

# **HM CROWN PROSECUTION SERVICE INSPECTORATE**

## **INSPECTION OF CPS STAFFORDSHIRE (REPORT 14/04)**

### **EXECUTIVE SUMMARY**

#### **Introduction**

1. This is the report of HM Crown Prosecution Service Inspectorate about CPS Staffordshire (the Area). The CPS is a national service, but operates on a decentralised basis with each of its 42 Areas being led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy. The inspection was a full one, with inspectors considering the quality and timeliness of the Area's casework decision-making and all aspects of management.

#### **The Area**

2. CPS Staffordshire serves the area covered by the Staffordshire Constabulary, and it has two offices at Stafford and Newcastle under Lyme. The Area Headquarters (Secretariat) is based at the Stafford office.
3. The Area was previously reported on in September 2001. At the time of the current inspection it employed the equivalent of 123.2 full-time staff. In the year ending December 2003, it dealt with 25,716 cases in the magistrates' courts, 2,308 cases in the Crown Court, and gave pre-charge advice to the police in a further 1,218 cases.

#### **Main findings of the Inspectorate**

4. The CCP has a clear vision for the future of criminal justice in Staffordshire and the Area is about to embark upon a structural review, to address CPS national initiatives and resources available, in an effort to underpin that vision.
5. The Local Criminal Justice Board (LCJB) is a cohesive group with established sub-groups working towards achieving the Public Service Agreement (PSA) targets. Area priorities reflect the overall priorities of the LCJB and take account of the expectations of partner criminal justice agencies.
6. There is currently no element of co-location with the police in the Area, although the preliminary process and project work has been undertaken to assess its benefits. A bid has been submitted to fund proposed capital expenditure for co-location of the victim and witness units. The Area is also working towards electronic transfer of files to partially meet the needs of co-location. The charging scheme has been implemented at four of the seven charging centres, although it is too early to be able to evaluate its effect.

## **Specific findings**

### ***Casework***

7. Most of the Area casework we examined was equal to, or better than, the results in the cycle-to-date. The overall quality of decision-making is very good and has been maintained since the last inspection. There was evidence of continuing review on many files, which is particularly important due to the inconsistent quality of police files. We considered that all of the decisions had been taken properly in accordance with the Code for Crown Prosecutors. The handling of unused material and compliance with the statutory duties of disclosure is also consistently good across the Area.
8. Advice cases are well reasoned and presented and the appropriate level of authority or expertise is used; however, timeliness could be improved. The Casework Quality Assurance scheme is used locally to drive casework performance and file standards. Summary trial preparation is thorough and Crown Court work is well managed - communication between lawyers and caseworkers is good, and files are clearly marked. Following two custody time limit failures in the last 12 months, the Area has tightened the procedures and all staff are now fully aware of their responsibilities. Adverse cases and issues arising are discussed at Area Management Board (AMB) and unit meetings so that lessons are learned. However, this needs to be done more systematically, and consistently undertaken both across the Area and between the Criminal Justice Units and Trial Units.

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

9. Whilst all of the CPS advocates and agents whom inspectors observed were competent, the quality was variable. Monitoring of CPS prosecutors and agents could be more frequent and more structured to ensure standards are maintained. CPS Caseworker support to counsel and witnesses in the Crown Court is good.

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

10. Victims and witnesses are treated with proper consideration and receive a good level of support, although examination of the files revealed that some letters were not sent under the original Direct Communication with Victims scheme (DCV). The Area's development of a further version of DCV within existing resources was impressive; letters are sent to victims in specific categories of sensitive cases informing them of the progress of proceedings at defined key stages throughout the case. Victim Personal Statements are actively requested and used in court to assist in sentencing; Special Measures are used in appropriate cases; and phasing of witnesses at court was normally considered.

### ***Performance management***

11. The Area collects key performance data on a range of casework-related measures. Performance is discussed at the AMB and more detailed performance review is undertaken at Unit Head/ABM monthly meetings. The Area would benefit from developing a management performance pack which contained performance information on a broader range of measures; this would allow senior management to make fully informed decisions on operational matters. The Area participates fully in the management of performance with other criminal justice agencies and attends the Performance Management Delivery Group of the LCJB.

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

12. A structural review to identify and improve the current ability of the Area to meet the needs of the wider criminal justice system (CJS), and CPS priorities, has recently commenced. This review should allow the Area to move on in a pro-active way. The Area needs to consider the effectiveness of the current process and structure of resource planning. A systematic approach to training and staff involvement also needs to be developed; this approach can be built on the established Communications Strategy. The Area should consider and independently review the culture with regard to leadership, staff involvement and recognition.
13. To overcome recruitment problems, the Area has devised a structured and well thought-out approach to acquiring new lawyers; this innovative system allows the development of new lawyers within the Area through sponsorship of legal training. Although the Area is encouraging a new cadre of lawyers, it needs to ensure that staff are aware of training priorities and that training is managed through a systematic approach.

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

14. The Area has managed its financial resources well and has good control of expenditure to account code 3010 (ring-fenced monies for counsel costs in special cases in the magistrates' courts). However, it needs to ensure that processes are reinforced to ensure that high cost cases are identified and managed.

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

15. The Area and its criminal justice partners are working well together to deliver PSA targets and criminal justice objectives, although the Area may need to re-assess its current plans for charging after undertaking some structured and formalised human resource planning. Compass CMS and other IT systems are used effectively to improve communications. Problems with the Service Centre have had a detrimental impact on the Area; however, recent appointments should ensure that a normal service resumes imminently.

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

16. The Area has worked effectively to communicate the priorities and policies of the CPS to others within the criminal justice system, and to the wider community. Planning for co-location has been extensive, but due to the constraints of the current police and CPS estate, none has taken place. The Area is to undertake work to ensure that all key processes are consistently implemented. Additionally, work should be undertaken to consider how improvement and policy development could be instigated in other areas of business, rather than the current exclusive focus on casework.

### ***Public confidence***

17. The Area is actively involved with the community and is committed to broadening the knowledge of the public on the work of the CPS. However, it needs to develop a more systematic approach to community engagement, linking this with the priorities of the Area Business Plan and available resources. A comprehensive Communications Strategy is in place: the Area has a pro-active approach to engagement with the media and successful arrangements have been established with the police for joint media engagement. The Area needs to adopt quality assurance of responses to complaints to ensure that appropriate standards are maintained and improved.

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

18. The Area has a clear direction set by the CCP and staff understand how the work of the CPS fits into the overall aims of the criminal justice system. The Area uses the performance appraisal system and job objectives to consolidate this understanding, but staff were adamant that it does not formally or systematically recognise their contribution; views which were recently re-affirmed in the Investors in People (IiP) re-assessment. The Area needs to consider a strategy for recognition. The management structure within the Area generally supports the business needs; recent training and development work with the senior team should further improve its effectiveness.

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

19. The latest national figures show an increase of 19.2% in the number of offences brought to justice for the Staffordshire CJS area, a target which CPS Staffordshire shares with its criminal justice partners. The LCJB has set a substantially more challenging target for the coming year. The cracked trial rate in the magistrates' courts (38.9%) and in the Crown Court (39.2%) are each above the national average, however, there is a tendency for the defence to plead guilty to the full offences at trial.

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

20. Positive action has been taken to reduce the number of ineffective trials in the Crown Court, achieving a rate of 19.15% against a target of 21%. Although steps have been taken to address the issue in the magistrates' courts, progress has been slow, achieving a rate (above the baseline figure) of 22.7% against a target of 19%. Both the targets have been lowered for the coming year; this will be a significant challenge in relation to performance in the magistrates' courts.

### ***Improving public confidence***

21. A local market research company undertook work in January - March 2004 to measure public confidence through surveys and focus groups. The results will be analysed and used by the LCJB to underpin action at local level. The LCJB also places reliance on national data; the British Crime Survey showed a rate of 34% against a target of 41% as the measure of public confidence in the local criminal justice system. The Area accepts much work needs to be done to achieve incremental improvements, which ought to follow the good performance in bringing offenders to justice.

### *Value for money*

22. Due to resource constraints, the Area has to use its Higher Court Advocates in the magistrates' courts to cover session work. However, in line with the current PSA target to contribute pro-actively to the achievement of an increase in value for money, the Area has worked with the Court Service to reduce the ineffective trial rate to a level which has ensured effective use of CPS resources during trials. Performance in the Crown Court has exceeded target. This approach has allowed the Area to demonstrate how it is effectively trying to pursue value for money with its criminal justice partners.

### *Equality and diversity issues*

23. The Area has an Equality and Diversity Plan in place - which is reviewed - and an Equality and Diversity Committee. Cases with a minority ethnic dimension are reviewed and prepared in accordance with guidelines; the racist incident monitoring data (RIMs) is completed and shared with community partners on a quarterly basis. The Area has also recently received an Equality and Diversity Commendation for work undertaken to judicially review a case involving a racist football chant; this has raised awareness in the community of the Area's willingness to take such matters seriously.

### **Recommendations**

24. Inspectors made the following four recommendations:
  1. The CCP should ensure that the advocacy monitoring of all prosecutors is more systematic and formal (paragraph 5.4).
  2. The Area needs to adopt a more systematic and structured approach to human resource planning, ensuring that plans are linked into the Area Business Plan, budgets and sickness and absence rates (paragraph 8.3).
  3. The Area needs to undertake an independent review of the culture to assess the current climate of the organisation, paying particular attention to the involvement and treatment of staff (paragraph 8.21).
  4. The Area needs to develop a structured strategy of staff recognition, which engages staff and is understood to be part of a wider management culture (paragraph 13.3).

### **Good practice**

25. We have also identified two aspects of good practice, which might warrant adoption nationally:
  1. The use of a separate pre-printed folder for recording plea and directions hearings (PDH) directions, dates when orders are carried out and further action to be undertaken (paragraph 4.19).

2. Under Direct Communication with Victims, in cases involving a fatality, racial or religious aggravation, sexual offences, child abuse or homophobia (the same categories that are automatically notified to the police witness care section) the Case Information Bureau writes to the victim informing them of the progress of the proceedings at defined key stages throughout the case (paragraph 6.7).

The full text of the report may be obtained from the Corporate Services Group at HMCPS Inspectorate (telephone 020 7210 1197).

HMCPS Inspectorate  
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