evidence to provide a realistic prospect of conviction and, secondly, if the prosecution is required in the public interest
<b>CO-LOCATION</b>	CPS and police staff working together in a single operational unit ( <i>TU</i> or <i>CJU</i> ), whether in CPS or police premises – one of the recommendations of the <i>Glidewell</i> report
<b>COMMITTAL</b>	Procedure whereby a defendant in an <i>either way</i> case is moved from the magistrates' court to the Crown Court for trial, usually upon service of the prosecution evidence on the defence, but occasionally after consideration of the evidence by the magistrates
<b>COURT SESSION</b>	There are two sessions each day in the magistrates' court, morning and afternoon

<b>CRACKED TRIAL</b>	A case listed for a contested trial which does not proceed, either because the defendant changes his plea to guilty, or pleads to an alternative charge, or the prosecution offer no evidence
<b>CRIMINAL JUSTICE UNIT (CJU)</b>	Operational unit of the CPS that handles the preparation and presentation of magistrates' court prosecutions. The <i>Glidewell</i> report recommended that police and CPS staff should be located together and work closely to gain efficiency and higher standards of communication and case preparation. (In some Areas the police administration support unit is called a CJU)
<b>CUSTODY TIME LIMITS (CTLs)</b>	The statutory time limit for keeping a defendant in custody awaiting trial. May be extended by the court in certain circumstances
<b>DESIGNATED CASEWORKER (DCW)</b>	A senior <i>caseworker</i> who is trained to present straightforward cases on pleas of guilty, or to prove them where the defendant does not attend the magistrates' court
<b>DIRECT COMMUNICATION WITH VICTIMS (DCV)</b>	A new procedure whereby CPS consults directly with victims of crime and provides them with information about the progress of their case
<b>DISCLOSURE, Primary and Secondary</b>	The prosecution has a duty to disclose to the defence material gathered during the investigation of a criminal offence, which is not intended to be used as evidence against the defendant, but which may be relevant to an issue in the case. Primary disclosure is given where an item may undermine the prosecution case; secondary is given where, after service of a defence statement, any item may assist that defence
<b>DISCONTINUANCE</b>	The dropping of a case by the CPS in the magistrates' court, whether by written notice, withdrawal, or offer of no evidence at court
<b>EARLY ADMINISTRATIVE HEARING (EAH)</b>	Under <i>Narey</i> procedures, one of the two classes into which all summary and <i>either way</i> cases are divided. EAHs are for cases where a not guilty plea is anticipated
<b>EARLY FIRST HEARING (EFH)</b>	Under <i>Narey</i> one of the two classes into which all summary and <i>either way</i> cases are divided. EFHs are for straightforward cases where a guilty plea is anticipated
<b>EITHER WAY OFFENCES</b>	Those triable in either the magistrates' court or the Crown Court, e.g. theft
<b>EUROPEAN FOUNDATION FOR QUALITY MODEL (EFQM)</b>	A framework for continuous self-assessment and self-improvement against whose criteria HMCSI conducts its inspections
<b>EVIDENTIAL TEST</b>	The initial test under <i>the Code</i> – is there sufficient evidence to provide a realistic prospect of conviction on the evidence?
<b>GLIDEWELL</b>	A far-reaching review of CPS operations and policy dating from 1998 which made important restructuring recommendations e.g. the split into 42 local Areas and the further split into functional units - <i>CJUs</i> and <i>TUs</i>

<b>GOOD PRACTICE</b>	An aspect of performance upon which the Inspectorate not only comments favourably, but considers that it reflects in manner of handling work developed by an Area which, with appropriate adaptations to local needs, might warrant being commended as national practice
<b>HIGHER COURT ADVOCATE (HCA)</b>	In this context, a lawyer employed by the CPS who has a right of audience in the Crown Court
<b>JOINT PERFORMANCE MONITORING (JPM)</b>	A management system which collects and analyses information about aspects of activity undertaken by the police and/or the CPS, aimed at securing improvements in performance
<b>INDICTABLE ONLY OFFENCES</b>	Offences triable only in the Crown Court, e.g. murder, rape, robbery
<b>INEFFECTIVE TRIAL</b>	A case listed for a contested trial that is unable to proceed when it was scheduled to start, for a variety of possible reasons, and is adjourned to a later date
<b>JUDGE DIRECTED ACQUITTAL (JDA)</b>	Where the judge directs a jury to find a defendant not guilty after the trial has started
<b>JUDGE ORDERED ACQUITTAL (JOA)</b>	Where the judge dismisses a case as a result of the prosecution offering no evidence before a jury is empanelled
<b>LEVEL A, B, C, D, E STAFF</b>	CPS grades below the Senior Civil Service, from A (administrative staff) to E (senior lawyers or administrators)
<b>LOCAL CRIMINAL JUSTICE BOARD</b>	The Chief Officers of police, probation, the courts, the CPS and the Youth Offending Team in each criminal justice area who are accountable to the National Criminal Justice Board for the delivery of <i>PSA</i> targets
<b>MG6C, MG6D ETC</b>	Forms completed by police relating to unused material
<b>NAREY COURTS, REVIEWS ETC</b>	A reformed procedure for handling cases in the magistrates' court, designed to produce greater speed and efficiency
<b>NO CASE TO ANSWER (NCTA)</b>	Where magistrates dismiss a case at the close of the prosecution evidence because they do not consider that the prosecution have made out a case for the defendant to answer
<b>PERSISTENT YOUNG OFFENDER</b>	A youth previously sentenced on at least three occasions
<b>PRE-TRIAL REVIEW</b>	A hearing in the magistrates' court designed to define the issues for trial and deal with any other outstanding pre-trial issues
<b>PUBLIC INTEREST TEST</b>	The second test under <i>the Code</i> - is it in the public interest to prosecute this defendant on this charge?
<b>PUBLIC SERVICE AGREEMENT (PSA) TARGETS</b>	Targets set by the Government for the criminal justice system (CJS), relating to bringing offenders to justice and raising public confidence in the CJS

<b>RECOMMENDATION</b>	This is normally directed towards an individual or body and sets out steps necessary to address a significant weakness relevant to an important aspect of performance (i.e. an aspect for improvement) that, in the view of the Inspectorate, should attract highest priority
<b>REVIEW</b> , initial, continuing, summary trial etc	The process whereby a Crown Prosecutor determines that a case received from the police satisfies and continues to satisfy the legal tests for prosecution in the Code. One of the most important functions of the CPS
<b>SECTION 9 CRIMINAL JUSTICE ACT 1967</b>	A procedure for serving statements of witnesses so that the evidence can be read, rather than the witness attend in person
<b>SECTION 51 CRIME AND DISORDER ACT 1998</b>	A procedure for fast-tracking <i>indictable only</i> cases to the Crown Court, which now deals with such cases from a very early stage – the defendant is sent to the Crown Court by the magistrates
<b>SENSITIVE MATERIAL</b>	Any relevant material in a police investigative file not forming part of the case against the defendant, the <i>disclosure</i> of which may not be in the public interest
<b>SPECIFIED PROCEEDINGS</b>	Minor offences which are dealt with by the police and the magistrates' court and do not require review or prosecution by the CPS, unless a not guilty plea is entered
<b>STRENGTHS</b>	Work undertaken properly to appropriate professional standards i.e. consistently good work
<b>SUMMARY OFFENCES</b>	Those triable only in the magistrates' courts, e.g. most motoring offences
<b>TQ1</b>	A monitoring form on which both the police and the CPS assess the timeliness and quality of the police file as part of <i>joint performance monitoring</i>
<b>TRIAL UNIT (TU)</b>	Operational unit of the CPS which prepares cases for the Crown Court