



**THE INSPECTORATE'S REPORT
ON
CPS STAFFORDSHIRE**

REPORT 14/04

AUGUST 2004

Promoting Improvement in Criminal Justice

CPS STAFFORDSHIRE



AREA OFFICE

Stafford

OTHER OFFICES

Newcastle under Lyme

MAGISTRATES' COURTS

Burton on Trent, Cannock, Fenton
Newcastle under Lyme, Stafford, Tamworth

CROWN COURT

Stafford, Stoke on Trent

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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 houses the Southern Group and part of the Northern and Wales Group. The remainder of the Northern and Wales Group are based at the office in York. Both Groups 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 Staffordshire (the Area). It serves the area covered by the Staffordshire Constabulary and has two offices, at Stafford and Newcastle under Lyme. The Area Headquarters (Secretariat) is based at the Stafford office.
- 1.2 Area business is divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Units are responsible for the conduct of all cases dealt with in the magistrates' courts, and the Trial Units review and handle cases dealt with in the Crown Court. Both units have bases at Stafford and Newcastle under Lyme.
- 1.3 The Area Management Board (AMB) consists of the Chief Crown Prosecutor (CCP), Area Business Manager (ABM), Project Performance Manager and the Unit Heads. It meets monthly to discuss Area business.
- 1.4 At the time of the inspection in April 2004, the Area employed the equivalent of 122.6 full-time staff. The Area Secretariat comprises the CCP, ABM, Special Casework Lawyer, Level E Project Manager and three other full-time staff. There are also the full-time equivalent of 6.2 staff in Common Services. Details of the units are set out below:

Grade	N u L CJU	N u L TU	Stafford CJU	Stafford TU	Case Info Bureau
Level D	1	1	1	1	-
Level C lawyers	13.2	4.9	13.2	5	-
Legal trainees	1	-	-	-	-
Level B2 caseworkers	3.8	1	3	1	-
Level B1 caseworkers	1	8	1	9.3	2
Level A caseworkers	12	3.6	12.4	8	2
TOTAL	32	18.5	30.6	24.3	4

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 December 2003 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	1,218	4.5	7.9
Summary motoring	1,641	6.1	26.1
Other summary	10,102	37.5	22.8
Either way and indictable only	13,745	51	42.1
Other proceedings	228	0.8	1
TOTAL	26,934	100%	100%

1.6 The Area's Crown Court finalised cases in the year to December 2003 were:

Crown Court finalised cases	Area numbers	Area % of total caseload	National % of total caseload
Indictable only	587	25.4	31.9
Either way offences	970	42	43.9
Appeals against conviction or sentence	291	12.6	8.9
Committals for sentence	460	19.9	15.4
TOTAL	2,308	100%	100%

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 Staffordshire (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 Staffordshire also drew on findings from the previous inspection of the Area, a report of which was published in September 2001. As a result of this risk assessment, it was determined that the inspection of CPS Staffordshire should be a full one.

1.11 Our previous report made a total of 17 recommendations and ten suggestions, as well as identifying two 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 177 cases finalised between 1 December 2003 - 29 February 2004 and interviews with members of CPS staff at all levels, criminal law practitioners and local representatives of criminal justice agencies. 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 cases. 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 26 April - 6 May 2004. The lay inspector for this inspection was Paul Bradshaw, who was nominated by Citizens Advice Bureau. 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. He 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. He gave his time on a purely voluntary basis, and the Chief Inspector is grateful for his 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

- 2.1 This summary provides an overview of the inspection findings as a whole. It is broken down into sub-headings that mirror the chapters in the report which are based upon our inspection framework, developed from the EFQM Business Excellence Model (see Annex 1). Other sub-headings deal specifically with Public Service Agreement (PSA) targets and equality and diversity issues.

Overview

- 2.2 The CCP has a clear vision for the future of criminal justice in Staffordshire. 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.
- 2.3 The Local Criminal Justice Board (LCJB) is a cohesive group with established sub-groups working towards achieving the PSA targets. The Area priorities reflect the overall priorities of the LCJB and take account of the expectations of partner criminal justice agencies.
- 2.4 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.

Key performance results

- 2.5 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. The handling of unused material and compliance with the statutory duties of disclosure is consistently good across the Area.

Casework

- 2.6 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 (CQA) 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 (CTL) 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 AMB and unit meetings so that lessons are learned. However, this needs to be more systematically and consistently undertaken across the Area and between the CJUs and TUs.

Advocacy and quality of service delivery

- 2.7 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 in some instances. Caseworker support to counsel and witnesses in the Crown Court is good.

Victims and witnesses

- 2.8 Victims and witnesses are treated with proper consideration and receive a good level of support. 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

- 2.9 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 for 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

- 2.10 A structural review to identify and improve the current ability of the Area to meet the needs of the wider criminal justice system, 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 Communications Strategy already established. The Area should consider and independently review the culture with regard to leadership, staff involvement and recognition.
- 2.11 To overcome problems, the Area has devised a structured and well thought-out approach to recruitment of 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

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

Partnerships and resources

- 2.13 The Area and its criminal justice partners are working well together to deliver PSA targets and criminal justice objectives, although it may need to re-assess its current plans for charging after undertaking some structured and formalised human resource planning. Compass 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

- 2.14 The Area has worked effectively to communicate the priorities and policies of the CPS to others within the criminal justice system and the wider community. Planning for co-location has been extensive, but due to the constraints of the current police and CPS estate, no co-location 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 exclusive focus on casework.

Public confidence

- 2.15 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, and successful arrangements have been established with the police for joint media engagement, in addition to a pro-active Area approach to engagement with the media. The Area needs to adopt quality assurance of responses to complaints to ensure that appropriate standards are maintained and improved.

Leadership and governance

- 2.16 The Area has a clear direction set by the CCP. 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 the Area does not formally or systematically recognise their contribution. These views have been recently re-affirmed in the Investors in People (IiP) re-assessment and 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

- 2.17 The latest national figures show an increase for the Staffordshire CJS Area of 19.2% in the number of offences brought to justice, a target which the Area shares with its other 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

- 2.18 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

- 2.19 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

- 2.20 Due to resource constraints, the Area has to use Higher Court Advocates (HCAs) 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

- 2.21 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 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 willingness of the Area to take such matters seriously.

Recommendations

- 2.22 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.
- 2.23 We have made four recommendations to help improve the Area's performance:
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

- 2.24 We have 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).

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.

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Advice				
Decisions complying with evidential test in the Code ¹	-	96.3%	-	100%
Decisions complying with public interest test in the Code ¹	-	97%	-	100%
First Review				
Decisions to proceed at first review complying with the evidential test ¹	-	98.6%	-	99%
Decisions to proceed at first review complying with public interest test ¹	-	99.9%	-	100%
Requests for additional evidence/information made appropriately at first review ¹	-	77.5%	-	100%
Discontinuance				
Discontinuance rate of completed cases (CPS figure)	-	12.2%	-	13.2%
Discontinued cases with timely discontinuances ¹	-	75.4%	-	96.5%
Decisions to discontinue complying with the evidential test ¹	-	93.3%	-	100%
Decisions to discontinue complying with the public interest test ¹	-	92.6%	-	100%
Discontinued cases where all reasonable steps had been taken to request additional evidence/information ¹	-	89.1%	-	100%
Level of charge				
Charges that required amendment and were amended in a timely manner ¹	-	72.2%	-	90.9%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹	-	95.1%	-	97.5%
Cracked and ineffective summary trials				
Cracked trials as recorded by CPS and magistrates' courts JPM	-	(Oct - Dec 03) 37.5%	-	(Oct - Dec 03) 38.9%
Cracked trials in file sample that could have been avoided by CPS action ¹	-	21.3%	-	0 out of 21
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	(Oct - Dec 03) 28.8%	-	(Oct - Dec 03) 23.8%
Ineffective trials in the file sample that could have been avoided by CPS action	-	34.1 ⁴	-	0 out of 1
Summary trial				
Acquittal rate in magistrates' courts (% of finalisations) – CPS figure	-	1.9%	-	1.5%
Decisions to proceed to trial complying with the evidential test ¹	-	96.2%	-	96.8%
Decisions to proceed to summary trial complying with the public interest test ¹	-	99.6%	-	100%
Cases with timely summary trial review ¹	-	76.7%	-	85.7%
Requests for additional evidence/information made appropriately at summary trial review ¹	-	70.9%	-	100%
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	40.7%	-	2 out of 4

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
CROWN COURT CASEWORK				
Committal and service of prosecution papers				
Cases with timely review before committal, or service of prosecution case in "sent" cases ¹	-	79.1%	-	100%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors ¹	-	96.4%	-	96%
Decisions to proceed at committal/service of prosecution papers stage complying with public interest test in the Code for Crown Prosecutors ¹	-	99.9%	-	98%
Requests for additional evidence/information made appropriately at committal/service of prosecution case review ¹	-	80.3%	-	100%
Timely and correct continuing review after committal	-	83%	-	100%
Cases with timely service of committal papers on defence	80%	76.2% 85.3% ³	87%	100% ¹ 80% ²
Cases with timely delivery of instructions to counsel	84%	84.6% 85.4% ³	85%	100% ¹ 83% ²
Instructions to counsel that were satisfactory ¹	-	63.7%	-	75%
Cracked and ineffective trials				
Cracked trials as recorded by CPS and Crown Court JPM	-	(Apr 03-Mar 04) 38.3%	-	(Apr03-Mar04) 40.4%
Cracked trials that could have been avoided by CPS action ¹	-	15.8%	-	0 out of 11
Ineffective trials as recorded by CPS and Crown Court JPM	-	(Apr 03-Mar 04) 20.7%	-	(Apr03-Mar04) 19.3%
Ineffective trials where action by CPS could have avoided an adjournment ¹	-	12.1 ⁴	-	-
Level of charge				
Charges that required amendment and were amended in a timely manner ¹		78.9%		81.8%
Indictments that required amendment ¹		25.6%		23.3%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹		97.4%		92.4%
Judge ordered and judge directed acquittals				
JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	-	23.3%	-	12.5%
Trials				
Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) ²	-	10.4%	-	7.9%
NARROWING THE JUSTICE GAP				
Percentage brought to justice against the baseline for 2001-02 as recorded by JPIT	Target +5%	+6.9% (as at Nov 03)		+19.2% (as at Nov 03)

¹ as assessed by HMCPSI from examination of the file sample during inspection

² self-assessment by Area

³ nationally collated figure based on Area self-assessment returns

⁴ 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 31 March 2004

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.

CPS PERFORMANCE	National Target 2003-2004	National Performance Cycle to date*	Area Target 2003-2004	Area Performance
MAGISTRATES' AND YOUTH COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		72.4%		96.4%
Cases where secondary disclosure properly handled ¹		64%		None in file sample
Witness care				
Trials where appropriate use made of S9 CJA 1967 ¹		97%		100%
Trials where appropriate use made of the witness care measures ¹		85.2%		75%
CROWN COURT CASEWORK				
Disclosure				
Cases where primary disclosure properly handled ¹		82.5%		93.1%
Cases where secondary disclosure properly handled ¹		57.1%		84.2%
Witness care				
Trials where appropriate use made of witness phasing/standby ¹		81.3%		70%
Trials where appropriate use made of the witness care measures ¹		92.6%		91.6%
MAGISTRATES' COURTS AND CROWN COURT				
Custody time limits				
Cases in sample where expiry dates accurately calculated	-	94.2%	-	100%
OTHER ISSUES				
Payment of witness expenses		Apr 03-Mar 04		2003-2004
Payment of witness expenses within 10 days of receipt of claim ²	100%	98.9%	100%	100%
Handling of complaints		Apr 03-Mar 04		
Complaints replied to within 10 days ²	94%	86.1%	96%	100%
Citizens charter commitment		Apr 03-Mar 04		
MPs correspondence replied to within 15 days ²	100%	92.8%	N/A	71%
Improving productivity				
Reduce sick absence rate per member of staff	10.6 days (2001)	Not available	6.9 days (2001)	12.2 days (2001)
OTHER ASPECTS OF CPS PERFORMANCE				
CJS Youth Justice Performance Measures (shared between Home Office, Department of Constitutional Affairs (formerly LCD) and CPS)				
To halve time from arrest to sentence for persistent young offenders from 142 to 71 days by 31 March 2002	71 days	68 days (Dec 03-Feb 04)	60 days	55 days (Dec 03-Feb 04)

¹ as assessed by HMCPSI from examination of the file sample during inspection

² 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 31 March 2004

Commentary

- 3.1 The majority of the Area's key aspects of performance are better than the average performance of CPS Areas in the cycle-to-date. Disclosure was handled consistently well. However, we have concerns about the quality of adverse case reporting and learning lessons from casework.

Pre-charge advice to police

- 3.2 We examined 14 cases where the police had sought pre-charge advice from the CPS. In all cases it was appropriate for advice to be sought, and all advices were correct. Full written reasons were given to the police in all cases and the appropriate level of authority and expertise was used; but seven advices (50%) were not timely.

Quality of decision-making

- 3.3 The overall quality of decision-making is very good and has been maintained since the last inspection. The quality of initial review endorsements is good and has improved significantly since the last inspection.

Continuing review

- 3.4 There was evidence of continuing review on many files, which was particularly important because of the inconsistent quality of police files. The continuing review was timely, thus resulting in effective discontinuance; however, this has had little impact on the high rate of cracked trials due to late guilty pleas.

Discontinuance

- 3.5 All of the decisions to discontinue had been properly taken in accordance with the Code. It was noticeable that many cases were discontinued at first review where there was insufficient evidence; this indicated that, at times, the police were over-enthusiastic about the strength of the evidence. The charging scheme should impact on this and thereby reduce the discontinuance rate; however, it is still too early to evaluate the outcome.
- 3.6 The discontinuance rate (13.2%) is slightly higher than the national average (12.2%). The figure of 96.5% for timeliness indicates that, once sufficient evidence was received or the police had responded to the consultation process, the decision was made in good time.

Discharged committals

- 3.7 There have been a few (seven) discharged committals attributed to one magistrates' court where committals not ready within the pre-trial issues (PTI) guidelines were discharged at the first listing. This specific problem has been resolved; however, the timely preparation and service of committal papers needs to be monitored.
- 3.8 There is a system in place to consider re-instatement, although it does not allow for closure, in terms of contact with the victim, when the case does not proceed.

Level of charge

- 3.9 Cases proceeded on the correct level of charge in the magistrates' courts in 97.5% of cases, slightly above the average of the cycle-to-date (97%). In the Crown Court, however, performance was less good with cases proceeding on the correct level of charge in only 92.4% of cases against the average of 97.9% in the cycle-to-date. Amendment of charges in the Crown Court was not always timely, but indictments only required amendment in 23.3%, a better performance than the cycle-to-date.

Ineffective trials

- 3.10 Positive action has been taken to reduce the number of ineffective trials in the Crown Court, achieving a rate of 19.2% against a target of 21%. Although steps have been taken to address the rate in the magistrates' courts, progress has been slow, achieving a rate of 22.7% against a target of 19%.

Persistent young offenders

- 3.11 The Area has performed consistently well and has set a local target of 60 days. The three-month rolling averages for July 2003 - February 2004 show performance ranging between 52 and 60 days.
- 3.12 The Area has co-operated effectively with counterparts in the local criminal justice system to improve joint performance and when performance slipped, the blockage was readily identified and remedial action taken.

Persistent offenders

- 3.13 The initiative was comfortably on target when reviewed in March 2004 due to the number of offences awaiting input on JTrack. The police intend to concentrate on local persistent offenders to further improve performance. To date no persistent offender case has been subject to pre-charge advice. The LCJB Delivery Plan details four CPS actions in relation to the persistent offender scheme, which are monitored to ensure targets are achieved.

Sensitive cases

- 3.14 Generally sensitive cases are dealt with well. Joint protocols are in place in relation to cases involving domestic violence and hate crime. There were a number of racial incident cases, which had been wrongly charged by the police, although these were corrected by the lawyers. The quality of handling of child abuse cases is satisfactory.

Adverse outcomes

- 3.15 Fewer adverse outcomes than average are attributable to CPS review failure. The proportion in which that outcome was foreseeable, and where the CPS could have done more to avoid it, was significantly below the cycle-to-date figure. The quality of adverse case reporting could be better to ensure lessons are learned from casework.

Narrowing the justice gap

- 3.16 The LCJB has produced a Delivery Plan detailing specific actions for the Area to achieve in relation to: the persistent offender scheme; victims and witnesses; file quality and case preparation; and timely and effective advice. The Area and the Board monitor these actions.
- 3.17 The latest national figures show an increase of 19.2% in the number of offences brought to justice in Staffordshire, a target the Area shares with its other criminal justice partners.

Disclosure

- 3.18 The handling of unused material and compliance with the statutory duties of disclosure is consistently good across the Area. The performance in relation to primary disclosure in both the magistrates' courts and the Crown Court, and secondary disclosure in the Crown Court, are significantly above the averages to date.

4 CASEWORK

Pre-charge advice to police (CAP1)

- 4.1 The frequency with which the CPS will be required to provide formal written advice to the police when proceedings are contemplated, should diminish substantially as the new procedures transferring responsibility for determining the initial charge to the CPS (in all but the most minor cases) take effect. The provision of pre-charge advice is undertaken at four of the seven charging centres. Two have been set up to provide face-to-face advice to the police and take-up has been positive; at the remaining two, advice is provided over the telephone. The three outstanding centres are awaiting further lawyer recruitment. At present, it is too early to evaluate the impact of the initiative and whether this joint working has resulted in a lower rate of discontinuance.
- 4.2 The quality of formal written advice is good. We examined 14 cases and found decisions to be in accordance with the Code for Crown Prosecutors in all of them. The advice was well reasoned and properly set out. The appropriate level of authority or expertise was used and further information was requested in appropriate cases. The Casework Quality Assurance scheme (CQA) is used effectively at local level to monitor quality, and feedback is provided.
- 4.3 The provision of advice was not always timely. It was provided within 14 days in only seven cases (50%). In some units administrative staff are responsible for monitoring, whereas in others the lawyers are responsible. Managers need to be satisfied that a consistent system is in place to monitor and improve timeliness.

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

- 4.4 The Narey system is satisfactory and all files are available at the CPS office in advance of the hearing, allowing sufficient time for registration and review. The police prepare a package of advance information, which is provided to the defence at court. The date of service of advance information is invariably recorded on the file jacket. However, only North Staffordshire systematically recorded what was served. Managers should ensure that the system is also applied in South Staffordshire.
- 4.5 The evidential test was correctly applied at initial review in 99% of cases and the public interest test in all cases. The Charging Standards were appropriately applied in all 49 cases that we examined.
- 4.6 Recording of review is good across the Area, and shows a significant improvement in performance since the last inspection; evidential and public interest factors were satisfactorily recorded in 60 out of 62 relevant cases (96.8%). Again, the CQA has been used locally to drive performance in file standards.

Bail/custody applications (CAP3)

- 4.7 CPS lawyers make appropriate applications for remands in custody and remands on conditional bail, and files are endorsed accordingly. Sufficient information is usually on the file to enable informed bail decisions to be made. The number of overnight cases in one courtroom at Fenton Magistrates' Court makes pre-court review onerous, although prosecutors use their time efficiently in court to ensure all cases are properly reviewed and presented. The Area may wish to consider influencing listing to change this practice. Agents are not used in remand courts.

Discontinuances in magistrates' courts (CAP4)

- 4.8 The Area's discontinuance rate is 13.2%, higher than the national figure of 12.2%. We examined 29 cases that had been discontinued. The Code was correctly applied in all decisions to discontinue. In 13 cases it was appropriate to request further information before discontinuing, and the request was made on each occasion. The reason for discontinuance was recorded in all 29 cases. The police were consulted in all but one, and in each instance agreed with the decision to discontinue the case.
- 4.9 All but one case (96.5%) were discontinued at the earliest opportunity; that is when the lawyer had sufficient information to make an informed decision. Seven of the 29 cases (24.1%) were dropped on the day of trial; five because of non-attendance of witnesses and where the court refused an adjournment, but two because of identification issues. Again, performance is measured through the local application of the CQA scheme.
- 4.10 An important aspect of CPS work is communicating with victims of crime, and this is particularly highlighted when a case is discontinued. There were 25 cases where there was an identifiable victim, and on termination of the proceedings a letter should have been sent. In four cases (16%) a letter was not sent (see paragraph 6.4 onwards).

Summary trial preparation (CAP5)

- 4.11 In our file examination we found compliance with the evidential test and the public interest test was 96.8% and 100% respectively, on summary trial review. The review was timely in 85.7% of cases. Full file requests were often late (in 47% of cases examined), sometimes due to lawyers covering back-to-back courts in South Staffordshire and thereby delaying the return of files to the office. In some instances case progression was impeded at pre-trial review as full files were received late from the police. Appropriate requests for further information were made to the police at summary trial review in all relevant cases.
- 4.12 Files were generally well ordered and there were good endorsements in all cases. Action notes were clear and there was a dated endorsement of the action taken. Trial checks were thorough and timely. A trial readiness check was undertaken seven days before each trial listing in all cases examined to ensure all outstanding actions are completed before the trial. This was commended as **good practice** during the last inspection.
- 4.13 Pre-trial reviews were stopped as all agencies considered them ineffective, but have recently been resurrected in North Staffordshire, with trial readiness hearings introduced in South Staffordshire for trials of at least a day and other specific instances. At the time of the inspection it was too early to evaluate their impact, but the approach is being used to re-invigorate efforts to reduce cracked and ineffective trial rates.

Committal and Crown Court case preparation (CAP6)

- 4.14 A system is in place to ensure re-instatement is properly considered when committals not ready are discharged. A recent run of discharged committals attributed to one magistrates' court, where committals not ready within the PTI guidelines were discharged at the first listing, has been resolved. We observed late service of papers at court and as a consequence some adjournments were granted, which indicated a slippage in performance.

- 4.15 The system in place to consider re-instatement did not allow for interim contact with the victim, or closure if the case did not proceed. We deal with the application of the DCV scheme further at paragraph 6.4.
- 4.16 In 89.5% of cases, committal took place on the date set. The preparation and service of committal papers was timely in 100% of cases examined, as was the service of papers in sent cases, which is a very good performance. However, the CPS measure timeliness by reference to the time of receipt of a satisfactory full file, and in only 44.4% of cases was the request for a full file timely. Whilst generally only delayed by a day or two because of advocates having consecutive days in court, this is an issue for management attention to ensure that there is no dip in performance in relation to preparation of committals.
- 4.17 The proportion of cases where instructions to counsel were sent within the required timescale was 100%. However, the quality of instructions was satisfactory in only 75% of the files we examined, although this is better than the cycle-to-date figure of 64.6%. Summaries adequately addressed the issues in 82% of cases, but the main deficiency was the acceptability of pleas, which were not adequately addressed in 50% of cases. In contrast we saw examples of very good instructions in three cases. In each instance there was a thorough analysis of the case, the strengths and weaknesses in the evidence were highlighted instead of a mere recitation of the facts, and appropriateness and acceptability of alternative pleas was also considered.
- 4.18 In our sample, indictments were amended in seven out of 30 cases (23.3%), which is better than the cycle-to-date figure of 27.9%; the reasons for amendment did not suggest a trend.
- 4.19 Crown Court work is generally well managed, with good communication between lawyers and caseworkers and clearly marked files. In the file sample there was a full record of the plea and directions hearing (PDH) in all cases, directions were complied with in 94.7% of cases and in a timely manner in 94.4% of cases. The use of a separate pre-printed folder for recording PDH directions, dates when orders are carried out and further action to be undertaken, assisted in this good performance. We think this is **good practice** that improves the prosecution's trial readiness.

Strengths

- * Management of Crown Court cases.

Disclosure of unused material (CAP7)

- 4.20 The disclosure of unused material in both the magistrates' courts and Crown Court is dealt with well. The percentage where disclosure is properly handled is significantly higher than those in the cycle-to-date.
- 4.21 The Area were only able to give a limited assurance that the duty to disclose unused material was fully discharged, this was in part due to the weaknesses we found in our previous inspection. The Area has improved considerably and now endorsement and procedures are correct in the vast majority of cases. A good system is in place that utilises a distinct red disclosure folder and log; the log was invariably completed, the MG schedules were properly endorsed and the papers kept together.

- 4.22 Primary disclosure in the magistrates' courts was properly handled in 96.4% of cases we examined, which is significantly better than the cycle-to-date (72.7%). In the Crown Court 93.1% were handled properly, compared to the cycle-to-date figure of 85.9%.
- 4.23 Secondary disclosure in the Crown Court was properly handled in 84.2% of cases, which is significantly better than in the cycle-to-date figure of 60%. Prosecutors were not required to consider secondary disclosure in any cases in our magistrates' courts sample.

Strengths

- * The handling of unused material and compliance with the statutory duties of disclosure was consistently good across the Area.

Sensitive cases (CAP8)

- 4.24 The way in which sensitive cases are handled is good. The decisions about the charges, the conduct of cases and the application of CPS policy were basically sound and appropriate in all of them. The Area has a Special Casework Lawyer to review and prepare the more complex casework.
- 4.25 The police and the CPS identify cases involving racist incidents, and this fact was marked on the files. However, five of the cases had been wrongly charged by the police. Although the lawyer subsequently remedied this, it indicated a training need for the police, which the Area may wish to consider undertaking. Staff are fully aware that the Unit Head must approve any racially aggravated charge that is reduced to one of the basic offence. However, there was one file in the sample where the racial element had been correctly dropped but the Unit Head was not consulted. Racial incidents are monitored and statistics submitted to CPS Headquarters. The data is analysed and shared with the local Race Equality Council and the police.
- 4.26 A Service Level Agreement was launched in May 2003 in relation to cases involving domestic violence. In common with many CPS Areas, not all domestic violence cases were identified by the police or the CPS, and therefore the files were not marked accordingly. The police are, on occasions, over-enthusiastic to charge where there is insufficient evidence; this is a matter that has been taken forward by the Area Champion. However, there was the correct application of the policy in the majority of cases. Incidents involving a retraction contained a proper statement and accompanying police report; these cases were also reviewed by the Unit Heads before a decision to discontinue was made.
- 4.27 There are sufficient specialists available who deal with the cases involving child abuse and who are able to advise on issues about child witnesses. These cases are prepared with clear expertise.

- 4.28 Other sensitive cases are also handled appropriately. Rape cases are dealt with well by appropriate specialists and many of the recommendations from the Joint HMCPSI/HMIC Thematic Report on the Investigation and Prosecution of Cases Involving Allegations of Rape (April 2002) are being followed. However, the instructions to counsel did not incorporate the recommended paragraphs and in only two of the six cases were conferences held with counsel.
- 4.29 A specialist dealt with the two files in the sample where a fatality had occurred as a result of road traffic accident and a conscientious approach was apparent.
- 4.30 There are currently two high profile cases awaiting confiscation under the Proceeds of Crime Act 2002. There is effective liaison between the Area Champion and the police Financial Investigation Unit, although no processes and systems have as yet been put in place in the Area to handle these cases. There is some awareness of the legislation amongst other lawyers, although this in the main is limited to drugs offences.

Youth cases (CAP13)

- 4.31 The CCP is the National CPS Champion. The Area has appropriate specialists; this was apparent in all seven youth trials in the file sample, which were handled competently in all aspects. In addition, joint training has been undertaken with the magistrates' courts. There was a dip in persistent young offender (PYO) performance in the Stafford Trial Unit during the absence of the youth specialist, although this was remedied with the assistance from the specialists in the Criminal Justice Unit, it emphasises the need for contingency planning as detailed further in paragraph 8.3.

File/message handling (CAP9)

- 4.32 There were no obvious delays in the post system for receipt or despatch of post. Staff knew to bring unlinked post to the attention of their manager. During the inspection no concerns were raised about the failure of the Area to respond to written correspondence, faxes, telephone calls or the use of voicemail. The Area has not undergone any co-location; however, it has introduced secure e-mail to varying degrees throughout the organisation, which should access some of the benefits of co-location.

Custody time limits (CAP10)

- 4.33 We examined ten magistrates' courts and nine Crown Court files to determine compliance with custody time limit (CTL) procedures. From the relevant files, expiry dates were correctly calculated in all cases. This gives an overall assessment of correct calculations in 100% of the CTL cases and compares favourably with the average of cycle-calculations-to-date of 93.2%. However, the Area has had two custody time limit failures in the last 12 months.
- 4.34 The two CTL failures have resulted in the Area tightening procedures and issuing clear instructions. All staff are aware of their responsibilities and these were consistent with the instructions. In general the Area is complying with the essential actions document.

- 4.35 CTL files are clearly identified and in either way cases the 56-day expiry date is initially monitored. The ready-reckoner is being used appropriately and duplicate monitoring systems are in place, which were up-to-date and ensured timely review of expiry dates. Management checks were also in place. A review of the systems revealed that individual procedures at each unit were generally satisfactory, but some variations had occurred. The Area needs to consider the consistency of systems throughout the organisation.
- 4.36 The quality of endorsements on the file sample were generally good. However, the first appearance entry on one magistrates' court file was insufficiently clear and on another file, concerning a defendant being released from custody and then re-remanded, the new expiry date was incorrect and inconsistent with the date on an extension letter sent out.
- 4.37 Considerable work has been undertaken to identify shortcomings, and the Area needs to ensure that this commitment continues.

Aspects for improvement

- * The Area needs to ensure that the improvements made in CTL procedures are maintained and systems are uniform in the Area.

Joint action to improve casework (CAP11)

- 4.38 There is considerable variation in the quality of files across the police divisions. Joint performance management (JPM) undertaken by the Area and the police indicates that 50.3% of full files for all offenders are fully satisfactory or sufficient to proceed and within the PTI timescales - against a target of 60% - and only 50% of like files for persistent offenders against a target of 70%. The police are driving this forward through individual file builder performance monitoring and disclosure training, and jointly with the CPS through the charging scheme. A greater partnership approach to the management JPM meetings and concentrating on the poorer performing police divisions may be also be productive in driving forward performance. We discuss JPM further at 7.7 and 10.3.
- 4.39 Positive action has been taken with criminal justice partners to reduce the number of ineffective trials in the Crown Court, achieving 19.2% against a target of 21%. Although steps have been taken to address the rate in the magistrates' courts, progress has been slower, resulting in a rate of 22.7%, (higher than the baseline rate) against a target of 19%. A new LCJB sub-group has been set up to re-invigorate the joint approach to tackling performance. Both targets have been lowered for the coming year, which will present a significant challenge in the magistrates' courts.
- 4.40 The Area has co-operated effectively with counterparts in the local criminal justice system to improve joint performance in relation to PYOs, and when performance dipped, the blockage has been readily identified and remedial action taken. The Area has performed consistently well and has set a local target of 60 days for the period from arrest to sentence. The three-month rolling averages for July 2003 - February 2004 show performance ranging between 52 and 60 days.

Strengths

- * The Area has performed consistently well in relation to persistent young offenders and has set a local target of 60 days.

Aspects for improvement

- * There needs to be greater focus on a partnership approach with the police and concentration on the poorer performing police divisions.

National Probation Service and Youth Offending Teams (CAP12)

- 4.41 There is a protocol in place based on the national template regarding service of information by the CPS. In all relevant Crown Court files there was evidence that this was correctly followed. However, in four of the relevant 17 cases (23.5%) in the magistrates' courts, we were unable to establish whether information had been sent to the Probation Service or Youth Offending Teams. The feedback we received suggests the timeliness of service of information, particularly in youth cases, is variable. Managers need to be satisfied that the protocol is properly adhered to in all cases, so that any delay is within the Probation Service distribution network.

Appeal and committal for sentence processes (CAP14)

- 4.42 There is an inconsistent approach to preparation of these cases. In one unit administrative staff prepare the files and instructions to counsel, whereas in the other caseworkers undertake these tasks. There are currently relevant desk instructions only in South Staffordshire, and managers need to be satisfied that there is a consistent approach in each unit. Higher Court Advocates were undertaking many of these cases, but due to their limited availability counsel are invariably instructed, so in each instance a brief is prepared, but often delivered to counsel at court.

Appeals against unduly lenient sentences (CAP15)

- 4.43 We were told that these cases were dealt with in accordance with CPS policy. The necessary documentation is obtained from the court, counsel's advice is sought and the reference is then prepared by the Unit Head through the CCP. Although a system is in place, the only relevant case in the file sample demonstrated deficiencies, no response was forthcoming from counsel, no apparent action was taken, and the victim was not kept informed.

Recording of case outcomes (CAP16)

- 4.44 The Area did not have any backlogs of cases awaiting finalisation; a general target of 48 hours was aimed for. Finalisation codes are checked as part of the performance management structure in the Area; all cases in the file sample were correctly categorised.

- 4.45 The Area has some facilities to store archived files; the remainder are stored in Sheffield. All files are readily retrievable; however, it may be worthwhile considering a card system to identify files removed from archiving to prevent any subsequent problems when files cannot be located.

Information on operational and legal issues (CAP17)

- 4.46 The AMB looks at any issues, which might have national ramifications, and each HMCPSI Thematic Report is assigned to an Area Champion to take forward the recommendations; the issues should then cascade down to the appropriate level. However, dissemination about legal developments is primarily by e-mail and staff are sometimes unable to appreciate their importance within the mass of information that they receive generally through the medium. Staff also rely on the CPS intranet.

Readiness for court (CAP18)

- 4.47 We comment upon readiness for the first hearing at paragraphs 4.4 - 4.6 and court preparation at 5.6 - 5.8.
- 4.48 Files are generally available at court and we were not told of any great concerns over missing files. The Area tends to rely on court lists; these are available two days in advance of the hearing, enabling sufficient time to retrieve the files for prosecutors to prepare the courts or agents to be instructed. The quality of police files, and therefore timeliness of a sufficient full file, can impact on readiness for pre-trial review or committal hearing (see paragraph 4.38).

Learning points (CAP21)

- 4.49 Adverse case reports are prepared by all the units for discussion at the AMB, whereby learning points can be cascaded to staff through unit meetings. However, many cases in the file sample in both the Crown and magistrates' courts did not contain a report detailing learning points that could be taken forward by the AMB. Summaries need to be collated to enable trends to be identified and to support systematic feedback, so that staff can learn from casework and implement improvements. Dialogue between the TUs and CJUs needs to be consistently undertaken across the Area in order to promote proper dissemination of casework issues.

Aspects for improvement

- * The quality and consistency of adverse case reporting.
- * The systematic analysis and feedback of casework issues between the units and from adverse case reporting.

5 ADVOCACY AND QUALITY OF SERVICE DELIVERY

Advocacy standards and monitoring (CAP19)

- 5.1 We observed a total of 21 advocates in the magistrates' courts, the Youth Court and the Crown Court. All of the 15 CPS advocates were competent, but the quality of advocacy was quite variable. Three were above average in many respects, but four lacked presence or were too casual or flustered. The opinion of representatives of other agencies at court confirmed this view.
- 5.2 Of the six agents and counsel that we observed, all were competent, one being particularly good and another requiring some improvement. In the magistrates' courts, agents prosecute most of the trials and we were told that, again, the quality of advocacy can be variable. Some agents in the magistrates' courts are very experienced local solicitors and young counsel beginning their careers. In the Crown Court, counsel of sufficient experience and expertise are instructed, particularly in sensitive cases, where the return rate of the brief to counsel other than that originally instructed is low.
- 5.3 The Area has provided an induction pack for counsel to each set of chambers. This includes the standards expected and an explanation of processes used by the Area, including the custody time limit procedures. Managers need to be satisfied that any counsel instructed, whether in the magistrates' or the Crown Court has read this pack before they are instructed. A simple acknowledgement form, particularly for new counsel, would suffice.
- 5.4 Monitoring of advocacy is unstructured. Most advocates are observed at least once a year, but managers tend to rely on informal feedback from caseworkers and court staff. In view of our finding that the quality of advocacy can vary considerably, we consider that the monitoring of all prosecutors, particularly in-house ones and agents in the magistrates' courts, should be more structured and more frequent.

RECOMMENDATION

The CCP should ensure that the advocacy monitoring of all prosecutors is more systematic and formal.

Court endorsements (CAP20)

- 5.5 The quality of endorsement of files both in the magistrates' courts and the Crown Court was very good. Our examination of 67 files found clear and accurate endorsement of the progress of the cases in all but one of the Crown Court cases. The record of the pre-trial review hearing could, however, have been better in eight of the 25 relevant cases (32%) that we examined.

Court preparation (QSD1)

- 5.6 Prosecutors were well prepared for hearings both in the magistrates' and Crown Court.
- 5.7 The Area's designated caseworkers (DCWs) are fully deployed in courts dealing with the early first hearings, motoring cases and sentencing hearings. They are well prepared, helpful and present the cases competently.
- 5.8 Files are delivered to, or collected by, agents in the magistrates' courts the day before the hearing. The trial files are checked beforehand and generally the cases are ready to proceed. We were told, however, that some agents appear to be ill-prepared. This aspect should be included in the advocacy monitoring that we have recommended.

Attendance at court (QSD2)

- 5.9 Many prosecutors attend court in plenty of time to ensure the smooth running of the court list and to deal with queries raised by defence solicitors. Others, however, are available only a few minutes before the court starts. For example, we saw one who arrived late and remained unorganised and flustered throughout the morning.
- 5.10 In our last report we suggested that the Area considers the deployment of a caseworker to assist prosecutors in the trial courts at Fenton Magistrates' Court. The court lists, both for remand and for trial are, if anything, even heavier than three years ago, equating to the larger metropolitan Areas. Whilst the Area has little spare capacity, we still consider that such deployment, at least at the beginning of the day or in large cases, would assist the smooth running of the courts and enable a better service to be given to witnesses.
- 5.11 In the past, the Area's Higher Court Advocates (HCAs) have used their skills and experience to the full in the Crown Court. More recently, they have been increasingly deployed in the implementation of the shadow pre-charge advice scheme (an important priority nationally) and as prosecutors in the magistrates' courts. In consequence, the Area has achieved only 80 Crown Court sessions against its target of 140. At the time of our visit, no HCAs were prosecuting in the Crown Court, but we were told that they were competent and well prepared, although some lacked presence.
- 5.12 Caseworkers cover all courts in the Crown Court. Their work at court is efficient and effective, providing good support and assistance to counsel and witnesses alike.

Accommodation (QSD4)

- 5.13 The CPS room at most of the magistrates' courts is small: the exception being at Burton upon Trent, which is spacious and pleasant to use. All the rooms are equipped with a telephone and fax machine, and several have a computer, although the latter are not linked to the CPS office or the police. Prosecutors tend to share the defence advocates' room at all courts, unless making telephone calls or dealing with confidential matters.
- 5.14 The CPS room at each Crown Court is adequate and fully equipped, although the computers are not loaded with Compass CMS.

6 VICTIMS AND WITNESSES

Witnesses at court (QSD3)

- 6.1 Lawyers in the magistrates' courts and caseworkers in the Crown Court give good support to witnesses at court. In the magistrates' courts there is frequently multiple listing of trials, and at the Crown Court at Stafford sensitive trials can be listed in the same court as a large number of plea and directions hearings, which require caseworker support. In both instances, the CPS staff co-ordinate with the Witness Service to ensure that witnesses are properly assisted if they are not available.
- 6.2 In our last report we suggested that regular bi-lateral meetings with the Witness Service should be established. Formal meetings were not arranged, but all representatives of the Witness Service to whom we spoke indicated that any issues that arose were resolved effectively, either directly with the CPS or through the Victim and Witness sub-group of the LCJB.
- 6.3 The Area notifies the court and the Witness Service of the witnesses who will attend the trial, but is less efficient at notifying any changes. An increase or decrease in the number of witnesses can effect the listing arrangements and the number of Witness Service volunteers that may be needed. Managers should ensure that this further notification is given.

Direct Communication with Victims (CAP13)

- 6.4 The Area has a Case Information Bureau (CIB) at each office, each with two staff to deal with Direct Communication with Victims (DCV). The implementation of the original scheme (DCV1) was successful: files are correctly identified and marked, letters were usually sent within the required time and were generally clear and in plain English, and all points were dealt with.
- 6.5 Our examination of files, however, raised some issues about letters that were not sent. The victim was not notified in four of the 25 relevant cases that were discontinued in the magistrates' courts. In nine of the 14 relevant cases (64.3%) where there was a judge ordered acquittal, the files did not appear to have been referred back to the CIB. Further, in two cases which were discharged because the prosecution was not ready, and which were not re-instated, the identifiable victim was not sent a letter.
- 6.6 Managers told us that a letter is not sent if a victim of domestic violence was at court and retracted her (or his) evidence. Frequently such victims do not fully absorb information given to them in these circumstances. A letter should be sent which is sensitively written, bearing in mind that the defendant may see it.
- 6.7 We were impressed by the Area's development of DCV, which is known locally as DCV2. We consider this to be a strength and **good practice**. 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 CIB writes to the victim informing them of the progress of the proceedings at defined key stages throughout the case. Consideration was given to including domestic violence cases in the scheme, but, at the moment, resources will not permit this. All information about DCV2, including the letters sent and the monitoring, is kept on the shared drive and is available to all. In this way lawyers may comment on or contribute to the style or content of the communications that are sent.

- 6.8 One consequence of this greater contact with victims is the increase in the number of telephone calls received by the CIB. Callers can often be very upset or angry. The cases usually involve issues of great sensitivity. It is important that managers are satisfied that the CIB staff are properly trained to deal with this. Despite requests, no such training has yet been arranged.
- 6.9 This significant development in the care of, and service to, victims has been achieved within the resources available for the DCV1 initiative.

Strengths

- * The implementation of DCV2 within existing resources.

Aspects for improvement

- * Systems should ensure that a DCV letter is sent in all appropriate cases, particularly where there has been a judge ordered acquittal.
- * Training in dealing with victims for CIB staff.

Meetings with victims and relatives of victims (DCV5)

- 6.10 Meetings with victims and their relatives are appropriately offered and a number have been held. Neither of the offices has a dedicated room set aside for these meetings, so that rooms belonging to absent staff have to be used. The need for the provision of proper rooms has been noted in the plans for any future co-location involving an office move.

Victims' Charter (CR2)

- 6.11 The Area contributes fully to the care and consideration given to witnesses. The notification to the police (and the Witness Service) of witnesses to attend court was sent in good time in all but one of the 48 relevant cases that we examined, and they contained all the necessary details. Appropriate use was made of statements served under section 9, Criminal Justice Act 1967 in order to prevent the unnecessary attendance of both police and civilian witnesses in all 26 relevant cases. There is an appropriate consideration of, and application for, witness summonses, particularly in domestic violence cases. Victim Personal Statements are actively requested and chased if they are not received, and are used in court to assist in sentencing. The phasing of witnesses at court is normally properly considered, although more consideration is needed in longer magistrates' courts trials. Applications for Special Measures to protect witnesses at court were considered and dealt with well, and normally in good time.
- 6.12 This positive work contributes significantly to the improvement of public confidence in the CPS and thus the criminal justice system as a whole. We consider this aspect of the Area's work to be part of the strength which we mention at paragraph 12.10.

7 PERFORMANCE MANAGEMENT

Performance standards (PM1)

- 7.1 Key standards for the quality of casework have been set within the Area. Full participation in the Casework Quality Assurance (CQA) scheme, with regular monitoring by a senior lawyer, has further consolidated the standards for casework. Lawyers receive regular feedback on performance against standards and common themes are communicated after discussion at the AMB. Lawyers understood the requirements of the standards and quality of the casework, as discussed earlier in the report, which highlights that this focus is producing results.
- 7.2 Other national standards apply in the Area and staff are aware of their responsibilities. Performance appraisal objectives are generic in nature, although these do in some instances allow management to monitor and undertake performance management against key standards. We saw no evidence of performance appraisal objectives being tailored to manage poor performance or highlight deficiencies in standards. The lack of clear desk instructions or procedures for some key administrative tasks may make standard setting or performance monitoring difficult. The Area needs to consider both the standards it expects, and the consistency of its process for administrative tasks.
- 7.3 Area Champions are appointed to implement recommendations contained in HMCPSI Thematic Reports and national changes which have consequences on processes or casework. This structured approach ensures that casework standards reflect the necessary change.

Performance monitoring (PM2)

- 7.4 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 Business Support Manager is tasked with ensuring that the performance information (PIs) is collated and reports actual performance. This task is time consuming, and competing priorities within the Area result in time delays in the collection and checking of data. The Area needs to develop a structured process to ensure that there is timely collection of key casework measures, thus allowing for timely management decisions on up-to-date management information.
- 7.5 The Area performance information pack is somewhat limited in scope. Quite rightly there is a concentration on key casework measures, however this is at the expense of other key data sources required to make truly effective and informed management decisions. The Area needs to consider developing an information pack for both the AMB and the Unit Head/ABM monthly meetings, which outlines key measures against staffing and budgetary position, as well as highlighting issues such as sickness rates. Adopting a balanced scorecard approach within the Area may assist in ensuring that structured and fully informed decisions are taken.

- 7.6 The Area uses a variety of sources to feedback performance results to staff. However, it doesn't produce a summary of key measures or performance results to allow for ease of communication. The Area may wish to consider developing a summary of the full range of key measures for dissemination to all staff. It could build on the key points outlined in the CCP's brief used during the training weekend to produce a draft document.

Aspects for improvement

- * The Area develops and extends the range of data collected and reported to the senior team, to include matters such as budget, sickness rates and resources.

Joint performance management (PM3)

- 7.7 The formation of the LCJB and its sub-groups has created a need for performance information relating to the key targets across the criminal justice agencies. The Area is actively involved in ensuring that data on those targets where the CPS has direct involvement is provided to the LCJB Performance Officer.
- 7.8 The ABM is actively involved in the Performance Management Group (a sub-group of the LCJB) where performance issues are discussed and decisions taken to address poor performance. We were told that this sub-group is used to marshal commitment to action plans to improve performance, or re-allocate resources.
- 7.9 The production of joint performance management data covering the main aspects of business has highlighted the performance of the police in providing fully satisfactory files. The TQ1 process in the Area is well established and lawyers understand the benefits of using the system. However, we found that there was some disparity between the figures provided by the police and the assessment of the position by the CPS. The Area needs to consider whether the figures provided to the LCJB adequately reflect the correct position and ensure that the TQ1 process is fully utilised to give an accurate measure of actual performance.

Risk management (PM4)

- 7.10 The Area followed national guidance on developing its risk management strategy. This strategy, which formed part of the Area Business Plan, reflected the key risks as set out in the national guidance and outlined countermeasures to them.
- 7.11 The Area recognises that this is only the beginning in ensuring that risk management is built into its processes. It intends to develop a more structured approach to risk management, ensuring that risk is regularly reviewed, monitored and managed. It is also proposed to develop mitigation plans for key risks.

Continuous improvement (PM5)

- 7.12 Improving performance around key targets and casework processes is evident within the Area. Comparisons with other CPS Areas have been undertaken to benchmark both processes and performance, ensuring that the Area implements best practice or process improvement where it can.
- 7.13 To ensure that there is some consistency in process the Area intends to re-establish the Business Excellence Model Working Group. Using Excellence Model criteria, the ABM intends to use this forum to consider process improvement and development across the Area, ensuring that best practice between the two sites is shared and that processes are consistent. Once established, this Group will allow staff of all grades to participate in the improvement process and should ensure that some form of self-assessment is taking place within the Area. Work from this Group could also be used to complement the development of desk instructions for key administrative tasks.

Accounting for performance (PM6)

- 7.14 We cover this at the performance monitoring and joint performance management paragraphs (7.4 and 7.7) above.

8 PEOPLE MANAGEMENT AND RESULTS

Human resource planning (P1)

- 8.1 The ABM is responsible for resource planning. Staff numbers are profiled at the start of the financial year using the Area budget and an affordability/staff-in-post model. This staff profile is included as an appendix to the Area Business Plan and is shared with the senior team. We were also aware that there are regular and ad hoc reviews between the ABM and Unit Heads regarding resources, although there was no documented audit trail to confirm changes to resource allocation or budgetary impacts. This lack of evidence and reactive approach to resource planning results in unclear linkages to the Area Business Plan priorities. To overcome this, the Area needs to adopt a more structured approach to human resource planning, ensuring that the senior team can plan human resources and assess any business risks in light of the full range of information.
- 8.2 High levels of sickness - including long-term sickness - and problems recruiting lawyers, have meant that the Area has experienced some staffing difficulties, which has resulted in increased agent usage. While we recognise this is an issue which impacts on resource planning, a structured model to assess the effect of these absences would assist the Area.
- 8.3 Additionally, the Area approach to contingency and succession planning is reactive and needs redefining. The latter is reflected in recruitment, which in many instances results in the appointment being made significantly after the post-holder had departed. This does not lead to an effective hand-over. Limited and informal contingency planning negatively impacts on absent staff; for example, junior staff are contacted when at home. The Area needs to consider how key posts are covered to ensure continuity of business without having to recourse to contacting staff during periods of annual leave.

RECOMMENDATION

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.

Staff structure (P2)

- 8.4 The current staffing structure meets the needs of the business. Regular discussion at ABM and Unit Head level is used reactively to adjust staffing across the Area. Difficulty in recruiting lawyers has understandably impacted on Higher Court Advocate usage and additionally required an increase in agent usage. There are designated caseworkers (DCWs) based at both offices. They are an Area resource, but in practice have only undertaken courts serviced by their offices. A more flexible approach could result in a more effective allocation of resources.

- 8.5 The Area is to undertake a structural review using project methodology to adapt the business to the objectives of the CPS and wider criminal justice system. We saw early evidence of this; however, at this stage we cannot comment on the effectiveness of this proposed review to address some of the structural issues highlighted above. A former Unit Head, who was released to lead the pre-charge advice project and Casework Quality Assurance scheme, will support and manage this review.
- 8.6 We found that the culture of individual Branches remained within the Area and this had an impact on structure and resource allocation. The Area recognised that this mind-set was having an impact on both its ability to react to structural issues brought about by staff absence and effectively manage current workloads. The Area was considering action to address this issue, which included rotation of staff between offices as well as using the proposed restructure to tackle this cultural concern.
- 8.7 Despite the shortage of lawyers, the Area has actively attempted to recruit. Overcoming the difficulties in recruitment has resulted in a positive, pro-active and long-term approach being used to develop 'home-grown' future lawyers. The Area is currently funding three legal sponsorships and is using other methods to develop staff to provide lawyers in the long term. It is intended to recruit legal trainees on an annual basis.

Staff development (P3)

- 8.8 The 2002 Staff Survey results compared unfavourably with the national average for staff in the Area who felt they had enough opportunity to receive training or to improve skills in their current job. The Area developed an Action Plan to address these findings and specific actions were taken to address concerns about training and development.
- 8.9 Recent training has been concentrated on that required by national initiatives, which has resulted in extensive training being given to lawyers. Three members of staff have obtained funding via the Law Scholarship Scheme and three have received sponsorship for the Certificate in Criminal Prosecution. Additionally, because of other results in the Staff Survey the Area has also provided some training/development activity for managers. This included training on dealing with inefficiency, which is due to be re-initiated, as it was not wholly effective. Individual coaching and counselling for selected managers has also been given. Induction packs for new staff and mentoring is provided, but there is a mixed understanding of the pack and the extent of mentoring is a variable.
- 8.10 Inspectors found a perception within the Area that there is limited training or training time offered to administrative grades. Desk-side training was the main form offered, but this was viewed to be insufficient as a full explanation of the purpose of the training was not provided. Managers need to be satisfied that administrative staff receive training that explains why something is done, as opposed to merely that it should be done. This approach will increase staff engagement with the objectives of the organisation as a whole.

- 8.11 In common with other CPS Areas, the focus has been on mandatory training related to national initiatives and policies, and the needs identified in the Staff Survey for management training. This has resulted in a training commitment throughout the year at the expense of some training and the funding for it as outlined in individual Personal Development Plans (PDPs). The Area needs to develop a strategy to make staff aware of training constraints and communicate this effectively. This approach will dissipate feelings of unfairness and a lack of opportunity.
- 8.12 The Area has also suffered from the lack of a locally-based Training Officer and, until recently, no regional Training and Development Officer. The latter position has now been filled and should improve the standard and programme of training, although there is still no Area Training Committee. The Area needs to develop a systematic approach to training, ensuring that staff are made aware of the Area's priorities for training and development and any constraints they may face. Priorities should be linked to the Area Business Plan and the Area may also wish to consider how it can ensure equality of training opportunity throughout grades and units.

Performance review (P4)

- 8.13 The Area has a comprehensive performance appraisal system; 97% of performance appraisals were returned on time for the period 2002–03. However, not all staff had received end of probation reports, and there was an inconsistent approach to conducting interim reviews.
- 8.14 Individual objectives are aligned with the Area Business Plan and personal objectives are also in place; however, there are no Unit Plans and the objectives observed were generic and could have been more focused. Personal objectives set in Forward Job Plans were sometimes ineffective as they were not achieved and then repeated in subsequent years. Staff need to fully understand the importance of their contribution to their unit and the Area.
- 8.15 More could be done to ensure that individual performance is monitored. Whilst there is a satisfactory Casework Quality Assurance scheme, advocacy monitoring is negligible. Clear standards for administrative functions were also absent, evidenced by a lack of consistent desk instructions. Monitoring staff performance is a crucial part of ensuring that performance is reviewed and individuals are developed to meet the ever-changing needs of the business.

Aspects for improvement

- * The Area develops a system to ensure that staff understand how their individual contribution fits into the overall objectives of the organisation; this could be done by using Unit Action Plans or some other means to communicate Area priorities.

Management involvement (P5)

- 8.16 The Area has a comprehensive Communications Strategy, which (amongst other things), sets objectives for improvement in internal communications. The strategy outlines the use of the shared drive, e-mail, meetings and the Area newsletter as a means of communicating effectively. The Area Communications Manager is facilitating implementation of this Strategy. Using e-mail and the shared drive as a medium for communication, with a complementary structure of regular meetings at individual, team, unit and office level, would enhance communications. However, meetings in some teams have been infrequent, so limiting the opportunities for effective dialogue and staff involvement. Relying solely on communicating by mainly written form - e-mail or minutes on the shared drive - can lead to information overload, with staff failing to read urgent or important messages.
- 8.17 There are a number of ways in which the Area is trying to foster a climate of involvement, such as staff attendance at the annual training weekend, contributing to the Area newsletter or being involved through a number of Area committees. However, many staff do not feel inclined to get involved, when given the chance to do so; for example, the lack of commitment to the Area newsletter. There is no Area Sounding Board and meetings of the Whitley Council are irregular. In some instances staff expressed the view that they had been pressed into becoming involved; the Area needs to consider how it can develop a culture where staff want to be involved. We consider this point further at 8.21 and the subsequent recommendation.
- 8.18 The Staff Survey indicated that less than a third of staff felt that their immediate manager communicated effectively with them. It also found that a high percentage of staff, compared with the national average, feared that they were being kept in the dark. This Survey is now two years old and things may have moved on; however staff expressed similar sentiments during this inspection. It is crucial that information is disseminated throughout the Area in both directions. Care is needed to ensure that staff are adequately consulted and informed about issues and proposed initiatives that affect them, in order to nurture a sense of involvement. The Area needs to be satisfied that regular and effective team meetings are occurring throughout the Area, as an over reliance on written communication can reduce the effectiveness of any communication strategy.

Aspects for improvement

- * The Area needs to evaluate implementation of the internal Communications Strategy and change processes.

Good employment practice (P6)

- 8.19 The Area has a high level of sickness absence, which in part has been due to some long-term absences. However, Area sickness levels are not monitored, which was evidenced by the absence of an Area sickness target and the limited data provided by the Area on sickness. Inefficiency training for management has been conducted and referrals are being made for external medical assessments.

- 8.20 The Area needs to adopt a systematic approach to managing absences, thereby ensuring that appropriate action is taken to improve current levels of sickness. This is particularly important considering that a number of illnesses have been stress-related. The Staff Survey indicated that Staffordshire staff perceived they experienced higher levels of stress at work than the national average for the CPS. We were told that in 2003-04 over 1,500 days were lost in the Area due to sickness, equating to seven staff years. The absence of a systematic approach to monitoring or tackling short periods of sickness is costing the Area significant resources.
- 8.21 The Survey also indicated that a higher percentage of staff than the national average did not feel that senior managers would treat them in a fair and objective manner. Some senior managers attended the national Transform training course, which began the process of identifying leadership and management training, and the Area has independently undertaken some consultancy on the role and behaviours of the AMB. There was a consistent theme in all interviews that staff felt they are more likely to be blamed than supported through mistakes. Additionally, some staff expressed the feeling that they were not recognised for any contributions made. Senior managers do not believe this reflects the general behaviours and responses of all managers, but the existence of the perception restricts a climate of openness and involvement. If not addressed this will continue to impact negatively on motivation and sickness levels. Whilst the Area has a good standard of casework, issues such as these may eventually impact on the Area's ability to meet its targets.

RECOMMENDATION

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.

Equality and diversity (P7)

- 8.22 The Area has a sound approach to equality and diversity. It has an Equality and Diversity Plan - which is reviewed - and an Equality and Diversity Committee, although some staff have not had equality and diversity training.
- 8.23 The workforce is almost representative of the local black minority ethnic population, with Area staffing figures standing at 2.43%, against a local population figure of 2.99%. The Area has actively attempted to recruit from the black minority ethnic community and has been working with the local Race Equality Council over the previous three years to address this issue. Targets are set for the black minority ethnic, female and disabled population.
- 8.24 During 2003 managers received disability awareness training and the Area offered work placements as part of the European Year of the Disabled, all of which was facilitated by Re-employ.
- 8.25 The Area has recently received a commendation for work undertaken to judicially review a case involving a racist football chant; this has raised awareness in the community of the willingness of the Area to take such matters seriously. It also was praised for the Domestic Violence and Hate Crime Protocols.

Health and safety (P8)

- 8.26 Branch Office Managers (BOMs) are the Health and Safety Officers at each location, with responsibility for carrying out on-site assessments and promoting health and safety issues. Satisfactory systems are in place for the management of health and safety; full checks are regularly conducted and reports provided to the ABM, although not all workstation assessments have been undertaken.

9 MANAGEMENT OF FINANCIAL RESOURCES

Staff financial skills (MFR1)

- 9.1 The ABM allocates, controls and monitors the Area's budget. Sound financial management of the budget exists in the Area, although it was flat profiled and did not take account of known changes in spend, such as annual pay awards and other known on-costs. The Area uses the Service Centre to allocate and revise its budget on ROSS (the CPS accounting system).
- 9.2 The current approach to budgetary control by the ABM could also have the impact of introducing risk to the Area. Although budget updates (as covered within the ROSS system) are standing items on the AMB and Unit Head meeting agendas, awareness of the budget position within the senior team was limited in relation to current spend against budget within the Area. As part of the management performance pack, detailed budgetary information should be presented as a matter of course to the AMB each month.

Adherence to financial guidelines (MFR2)

- 9.3 The Area complies with CPS guidelines on financial management. Financial delegations are recorded and reviewed annually, and the Area recognised that introducing a process to regularly update delegations, and ensure that they are cancelled when staff leave the organisation, would be beneficial.
- 9.4 There was lack of clarity about the need for an Asset Register and List of Attractive Items. The Area must develop an Asset Register, and it must be appropriately updated to maintain its accuracy and usefulness.
- 9.5 The Area has controlled the costs that are allocated to ring-fenced monies for counsel costs in the magistrates' courts (account code 3010), and spend during the 2003-04 year was well within allocation. Clear guidance has been issued to staff who allocate costs to ensure that there is no confusion about what should and should not be allocated to this account code.
- 9.6 Work is undertaken by the Area Business Support Manager to ensure that the performance indicators (PIs) accurately reflect the work undertaken in the Area. This is a valuable task in ensuring that the Area benefits fully from its ABC funding, as well as giving some assurance to the senior team of the standard and position of registry processes.

Budgetary controls (MFR3)

- 9.7 The ABM uses budget reports from the Service Centre to monitor spend against profile. There is little direct interrogation of the budget reports, because all invoices are signed by the ABM. Over the past three years the Area has 'come in' with a small overspend. In 2003-04 the Area had overspent by £5,157 which was 0.1% of the overall budget. Although no overspend is truly acceptable, few CPS Areas came that close to budget. Similarly in 2002-03 the Area had a small overspend (1.1% of budget).

Management of prosecution costs (MFR4)

- 9.8 The end of year position for prosecution costs highlighted a large overspend (over £410,000 against profile). There are a number of reasons for this.
- 9.9 A number of long running and complex trials had been undertaken in the Area, which had substantial costs, but did not fall under the high-cost recharging scheme. Additionally, four high cost cases, which equated to over £200,000 in prosecution costs, were not identified within the Area until the timeframe for reclaiming costs had expired. This issue highlighted a training need within the caseworker cadre and action has been taken to issue formal guidance. The Area needs to develop a systematic process to ensure that all high cost cases are identified at the outset. This process should also include management checks to ensure that costs are reclaimed correctly and efficiently.
- 9.10 The Area has recently participated in a joint approach to counsel's chambers to address perceived disparity in payment for work from differing CPS Areas and this has ensured that all CPS Areas are now charged uniform amounts for the work carried out. This pro-active approach by the Area resulted in prosecution costs being reduced for some of the work undertaken by specific sets of chambers.
- 9.11 The paucity of formal monitoring of agents and counsel make any assurance that they are offering adequate value for money problematic. There are informal mechanisms in place to take account of feedback, and we were told that both agents and counsel have been 'dropped' from preferred lists based on this. The Area may wish to consider how it can introduce a formal system to measure the effectiveness of agents and counsel, ensuring the service they provide offers value for money.

Aspects for improvement

- * The Area needs to develop a system of identification for high cost cases, which ensures that only costs proper to ring-fenced prosecution costs fall to the Area.

Value for money approach (MFR5)

- 9.12 Last year the Area let a contract to an independent supplier for some management training and consultancy work with the AMB. Although this work in total equated to less than £10,000, the approach of letting a substantial contract without competition calls into question whether this resulted in value for money. If a similar contract or work is to be let by the Area over the coming year, formal tendering should take place as a matter of course.

10 PARTNERSHIPS AND RESOURCES

CJS partnerships (P&R1)

- 10.1 The Local Criminal Justice Board (LCJB) is a cohesive group and is working together towards achieving the Public Service Agreement targets. Improvement has been made in all key aspects and this demonstrates the strong partnership approach that now exists between the criminal justice agencies. A structure of sub-groups below the Board has ensured that operational work and change has been driven by all organisations. There is representation from the CPS senior team on all of the sub-groups. The Area may wish to consider whether staff attending the sub-groups are sufficiently empowered to implement or make decisions and that this is an effective use of resources.
- 10.2 The LCJB Business Plan clearly outlines both responsibilities and timescales for delivery. Sub-group Delivery Plans underpin the LCJB Plan and a sound system of monitoring and accounting for progress exists. The Area has also developed a range of effective protocols, which complement the partnership work that is being carried out in the county.
- 10.3 There is a concerted desire in the county to tackle low level crime and bad behaviour through the use of Anti-Social Behaviour Orders. The AMB will wish to consider how the Area can play an effective part in this, and so raise public confidence in the criminal justice system.

CJS agencies (KPR8)

- 10.4 We discussed issues relating to joint performance management at paragraphs 7.7 - 7.9. The Area has implemented face-to-face shadow charging in two of the seven charging centres, which is considered to be the maximum achievable within existing resources. One is in the north of the county (Hanley) and the other in the south (Stafford). Additionally the lawyer at the charging centre will provide a point of contact over the telephone for police officers from Newcastle under Lyme and Burton. Plans for full roll out of charging - that is to cover the seven sites within the county - will only happen if the Area is able to recruit an additional six lawyers. Whilst we understand the reasons for the current approach, the Area needs to consider other options to ensure that the full benefits of shadow charging are realised. Without a systematic approach to resource planning it is difficult for the Area to assess the true position with regard to staffing. A review of the structure, linked with work to consider the current resource requirements and commitments, may allow the Area to reappraise its project plans for the implementation of shadow charging.

Aspects for improvement

- * The Area needs to consider how it can resource the charging scheme to give wider coverage, as part of the ongoing structural review and improved human resources planning.

Improving local CJS performance (CR4)

- 10.5 The local criminal justice partners recognise the commitment of the Area to making local partnerships effective. Work with the magistrates' courts and the Crown Court to improve the effectiveness of trials has produced results, with a substantial improvement in performance over the 2003-04 year. Equally, the Area has demonstrated a commitment to working with the police to improve the timeliness and quality of files. Using e-mail for file requests should improve the process, however no formal evaluation has yet taken place.

Information technology (P&R2)

- 10.6 The Compass Case Management System was piloted in one office (South Staffordshire) within the Area. The Area fully participated in this initiative and regular feedback was given to the implementation team, which allowed for product development through user knowledge. Compass processes have been adopted within the Area and staff are actively encouraged to use the system to its full potential. The CCP has stipulated that lawyers will complete the committal process on Compass as a means of ensuring that all lawyers in the Area are using the system, and we found that staff were readily using it.
- 10.7 The Area uses the shared drive to publish minutes and communicate key messages to staff. Staff all have their own personal e-mail accounts, which has helped improve communications since our last inspection. Using information technology is a key feature of the Area's Communications Strategy, which we discuss at paragraph 8.16.

Buildings, equipment and security (P&R3)

- 10.8 The Area has effective security arrangements in place for staff and visitors. Both sites have adequate security for controlling the entry of visitors. Area accommodation is limited, and due to this implementing a clear desk policy has not been fully achieved, and in the Stafford office would not be feasible. Management are aware of the limitations and the recent bid for capital funding for new accommodation would address some of the issues faced by staff.

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

- 10.9 The CCP and ABM represent the Area on a number of national CPS fora and play an active part in the development of national policies. The Area uses the Service Centre's expertise to progress finance and resource matters, including the allocation and re-allocation of budgets on to ROSS. Problems have been encountered by the Area as there has, until recently, been no Training and Development Officer at the Service Centre. This has had a detrimental impact on both the range and organisation of training within the Area, but the recent appointment of a Training and Development Officer should improve performance.
- 10.10 The Area expressed concern about the turnover of staff in the Service Centre and the impact of this on continuity and advice. As long as Areas are dependant on their Service Centre for advice on issues such as personnel, training and finance, any vacancies within these areas of expertise can have a detrimental impact on the Area's ability to operate effectively. CPS Headquarters may want to consider how any Service Centre vacancies are managed.

11 POLICY AND STRATEGY

Stakeholders (P&S1)

- 11.1 The active participation of the CCP and senior team in the Local Criminal Justice Board and its sub-groups has ensured that there has been a shared understanding of the CPS's strategies with other the local criminal justice agencies. The Area encourages feedback from others in developing policy.
- 11.2 The Area has yet to undertake any form of co-location. A considerable resource in terms of project and feasibility planning for co-location has been expended, but the Area has been unable to move ahead due to constraints in accommodation in both the police and CPS estates. The Area has submitted a bid for funding which, if successful, will allow for co-location to take place in 2005 at the earliest. In an attempt to gain some of the benefits of co-location in process terms, the Area is using e-mail to speed the communication process between the police Criminal Justice Administration Department and lawyers and caseworkers. Additionally, the CCP is keen to pilot the electronic transfer of full files. Discussions between the Area, police and CPS Headquarters' Business Information Systems Directorate are underway to look at the feasibility of this proposal. If this can be implemented, the Area's approach to co-location may not meet the national model as suggested by Glidewell. If this is the case, CPS Headquarters may wish to consider what impact this may have for other CPS Areas.
- 11.3 One proposal in the co-location project was for the police and the Area's victim and witness care staff to be co-located. This would have brought together a number of strands of work and improved communication across the teams, but the proposed Area restructure and the need for additional funding has stopped this. Putting any plans on hold whilst considering a wholesale organisational restructure is a sensible approach; however, the Area must ensure that the benefits highlighted in the initial proposal to co-locate victim and witness care staff are retained.

Performance measurement (P&S2)

- 11.4 Sharing and considering performance jointly with criminal justice partners is part of the role of the Performance Management Group (one of the sub-groups of the LCJB). Work emanating from this joint review should allow criminal justice partners to formulate local criminal justice system policy.
- 11.5 The Area uses performance information on casework to develop strategies for improvement. AMB regularly discuss themes and aspects that require development or focus, these are then communicated to lawyers to begin the improvement process. However, the Area needs to consider how it can use wider performance information as we discussed at paragraphs 7.5 and 7.6.

Review (P&S3)

- 11.6 A process of review exists within the Area. Plans are reviewed by the AMB and all major initiatives have been developed using project management methodology. The process would benefit from a formal system of review linked to the original plan. Additionally, the Area needs to consider developing a more formal approach to risk management in other aspects of its business, beyond the national requirement of drafting and managing key risks as part of the planning cycle.

Framework of key processes (P&S4)

- 11.7 The ABM is the owner for the key processes. As discussed at paragraph 7.13, work on consistency of processes is about to commence. The Area must ensure that some form of process check is instigated once implementation of any change (as agreed by the Business Excellence Model Group and AMB) has taken place. This systematic approach will ensure both consistency across the Area and effectiveness of the processes to deliver the product. Key processes will not relate solely to casework and should include, for example, processes for financial management, governance, and quality of service delivered by the Area.

Communication and implementation (P&S5)

- 11.8 Externally the CCP and senior team have effectively communicated the Area priorities to other criminal justice partners. In the main this has been through involvement in the LCJB. Additionally, some key aspects of CPS policy have been successfully communicated. Work within the county to produce a Domestic Violence and Hate Crime Protocol has been well received.
- 11.9 A number of internal methods of communicating the policy and strategy of the Area exist, including the Area newsletter, training weekend, team meetings (with the caveat of the irregular nature of some), e-mail and shared drive written communications. This system, linked with an effective Communications Strategy, will result in staff understanding how plans, objectives and targets are aligned to overall CPS and CJS priorities. We found that there are varying degrees of awareness within the Area as to how CPS and CJS priorities fit into the overall direction (delivery policy and strategy) for the Area. The AMB will wish to consider how consistent and effective messages can be communicated to all staff.

12 PUBLIC CONFIDENCE

Complaints (CR1)

- 12.1 CPS Staffordshire has a sound system for dealing with complaints. Unit Heads are responsible for dealing with them and providing a written response. Satisfactory logs of complaints were maintained in both offices, although it was difficult to establish from the logs whether the timeliness of complaints was being analysed. In addition, there was no evidence that oral complaints are being recorded. Managers need to be satisfied that complaints of this nature being dealt with appropriately.
- 12.2 Complaints were dealt with in a satisfactory and timely manner. However, from the sample examined there were occasional spelling errors and one letter was not of an acceptable quality. The Area has recognised the need to review and learn appropriate lessons from complaints made. It needs to consider adopting quality assurance of response to complaints received, to ensure that appropriate standards are maintained for all complaints, and lessons are learned.

Minority ethnic communities (CR5)

- 12.3 Cases with a minority ethnic dimension are handled in accordance with the Code and operational policies. Racial incident monitoring forms are being completed and satisfactory logs are in place. The data is analysed, shared and discussed with the police and the Racial Incidents Forum on a quarterly basis.
- 12.4 The Area has engaged considerably with the local Forum and the local Racial Equality Council in attempts to address the low rate of reporting of racially aggravated crime, and in a bid to improve public confidence. For example, the joint work undertaken to increase reporting of incidents involving making off without payment from local taxicabs.
- 12.5 The Area recently received a national Equality and Diversity Commendation for work undertaken to judicially review an unsatisfactory decision in relation to a racist chant at a football match. This has raised awareness in the community of the willingness of the Area and the CPS to take such matters seriously.

Safeguarding children (CR7)

- 12.7 Child abuse cases are dealt with in a satisfactory manner. There are specialists whose expertise is apparent and who regularly attend Area Child Protection Committee meetings.

Community engagement (CR6 and SR1)

- 12.8 The Area demonstrates a whole-hearted commitment to community engagement, which is to be praised. A pro-active approach has been adopted and the Communications Manager collates all community involvement. The Area recognises the need to be outward looking and is continuing to create and develop further links within the community. However, the current approach is not systematic and does not acknowledge that there are limited resources available to dedicate to community engagement. The Area needs to ensure the resources available for community involvement is prioritised thereby ensuring effective coverage which links in with, and supports, the Area Business Plan and takes account of resource constraints.

- 12.9 Work undertaken in the Area includes attendance at careers evenings, mentoring of black minority ethnic students, meetings with women’s refuge and domestic violence groups, various race hatred/harassment meetings and the Police Authority consultative meetings. There has been positive engagement by senior managers and the Communications Manager.
- 12.10 A Hate Crime Service Level Agreement has been settled with the police following consultation with the four hate crime fora and local radio coverage requesting views. Additionally, the Area has progressed work in relation to its enhanced Direct Communication with Victims scheme and contributes fully to the care and consideration given to victims and witnesses, which have all contributed positively to the Area’s profile in the local community.

Strengths

- * The Area’s multi-faceted approach and pro-active work undertaken to engage fully with the community and increase public confidence in the CPS.

Aspects for improvement

- * The Area needs to develop a more systematic approach to community engagement, linking this with the priorities of the Area Business Plan and available resources.

Media engagement (SR2)

- 12.11 The Area has a pro-active approach to engagement with the media, which is facilitated by the Communications Manager. Close contact has been established with parts of the local media, which is evident in the number of articles available.
- 12.12 A comprehensive Communications Strategy is in place. Successful established arrangements with the police for joint media engagement have ensured a joined-up strategy to media engagement, which is to be expanded to the LCJB. At the time of the inspection, the Area was waiting for approval of a draft protocol for media engagement from the Board.

Public confidence (SR3)

- 12.11 The LCJB commissioned qualitative market research to highlight public confidence issues at local level; the work with focus groups and surveys undertaken drilled down to individual criminal justice agency level. A plan has been developed by the LCJB Public Confidence Group to address the issues identified from the survey, which will be discussed by the Area at office level. The LCJB also relies on data provided by the British Crime Survey. The Area recognises that there is no quick fix to raise public confidence and that a long-term committed approach to community and media engagement is required.

13 LEADERSHIP AND GOVERNANCE

Vision and values (L&G1)

- 13.1 There is clear understanding within the Area of the aims and objectives of the CPS and CJS in general. The CCP has a clear vision and staff are aware of the future direction. The performance appraisal system and job objectives are used to ensure that staff are aware of priorities and the Area training weekend was used to cascade and confirm the vision.
- 13.2 The Area needs to consider more closely its values and we make a recommendation at paragraph 8.3, which should allow for a values assessment to take place.

Staff recognition (L&G2)

- 13.3 A constant refrain within interviews with all grades of staff was the fact that there was little recognition of good performance within the Area, and that it was more likely that they would be blamed for mistakes than thanked for work well done. This confirmed the views of staff in the 2002 Staff Survey and the Investor's in People re-assessment. Conversely, senior management were adamant that staff are praised and thanked. Work needs to be undertaken to make a full assessment of why, therefore, staff perceive that there is an issue in this aspect.

RECOMMENDATION

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.

Management structure (L&G3)

- 13.4 The AMB has recently undertaken some training and development to increase the effectiveness of the team. This training, undertaken with external consultants, had two strands: one aspect was to develop the individual and the other look at the team. This training has resulted in the team developing a set of values.
- 13.5 The Area uses both the AMB and the ABM/Unit Head meetings to manage performance and drive the business. Both meetings have a number of standing items for discussion. A more formal approach to the ABM/Unit Head meeting would be beneficial, as key messages and minutes would allow for important decisions to be communicated in a more effective manner.

Organisational structure (L&G4)

- 13.6 The current organisational structure has been developed to reflect the needs of the business and to meet the demands of central initiatives. The split site of north and south of the county is historic of nature and has brought with it some issues. The proposed structural review may radically alter the current organisational structure of the Area. This review will be used as a means to addressing some of the needs of new initiatives being rolled out nationally, but also to consider efficiency of resources.

- 13.7 It is hoped that the review will be a catalyst to changing the culture of a divide within the Area. It should also be used to tackle issues such as rotation of staff between units. It is too early to say how effective the structural review will be, but undertaking this project should present an opportunity for the Area to be in a sound position to meet the ever changing demands of the business.

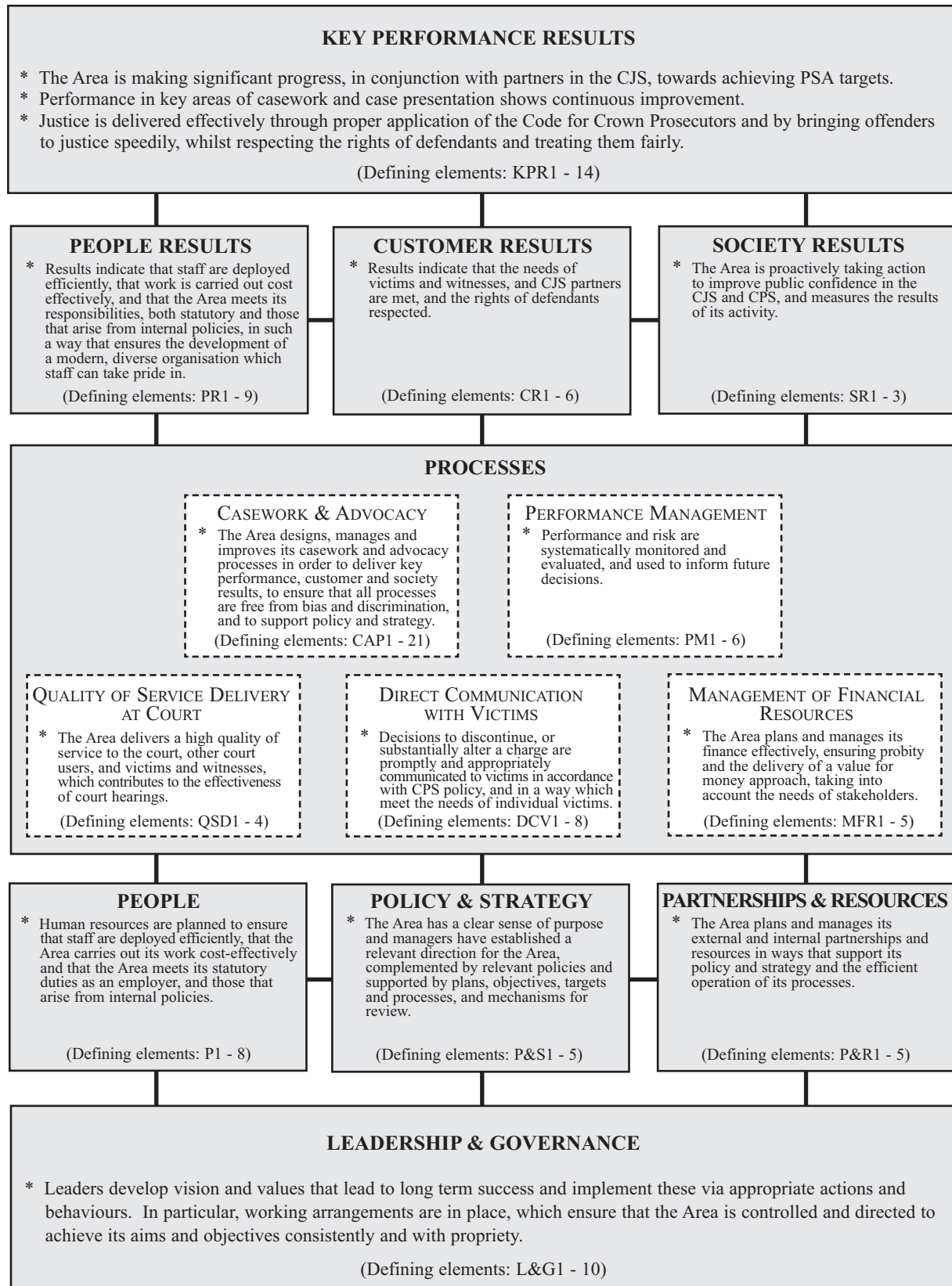
Action plans (L&G5)

- 13.8 The Area used project management methodology to develop feasibility plans for both co-location and charging. The proposed restructure of the Area is to be managed using project management and four work streams have been identified to ensure that cross-cutting issues are identified and managed. The plans for co-location and charging identified key stakeholders and outlined critical success factors for the projects.
- 13.9 Although the plans were well developed, the Area must ensure that there are regularly monitored and any changes documented. The plans relating to co-location did not reflect the true position of the project, nor represent an audit trail. If project management methodology is to be used by the Area to manage and implement projects, full use of staged approach of review and change needs to be undertaken by the project manager, with regular reports being issued to the project board or AMB.

Criminal justice system co-operation (L&G6)

- 13.10 There is a wide level of commitment in the Area to working with others. The CCP and senior team play an active role in the LCJB; and work is undertaken out of office hours by many to participate in CJS and voluntary organisation activities.

BUSINESS EXCELLENCE MODEL INSPECTION MAP



KEY REQUIREMENTS AND INSPECTION STANDARDS

CASEWORK (Chapter 4)

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

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.

ADVOCACY AND QUALITY OF SERVICE DELIVERY (Chapter 5)

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

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.

VICTIMS AND WITNESSES (Chapter 6)

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**
-

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.

PERFORMANCE MANAGEMENT (Chapter 7)

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

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.

PEOPLE MANAGEMENT AND RESULTS (Chapter 8)

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
-

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.

MANAGEMENT OF FINANCIAL RESOURCES (Chapter 9)

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

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.

PARTNERSHIPS AND RESOURCES (Chapter 10)

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

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.

POLICY AND STRATEGY (Chapter 11)

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

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.

PUBLIC CONFIDENCE (Chapter 12)

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.

LEADERSHIP AND GOVERNANCE (Chapter 13)

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

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.

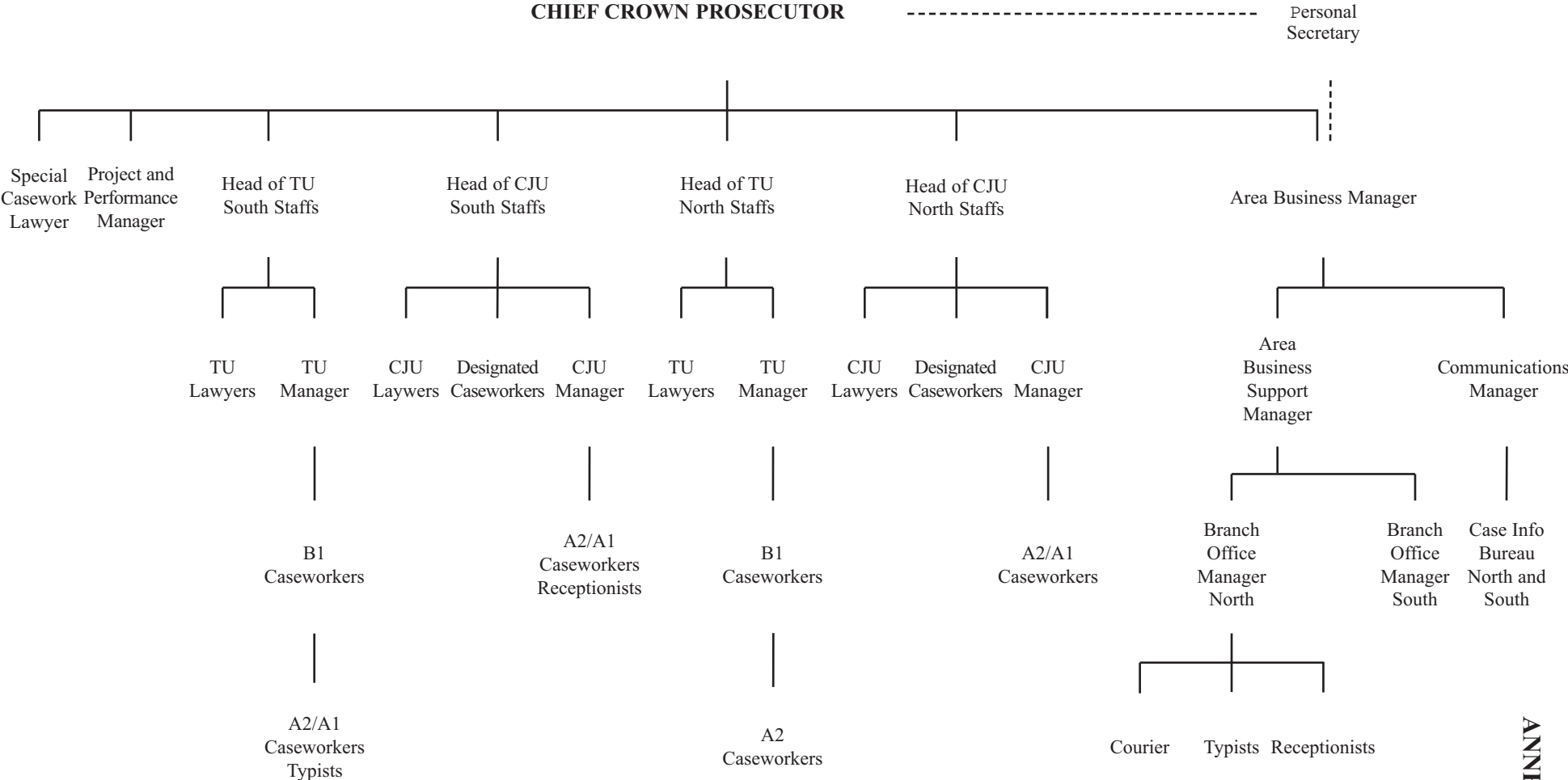
Action plans (L&G5)

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.

CPS STAFFORDSHIRE STAFF STRUCTURE



ANNEX 3

AREA CASELOAD FOR YEAR TO DECEMBER 2003

Magistrates' Court - Types of case	Staffordshire		National	
	Number	Percentage	Number	Percentage
Advice	1,218	4.5	116,941	7.9
Summary motoring	1,641	6.1	386,933	26.1
Summary non-motoring	10,102	37.5	338,450	22.8
Either way & indictable	13,745	51.0	624,339	42.1
Other proceedings	228	0.8	15,248	1.0
Total	26,934	100	1,481,911	100

Magistrates' Court - Completed cases	Staffordshire		National	
	Number	Percentage	Number	Percentage
Hearings	19,677	77.2	996,770	73.9
Discontinuances	3,362	13.2	164,693	12.2
Committals	1,669	6.5	96,680	7.2
Other disposals	780	3.1	91,578	6.8
Total	25,488	100	1,349,721	100

Magistrates' Court - Case results	Staffordshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	14,669	73.6	796,973	79.2
Proofs in absence	4,028	20.2	143,838	14.3
Convictions after trial	925	4.6	46,813	4.7
Acquittals: after trial	260	1.3	15,844	1.6
Acquittals: no case to answer	38	0.2	2,565	0.3
Total	19,920	100	1,006,033	100

Crown Court -Types of case	Staffordshire		National	
	Number	Percentage	Number	Percentage
Indictable only	587	25.4	40,654	31.9
Either way: defence election	136	5.9	14,011	11.0
Either way: magistrates' direction	834	36.1	41,955	32.9
Summary: appeals; committals for sentence	751	32.5	30,973	24.3
Total	2,308	100	127,593	100

Crown Court - Completed cases	Staffordshire		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	1,327	85.2	79,823	82.6
Cases not proceeded with	207	13.3	13,742	14.2
Bind overs	6	0.4	1,127	1.2
Other disposals	17	1.1	1,921	2.0
Total	1,557	100	96,613	100

Crown Court - Case results	Staffordshire		National	
	Number	Percentage	Number	Percentage
Guilty pleas	1,114	82.5	60,132	73.6
Convictions after trial	130	9.6	13,168	16.1
Jury acquittals	92	6.8	6,880	8.4
Judge directed acquittals	15	1.1	1,574	1.9
Total	1,351	100	81,754	100

TABLE OF RESOURCES AND CASELOADS

AREA CASELOAD/STAFFING CPS STAFFORDSHIRE		
	December 2003	June 2001
Lawyers in post (excluding CCP)	42.3	35.8
Cases per lawyer (excluding CCP) per year	636.7	804.7
Magistrates' courts contested trials per lawyer (excluding CCP)	28.9	31.5
Committals and "sent" cases per lawyer (excluding CCP)	39.5	40.4
Crown Court contested trials per lawyer (excluding CCP)	5.6	6.1
Level B1, B2, B3 caseworkers in post	35.1	25
Committals and "sent" cases per caseworker	47.5	57.8
Crown Court contested trials per caseworker	6.7	8.7
Running costs (non ring fenced)	£4,423,500	£3,569,740

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

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

	RECOMMENDATIONS	POSITION IN APRIL 2004
R1	<p>In relation to the appropriateness of requests for advice:</p> <ul style="list-style-type: none"> • the Unit Heads review the appropriateness of police requests for pre-charge advice; and • the CCP considers re-negotiating the current agreement with the police on the provision of advices. 	<p>A Service Level Agreement is in place which has been reviewed. All requests for advice in the file sample were appropriate.</p> <p>Stafford and Hanley charging centres have now implemented the shadow charging scheme.</p>
R2	<p>The CJU Heads should ensure that there is a full and effective review of the available material at the first date of hearing, and that any deficiencies apparent in the case are drawn to the attention of the police at that stage.</p>	<p>Progress has been made, although there are still examples where there a lack of robustness is evident in individual reviews. This is dealt with through the Casework Quality Assurance (CQA) scheme locally, with individual feedback.</p>
R3	<p>The CJU Heads monitor all magistrates' courts acquittals to identify individual performance issues and general learning points for the units.</p>	<p>Acquittal forms were not evident on all files in the sample. Where they are in existence, monitoring occurs and some individual feedback is provided. Learning points are raised at the Area Management Board (AMB), however this is not always cascaded to units and individuals.</p> <p>Identified as an aspect for improvement.</p>
R4	<p>The Unit Heads ensure that a full and effective review takes place in every case at committal stage.</p>	<p>The CQA scheme is used locally to drive performance. In the file sample, Area performance of cases with timely review before committal was 100%.</p>

	RECOMMENDATIONS	POSITION IN APRIL 2004
R5	<p>In relation to review endorsements:</p> <ul style="list-style-type: none"> • the North Staffordshire office should adopt the magistrates' courts file jacket used in South Staffordshire; and • the Unit Heads ensure review decisions are fully endorsed on the file in the appropriate place. 	<p>A common system has been adopted across the Area.</p> <p>Training was provided following the last inspection. There are still some ongoing problems with individuals, which are dealt with through feedback from the local CQA system.</p>
R6	<p>In relation to learning from experience:</p> <ul style="list-style-type: none"> • the Unit Heads ensure all learning points are identified in the case reports; and • the AMB puts in place structured arrangements for learning from experience from all casework which may have wider relevance, and for ensuring that lawyers in both the CJU and TU are kept informed of case outcomes in the Crown Court. 	<p>There were still some case reports missing from the file sample.</p> <p>Where reports are present, learning points are identified and discussed by senior managers. The Area is reliant on cascading learning points via e-mail or team meetings, which are not always held due to resource issues.</p> <p>Identified as an aspect for improvement.</p>
R7	<p>In relation to the disclosure of unused material:</p> <ul style="list-style-type: none"> • the AMB fully implements the Area Action Plan on disclosure; • the CJU and TU Heads ensure that all unused material, including correspondence, is kept in order in a separate folder on all files; • the AMB reviews and implements a consistent Area policy in relation to defence inspection of material at primary disclosure stage; 	<p>Strength - the handling of unused material and compliance with the statutory duties of disclosure was consistently good across the Area.</p>

	RECOMMENDATIONS	POSITION IN APRIL 2004
R7 CONT	<ul style="list-style-type: none"> the AMB ensures that an assessment is made at secondary stage of disclosure, in accordance with the CPIA, and that the defence are so informed; the AMB remind lawyers of their statutory obligations in relation to summary motoring cases; and the CCP seeks improvements from the police in the quality of the description of items included on disclosure schedules. 	The performance in larger, more complex cases is good, but the commitment from senior officers is not always matched by the performance of junior officers. From June 2004 a major training programme will be undertaken by the police.
R8	The AMB ensure that all new, or recently appointed, agents receive an induction pack and an induction session on prosecuting in the magistrates' courts as soon as practicable.	An induction pack and custody time limit (CTL) instructions are sent to each set of Chambers – who are instructed on a preferred set basis. The Area needs to be satisfied that all agents are familiar with the pack before they are instructed – a simple acknowledgement form, particularly for new counsel, would suffice.
R9	The AMB ensures appropriate consideration is given to allocating difficult or complex summary trials to the file owner.	This is being achieved where resources allow.
R10	The AMB prioritise the strategies within the Area Business Plan, and develop underpinning Action Plans for delivery of them.	Progress made. A process of review exists within the Area, but it would benefit from a formal system where evidence of review and action is linked to the original Plan.
R11	Monthly written team performance reports be prepared by Unit Heads for the ABM and CCP in advance of AMB meetings.	Initially undertaken on a quarterly basis, but more recently these have been replaced with monthly performance meetings between the ABM and Unit Heads.

	RECOMMENDATIONS	POSITION IN APRIL 2004
R12	The AMB undertakes a review of communications within the Area in light of Connect 42 and associated developments, and develops and consults on a written communications policy.	The Area has now produced a second draft of the Communications Strategy and has appointed a Communications Officer.
R13	The CCP and ABM prepare an action plan on making effective and efficient use of resources within the Area, and the local criminal justice system by engaging criminal justice partners, in preparation for the next business planning round.	Achieved and augmented by the creation of the Local Criminal Justice Board.
R14	The CCP and ABM review the current tasks and deployment of designated caseworkers, and level A and B caseworkers in the TUs, with the aim of ensuring full and effective deployment of their skills.	Achieved. Further restructuring is underway.
R15	The CCP and ABM review the operation of local joint monitoring, drawing on the lessons of the national Trials Issues Group pilots, with the aim of ensuring an Action Plan is agreed with the magistrates' courts to deliver targeted reductions in the cracked/ineffective trial rate.	A Listing Protocol has been established with the magistrates' courts and weekly meetings are held with the Listing Officer at both Stafford and Stoke Crown Courts. Initially this had little effect, however, more recently Crown Court figures have seen a considerable improvement.
R16	The CJU Heads review discontinued cases and magistrates' courts' acquittals with the police CJSU over a three-month period in order to identify learning points and develop an Action Plan.	Progress made, although further work needs to be undertaken to systematically analyse and feedback casework issues between the units, and from adverse case reporting. Identified as an aspect for improvement.

	RECOMMENDATIONS	POSITION IN APRIL 2004
R17	The CCP and ABM seek a cost benefit analysis of the possible models for co-location in the Area, as well as the maintenance of the existing arrangements.	There is currently no co-location 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.
	SUGGESTIONS	POSITION IN APRIL 2004
S1	We suggest that the Unit Heads institute systematic monitoring of the quality of advices.	There is use of CQA locally to drive performance and disseminate good practice through the level E CQA assessor.
S2	We suggest that the CJU Heads review and implement means by which timeliness and quality of summary trial preparation can be improved, drawing on the expertise of all grades involved in the trial preparation process.	In the file sample summary trial checks were thorough and timely. There is use of CQA locally to drive performance and disseminate good practice through the level E CQA assessor.
S3	We suggest that the TU Heads monitor the quality of instructions to ensure issues are fully addressed and alternative pleas dealt with.	There is use of CQA locally to drive performance and disseminate good practice through the level E CQA assessor.
S4	We suggest that the AMB researches and implements a consistent Area-wide system for recording directions and the compliance therewith.	The Area use a separate pre-printed folder for recording PDH directions, dates when orders are carried out and further action to be undertaken assisted in this good performance. We think this is good practice that improves the prosecution's trial readiness.
S5	We suggest that the Unit Heads monitor the quality of instructions in appeals against conviction to ensure that there is a report from the trial lawyer and that the instructions adequately deal with all issues.	Where this is undertaken it is on an ad hoc basis and is not systematic.

	SUGGESTIONS	POSITION IN APRIL 2004
S6	We suggest that AMB should consider the implementation of the CTL monitoring systems in South Staffordshire for the whole Area.	A new Area-wide policy was implemented in 2003. Despite failures, all staff are now fully aware of their responsibilities.
S7	We suggest that the AMB should introduce more regular and structured monitoring of all advocates in both the magistrates' and Crown Courts.	Ad hoc monitoring takes place, but there is no formal and structured monitoring other than feedback from the caseworkers in the Crown Court. Recommendation made.
S8	We suggest that the AMB consider introducing a courier service for file in the South Staffordshire office.	Having considered various options, the AMB decided not to adopt the suggestion as it was not cost effective.
S9	We suggest the AMB ensure that: <ul style="list-style-type: none"> • the South Staffordshire complaints log be kept to the same standard as the North Staffordshire log; and • oral complaints be recorded in the complaints log. 	Achieved. We were surprised to see how few oral complaints were recorded; the Area still needs to be satisfied that all oral complaints are recorded in the complaints log.
S10	We suggest that the AMB considers: <ul style="list-style-type: none"> • the deployment of caseworkers to assist the prosecutor of trial courts where there are more than two trials listed; and • the establishment of regular bi-lateral meetings with Witness Service. 	Considered but not adopted due to resource constraints, it was decided that any gains achieved were outweighed by the cost to Crown Court performance. Any issues are raised and resolved through the LCJB Victim and Witness sub-group.

**TOTAL NUMBER OF FILES EXAMINED FOR
CPS STAFFORDSHIRE**

	Number of files examined
Magistrates' courts cases/CJUs:	
Advice	8
No case to answer	4
Trials	37
Discontinued cases	29
Race crime	(7)
Domestic violence cases	(24)
Youth trials	(8)
Cracked trials	7
Ineffective trials	1
Cases subject to custody time limits	10
Crown Court cases/TU:	
Advice	6
Committals discharged after evidence tendered/sent cases dismissed after consideration of case	0
Committals dismissed case not ready	3
Judge ordered acquittals	20
Judge directed acquittals	4
Trials	30
Child abuse cases	(18)
Race crime	(8)
Cracked trials	8
Ineffective trials	1
Rape cases	(6)
Street crime cases	(6)
Cases subject to custody time limits	9
TOTAL	177

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

His Honour Judge Shand
His Honour Judge Styler
Mr D Bennett, Court Manager
Mr J Perkin, Court Manager

Magistrates' Courts

District Judge G Richards
Mrs J Carr, JP
Mr D Evans, JP
Mr D Newstead, JP
Mr D Pearsall, JP
Mr J Wood, JP
Mr P Wooliscroft, Justices' Chief Executive
Mr M Benson, Clerk to the Justices
Mr A Marshall, Clerk to the Justices
Mr P Ashcroft, Deputy Justices' Clerk
Ms R Bailey, Deputy Justices' Clerk

Police

Mr J Giffard CBE, QPM, DL, Chief Constable
Chief Superintendent J Wood
Chief Superintendent K Smy
Chief Superintendent N Howe
Superintendent P Gallagher
Superintendent M Harrison
Superintendent D F Holdway
Detective Inspector A Walker
Detective Inspector R Finlow
Detective Inspector P Anthony, Ministry of Defence Police
Inspector T Hood
Inspector J Hugginson, British Transport Police
Acting Inspector J Richards

Defence Solicitors

Mr C Clark
Mr P Kay
Mr N Davies
Mr S Leech
Mr T Wright

Counsel

Mr P Grice

Witness Service

Mr D Ainsworth

Mr G Lewis

Ms E Walton

Ms L Tuckley

Victim Support

Mr M Herward, Area Director

Youth Offending Teams

Mr J Tate

Community Groups

Mr M Tufail, North Staffordshire Racial Equality Council

Ms C Palmer, North Staffordshire Domestic Violence Forum

Mr A Kabal, East Staffordshire Racial Equality Council

Ms J Hawes, PARINS, Stoke-on-Trent Citizens Advice Bureau

Councillor R Conteh, Police Authority Consultative Committee

Mr G Williams, South Staffs Mesmen Project

Mrs D Chester-James, Stafford Women's Aid

Ms R Vakis, Lichfield Domestic Violence Forum

Members of Parliament with constituencies in Staffordshire were 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:

- | | |
|------------------------|---|
| consistency | Adopting the same principles and core procedures for each inspection, and apply the same standards and criteria to the evidence we collect. |
| thoroughness | Ensuring that our decisions and findings are based on information that has been thoroughly researched and verified, with an appropriate audit trail. |
| integrity | Demonstrating integrity in all that we do through the application of our other values. |
| professionalism | Demonstrating the highest standards of professional competence, courtesy and consideration in all our behaviours. |
| objectivity | 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

ADVERSE CASE	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
AGENT	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
AREA BUSINESS MANAGER (ABM)	Senior business manager, not legally qualified, but responsible for finance, personnel, business planning and other operational matters
AREA MANAGEMENT TEAM (AMT)	The senior legal and non-legal managers of an Area
ASPECT FOR IMPROVEMENT	A significant weakness relevant to an important aspect of performance (sometimes including the steps necessary to address this)
CATS - COMPASS, SCOPE, SYSTEM 36	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
CASEWORKER	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
CHIEF CROWN PROSECUTOR (CCP)	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
CODE FOR CROWN PROSECUTORS (THE CODE)	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
CO-LOCATION	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
COMMITTAL	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
COURT SESSION	There are two sessions each day in the magistrates' court, morning and afternoon

CRACKED TRIAL	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
CRIMINAL JUSTICE UNIT (CJU)	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)
CUSTODY TIME LIMITS (CTLs)	The statutory time limit for keeping a defendant in custody awaiting trial. May be extended by the court in certain circumstances
DESIGNATED CASEWORKER (DCW)	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
DIRECT COMMUNICATION WITH VICTIMS (DCV)	A new procedure whereby CPS consults directly with victims of crime and provides them with information about the progress of their case
DISCLOSURE, Primary and Secondary	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
DISCONTINUANCE	The dropping of a case by the CPS in the magistrates' court, whether by written notice, withdrawal, or offer of no evidence at court
EARLY ADMINISTRATIVE HEARING (EAH)	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
EARLY FIRST HEARING (EFH)	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
EITHER WAY OFFENCES	Those triable in either the magistrates' court or the Crown Court, e.g. theft
EUROPEAN FOUNDATION FOR QUALITY MODEL (EFQM)	A framework for continuous self-assessment and self-improvement against whose criteria HMCSI conducts its inspections
EVIDENTIAL TEST	The initial test under <i>the Code</i> – is there sufficient evidence to provide a realistic prospect of conviction on the evidence?
GLIDEWELL	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>

GOOD PRACTICE	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
HIGHER COURT ADVOCATE (HCA)	In this context, a lawyer employed by the CPS who has a right of audience in the Crown Court
JOINT PERFORMANCE MONITORING (JPM)	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
INDICTABLE ONLY OFFENCES	Offences triable only in the Crown Court, e.g. murder, rape, robbery
INEFFECTIVE TRIAL	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
JUDGE DIRECTED ACQUITTAL (JDA)	Where the judge directs a jury to find a defendant not guilty after the trial has started
JUDGE ORDERED ACQUITTAL (JOA)	Where the judge dismisses a case as a result of the prosecution offering no evidence before a jury is empanelled
LEVEL A, B, C, D, E STAFF	CPS grades below the Senior Civil Service, from A (administrative staff) to E (senior lawyers or administrators)
LOCAL CRIMINAL JUSTICE BOARD	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
MG6C, MG6D ETC	Forms completed by police relating to unused material
NAREY COURTS, REVIEWS ETC	A reformed procedure for handling cases in the magistrates' court, designed to produce greater speed and efficiency
NO CASE TO ANSWER (NCTA)	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
PERSISTENT YOUNG OFFENDER	A youth previously sentenced on at least three occasions
PRE-TRIAL REVIEW	A hearing in the magistrates' court designed to define the issues for trial and deal with any other outstanding pre-trial issues
PUBLIC INTEREST TEST	The second test under <i>the Code</i> - is it in the public interest to prosecute this defendant on this charge?
PUBLIC SERVICE AGREEMENT (PSA) TARGETS	Targets set by the Government for the criminal justice system (CJS), relating to bringing offenders to justice and raising public confidence in the CJS

RECOMMENDATION	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
REVIEW , 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
SECTION 9 CRIMINAL JUSTICE ACT 1967	A procedure for serving statements of witnesses so that the evidence can be read, rather than the witness attend in person
SECTION 51 CRIME AND DISORDER ACT 1998	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
SENSITIVE MATERIAL	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
SPECIFIED PROCEEDINGS	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
STRENGTHS	Work undertaken properly to appropriate professional standards i.e. consistently good work
SUMMARY OFFENCES	Those triable only in the magistrates' courts, e.g. most motoring offences
TQ1	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>
TRIAL UNIT (TU)	Operational unit of the CPS which prepares cases for the Crown Court