

CPS Staffordshire

Overall Performance Assessment

Undertaken October 2005

March 2006

Promoting Improvement in Criminal Justice

CONTENTS

	PAGE
A. INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS	2
B. AREA DESCRIPTION AND CASELOAD	3
C. SUMMARY OF JUDGMENTS	4
D. DEFINING ASPECTS	8
1. Pre-charge decision-making	8
2. Managing magistrates' courts cases	11
3. Managing Crown Court cases	14
4. Ensuring successful outcomes	17
5. Handling sensitive cases and hate crimes	19
6. Custody time limits	21
7. Disclosure	22
8. The service to victims and witnesses	24
9. Presenting and progressing cases at court	26
10. Delivering change	28
11. Managing resources	31
12. Managing performance to improve	33
13. Leadership	36
14. Securing community confidence	38
ANNEX A - PERFORMANCE DATA	40

A. INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCPsi) overall assessment of the performance of the Crown Prosecution Service (CPS) in Staffordshire and represents a baseline against which improvement will be monitored.

Assessments and judgments have been made by HMCPsi based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPsi assessments; and by assessment under the criteria and indicators of good performance set out in the Overall Performance Assessment (OPA) Framework, which is available to all Areas.

The OPA has been arrived at by rating the Area's performance within each category as either 'Excellent' (level 4), 'Good' (level 3), 'Fair' (level 2) or 'Poor' (level 1) in accordance with the criteria outlined in the Framework.

The inspectorate uses a rule-driven deterministic model for assessment, which is designed to give pre-eminence to the ratings for 'critical' aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings in relation to the other defining aspects, in order to arrive at the OPA.

The table at page 7 shows the Area performance in each category.

An OPA is not a full inspection and differs from traditional inspection activity. While it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. That sort of detailed examination will, when necessary, be part of the tailored programme of inspection activity.

B. AREA DESCRIPTION AND CASELOAD

CPS Staffordshire serves the area covered by the Staffordshire Constabulary. It has two offices, at Stafford and Newcastle-under-Lyme. The Area Headquarters (Secretariat) is based at the Stafford office.

Area business is divided on functional lines. The Criminal Justice Units (CJUs) handle cases dealt with in the magistrates' courts and the Trials Units (TUs) handle cases dealt with in the Crown Court. Both units have bases at Stafford and Newcastle-under-Lyme.

During the year 2004-05, the average number of staff in post in the Area was 123.26 full-time equivalents.

Details of the Area's caseload in the year to 31 March 2005 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	4,521	13.7	20.9
Advice	606	1.8	5.1
Summary offences	18,069	54.6	46.9
Either way and indictable only	9,849	29.8	26.7
Other proceedings	28	0.1	0.4
TOTAL	33,073	100%	100%

C. SUMMARY OF JUDGMENTS

The Area inspection report on CPS Staffordshire published in August 2004, concluded that the Area had performed well in terms of delivery of casework, and all levels of staff had contributed to deliver a generally high quality of service to the local criminal justice system and to the community. The inspection report contained four recommendations, three of which addressed management issues.

The follow-up visit to assess progress was conducted at the same time as this overall performance assessment in October 2005. The Area Management Board (AMB) has taken specific steps to address most of the recommendations and aspects for improvement directed at the management of the Area. However, progress in relation to the recommendation and aspects of improvement concerning casework has been slower, and in some respects there has been slippage in terms of delivering good casework outcomes.

The Area believes that it is on target to roll-out statutory charging in January 2006. Shadow charging, in which pre-charge advice is given to police in the more serious cases, is in operation, albeit most of the anticipated benefits of the scheme have not yet materialised. The Area is concentrating its performance analysis on cases that have been discontinued. Regular meetings with the police at the operational level are being used to address issues and resolve problems.

The Area performed well in relation to the management of Crown Court cases and, in the Criminal Justice Units efforts are being made to review and prepare magistrates' courts cases promptly, and to undertake follow-up work when necessary. There is an effective system to capture and analyse data on the quality of police files, and to discuss the results with the police, but poor file quality remains an issue. The Area is committed to the use of the case management system (CMS); the figures show the Area performs better than the national averages in relation to recording of full file reviews and indictments.

Performance is better than the national average in relation to the conviction rate in the Crown Court, but not in the magistrates' courts. For the most part the Area manages casework efficiently. The discharged committal, no case to answer and judge directed acquittal rates are better than the national averages. The judge ordered acquittal rate is the same as the national average. However, the discontinuance and bind over rate is significantly worse than national performance.

Specialist domestic violence courts have been established in the north and south of the county, and this has resulted in improved awareness of, and a more considered approach to, cases of domestic violence. Service level agreements to improve the investigation and prosecution of cases involving namely domestic violence, hate crime and rape, have been agreed with the police. The review and handling of all categories of sensitive cases are regularly and formally assessed; cases are allocated to specialists and are flagged on CMS. Racist incidents data and trends are analysed and shared locally.

The Area has a sound custody time limit (CTL) system that was fully reviewed in 2005. Good processes are in place and the examination of files indicated good practice. Nevertheless, there was one CTL failure during 2004-05.

During the last inspection cycle (2002-04), Staffordshire was one of the better performing Areas in undertaking the prosecution's duties of disclosure. The robust application of the Casework Quality Assurance scheme and the file checks have confirmed this generally good performance has been maintained.

The Area has established its first Witness Care Unit (WCU); the second WCU is planned to roll-out ahead of the target date of December 2005. The volume and timeliness of letters sent under the Direct Communications with Victims (DCV) scheme (explaining to the victim why the charge is discontinued or substantially reduced) have both improved significantly. The extension of the DCV scheme (known locally as DCV 2) has continued to provide additional information for victims in the Area and, overall, victims and witnesses receive a good level of service.

The Area is among those agencies leading the initiative to improve case progression in court. The special casework lawyer is leading the Effective Trial Management Programme (ETMP) on behalf of the Area at the Local Criminal Justice Board (LCJB) sub- group, although ETMP has yet to be rolled-out.

A higher percentage of magistrates' court sessions are covered by in-house prosecutors than the national average. The usage of designated caseworkers (DCWs) is on the increase and a Higher Court Advocacy (HCA) action plan is in place to drive increased usage of HCAs. The domestic violence courts and youth courts are usually covered by specialists. The Area does not conduct systematic advocacy monitoring; ad hoc monitoring is undertaken for specific purposes.

The Area has a sound approach to planning, with delivery plans in place for all major initiatives. Joint planning with others in the criminal justice system is effective with improvement activity and accountability apparent. The Area has embarked upon a restructuring programme, moving from functional units to geographical units in the north and south of the county. The Area has implemented or progressed national initiatives; a Witness Care Unit (WCU) has been established and shadow charging has been progressed. AMB members have been allocated responsibility for the management and delivery of individual projects.

The AMB discusses resource planning and affordability at the strategic level, and budget control and monitoring takes place within the Secretariat. The Area has taken a number of steps which indicate it treats achieving value for money principles as a priority. Agent usage, DCW usage and HCA usage were all better than national performance. However, the Area overspent by 1% in 2004-05.

Performance management processes have improved since the last inspection of the Area. Regular and extensive performance data is produced, and the Area has started to generate tailored information and reports from the case management system. Analysis by Unit Heads is used to identify trends and produce improvement activity.

The Chief Crown Prosecutor (CCP) has set a clear vision for the Area, and the senior team are key players in the local criminal justice service and are driving key initiatives. The AMB has worked together to review its culture and relationships. There is an open and frank approach between criminal justice partners.

The AMB is committed to engaging with the community in Staffordshire. An integrated communications strategy is in place to link community engagement with the Area's priorities, and a Communications Manager has been appointed to manage this activity. There has been some evaluation of community engagement activity and there is evidence of some service improvements and amendments of policy as a result.

The target for Offences Brought to Justice (OBTJ) is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS's contribution comes through managing cases to keep discontinuances and unsuccessful outcomes low, good decision-making and case management. The Area has performed worse than the national average in relation to the overall discontinuance rate and the rate of unsuccessful outcomes. The number of offences brought to justice has risen by 11.2% against the 2001-02 baseline, although the local OBTJ target of an 18% increase has not been achieved and performance is currently falling behind the target set for March 2006. Public confidence in the effectiveness of criminal justice agencies in bringing offenders to justice has increased markedly since 2003 (when it was 35%) and has reached the national average of 43% as measured by the most recent British Crime Survey.

Area performance in dealing with persistent young offenders from arrest to sentence in 53 days is significantly better than the national average. Performance in relation to the ineffective trial rates and the proportion of cases that are ineffective due to the prosecution in the Crown Court and the magistrates' courts, are better than the national averages.

In light of these findings the Area's overall performance assessment is **GOOD**.

CRITICAL ASPECTS	2 - FAIR
Pre-charge decision-making	2 - Fair
Ensuring successful outcomes	2 - Fair
Leadership	3 - Good
The service to victims and witnesses	3 - Good
Managing resources	2 - Fair
OTHER DEFINING ASPECTS	
Managing magistrates' courts cases	3 - Good
Managing Crown Court cases	3 - Good
Handling sensitive cases and hate crimes	4 - Excellent
Custody time limits	3 - Good
Disclosure	4 - Excellent
Presenting and progressing cases at court	3 - Good
Delivering change	3 - Good
Managing performance to improve	3 - Good
Securing community confidence	3 - Good

OVERALL ASSESSMENT	3 - GOOD
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D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

The Area believes it is on target to roll-out statutory charging in January 2006. The anticipated benefits of the scheme have not yet materialised and the discontinuance rate in cases that have received pre-charge advice is much higher than the national average. The Area is concentrating its performance analysis on cases that have been discontinued and regular meetings with the police at the operational level are being used as an attempt to address this issue. The Area has tackled police non-compliance with the scheme by putting in place a process to dip sample cases that should have received pre-charge advice. Negotiations are continuing with the police to strengthen police supervision arrangements on cases that are submitted to duty prosecutors for advice.

1A: The Area ensures that procedures for pre-charge decision-making operate effectively at Area charging centres

- The Area is now providing full shadow charging coverage. Four lawyers are deployed between 9am and 5pm at five charging centres. Charging advice is provided at all locations. In the north, face-to-face advice is provided daily by two lawyers. In the south of the county, two lawyers provide advice at the four charging centres, alternating between face-to-face and telephone coverage to ensure that each location has at least two days physical presence of a charging lawyer each week.
- The Area recognised that pre-charge consultation was not taking place on all appropriate cases. To address this problem the CPS Charging Project Manager receives a copy of the daily custody records from all police locations and a spot check is undertaken to assess compliance. Non-compliance is raised at joint meetings with the police.
- Police supervision has been introduced in the north of the county to ensure that only appropriate requests for advice are being sought at the charging centre. The CPS is pressing for this to be mirrored in the south of the county.
- Planning for roll-out of statutory charging has been carried out using project planning methodology. Risks to the proposed timescales have been identified and responsibility for delivery against planned milestones has been allocated. The Area is working in partnership with the police to manage risks associated with accommodation and recruitment. Area-wide processes have yet to be developed to ensure that all the necessary requirements for statutory roll-out are met.
- There is an informal system of communicating changes to the charging scheme within the Area. The Charging Project Manager is responsible for issuing guidance and updates to duty prosecutors. This process is further enhanced by discussion at unit meetings. The Area newsletter is used to inform staff of progress towards the roll-out of statutory charging.

- Area case management system (CMS) reports identify all cases where further action before charge has been requested by the charging lawyer. These lists are shared with police counterparts at joint meetings and the police are tasked with reporting progress against each case. This should ensure that cases where the police have been requested to provide additional information are progressed, so that sanction detection rates increase and, subsequently, the number of offences brought to justice.

Aspects for improvement

- The Area's proportion of pre-charge advices and formal advice files, is significantly lower than national rates. The police have not supplied unique reference numbers (URNs) for each advice request. This affects the ability of the Area to ensure that all cases are accurately recorded and counted. The Area issued guidance to staff in August 2005 to ensure that a URN is produced and used for each case. This should result in improvements in accuracy of recording and counting.
- Additionally, the police are not providing electronic pre-charge advice forms (MG3). Therefore the Area is not capturing pre-charge advice or administrative tasks electronically. The Area has developed an administrative process to record pre-charge advice tasks, but neither the advice nor the follow-up action is registered electronically. The Area continues to rely on the paper advice file throughout the life of the case. In ten cases examined, six recorded the electronic tasks that would be the norm and four captured the information as part of the initial review conducted by the lawyer at a later stage.
- The Area's ability to capture electronic information at the point of charge is further hampered by the absence of the CMS at all its charging centres. In the north of the county a new build police custody suite meant that the Area was not able to give an accurate of the lead time for procuring IT. With an 18 week lead time, this has hampered the implementation of CMS. The Area is working with CPS Business Information Services to improve its position.

1B: The Area ensures that all charges advised on are in accordance with the Director's guidance, the Code, charging standards and policy guidelines, and are accurately documented and recorded

- Training of all lawyers who provide pre-charge advice took place when the shadow charging scheme was launched. The Charging Project Manager has produced updates and guidance and these have been circulated to all duty prosecutors.
- The Area has outlined and communicated a process to ensure that cases which result in disagreement between the police officer and the duty prosecutor can be resolved. There is an escalation procedure which could result in cases reaching the Chief Crown Prosecutor for resolution, but to date no case has needed to be raised at this level. However, Unit Heads are regularly called on to review advice.

- Unit Heads monitor pre-charge advice cases that are discontinued or result in an adverse outcome. Additionally, the quality of advice is monitored through dip sampling of pre-charge cases and the Casework Quality Assurance scheme. Feedback and learning points are given to lawyers individually and any trends are discussed at team meetings and fed into training material.

Aspects for improvement

- The Area has concentrated its monitoring on cases that have resulted in discontinuance. It does not monitor cases that result in no further action and the Area relies on the police monitoring of such cases.
- Administrative processes are used to capture the electronic tasks in pre-charge cases. The Area asserts that this should allow the capture of the ethnicity and gender of offenders. In the ten cases examined there was no evidence that the ethnicity and gender had been recorded electronically. However, there may have been a record on the paper file if the police had captured this information.

1C: The Area is able to demonstrate the benefits of its involvement in pre-charge decision-making

- There is regular liaison with the police and joint meetings are held both at the project and operational level to address issues highlighted by individual cases.
- The guilty plea rate in the magistrates' court is better than the national target, although performance is worse than the national average.

Aspects for improvement

- The Area is in the early stages of implementing the Prosecution Team Performance Management scheme. Work with the police to tailor reports and improve the effectiveness of analysis of performance data has begun.
- The Area performance in relation to the discontinuance of pre-charge advice cases in the magistrates' courts (29.7%) was the poorest performance in the CPS nationally. The attrition rate in the magistrates' courts, and the discontinuance, attrition and guilty plea rates in the Crown Court are less good than the national averages and targets.

2. MANAGING MAGISTRATES' COURTS CASES
3 - GOOD

The Area is among those agencies leading the initiative to improve case progression in court. The special casework lawyer (SCL) is leading the Effective Trial Management Programme (ETMP) on behalf of the Area on the Local Criminal Justice Board (LCJB) sub-group although ETMP has yet to be rolled-out. There is an effective system to capture and analyse the quality of police files and mechanisms to discuss results with the police. However, the poor file quality has resulted in some duplication of work for lawyers and administrative staff. Area performance in relation to the ineffective trial rate and the proportion of cases that are ineffective due to the prosecution, are better than the national averages, although the rate of cracked trials is worse than the national average. Area performance in relation to dealing with persistent young offenders (PYOs) is significantly better than the national average.

2A: The Area ensures that cases progress at each court appearance

- Efforts are being made to review and prepare magistrates' courts cases promptly, and to undertake follow-up work when necessary. The Casework Quality Assurance scheme is relied upon for monitoring review and case preparation. It revealed in the quarterly synopsis that, in some magistrates' court cases, there was a record of either the initial or the full review but rarely both, which was confirmed by the reality check of cases on the case management system (CMS). All lawyers have a personal job objective regarding the quality of file review and desktop instructions are available to all staff. There is also monthly collation and analysis of figures relating to guilty pleas at early first and early administrative hearings in the south of the county. The timeliness figure for trials is better than the national average (68% compared to 66%). The proportion of initial pleas of guilty is just below the national average (81% compared to 83%).
- The framework for ETMP was approved by the LCJB delivery group in June 2005 and an action plan was drawn up in August which is awaiting approval by the Board. Roll-out of the programme is anticipated for November 2005, however, there are still some outstanding issues in relation to funding of Case Progression Officers (CPOs). Nevertheless, two CPOs are in place to cover Crown Court and magistrates' court work across the county, and standard directions for magistrates' courts cases have been drafted.
- The CPOs hold regular meetings with court and police counterparts to discuss progression of magistrates' courts trials. Trial readiness checks are undertaken with input from administrative staff, the reviewing lawyer and the CPO which helps to ensure that cases are trial ready and effective on the day. Case progression and trial readiness forms are discussed at team meetings.
- The quality and timeliness of police files is monitored through the joint performance management regime. The unit quarterly performance reports detail police file quality and its impact on the Area. There are monthly meetings with the police criminal justice support units (CJSUs) to discuss performance and resolve issues. Police file quality is discussed at team meetings and under the Prosecution Team Performance Management regime.

- The Chief Crown Prosecutor (CCP) is the national CPS champion for youth prosecutions. All youth cases in the Area are reviewed by youth specialists. The timeliness figures for initial guilty pleas (88% compared to 87%) and trials (86% compared to 87%) in youth cases are very close to the national averages.
- The Area has performed consistently well in the handling of PYOs from arrest to sentence within the national target of 71 days. There are fortnightly meetings with the police, court and youth offender staff to progress PYO cases, and the Area co-ordinator checks the data to ensure accuracy. The PYO target is being met, with a rolling three month average performance to February 2005 of 53 days (compared to the national average of 67 days).
- There were no wasted costs orders during 2004-05.

Aspects for improvement

- The overall discontinuance rate in the magistrates' courts at 17.4% was significantly worse than national average performance at 12.5%. This was second worst within the CPS nationally.
- Some cases are adjourned due to the prosecution not being ready. The number of cases dropped after the third or subsequent hearing is worse than national performance (58.2% compared to 54.9%).
- There is inconsistent performance across police divisions in terms of police file quality and timeliness, which is not showing any trend of improvement. The Area is trying to resolve issues through the monthly meetings with police CJSUs. In an attempt to improve police file quality, the CCP has instituted a policy to discontinue cases in which the police fail to provide additional information requested by CPS. This has increased the Area's overall discontinuance rate, and is inappropriate if applied other than in the circumstances of the case.

2B: The Area contributes effectively to reducing cracked and ineffective trials

- The Area has achieved a better performance than the national average in relation to the ineffective trial rate (19.9% compared to 24.8%), and performance is improving. The rate of cases that are ineffective due to the prosecution is better than the national average (5% compared to 6.5%) and the effective trial rate is also better than the national average (40.1% compared to 38.1%).
- There is formal analysis of all cracked and ineffective trials by the Unit Heads, and appropriate action is taken in all cases where the prosecution has been at fault. The CPOs produce reports and the data is analysed and discussed by the Unit Heads. Formal analysis of the data is discussed at the Unit Head/Area Business Manager (ABM) meeting and at the unit quarterly reviews with the CCP and ABM.

- The weekly case progression meetings between the Area, police, magistrates' courts and the witness liaison representative in the north and south of the county, examine cracked and ineffective trials from the previous week and discuss issues arising. There are combined north and south case progression meetings every two months where the Area CPOs and the police discuss the reasons for cracked and ineffective trials in the magistrates' courts and the Crown Court.
- Data is produced for and analysed at each LCJB meeting and at the Performance Delivery sub-group with criminal justice partners.

Aspects for improvement

- The cracked trial rate was not as good as than the national average (40% compared to 37.1%).
- The Area does not regularly disseminate information about the reasons for cracked and ineffective trials to staff.

2C: The Area demonstrates that CMS contributes to the effective management of cases

- CMS is routinely used to record key events in cases, and outstanding tasks are monitored and chased up where appropriate Action is taken to improve usage. Unit managers monitor outstanding administrative tasks using CMS reports, and all lawyers and caseworkers have been set personal objectives in relation to CMS usage.
- The recording of full file reviews is better than the national average (32.8% compared to 27.1%) with a trend of improvement; the target for 2005-06 has been set at 60%. The effective log in rate is also better than the national average (88.8% compared to 80.8%). The Casework Quality Assurance synopsis revealed increased usage of CMS for full file reviews and the reality check showed that in seven of nine cases full file reviews were present on CMS, although one was not of a high standard. CMS usage data is considered by the Area Management Board and discussed at the unit quarterly meetings with the CCP and ABM.
- The CMS local implementation team (LIT), which is chaired by a Unit Head, has re-formed to look at all business change management activity that relates to CMS. The Area undertook a full business process review in March 2005 and process maps have been drafted; this work will feed into the ongoing Area restructuring plans.
- Managers are creating their own CMS and Management Information System (MIS) reports. A number of template letters have been added to the system and further work to incorporate local templates is ongoing.

3. MANAGING CROWN COURT CASES

3 - GOOD

The Area has performed well in relation to the management of Crown Court cases. However, the timeliness rates for service of committal papers and delivery of briefs to counsel were worse than the national average during 2004-05, although there has been a trend of improvement since. The Area did not achieve the challenging Proceeds of Crime Act (POCA) target for 2004-05. To reinvigorate the initiative, POCA was re-launched, additional training provided (which included the police) and more stringent monitoring introduced. Area performance in relation to the ineffective trial rate and the rate of cases that are ineffective due to the prosecution are better than the national averages, although the rate of cracked trials is worse than the national average. The Area is committed to the use of the case management system (CMS), and figures show that the Area performs better than the national averages in relation to recording of full file reviews and indictments.

3A: The Area ensures that cases progress at each court appearance

- The last inspection report identified the management of Crown Court cases as a strength. Crown Court cases are routinely reviewed and prepared promptly, with follow-up work undertaken where necessary. Most cases are ready to proceed at each court hearing. All lawyers have an objective relating to the quality of review. The Casework Quality Assurance scheme (CQA) confirms to Unit Heads good quality performance in relation to timely and appropriate reviews, endorsements and case preparation, although, there were concerns in relation to pre-charge advice. The service of papers in cases sent to the Crown Court was timely in all cases. The service of committal papers on the defence was below the national average (75.5% compared to 79.4%) but performance has improved.
- A service level agreement is in place detailing agreements between the Area and preferred sets of chambers. All counsel have received the detailed brief instructions. Most instructions to counsel include an analysis of the issues and acceptability of pleas, and the CQA checks have not identified any serious deficiencies. Instructions to counsel are usually delivered promptly. Area performance is slightly below the national average (83% compared to 85%) but is improving. Briefs are prepared for Higher Court Advocates as for counsel.
- Trial readiness forms are used to ensure all trials are ready to proceed and there are regular case progression meetings between the Area, police and Crown Court where the progress of trial cases is monitored.

- All lawyers and caseworkers have received POCA training and champions are in place. The Area did not achieve the target for 2004-05 and, as a result, POCA was re-launched including training with the police. The champions undertake dip sampling, reporting to the Chief Crown Prosecutor (CCP) and there is monitoring is also carried out by the Local Criminal Justice Board (LCJB).
- Youth cases in the Crown Court are allocated to youth offender specialists and there is liaison with the Crown Court to ensure early listing of these cases. The timeliness figure for youth committals is better than the national average (100% (6 cases) compared to 91%). However, there has been a recent dip in performance in the Crown Court in relation to persistent young offender cases (PYOs) due to some long running cases which were not identified by any of the agencies.
- There were no wasted costs orders during 2004-05.

Aspects for improvement

- The Area did not meet the 2004-05 target of 43 confiscation orders; the Area obtained 14 orders to the sum of £637,935. The target for 2005-06 has been reduced to 22 orders which the Area is on course to meet although it is falling behind against the monetary target of £689,128.
- The timeliness figure for adult committals is worse than national average (80% compared to 89%).

3B: The Area contributes effectively to reducing cracked and ineffective trials

- The ineffective trial rate is significantly better than the national average (9.9% compared to 15.8%) exceeding the local and national targets (18.5% and 18.4% respectively) with a trend of improvement. The proportion of cases that are ineffective due to the prosecution is better than the national average (4.1% compared to 6.6%).
- The CPOs collate cracked and ineffective trial forms that are completed in court and occasionally need to challenge the coding of reasons. There is regular analysis of all cracked and ineffective trials by the Unit Heads. Formal analysis of the data is discussed at meetings between the Unit Head and Area Business Manager (ABM), and at the unit quarterly reviews with the CCP and the ABM. After discussion appropriate action is taken in all cases where the prosecution has been at fault.

- Monthly meetings between the Area, Crown Court, police, Witness Service and defence examine and discuss all cracked and ineffective trials in the Crown Court from the previous month. There are also combined north and south case progression meetings every two months where the Area CPOs and the police discuss the reasons for cracked and ineffective trials in the magistrates' courts and the Crown Court.
- Data is produced for and analysed at each LCJB meeting and at the Performance Delivery sub-group with criminal justice partners.

Aspects for improvement

- The cracked trial rate is worse than the national average (50.2% compared to 39.2%) although the trend is improving. The rate of cracked trials due to the prosecution is also worse than the national average (19.6% compared to 15.3%).
- The Area does not routinely disseminate information about the reasons for cracked and ineffective trials to staff.

3C: The Area demonstrates that CMS contributes to the effective management of cases

- The Area is committed to the use of CMS. The usage for recording indictments is better than the national average (92.5% compared to 81.5%). Although there was some fluctuation throughout the year, the general trend was one of improvement. The recording of full file reviews is also better than national performance (32.8% compared to 27.1%) with a trend of improvement. The reality check showed that in all cases examined a full file review was present on CMS. CMS is routinely used to record key events in cases, and outstanding administrative tasks are monitored by the unit managers. All lawyers and caseworkers have been given personal objectives in relation to CMS usage.
- The Area has created a number of CMS and Management Information System (MIS) reports. A number of local templates have been added to CMS, for example instructions to counsel and committals for trial and sentence. There is ongoing work to consider the inclusion of additional templates on CMS.

4. ENSURING SUCCESSFUL OUTCOMES 2 - FAIR

Performance is better than the national average in relation to the conviction rate in the Crown Court, but not in the magistrates’ courts. The discharged committal, no case to answer and judge directed acquittal rates are better than the national averages; the judge ordered acquittal rate is the same as the national average. The discontinuance and bind over rate is significantly worse than the national average. Mechanisms are in place to monitor and analyse performance on a quarterly basis within the Area and with other criminal justice agencies. The Area, in conjunction with its criminal justice partners, did not meet the Offences Brought to Justice (OBTJ) target.

4A: The Area is working to increase the number of successful outcomes and reduce the level of attrition after proceedings have commenced

- There is regular and formal assessment of the quality of review and case handling, with appropriate action being taken when necessary. There is a robust Casework Quality Assurance system whereby quarterly reports are produced with an assessment of the quality of review and case handling, and actions for improvement are identified and taken forward by the Unit Heads. In addition, unsuccessful outcomes, including adverse and discontinued cases, are discussed at the unit quarterly reviews.
- Adverse outcome forms are completed in most appropriate cases and clearly set out the reasons for acquittal. The reports are discussed at the unit quarterly reviews and feedback is given either individually or collectively to members of staff. Feedback is provided to the police by the Chief Crown Prosecutor and the Unit Heads at liaison meetings.

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
Magistrates’ courts		
Discontinuance & bindovers	17.4%	12.5%
No case to answer	0.2%	0.3%
Dismissed after trial	1.7%	1.5%
Discharged committals	0.1%	0.3%
Overall conviction rate	78.2%	80.8%
Crown Court		
Judge ordered acquittals	14.2%	14.2%
Judge directed acquittals	1.2%	2.0%
Acquittals after trial	5.1%	6.3%
Overall conviction rate	78%	75.8%

- The conviction rate in the Crown Court is better than the national average. The discharged committal, no case to answer and judge directed acquittal rates are also better. The judge ordered acquittal rate is the same as the national average.

Aspects for improvement

- The conviction rate in the magistrates' courts is not as good as the national average. The overall discontinuance and bind over rate is significantly worse than the national average. The discontinuance rate has been compounded by the Area's policy of discontinuing cases in which the police do not provide, by the specified time, additional information or evidence that has been requested. Such cases may well be reinstated when the material is received. However, any such blanket policy is inappropriate if applied other than in the circumstances of the individual case. This action can create a tension between the interests of justice, including the service to victims and witnesses, and the timely progress of cases.
- The Area is not meeting national performance and the majority targets in relation to the pre-charge decision benefits realisation.
- Staffordshire has not met the national target of 21% in relation to unsuccessful outcomes and its performance (21.8%) is worse than the national average (19.6%). Although the Area figure was better than the national average in relation to unsuccessful outcomes in the Crown Court (22% compared to 24.2%), the trend deteriorated throughout the 2004-05.
- The target for OBTJ is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS's contribution comes through managing cases to keep discontinuance and unsuccessful outcomes low, good decision-making and case management. The Area has performed worse than the national average in relation to the overall discontinuance rate and the rate of unsuccessful outcomes. The local OBTJ target has not been achieved with a total 22,914 offences brought to justice (11.2% above baseline) which fell short of the target of 24,335 (18% above baseline) and performance is currently falling behind the target set for March 2006.

5. HANDLING SENSITIVE CASES AND HATE CRIMES 4 - EXCELLENT

Specialist domestic violence courts have been established in the north and the south of the county, and plans are underway for further expansion. The implementation has resulted in improved awareness and a more considered approach to cases of domestic violence. The review and the handling of all categories of sensitive cases is regularly and formally assessed. A number of service level agreements to improve the investigation and prosecution of domestic violence, hate crime and rape cases, have been agreed with the police, and cases are flagged on the case management system (CMS). Cases are allocated to specialists and additional support is available from appointed champions who disseminate information and provide guidance. Racist incidents data and trends are analysed and shared locally with the racist incident forum and other local hate crime partnerships.

5A: The Area identifies and manages sensitive cases effectively

- Specialist domestic violence courts are now operational in the north and south of the county; specialist prosecutors are assigned to these courts. Initial analysis in the northern court indicates that there has been an increase in guilty pleas and fewer bail variations. The implementation of the courts has resulted in an improved ability to identify cases involving domestic violence and in the development of a more considered approach to cases of this type although the domestic violence audit was able to identify areas for improvement. Plans are underway for expansion of the courts, although resource issues may hamper progress.
- The review and handling of sensitive cases is formally assessed through the Casework Quality Assurance scheme and adverse case monitoring. Performance is considered in unit performance reports and sensitive cases are discussed at team meetings. Cases are referred to Unit Heads if the reviewing lawyer is considering not pursuing the hate crime element of the offence. There are service level agreements with the police in relation to the handling of cases involving allegations of rape, domestic violence and hate crime, including racially or religiously aggravated cases.
- Sensitive cases are generally flagged on CMS. The reality check confirmed that all relevant cases were properly flagged.
- The Area has appointed champions and specialists for sensitive cases who disseminate information to prosecutors and caseworkers, and provide guidance. Unit Heads ensure there is appropriate allocation of cases thereby ensuring that most sensitive cases are handled by prosecutors with the appropriate specialist skills and knowledge.

- Training was provided on racially aggravated offences in 2004. The training plan for 2005-06 provides for ongoing training in relation to domestic violence, racially and religiously aggravated offences and homophobic crime, the effectiveness of which will be assessed through performance outcomes in the unit quarterly reports. However, the domestic violence audit identified the need to develop more detailed training plans and community specialists. Monthly legal updates are provided to units which detail legislative and policy changes, and new case law.
- The Area takes CPS policies and HMCPSI thematic reviews into account when devising Area practice. These are discussed at the Area Management Board and at team meetings. Action plans are included in the Area Business Plan and circulated. Compliance logs have been introduced for cases involving an allegation of rape to ensure the Area practice is consistent with CPS policy and the joint thematic review. Following HMCPSI's thematic review on fatal road traffic accidents, training was provided to staff at team meetings.
- The Area systematically undertakes an analysis of hate crime cases in which a change of charge, or an agreed basis for plea, reduces or removes the 'hate element' from the offence. Racist incidents data and trends are analysed and shared locally with the racist incident forum and other local hate crime partnerships.
- There was no target in 2004-05 for unsuccessful outcomes in hate crime cases. The target for 2005-06 has been set at 35% which, performance indicates, is a challenging target.

6. CUSTODY TIME LIMITS	3 - GOOD
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The Area written custody time limit (CTL) system incorporates all of the national guidance as well as aspects from the good practice guide. The Area system was fully reviewed in 2005 and good processes are in place. There is a protocol with the Crown Court based on the national guidance, although no similar agreement is in place for the magistrates' courts. There was one CTL failure during 2004-05.

6A: Area custody time limit systems comply with current CPS guidance and case law

- The Area written CTL system is fully up-to-date, complies with the national guidance and contains many elements of good practice. The guidance was first compiled in July 2003; the local CTL working group also distributed the national code of practice and CTL diary template across the Area and began work on a training package. The system was fully reviewed in August 2005.
- The Area has agreed a protocol with the Crown Court at Stafford which allows prosecutors to agree the expiry date with the court, and involves the court in monitoring CTL expiry dates.
- There is a CTL Champion who ensures compliance with Area and national standards. The Casework Quality Assurance scheme reports on CTL compliance in the quarterly synopsis, there are weekly and monthly checks undertaken by the office managers and Unit Heads respectively, and there is evidence of dip sampling of CTL files. Area senior managers take an active interest in the effective functioning of the system and require periodic assurances.
- The Area system is reviewed regularly and changes are made when new case law or procedures are brought in. Following failures in previous years, the CTL system was reviewed and further training provided. Any updates on CTLs are reviewed by the Area Management Board and disseminated to the units. There is evidence of updating by e-mail from the CTL Champion.
- All lawyers and caseworkers received training on the Area guidance during 2004. CTL training is provided for all new members of staff and is delivered locally by one of the Unit Heads.
- An examination of five CTL files indicated good practice in line with the Area CTL guidance; the accuracy and clarity of endorsements was apparent.

Aspects for improvement

- There was one technical CTL failure during 2004-05, as a result of which the defendant did not leave custody.
- There is no protocol in place with the magistrates' courts to agree and monitor CTL expiry dates.

7. DISCLOSURE

4 - EXCELLENT

CPS Staffordshire was one of the better performing Areas during the last inspection cycle in undertaking the prosecution's duties of disclosure to the defence. Casework Quality Assurance scheme (CQA) analysis has confirmed this generally good performance although some deficiencies in the quality of endorsement of the disclosure record sheets have been highlighted. Training was provided to all lawyers and caseworkers in November 2004, and appropriate action is taken to remind staff of their disclosure duties as issues arise. There is a third party protocol in place for the provision of information by the Area and the police to the Local Authority, but reciprocal arrangements have not yet been agreed. The Area has provided some training to the Staffordshire Constabulary.

7A: The Area takes steps to ensure that there is compliance with the prosecution's duties of disclosure

- In 2003 the Area recognised that prosecutors were not fully complying with the provisions relating to the disclosure of unused material and, as a result, all prosecutors were given refresher training. This led to an improved standard and greater uniformity of endorsements on unused material schedules. This improvement was reflected in CQA checks and in the Area's last inspection report (published in August 2004). CPS Staffordshire was one of the better performing Areas on disclosure during the last inspection cycle (2002-04). Area performance for disclosure was 91.2% as compared to the national average of 70.3%. For overall performance assessment purposes it was clear that this performance had been maintained and improved within the Area.
- Prosecutors' performance in relation to disclosure is regularly and formally assessed as part of the robust CQA checks and appropriate action is taken where necessary. Unit quarterly reports comment on disclosure performance and there is evidence of discussion on disclosure and use of disclosure folders at team meetings. There is a service level agreement between the Area and local chambers which deals with the disclosure provisions in the Crown Court.
- Area systems ensure that all sensitive material schedules and unused sensitive material are stored securely, although the presence of sensitive material in the offices is rare. CQA checks monitor compliance with the security marking system.
- The Area Disclosure Champion delivered disclosure training during the first half of 2004, disseminates information to prosecutors and caseworkers, and provides guidance on disclosure issues with others who provide training locally.

- All prosecutors and caseworkers received further training during November 2004 on the disclosure provisions of the Criminal Justice Act 2003 and the CPS/Association of Chief Police Officers Disclosure Manual which was delivered locally by a number of trainers. Training was provided to lawyer members of the Area Management Board in February 2005 on covert law enforcement which included issues of disclosure of sensitive material. A further advanced course on disclosure is planned for the autumn of 2005. Informal training is provided by way of legal updates, and these have included a comprehensive guidance document which is a useful reference guide to the disclosure provisions.
- There is a third party protocol in place for the provision of information by the Area and the police to the Local Authority, but reciprocal arrangements have yet to be agreed.
- The disclosure training in 2004 was attended by a number of police staff and the Area delivers training, which covers disclosure, on the police probationer training course. The Area has also delivered training to police sergeants and criminal investigation department (CID) units.
- The CQA checks have highlighted some deficiencies in the endorsement of the disclosure record sheet. However, the reality check of ten files indicated generally good practice.

8. THE SERVICE TO VICTIMS AND WITNESSES

3 - GOOD

Victims and witnesses receive a good level of support from CPS Staffordshire. The Area is working effectively with its criminal justice partners towards the full implementation of the No Witness No Justice (NWNJ) initiative. The Area has established its first Witness Care Unit (WCU); the second WCU is planned to roll-out ahead of the target date of December 2005. The Area has taken positive steps to improve the compliance rate of letters sent under the Direct Communications with Victims scheme (DCV), and the volume and timeliness of letters sent have both improved significantly. The extension of the scheme, known locally as DCV 2 has continued to provide additional support for victims in the Area.

8A: The needs of victims and witnesses are fully considered and there is timely and appropriate liaison, information and support throughout the prosecution process

- Speaking up for Justice (SUFJ) and DCV are generally embedded throughout the Area with effective monitoring and dissemination of lessons learned. The volume and timeliness of letters sent under the DCV scheme when the charge is discontinued or substantially reduced, has improved significantly. The CPS Headquarters proxy measure for the Area for compliance is 58%. In 2004-05, the average number of days from the decision to the letter being sent reduced to 3.5 days against the 5 day target. The Area extended the scheme (known locally as DCV 2) to ensure that victims in cases of involving a fatality, racial or religious aggravation, sexual offences, child abuse or homophobia, are kept informed of the progress of the proceedings at defined key stages throughout the case. The DCV 2 level of service to victims, identified as a strength in the last inspection report, has been maintained.
- Witness warning procedures are effective and pre-trial checks are carried out systematically to ensure accuracy. All relevant and useful information is provided to the Witness Service in a timely manner. Local process maps have been devised for magistrates' courts and Crown Court cases. The process maps clearly define areas of responsibility for witness warning and maintaining contact. The rate of ineffective trials due to the absence of the prosecution witness was 3.9% which compares favourably to the national average of 4.5%. Phasing of witnesses is normally considered. Waiting times in the Crown Court are substantially below the national average and in the magistrates' courts waiting times equal the national average.
- The Area ensures that all prosecution advocates and CPS staff at court undertake their responsibilities in respect of victims and witnesses. Lawyers and caseworkers introduce themselves to witnesses at court. Special measures applications are made in appropriate cases.

- Liaison with the Witness Service and Victim Support occurs on a regular basis. Accommodation limitations currently prevent the immediate integration of the Case Information Bureau (CIB), which handles DCV and DCV 2, into the WCU. The CIB keeps vulnerable victims updated with relevant court outcome information. The WCU is informed of letters and other contact that the CIB has with victims.
- NWNJ is being implemented in accordance with the delivery plan and the milestones are being achieved within the relevant period. The Area has applied to be prioritised in the roll-out of the Witness Management System to increase the effectiveness and ability of WCUs to provide timely and up-to-date information to victims and witnesses on the progress of cases.
- The police, Area Management Board and the WCU manager are pro-actively assessing performance of the WCU, and its impact on wider performance issues, through regular analysis. There is clear analysis of cracked and ineffective trial data on an Area and Local Criminal Justice Board basis, and efforts are being made to secure a reduction in the number of cases where this occurs as a result of witness issues. The Area has identified the failure of some witnesses to attend trials and the reluctance of other witnesses to give evidence as contributing to the high cracked trial rate. The Area is seeking assistance from CPS Headquarters to obtain empirical data in order to address these issues.

9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD

A higher percentage of magistrates' courts sessions are covered by in-house staff than the national average. The usage of designated caseworkers (DCWs) is on the increase, and a Higher Court Advocate (HCA) action plan is in place to drive increased usage of HCAs. The domestic violence courts and youth courts are usually covered by specialist prosecutors. A comprehensive agents' pack details the Area's expectations regarding the standard of service expected from agents in the magistrates' courts and the robust Casework Quality Assurance (CQA) scheme is used to monitor file endorsements and case progression at court. The Area does not conduct systematic advocacy monitoring although ad hoc monitoring is undertaken for specific purposes.

9A: The Area ensures that prosecution advocates and staff attend court promptly, are professional, well prepared and contribute to effective case progression

- The Area is among those agencies leading the initiative to improve case progression in court. The special casework lawyer is leading the Effective Trial Management Programme on behalf of the Area at the Local Criminal Justice Board sub-group and at a smaller working party group. The results in respect of ineffective trial rates in the Crown Court and magistrates' courts reflect the commitment of all agencies.
- The Area invariably ensures that papers are provided to agents, counsel and all in-house prosecutors promptly, and court rotas are prepared in advance. There is an agreement with the magistrates' courts that advocates should be present at court at least one hour before the start of remand courts and at least 30 minutes prior to other courts. Issues about attendance times are raised at court user group meetings. Minutes of these meetings did not suggest any concerns about in-house prosecutors.
- In-house advocates cover a higher percentage of court sessions than the national average (80.6% compared to 73.1%). Courts are usually allocated according to specialisms, particularly in the youth court and the specialist domestic violence courts. DCW usage is better than the national average (14.3% compared to 8.3% of magistrates' court sessions); a target of 18% has been set for 2005-06 which the Area is currently on course to meet. There is a HCA action plan in place for 2005-06 to increase HCA usage.
- Selection of prosecution advocates for all courts is regularly undertaken with full consideration of their experience, expertise and qualifications. Caseworkers and lawyers have sufficient knowledge of the experience of counsel at the local bar. Lawyers and caseworkers report on very low or very high standards of counsel performance for re-grading purposes.

- The Area provides a comprehensive guidance pack for agents and counsel in the magistrates' courts, although there is no mechanism to provide information to agents about new initiatives or policy directives. "Mini-pupillages" are offered to junior counsel although very few are taken up.
- Complaints about prosecutors from other agencies are investigated and action is taken if appropriate. Feedback is provided to the individual prosecutor, and where the complaint concerns the performance of counsel, to the head of chambers.
- The last inspection report identified the good quality of court endorsements as a strength, due to their clarity and accuracy. The robust CQA system has identified some deterioration in file housekeeping and the absence of some dated and initialled endorsements in the north of the county, and action is being taken to address these issues.

Aspects for improvement

- The last inspection report recommended more systematic and formal advocacy monitoring for all prosecutors. The Area Management Board made a judgement that monitoring would be based on a risk assessment model. The Area still does not conduct any systematic monitoring although, ad hoc monitoring has been undertaken for new and inexperienced advocates where issues have been raised by external agencies, and for performance appraisal purposes. However, the Area is considering whether to adopt a more systematic approach to advocacy monitoring.

10. DELIVERING CHANGE

3 - GOOD

The Area has developed an Area Business Plan (ABP) which complements the CPS national plan and priorities. There is a sound approach to planning, with delivery plans in place for all major initiatives. Plans are reviewed and amended to take account of changes, and risks identified and controlled. Area Management Board (AMB) members have been allocated responsibility for the management and delivery of individual projects. Training is delivered to non-legal and legal staff, although the Area needs to develop a more formal approach to evaluation. Joint planning with others in the criminal justice system is effective, with improvement activity and accountability apparent.

10A: The Area has a clear sense of purpose supported by relevant plans

- The ABP outlines the priorities of the Area through targets and milestones, as well as through the narrative foreword by the Chief Crown Prosecutor (CCP). The plan clearly sets objectives and milestones, and allocates responsibility for the delivery of each objective. The ABP is complemented by delivery plans for other major initiatives within the Area. Plans exist for the implementation of charging, No Witness No Justice (NWNJ), Higher Court Advocate (HCA) usage, the Effective Trial Management Programme (ETMP) and Area restructuring.
- Accountability for the delivery of targets and objectives is reflected in personal objectives relating to the CCP, Area Business Manager (ABM) and Unit Heads. These objectives are further reflected in the objectives of teams and individuals. The linkage between individual's work objectives and the ABP was evidenced in team meeting minutes, as well as in an explanation given by the ABM to the Area manager forum.
- ABP objectives and milestones are reviewed by the AMB at the end of each quarter. Performance against objectives and milestone is considered, and remedial action is taken as necessary. Any changes to timescales are reviewed and plans revised to account for changes. After the first review of the 2005-06 financial year, the HCA plans have been rewritten, and milestones and targets amended to reflect the revised position. The Area Risk Register was revised in light of the changes. A similar approach has also been adopted to the plans for Area restructuring and the implementation of charging.
- Plans have been developed with criminal justice partners to implement joint initiatives within the Area. Historically, plans were in place to ensure the success of the joint management of the persistent young offender scheme. There are joint delivery plans for the implementation of statutory charging,

the NWNJ (Witness Care Units) and the ETMP. Joint planning is also evident within the sub-groups of the Local Criminal Justice Board to improve performance and to deliver change in a joined-up way.

10B: A coherent and co-ordinated change management strategy exists

- The Area has prepared for and implemented change successfully. The Area Special Projects and Performance Manager, with project responsibility for major initiatives, has ensured that a focus on the change agenda has been maintained. Project plans for charging, NWNJ and ETMP have been produced and maintained. The AMB acts as a programme board, and decisions on resources, affordability and capacity are discussed and agreed. Individual senior managers champion change projects and are held accountable for management and delivery of project milestones and objectives.
- The AMB reviews the risks associated with projects, and ensures that the links and inter-dependencies between projects and current business priorities are identified and managed. Changes to the Area restructuring plans were introduced recently, after discussion which identified resource and capacity issues, and agreed at the AMB.

Aspects for improvement

- The Area recognised that its approach to business planning review and risk management needed to be formalised and evidenced. A new process has been developed within the Area and formal documentation is now being produced.

10C: The Area ensures staff have the skills, knowledge and competences to meet the business need

- Training plans are linked to the Area business objectives, with all courses linked to a specific business plan objective or milestone. Training requests are prioritised and authorisation by the ABM is required before training can be undertaken.
- The Area offers training to legal and non-legal staff. In-house training is offered on different working days to ensure equality of access. Training needs are identified through the appraisal process and fed into training and development plans. Compulsory legal training accounted for most lawyer training in the year, in addition to some courses for champions and specialists. Non-legal staff training has, in the main, involved desk training. The Area continues to sponsor five staff on the law scholarship scheme in an attempt to develop 'home-grown' lawyers to overcome a recruitment shortage.

Aspects for improvement

- The Area needs to develop a systematic process to evaluate training. This evaluation should ensure that the benefits of the training can be assessed and that the expected skills improvement has occurred.
- The Area training plan lists courses available but does not specify the number of places that the Area can fund. It could be perceived by staff that all courses are available and therefore raise expectations. The Area needs to consider how it communicates the availability of training and how it intends to prioritise training.

11. MANAGING RESOURCES
2 - FAIR

The Area Management Board (AMB) discusses resource planning and affordability at the strategic level. The Area has established an operational meeting between the Area Business Manager (ABM) and Unit Heads to manage and agree the day-to-day resource demands. Budget control and monitoring takes place within the Secretariat. The Area overspent by 1% in 2004-05. Agent usage, designated caseworker (DCW) usage and Higher Court Advocate (HCA) usage, were all better than national performance.

11A: The Area seeks to achieve value for money, and operates within budget

- There is clear evidence that the Area has taken steps to achieve value for money and that sound resource planning takes place. Resource planning and affordability are discussed at the AMB and the regular meeting between the ABM and Unit Heads. There is evidence that day-to-day economy measures are considered at the operational level. As the Area approached an overspend towards the end of the financial year 2004-05, restrictions were placed on non-essential spends, for example, guidance was given to limit photocopying and paper costs. The Area controls its counsel and agents fees appropriately.
- Budget information is formally considered quarterly by the AMB. Budget reports are summarised and circulated to senior managers. The monthly budget position is discussed at the ABM/Unit Head forum. Detailed budget planning is carried out within the Secretariat.
- The Area has produced a finance plan which outlines the process steps required to ensure that budgetary control and monitoring takes place at the correct time, and can be managed. This plan highlights responsibilities, actions and relevant dates. Additionally, the Area has developed budget forecasts to reflect staffing scenarios depending on the success of recruitment. These forecasts are used to manage decisions on affordability and resource allocation.

Aspects for improvement

- The Area overspent its budget in 2004-05 by 1% which is categorised as fair performance. In 2003-04 the Area recorded a spend of 100.1% of budget.
- Processes have recently been introduced to improve the monitoring of prosecution costs within the Area. Unit Heads and unit business managers are reporting spend to the ABM and work has begun to improve the profiling of prosecution costs.

11B: The Area has ensured that all staff are deployed efficiently

- There is evidence that staff structures and numbers are considered at a strategic level. Discussions of staffing issues relating to the roll-out of the charging scheme and resourcing the Witness Care Units were evident in the AMB minutes. The Chief Crown Prosecutor has communicated the Area's resourcing strategy to staff and stakeholders in the foreword to the Area Business Plan and various internal communications.
- The Area, in conjunction with the trade unions, is working to formalise an annual leave policy for lawyers and DCWs. To improve its resource position the Area is negotiating to limit a maximum of five lawyers off at any one time.
- The Area is effective in using DCWs to cover courts, with performance well above national average (14.3% compared to 8.3%). In 2004-05 the Area's 5.6 DCWs covered 1,122 magistrates' courts sessions.
- Savings arising for HCA usage in 2004-05 was above the national average in the last quarter (£299 compared to £224).
- Agent usage within the Area is below national average at 19.4% as compared to 26.9%. During the year 2004-05 there has been a substantial reduction in the reliance on agents, with only 7% of sessions being covered in the magistrates' court in the fourth quarter. The Area has managed to attain its in-house coverage by increasing the number of sessions that are expected to be covered by each lawyer and DCW each week.

Aspects for improvement

- Average sick absence is marginally above the national average at nine days per member of staff as compared to 8.7 days nationally. The Area has worked hard to reduce the overall sickness rate and the 2004 annual figure has been inflated by the long-term sickness of an employee who has since been medically retired.

12. MANAGING PERFORMANCE TO IMPROVE
3 - GOOD

Performance management processes have improved since the last inspection of the Area. Regular and extensive performance data is produced. As well as linking the data to the Area Business Plan (ABP) targets and milestones, the Area Management Board (AMB) considers joint performance data and operational matters. Analysis at the Unit Head level is used to identify trends and produce improvement activity. The Area has started to produce tailored information and reports from the case management system (CMS). At present these focus on pre-charge discontinuance and adverse cases. The Casework Quality Assurance (CQA) scheme has operated robustly in the Area since it was introduced for all but one quarter when it was suspended to concentrate on other priorities.

12A: Managers are held accountable for performance

- The Area produces a comprehensive pack of performance data. The AMB considers information on both casework and strategic performance. This process is further enhanced by the performance discussions between the Area Business Manager (ABM) and the Unit Heads at the informal weekly and formal monthly meetings. Unit reports are produced for all four units and these are considered at unit level, as well as being collated to produce an Area performance pack. Performance is also reviewed by the Chief Crown Prosecutor (CCP) and ABM in quarterly meetings with each Unit Head.
- Unit reports are produced which highlight issues within the units. The reports include adverse cases reports, an analysis of pre-charge advice cases that have been discontinued, and a summary of performance to date against the ABP objectives. Unit reports are also used to give an overview to the senior team (and all staff as they are available on the shared drive) on important issues, such as charging, joint performance management, cracked and ineffective trials and resources.
- Analysis of adverse cases, cracked and ineffective trial data and discontinuance of pre-charge advice cases is used to consider comparative performance, and to identify where improvement is needed. Unit meetings are used to disseminate learning points. Regular meetings between Unit Heads and their police counterparts consider individual cases as well as trends. Training material and guidance has been produced for the police; custody officers have been issued with guidance and received training on issues such as marital property and domestic violence matters, in an attempt to improve discontinuance rates.

- Under-performance identified through analysis or the performance appraisal system is addressed through a variety of means. Issues identified through the CQA are disseminated to lawyers in team meetings and individually, if necessary. Concentration on improvement is also consolidated by individual personal objectives where necessary.
- There is good evidence that the Area involves staff in improvement activity. Within the planning for the Area restructure process, an administrative support workstream was created to ensure that efficiencies from CMS were shared consistently across the Area. Improvements to file handling and administrative processes have been implemented in advance of the Area restructure.

12B: The Area is committed to managing performance jointly with CJS partners

- Performance analysis and management is evident within the criminal justice system. The Local Criminal Justice Board (LCJB) and its sub-groups regularly discuss performance across a wide spectrum of joint business. The CCP, ABM and Unit Heads represent the CPS. This focus at the strategic level is complemented by individual meetings at the operational level with both the police and the court service. Work with the police, both at the strategic level and operational level, is beginning to drive improvement in pre-charge discontinuance rates.
- The Area provides and shares relevant data with the LCJB Performance Officer although a vacancy at the LCJB level resulted in much of the joint performance data having to be produced by the Area.
- Persistent young offenders were dealt with in 53 days from arrest to sentence against a 71 day target in 2004-05. Public confidence in the effectiveness of criminal justice agencies bringing offenders to justice improved from 35% to 43%, which is equal to the national average.

Aspects for improvement

- The Area did not meet its asset recovery target in 2004-05, and the LCJB did not achieve the joint target for Offences Brought to Justice.
- Joint improvement strategies and the priorities of criminal justice partners are determined and planned for at LCJB level. However, at the operational level there is a disconnection between the high level strategy and the priorities for resources within the Area. The need to introduce police gatekeepers into the charging centres is one example of how the high level agreed strategy is not always implemented operationally.

12C: Performance information is accurate, timely, concise and user-friendly

- The Area has three Management Information System (MIS) licence holders who can produce and interrogate CMS. The Area produces some reports using MIS. These reports are produced to enable Unit Heads to identify and investigate pre-charge advice cases that result in discontinuance, as well as adverse case results.
- Unit Heads and unit business managers carry out file checks to assure themselves of the accuracy of finalisation codes, custody time limit endorsements and pre-charge advice inputting. Discontinued cases are also checked for accuracy of closure and finalisation.
- The Area uses a nationally produced performance and resources report to compare performance with other Areas. This report is circulated to Unit Heads and is discussed in detail at the AMB.
- The Area produces a large amount of performance data, most of which is saved on the shared drive. To ensure that staff have access in an easily understood format, a digest of the business plan targets is produced and circulated. Information is also produced on key targets and results, and attached to staff notice-boards.

12D: Internal systems for ensuring the quality of casework are robust and founded on reliable and accurate analysis

- The Area has regularly undertaken CQA checks. However, for the final quarter of 2004-05, CQA was suspended to allow resources to be committed to the development and implementation of the charging scheme and the No Witness No Justice initiative. This is the only quarter, since the introduction of the scheme, when the Area has not assessed the quality of its casework using CQA.
- The Area Performance and Planning Manager completes CQA for the Area. This ensures that there is a consistency of approach when assessing performance. CQA forms seen as part of our assessment, indicate a thorough and robust approach, and the learning points from the scheme are complemented by a quarterly digest of trends and issues which are discussed at the AMB. Unit Heads are responsible for feeding back CQA results to their lawyers and designated caseworkers. CQA results are used to form part of the annual performance appraisal of staff.

13. LEADERSHIP

3 - GOOD

The Area Management Board (AMB) has worked together to review its culture and relationships. The Chief Crown Prosecutor (CCP) has set a clear vision for the Area and staff awareness of this is supplemented by regular written and verbal messages. The senior team are key players in the local criminal justice system and are driving key initiatives. There is evidence that there is an open and frank approach between criminal justice partners. The Area has appointed an Equality and Diversity Champion who is a member of the senior team, and an Equality and Diversity Group is responsible for the implementation and monitoring of measurable equality and diversity objectives. The Area workforce reflects the local community it serves. The Area has developed a draft reward and recognition strategy and also developed an action plan to address the findings of the 2004 Staff Survey.

13A: The management team communicates the vision, values and direction of the Area well

- The last inspection of Staffordshire in 2004 identified that there were a number of issues about the culture of the Area. This finding was confirmed by the results of the CPS Staff Survey in 2004. The Area has sought to address the inspectorate's recommendation by a number of actions. The senior team has produced and agreed a vision and values statement on behaviours. An action plan has been produced to address directly three aspects of the Staff Survey results which gave the greatest cause for concern, and an internal communications and culture survey was undertaken in January 2005. All of these actions are evidence that the Area is trying to move forward, and behaviours demonstrated at the senior level are much improved.
- The CCP and Area Business Manager (ABM) have outlined the vision for CPS Staffordshire in the foreword to the Area Business Plan. This message is clear and has been complemented by further communication at team meetings, through the Area newsletter and a pledge from the CCP that the staff will be kept informed of developments and Area achievements on a monthly basis. The creation of the manager's forum, where all Area managers meet on a quarterly basis has also improved communication. Unit Heads have personal objectives to hold regular team meetings and there was evidence that this was happening. Quarterly performance review meetings between the CCP/ABM and Unit Heads are also used to check whether regular dialogue is taking place and that consistent messages are being given.
- The Area has produced an internal communications plan to ensure that consistent and regular messages are given to all staff in the Area. The development of the internal strand of the integrated communications plan is one facet that the Area is using to try to improve the outcome of staff perceptions about communication.

- CPS Staffordshire is driving key criminal justice system initiatives. The charging programme, Effective Trial Management Programme and Witness Care Unit implementation are all being driven by the Area. There is evidence in the minutes and outcomes of the joint project groups that there is open and frank dialogue, and a desire to improve performance and work together.

Aspects for improvement

- The Area results in the Staff Survey concerning communication were 6% less than the national average and 11% less for dignity at work. (These are being addressed as referred to in the first bullet point above).

13B: Senior managers act as role models for the ethics, values and aims of the Area and the CPS, and demonstrate a commitment to equality and diversity policies

- The Area has appointed the ABM as Equality and Diversity Champion. There are quarterly meetings of the Area Equality and Diversity Group which is used to manage and monitor the actions on the equality and diversity action plan. The action plan highlights key issues with actions, objectives and measurable outputs. The Equality and Diversity Group monitor progress against the plan and report to the AMB.
- The Area has promoted dignity at work, and the visions and values adopted by the senior team have a specific element relating to the CPS Dignity at Work policy. The Area demonstrated that it had taken action to challenge and tackle inappropriate behaviour.
- The Area workforce reflects the working population served for female employees (55.3% compared to the local average of 48.5%), employees of black and minority ethnicity (3.3% compared to the local working population average of 2.1%) and 3.8% of the Area workforce are disabled.

Aspects for improvement

- The Area is working to develop a reward and recognition strategy. A draft of the proposals is awaiting final approval by the CCP before further discussion with the trade unions. There was evidence that praise and thanks are given to staff in a number of communications. The CCP has also bought gifts for the Trials Units in appreciation for good performance. The Area has used the special bonus scheme during the 2004-05 year to reward exceptional performance. Nevertheless, this recommendation is outstanding from the last inspection report and the Area was also 7% behind the national average in the 2004 Staff Survey and had declined by 19% in the Area since the previous survey (2002). The proposals need to be finalised and taken forward urgently.

14. SECURING COMMUNITY CONFIDENCE

3 - GOOD

The Area Management Board (AMB) is committed to engaging fully with the community in Staffordshire and has demonstrated a wide range of consultation involving all levels of staff. An integrated communications strategy is in place to link community engagement with the Area's priorities. A Communications Manager has been appointed to manage this activity and record events in a specific community engagement log. The Communications Manager also represents the Area at the Local Criminal Justice Board (LCJB) Public Confidence sub-group. There has been some evaluation of community engagement activity and there is evidence of some service improvements and amendments of policy as a result. Public confidence in the effectiveness of criminal justice agencies in bringing offenders to justice has increased steadily since 2003 and meets the national average of 43%.

14A: The Area is working pro-actively to secure the confidence of the community

- The commitment of senior managers is clear and securing the confidence of the community is seen as part of the core business. The last inspection report identified as a strength the Area's multi-faceted approach and pro-active work to engage fully with the community and increase public confidence. Confidence in the effectiveness of the criminal justice agencies in bringing offenders to justice within Staffordshire stands at 43% which has increased 8% since 2003, and is now in line with the national average.
- The community engagement strategy is now forms part of the integrated communications strategy for 2005-06 and the Area Business Plan. There are clear links with the equality and diversity plan. The strategy includes more joined-up work with partners in the Local Criminal Justice Board (LCJB) in terms of community engagement and the approach to the media.
- Community engagement is managed by the Communications Manager who reports to the Area Business Manager and provides regular updates to the Chief Crown Prosecutor. The Communications Manager represents the Area at the LCJB Public Confidence sub-group. All engagements undertaken by staff are detailed in the unit quarterly reports and recorded on the community engagement log.
- The Area demonstrates a full range of consultation, participation and information giving. There is evidence of engagement with the full spectrum of the community involving all levels of staff. The Area has also identified a number of groups who are at risk of exclusion and have targeted them for engagement. The Area has limited information on the demographics of the local community and therefore would benefit from a more detailed breakdown of the data.

- The Area has made some progress with Crime and Disorder Reduction Partnership (CDRP). There is engagement with the nine local CDRPs through a single representative who assists the LCJB and at the Anti-Social Behaviour Order (ASBO) working group.
- There have been some improvements to service delivery as a result of community engagement, for example the increased reporting of incidents of racially aggravated crime and the implementation of the specialist domestic violence courts. There have also been changes to policy as a result of consultation, for example updating of service level agreements in relation to domestic violence and hate crime, and amendments made to the ASBO policy. The Area has also had the benefit of feedback from specific events, such as the Stoke Magistrates' Court open day.

Aspects for improvement

- The Area would benefit from more consistent and systematic evaluation of community engagement activity.

ANNEX A

PERFORMANCE DATA

ASPECT 1: PRE-CHARGE DECISION-MAKING

MAGISTRATES' COURTS CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	16.3%	29.7%	52%	68.8%	57%	31%	22.7%	34.1%
CROWN COURT CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	14.6%	15%	68%	66%	65%	23%	23.8%	28.3%

ASPECT 2: MANAGING MAGISTRATES' COURTS CASES

INEFFECTIVE TRIAL RATE			OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)		
National Target	National Performance 2004-05	Area Performance 2004-05	National Target	National Performance (3-month rolling average Feb 05)	Area Performance (3-month rolling average Feb 05)
24.5%	24.8%	19.9%	71 days	67 days	53 days

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS CHARGED CASES ONLY (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 143 days		Committals Target 176 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	83%	6,152	66%	2,698	89%	992
Area	81%	132	68%	87	80%	25

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS CHARGED AND SUMMONSED CASES (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 176 days		Committals Target 101 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	87%	5,185	87%	3,309	91%	190
Area	88%	109	86%	123	100%	6

ASPECT 3: MANAGING CROWN COURT CASES

INEFFECTIVE TRIAL RATE		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	9.9%

ASPECT 4: ENSURING SUCCESSFUL OUTCOMES

UNSUCCESSFUL OUTCOMES (AS A PERCENTAGE OF COMPLETED MAGISTRATES' COURTS AND CROWN COURT CASES)		
National Target	National Performance 2004-05	Area Performance 2004-05
21%	19.6%	21.8%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+18%	+11.2%
Number	24,335	22,914

ASPECT 7: DISCLOSURE

DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' COURTS AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE		
	National Performance	Area Performance
Primary test in magistrates' courts	71.6%	96.4%
Primary test in Crown Court	79.9%	93.1%
Secondary test in Crown Court	59.4%	84.2%
Overall average	70.3%	91.2%

ASPECT 11: MANAGING RESOURCES

NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)	
2003-04	2004-05
100.1%	101%

DCW DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)			HCA SAVINGS (PER SESSION)		SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)		
National Target 2005-06	National Performance 2004-05	Area Performance	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target	National Performance 2004	Area Performance 2004
11.6%	8.3%	14.3%	£224	£299	8 days	8.7 days	9 days

ASPECT 14: SECURING COMMUNITY CONFIDENCE

PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
35%	43%

NOTES



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