

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

REPORT 3/03

APRIL 2003

CPS SUFFOLK



AREA OFFICE

Ipswich

MAGISTRATES' COURTS

Bury St. Edmonds

Ipswich

Lowestoft

Mildenhall

Sudbury

CROWN COURTS

Bury St. Edmonds

Ipswich

CONTENTS

PAGE

PREFACE

1	INTRODUCTION	1
	Nature of the inspection	2
	Methodology	3
2	SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS	4
3	KEY PERFORMANCE RESULTS	7
	Tables	7
	Commentary	10
4	CASEWORK	12
	Overview	12
	Requests for advice	12
	Cases ready to proceed at first date of hearing	12
	Summary trial preparation	13
	Committal and Crown Court case preparation	14
	Disclosure of unused material	15
	Sensitive cases	17
	File/message handling	19
	Custody time limits	20
	Court endorsements	21
	Learning points	21
5	ADVOCACY AND QUALITY OF SERVICE DELIVERY	22
	Overview	22
	Selection and monitoring of advocates	22
	Court preparation	23
	Attendance at court	24
	Witnesses	24
	Accommodation at court	24
6	VICTIMS AND WITNESSES	25
	Overview	25
	Direct communication with victims	25
	Staff training	25
	“Identifiable victims”	25
	Appropriate letters	26
	Meetings with victims and relatives of victims	26
7	PERFORMANCE MANAGEMENT	27
	Overview	27
	Performance monitoring	27
	Joint performance management	28

8	PEOPLE MANAGEMENT AND RESULTS	29
	Overview	29
	Human resources planning	29
	Staff structure	30
	Staff development	30
	Equality and diversity	31
9	MANAGEMENT OF FINANCIAL RESOURCES	32
	Overview	32
	Budgetary controls	32
	Management of prosecution costs	33
	Value for money approach	33
10	POLICY AND STRATEGY	34
11	PUBLIC CONFIDENCE	35
12	LEADERSHIP AND GOVERNANCE	36
	Overview	36
	Vision and values	36
	Staff recognition	37
	Management structure	37
	Action plans	37
	Community views	38
	Complaints	39
13	PARTNERSHIPS AND RESOURCES	40
	Overview	40
	CJS partnerships	40
	Information technology	41
	Partnerships with Headquarters' departments and Service Centres	41
ANNEX 1	Business Excellence Model Inspection Map	
ANNEX 2	Area organogram to show structure and staff numbers	
ANNEX 3	Area caseload figures	
ANNEX 4	Resources and caseloads	
ANNEX 5	Implementation of recommendations/suggestions from report published in January 2001	
ANNEX 6	Files examined for CPS Suffolk	
ANNEX 7	List of local representatives who assisted in the inspection	
ANNEX 8	HMCPSI Vision, Mission and Values	
ANNEX 9	Glossary	

PREFACE

Her Majesty's Crown Prosecution Service Inspectorate 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 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 the 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 Directorate and Policy Directorate within CPS Headquarters. A limited amount of re-inspection was also undertaken. This report comes at the very beginning of the second cycle of inspections. Some significant changes have been made in its methodology in order to enhance the efficiency of HMCPsi itself and adapt its processes to developments within both the CPS itself and the criminal justice system more widely. 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 the incorporation of requirements to ensure that HMCPsi's inspection process covers all matters contained in the inspection template promulgated by the Commission for Racial Equality. We 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 inspections, HMCPsi will place even greater emphasis on the effectiveness of CPS relationships with other criminal justice agencies and its contribution to the work of these new Boards. For this purpose, HMCPsi will also work closely with other criminal justice inspectorates.

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

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

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

The inspectorate's reports identify strengths and areas for improvement, draw attention to good practice and make recommendations in respect of those aspects of the performance which most need to be improved. 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 provision for such comparison even though that has not yet occurred; this will only be done after the first six inspections when the data available will be sufficient for comparative purposes. HMCPSI points out the care which must 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 such comparisons are made in this report.

1. INTRODUCTION

- 1.1 This is Her Majesty's Crown Prosecution Service Inspectorate's report about CPS Suffolk. The fundamental purpose of the inspection process is to promote the efficiency and effectiveness 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.
- 1.2 CPS Suffolk serves the area covered by the Suffolk Constabulary. It has one office based in Ipswich, although it will move to new premises within the town in February 2003. Additionally, its Criminal Justice Unit (CJU) is also due to move, at the same time, to co-location with the police, based at Bury St. Edmunds, Lowestoft and Ipswich Police Stations, although some CJU staff will remain at the CPS office. The Area Headquarters (Secretariat) is based at the Ipswich office and comprises the Chief Crown Prosecutor (CCP), Area Business Manager (ABM) and associated staff.
- 1.3 Area business is divided on functional lines between magistrates' court and Crown Court work. The CJU is responsible for the conduct of prosecutions in the magistrates' courts in Bury St. Edmunds, Ipswich, Lowestoft, Mildenhall and Sudbury. The Trial Unit (TU) handles cases destined for the Crown Court sitting at Ipswich and Bury St. Edmunds. The Heads of the CJU and TU report to the CCP.
- 1.4 The Area Management Team (AMT) consists of the CCP, ABM, Unit Heads and Unit Managers. It meets monthly to consider Area business.
- 1.5 At the time of the current inspection in January 2003, the Area employed the equivalent of 65.1 full-time staff (excluding those on long term career breaks). The roles and responsibilities of the majority of the administrative staff will change with the move to co-location. A detailed breakdown of staffing and structure at the time of our inspection can be seen at Annex 2. This will have undergone, with the move to co-location, a fundamental change before publication of this report.
- 1.6 Details of the Area's caseload for the year ending September 2002 is set out below:

Category	Number	Area % of total caseload	National % of total caseload
Pre-charge advice to police	841	5.6%	3.8%
Summary motoring	5,917	39.7%	36.8%
Other summary	2,271	15.3%	18.8%
Either way and indictable only	5,839	39.2%	40.0%
Other proceedings	19	0.1%	0.7%
TOTAL	14,487	100%	100%

- 1.7 In addition, the Area finalised 937 Crown Court cases in the same period.
- 1.8 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. Suffolk (in common with other CPS Areas) has benefited from a significant increase in its budget in order to drive up performance. As a result, the Area has been able to recruit more staff, which has reduced the average numbers of cases dealt with per lawyer and caseworker.

Nature of the inspection

- 1.9 The inspection process is based on the inspection framework summarised at Annex 1. 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 a particular aspect of performance was previously inspected. The risk assessment in respect of Suffolk also drew on findings from the previous inspection of the Area, which took place in October 2000, with a report being published in January 2001. That report made a total of 19 recommendations and nine suggestions, as well as identifying two aspects of good practice.
- 1.11 As a result of this risk assessment, it was determined that the inspection of CPS Suffolk should be an intermediate one. Aspects of performance of concern from the last inspection included: the disclosure of unused material; the quality of instructions to counsel; the handling of sensitive cases; the quality of continuing review; and the foreseeability of judge ordered acquittals. The inspection team paid particular attention to the extent to which Area performance had made progress in relation to these aspects of casework. Additionally, inspectors identified from more recent information the processing of persistent young offenders (PYOs), and the progress towards co-location with the police of the CJU and TU, as aspects of performance that required particular attention. The inspection also considered how the Area was managed.
- 1.12 We do not, as a result of our risk assessment, report on the provision of advice to the police by CJU lawyers, discontinuance of proceedings, and casework decisions in respect of bail and mode of trial. These aspects of casework performance were not considered as part of our file examination. Additionally, because of the Area's imminent move, we did not look at office accommodation or related health and safety matters. Issues with regard to staff appraisal and communication were inspected with a lighter touch, sufficient to confirm our initial assessment that the Area generally performs satisfactorily in those aspects of work.
- 1.13 In this report the relevant aspects of Area policy and strategy are dealt with primarily in the chapter on Leadership and Governance. Aspects of performance relating to public confidence are covered in various different parts of the report. Direct Communication with Victims is dealt under Victims and Witnesses. Other aspects of witness care are found primarily in our chapter on Advocacy and Quality of Service Delivery at Court.

Methodology

- 1.14 Our methodology combined examination of 84 cases finalised between August and October 2002, 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 advice files, magistrates' courts and Crown Court trials (whether acquittals or convictions), cracked and ineffective trials and cases involving race crime. The magistrates' court sample also included cases involving domestic violence and youth trials. We also examined ten files for the accuracy of custody time limit recording whilst on site. 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. It also carried out an examination of Area systems and processes.
- 1.15 Inspectors visited the Area between 6-10 January 2003. The lay inspector for this inspection was Jennifer Hutchings, who was nominated by the Witness Service. The role of the lay inspector is described in the preface. She reviewed files that had been the subject of complaints from members of the public and considered letters written by CPS staff to victims following the reduction or discontinuance of a charge. She also visited court and had the opportunity to speak to some of the witnesses who had attended to give evidence. This was a valuable contribution to the inspection process. The views and findings of the lay inspector have been copied into the report as a whole, rather than separately reported. She gave her time on a purely voluntary basis, and the Chief Inspector is grateful for her effort and assistance.
- 1.16 The purpose and aims of the Inspectorate are set out in Annex 8. A glossary of terms used in this report is at Annex 9.

2. SUMMARY OF INSPECTION FINDINGS AND RECOMMENDATIONS

- 2.1 The quality of initial review, review at the summary trial stage, and committal review is a particular strength of the Area, and reflects the quality of casework decision-making. We agreed with the review decision at these three critical stages in every case in our file sample. The standard of continuing review is good, and has improved since our last inspection.
- 2.2 There remains a need for better file endorsement of the reasoning behind casework decisions. Cases generally proceed on the right charges, and where applicable, in compliance with appropriate charging standards. There is a need, however, for indictments to be checked more carefully before being sent to the Crown Court. There were careless errors in a number of the indictments we examined.
- 2.3 Serious and sensitive casework is handled well, although we had some concerns about the application of the disclosure regime to sensitive unused material. At the time of our last inspection we had concerns about some aspects of the handling of racially aggravated cases. We were therefore pleased to find that all the racially aggravated cases we examined during the course of this inspection were handled correctly. The local representatives of the criminal justice agencies supported our findings.
- 2.4 There has been a significant improvement in the quality of decision-making in relation to the primary disclosure of unused material, although concerns remain about some aspects of the handling of this material. We considered that it was dealt with properly in 75% of cases, compared with 35% at the time of our last inspection. Timeliness has also improved. There were very few cases in our file sample in which the issue of sensitive material arose. We were concerned, however, about the lack of evidence to indicate that the reviewing lawyers had considered this material.
- 2.5 The Area has a very high cracked trial rate in the magistrates' courts and local initiatives to improve the effectiveness of pre-trial reviews need to be maintained. In particular we were concerned about the high rate of bind overs on the day of trial.
- 2.6 Area performance in the processing of persistent young offenders (PYOs) had slipped in the quarter ending September 2002, and was above the national CJS target of 71 days. More recent figures for the months of October and November 2002 indicate that performance has improved significantly. The Area recognises that there is a need to continue to focus on this important aspect of casework, for which the target is only likely to be met through effective joined-up working.
- 2.7 In common with other CJS areas, Suffolk is required to tackle the rate of attrition (narrowing the justice gap). This means increasing the number of offences brought to justice. Suffolk has a target for 2003-04 of bringing 602 additional offences to justice. At the time of our inspection, the Area was taking the lead in preparing an action plan for approval by the shadow local Criminal Justice Board. It was also undertaking work on preparing a protocol with the police on the handling of cases involving persistent offenders.

- 2.8 The standard of CPS advocates is good, although at the time of our inspection the Area had no procedures for formal monitoring of this aspect of performance. These were in the process of being developed and implemented in consultation with local chambers.
- 2.9 Lawyers and caseworkers are aware of their responsibilities towards victims and witnesses at court. We considered that the standard of witness care was good. We also found that prosecutors are alert to those cases where special measures for the protection of vulnerable and intimidated witnesses can be invoked when they are giving evidence. This aspect of casework was handled well.
- 2.10 The effectiveness of the operation of the Direct Communication with Victims (DCV) scheme is patchy. Timeliness is good. In August 2002, the average time to send out a letter to a victim was five days, compared with the national average of seven. However, we are not satisfied that letters are being sent in all relevant cases. Additionally, the quality of some letters could be improved significantly.
- 2.11 There are many aspects in which the staff and managers in Suffolk are performing well. Communication is generally considered by staff to be a strength, and most are happy with training and development opportunities. The level of co-operation between the CJU and TU is good. There is a high volume of performance data available, and significant effort has been made to engage with the community.
- 2.12 Relationships with other agencies are generally positive, although there is a need to improve the effectiveness of some groups in delivering higher performance levels.
- 2.13 There are, however, three aspects of performance which we consider require urgent attention.
- 2.14 We consider that the current management structure will struggle to cope, particularly with major initiatives due to be implemented soon. The absence of the CCP for half of each week, while fulfilling his duties as a director of the CPS Compass IT project, has had an impact on the Area, both for staff and other CJS partners. It has resulted in a number of tasks being pushed down to the Unit Heads, which has increased the pressure on them at a time when there is significant planning activity in relation to the move to co-location. The CCP's commitment to Compass is expected to continue for at least another year.
- 2.15 At the time of the inspection the Area was at a critical stage of development, in that full co-location with the police (three CJUs and one TU) was scheduled for mid-February. We had some serious concerns that there were still a number of important outstanding issues which required urgent attention, and these were discussed with the CCP during the inspection, rather than await the publication of this report. These mainly involved the CJUs, and managers were trying to liaise with the police to ensure that police administrative staff were trained before the move to co-location. Uncertainty about the roles and responsibilities of some current CJU administrative staff under the new structure was also a cause of concern to staff, leading to morale being affected. As part of the co-location, the Area will be re-locating to more spacious premises, which will alleviate some of the difficulties of overcrowding and lack of storage space faced by staff in recent times.

- 2.16 The Area scored well in many aspects of the National Staff Stress survey. However, our third main concern relates to an indication that some staff perceived that they were not treated with appropriate dignity and respect. Senior managers responded positively to the feedback and undertook a more detailed local survey to try and gain more specific data. This helped in some ways and confirmed that the perception still existed, giving some insight as to the type of behaviour that was causing the concerns. The CCP has reminded staff of the guidance and procedures laid out in the CPS ‘Dignity at Work’ standard. We consider that further action may still be required to improve the situation.
- 2.17 While these issues must be viewed against a background of solid casework performance and outcomes, they do constitute a significant risk to the Area in light of imminent changes (re-location, co-location and the implementation of the Compass case management system all in the immediate future).
- 2.18 We have made three recommendations aimed at improving Area performance:
1. That Unit Heads undertake a qualitative assessment of DCV letters, in particular whether the use of standard paragraphs is appropriate (paragraph 6.11).
 2. That the CCP continues the effort to change the behaviours which give rise to staff dissatisfaction (paragraph 8.15).
 3. That the CCP review the management structure and responsibilities to ensure that managers have a realistic prospect of delivering Area strategies and objectives (paragraph 12.12).

3. KEY PERFORMANCE RESULTS

3.1 The Public Service Agreement (PSA) 2002 sets objectives and targets for the whole of the criminal justice system. There are three objectives. Objective II is relevant to the CPS. This objective requires the criminal justice system to ensure the effective delivery of justice and sets two targets.

3.2 In this section we deal firstly with the Area's key performance results that relate to those two targets. We shall then deal with key performance results relating to Area objectives and targets that do not fall within the revised PSA.

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 2002-2003	National Performance Apr-Sep 2002	Area Target 2002-2003	Area Performance Apr-Sep 2002
MAGISTRATES' AND YOUTH COURT CASEWORK				
First Review				
Decisions to proceed at first review complying with evidential test in the Code for Crown Prosecutors ¹	-	*	-	100%
Decisions to proceed at first review complying with public interest test in the Code for Crown Prosecutors ¹	-	*	-	100%
Requests for additional evidence/information made appropriately at first review ¹	-	*	-	60%
Discontinuance				
Discontinuance rate of completed cases (CPS figure)	-	Intermediate inspection – not inspected	-	Intermediate inspection – not inspected
Discontinued cases with timely discontinuances ¹	-	-	-	-
Decisions to discontinue complying with the evidential test in the Code for Crown Prosecutors ¹	-	*	-	-
Decisions to discontinue complying with the public interest test in the Code for Crown Prosecutors ¹	-	*	-	-
Discontinued cases where all reasonable steps had been taken to request additional evidence/information ¹	-	*	-	-
Level of charge				
Charges that required amendment and were amended in a timely manner ¹	-	*	-	63% (5 out of 8 cases)
Cases that proceeded to trial or guilty plea on the correct level of charge ¹	-	*	-	100%
Cracked and ineffective summary trials				
Ineffective trials as recorded by CPS and magistrates' courts JPM	-	July-Sept 2002 30.9%	-	July-Sept 2002 18.8%
Cracked trials as recorded by CPS and magistrates' courts JPM	-	July-Sept 2002 37.5%	-	July-Sept 2002 45.1%
Cracked trials in file sample that could have been avoided by CPS action ¹	-	*	-	60% (6 out of 10 cases)

CPS PERFORMANCE	National Target 2002-2003	National Performance Apr-Sep 2002	Area Target 2002-2003	Area Performance Apr-Sep 2002
Summary trial				
Acquittal rate in magistrates' court (% of finalisations) – CPS figure	-	1.7%	-	1.6%
Decisions to proceed to trial complying with the evidential test in the Code for Crown Prosecutors ¹	-	*	-	100%
Decisions to proceed to summary trial complying with the public interest test in the Code for Crown Prosecutors ¹	-	*	-	100%
Cases with timely summary trial review ¹	-	*	-	92%
Requests for additional evidence/information made appropriately at summary trial review ¹	-	*	-	56% (5 out of 9 cases)
Area self-assessment of cases dismissed on a submission of no case to answer attributable to CPS failure (% of finalisations) [% of cases dismissed no case to answer]	0.006%	0.008%	0.004%	0.028 (0.2%)
No case to answers where outcome was foreseeable, and CPS could have done more to avoid outcome ¹				No cases in period of file sample
CROWN COURT CASEWORK				
Committal and service of prosecution papers				
Cases with timely committal review (including review of "sent" cases prior to service of prosecution case) ¹	-	*	-	94%
Decisions to proceed at committal/service of prosecution papers stage complying with evidential test in the Code for Crown Prosecutors ¹	-	*	-	100%
Decisions to proceed at committal/service of prosecution papers stage complying with public interest test in the Code for Crown Prosecutors ¹	-	*	-	100%
Requests for additional evidence/information made appropriately at committal review ¹	-	*	-	91%
Timely and correct continuing review after committal ¹		*		100% (6 cases)
Cases with timely service of committal papers on defence	80%	86.6% ³	94%	94% ¹ 96.7% ²
Cases with timely delivery of instructions to counsel	84%	86.5% ³	97%	94% ¹ 93.5% ²
Instructions to counsel that were satisfactory ¹	-	*	-	41%
Cracked and ineffective trials				
Cracked trials that could have been avoided by CPS action ¹	-	*	-	22%
Ineffective trials where action by CPS could have avoided an adjournment ¹	-	*	-	Not sampled
Level of charge				
Charges that required amendment and were amended in a timely manner ¹		*		88% (7 out of 8 cases)
Indictments that required amendment ¹		*		44%
Cases that proceeded to trial or guilty plea on the correct level of charge ¹		*		94%

CPS PERFORMANCE	National Target 2002-2003	National Performance Apr-Sep 2002	Area Target 2002-2003	Area Performance Apr-Sep 2002
Judge ordered and judge directed acquittals Area self-assessment of JOA/JDAs attributable to CPS failure (% of finalisations) [% of JOA and JDAs] JOA/JDAs where outcome was foreseeable, and CPS could have done more to avoid outcome ¹	0.5%	0.3%	0.3%	0.2% [8.8%] 100% (3 out of 3 cases)
Trials Acquittal rate in Crown Court (% of all finalisations excluding JOA, appeals/committals for sentence and warrant write-offs) ²	-	9.9%	-	14%

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

* average performance of Areas inspected in inspection cycle 2002-2004 based on a sample of cases examined and observations at court [no figures available until six inspections completed]

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 2002-2003	National Performance Apr-Sep 2002	Area Target 2002-2003	Area Performance Apr-Sep 2002
MAGISTRATES' AND YOUTH COURT CASEWORK				
Disclosure				
Cases where primary disclosure correctly handled ¹	-	*	-	64%
Cases where secondary disclosure correctly handled ¹	-	*	-	No defence statements in file sample
Witness care				
Trials where appropriate use made of S9 CJA 1967 ¹	-	*	-	85%
Trials where appropriate use made of the witness care measures ¹	-	*	-	100% (3 out of 3 cases)
CROWN COURT CASEWORK				
Disclosure				
Cases where primary disclosure correctly handled ¹	-	*	-	82%
Cases where secondary disclosure correctly handled ¹	-	*	-	82%
Witness care				
Trials where appropriate use made of witness phasing/standby ¹	-	*	-	100%
Trials where appropriate use made of the witness care measures ¹	-	*	-	100% (6 out of 6 cases)

CPS PERFORMANCE	National Target 2002-2003	National Performance Apr-Sep 2002	Area Target 2002-2003	Area Performance Apr-Sep 2002
COMBINED MAGISTRATES' COURTS AND CROWN COURT				
Custody time limits Cases in sample where expiry dates accurately calculated	-	*	-	
OTHER ISSUES				
Payment of witness expenses Payment of witness expenses within 10 days of receipt of claim ²	100%	99.7%	100%	100%
Handling of complaints Complaints replied to within 10 days ²	94%	90%	100%	81.8%
Citizens' charter commitment MPs correspondence replied to within 15 days ²	-	91.5%	-	No correspondence in relevant period
OTHER ASPECTS OF CPS PERFORMANCE				
Improving productivity Reduce sick absence rate per member of staff ²	National Target 2001 National Target 2002	National Performance 2001 National Performance 2002	Area Target 2001 Area Target 2002	Area Performance 2001 Area Performance 2002 (April-Sept) 2.37 days
CJS Youth Justice Performance Measures (shared between Home Office, Lord Chancellor's Department 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 (July-Sept 02)	71 days	81 days (July-Sept 02)

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 [no figures available until six inspections completed]

Commentary

3.3 The figure for compliance with the Code evidential test is higher than in the previous cycle, but the file sample has changed. No database has yet been established in the present cycle that would permit comparisons with performance in other Areas to be made. It should be borne in mind that first review is often necessarily provisional and this figure should be read together with the figure obtained once a case reaches the point of summary trial review, when all available evidence has been gathered. Our finding for compliance with the Code evidential test at summary trial review (100%), together with our initial review finding indicates a very good level of decision-making.

- 3.4 The picture in relation to cracked and ineffective trials is mixed. The Area has achieved a significantly better result with ineffective trials than the national figure, whilst the figure for cracked trials is poor when compared with the national average. Inspectors found that in 60% of cracked trials in the file sample, action could have been taken by the CPS to avoid that outcome. In particular, we found that in a number of cases the defendant, at the Pre-Trial Review (PTR), offered to be bound over, but that was rejected by the prosecution, only to be accepted on the day of trial. Whilst a high proportion of cracked trials are caused by the defendant pleading guilty on the day of the trial to the original charge, in the period July to September 2002, 20 cases were recorded as cracking because the defendant was bound over (first time offered) on the day of trial.
- 3.5 Data provided by the local Crown Court indicates that performance for cracked and ineffective trials compares favourably to other Crown Court centres in adjoining Areas.
- 3.6 The application of the Code evidential test, at the time of committal review or preparation of the prosecution cases, is to the same high standard as in summary cases. The timeliness of the service of committal papers is significantly above the national average. However, the quality of indictments and instructions to counsel need improving. Whilst we accept that indictments may have to be amended to reflect developments in the case, we noted that in a number of cases careless mistakes were made.
- 3.7 In three of the 15 judge ordered acquittals, we considered that the Area could have done more to avoid the outcome, or discontinued the case sooner. In two of the three cases, we disagreed with the decision to drop the case against one defendant following a plea of guilty by the co-accused.
- 3.8 The high standard of witness care in the Area is reflected in our finding that special measures for the protection of witnesses while giving evidence were applied correctly in all nine appropriate cases.
- 3.9 Area performance in relation to cases overall involving PYOs dipped sharply in the quarters ending June and September 2002 (97 and 81 days respectively). We were particularly concerned to note that in the quarter ending September 2002, it fell from 70 to 76 days for cases dealt with in the magistrates' courts. Only six (including CPS Suffolk) out of 42 CPS Areas failed to meet the target of 71 days in the magistrates' courts during this quarter. We recognise that the CPS alone cannot achieve this target, but requires all the agencies to work together to progress these cases quickly and efficiently.

4. CASEWORK

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.

NB: *We did not inspect fully against all defining elements of this criterion, including the appropriateness of bail/custody applications and discontinuance, as we were perfectly happy with the Area's approach to some issues.*

Overview

4.1 Overall the quality and timeliness of the Area's casework is good, in particular the standard of committal preparation. The legibility of some review endorsements need to improve, and more detailed endorsements of decisions made at PTR is required. The standard of instructions to counsel is also in need of improvement. Case preparation is generally prompt, although at the time of our inspection there some were backlogs in summary trial preparation.

4.2 Area performance in respect of disclosure of unused material has improved, although decisions in relation to the handling of sensitive material need to be evidenced. There is also a need to devise robust systems for the handling of unused material, in advance of the move to co-location, when it will be stored on CPS, as opposed to police, premises.

4.3 Our specific findings are as follows:

STANDARD: REQUESTS FOR ADVICE ARE APPROPRIATE AND DEALT WITH IN A TIMELY WAY IN ACCORDANCE WITH CODE TESTS AND CPS POLICY, AND ARE FREE FROM BIAS AND DISCRIMINATION.

4.4 All requests for advice in our TU file sample were appropriate (we did not examine any CJU advice files). We agreed with the advice given in all the cases in our file sample. There is a need to improve the maintenance of advice logs, the timeliness of the allocation of advice files to lawyers and the overall timeliness of the provision of advice. An examination of advice logs showed that, where we could determine timeliness, in approximately 20% of cases advice was provided outside the 14-day target.

STANDARD: JOINT CPS/POLICE PROCESSES ENSURE CASES READY TO PROCEED AT THE FIRST DATE OF HEARING AND THAT PARTNERSHIP DECISIONS REFLECT THE GENERAL DUTY UNDER THE RACE EQUALITY SCHEME.

4.5 Designated caseworkers (DCWs) decide which cases go into the early first and early administrative hearings. This is not always done under the supervision of a lawyer, as the scheme requires. We also found that there was little supervision of the DCWs while they were undertaking the initial review of early first hearing cases. We accept that the system will become easier to operate with the move to co-location, although the supervision of the review of cases heard at Lowestoft needs to be addressed specifically.

- 4.6 Police practices on the provision of an advance information package for summary only offences varied within the Area. The Head of the CJU will wish, with the move to co-location, to satisfy himself that practices are uniform across the Area.
- 4.7 The Area operates an effective system of file ownership, in respect both of out of court work, and, so far as practicable, in respect of court hearings. Where possible, prosecutors have the conduct of trials in respect of which they are the allocated case lawyer. This system ensures the continuity and consistency of decision-making, and helps significantly to improve the casework process.
- 4.8 There were six cases in our file sample where the defendant came from a minority ethnic group. All were dealt with correctly. In a further six cases we could not determine ethnicity.

Strengths

- * The operation of the Area file ownership system, ensuring continuity and consistency of decision-making.

STANDARD: AREA SUMMARY TRIAL PROCESSES ENSURES THAT THE PTR (IF THERE IS ONE) AND THE TRIAL DATE ARE EFFECTIVE HEARINGS, AND ANY DECISIONS ON ACCEPTABILITY OF PLEAS OR ALTERNATIVE CHARGES ARE MADE IN ACCORDANCE WITH CODE TESTS AND CPS POLICY.

- 4.9 At the time of our last inspection report, the magistrates' court, with the Area's help, had recently introduced a system of PTR. They were also employing a system of over-listing, by way of risk management, to increase the throughput of cases. We made a recommendation, which addressed the need for joint performance monitoring of cracked and ineffective trials, and the need for an effective role by the prosecution at PTR. Often, on the files we examined during this inspection, we noted that there was no record of the decisions made at the PTR. In some cases there were multiple PTRs, with no discernible reason for the hearing. It was difficult to determine what added value these hearings brought to the overall processing of the case.
- 4.10 Since September 2002, the courts, in conjunction with the Area, have reinvigorated the PTR system, and agreed a uniform approach to the conduct of these hearings, including requiring the attendance of the defendant. The CJU Head has also reinforced the importance of these hearings. Additionally, experienced lawyers are now assigned to conduct these hearings.
- 4.11 We have already commented on the high rate of bind overs as being a significant cause of cracked trials. We were told that now, if the prosecution consider that a bind over is an appropriate case disposal it would be offered at the PTR. If not accepted, it will not, unless there is a material change of circumstances, be offered again. The effectiveness of this approach in reducing the cracked trial rate needs to be monitored.
- 4.12 We discuss the specific performance data on cracked and ineffective trial rate in the section on key performance results.

- 4.13 The Area uses two check list forms to assist with summary trial preparation. A Vetting Sheet for checking administrative tasks, for example the service of statements under section 9 Criminal Justice Act 1967 and witness warnings, and additionally a Trial Vetting Check List used two weeks beforehand to assist in determining the case is trial ready. Some greater degree of consistency could be achieved to ensure their use is effective.

Aspects for improvement

- * Recording decisions made at PTR.
- * Review, with courts, the effectiveness of revised PTR system, including policy on bind overs.

STANDARD: AREA PROCESSES FOR CASES “SENT” OR COMMITTED FOR TRIAL TO THE CROWN COURT ENSURE THAT:

- * **SERVICE OF THE PROSECUTION CASE ON THE DEFENCE TAKES PLACE WITHIN AGREED TIME PERIODS BEFORE COMMITTAL/PLEA AND DIRECTIONS HEARING (PDH);**
- * **PROSECUTION HAS TAKEN ALL NECESSARY STEPS TO MAKE THE PDH AND TRIAL DATE EFFECTIVE;**
- * **THE ADVOCATE IN THE CROWN COURT IS FULLY INSTRUCTED.**

- 4.14 Area performance for the service of committal papers on the defence in the second quarter of 2002-03 was above the Area’s target, and the national average for the same period.
- 4.15 Whilst in many cases committal papers were served on, or just before, the date set down for committal, this took place within the target of 14 days (ten days in custody cases) of receipt from the police of a full file for committal certified as trial ready. We were told, and our file sample confirmed, that defence solicitors were usually willing to commit on the day, even though service of the papers took place very close to the hearing. The CPS does not measure the timeliness of the service of the prosecution case in cases sent straight to the Crown Court. In all the relevant cases in our file sample, the prosecution case was served within the time set down by the court.
- 4.16 At the moment there can be some delay in the committal file being passed from the CJU to the TU, although the current co-location of both units helps to reduce delay in file movement. It is important, however, that this overall Area strength is not weakened by the move to co-location. There need to be robust systems to ensure that case files are passed to the TU, which will be based in Ipswich, from outlying sites, as soon as mode of trial is determined.

- 4.17 Caseworkers compile committal review forms which draw to the attention of the reviewing lawyer any issues of note. We found that these were used effectively by the caseworkers and were of a high quality, indicating a careful consideration of the issues in the case. Unfortunately, this careful consideration was not always reflected in the quality of indictments. In ten out of 18 cases we found that the indictment needed amending. We recognise that in some cases, late developments will require the indictment to be amended. However, we noted that careless mistakes had been made in the initial preparation of indictments, which should have been identified and rectified before the document was lodged with the Crown Court, for example omitting the word “dishonestly” from an allegation of dishonestly handling stolen goods.
- 4.18 The Area is good at complying with orders made at the plea and directions hearing (PDH). There were no cases in our file sample where the defence asked for a hearing because of non-compliance by the CPS.
- 4.19 The standard of instructions to counsel has remained almost unchanged since the last inspection. In that inspection we found that in only 42% of cases were instructions to counsel of an acceptable standard or better. In this inspection the figure had fallen slightly to 41%. The Area has conducted their own survey with the Bar on the quality of briefs to counsel, which indicated that 75% of briefs were good, and 25% satisfactory. However, in the Area survey, counsel were asked to consider different criteria in assessing performance from those used by inspectors. The two findings are not, therefore, susceptible to direct comparison. Our firm view is that more needs to be done to address the issues in the case, and the acceptability of pleas in instructions to counsel.

Strengths

- * The quality and timeliness of committal preparation and the service of the prosecution case.

Aspects for improvement

- * The quality of indictments.
- * The quality of instructions to counsel.

STANDARD: AREA PROCESSES FOR DISCLOSURE ENSURE FULL AND TIMELY COMPLIANCE WITH CPIA AND CPS POLICY/OPERATIONAL INSTRUCTIONS IN BOTH MAGISTRATES’ AND CROWN COURT.

- 4.20 Our last report identified a need for there to be more active compliance with the prosecution’s duties of disclosure. There has been a significant improvement overall in the quality of decision-making in respect of primary disclosure, including the notification to the police of disclosure decisions. However, performance in the magistrates’ courts can be improved further. Whilst the quality of police schedules remains variable, most contained a sufficient description of the items listed to enable the prosecutor to make an informed decision.

- 4.21 Secondary disclosure was also dealt with correctly in almost all Crown Court cases, although the police often responded to the defence statement by way of memorandum instead of using the form MG6(e). There were no cases in our magistrates' court file sample where a defence statement was served.
- 4.22 The Area has maintained its policy of allowing defence representatives to inspect all non-sensitive unused material in their case. Area policy is that defence representatives will not be provided by the police with a copy of any inspected material, unless first inspected by the CPS. It was unclear from our file examination whether this policy was applied in all cases. However, when the Area moves to co-location with the police, non-sensitive unused material will be stored on CPS premises. This will allow prosecutors easier access to the material and should improve further the quality of decision-making, but will also have significant implications for the Area in view of its liberal inspection policy. There will be a need for robust procedures to be agreed with the police to enable defence representatives access to the material. We were concerned to note that these had not been devised at the time of our inspection.
- 4.23 Whilst there were only three cases in our file sample in which the police had indicated that there was sensitive material, none were handled correctly. In two of the cases, the police had submitted a sensitive material schedule, but it had not been endorsed with the reviewing lawyer's views on disclosure or otherwise. In the remaining case we could not find a sensitive material schedule, although it was clear that the outcome of the case was influenced by the existence of this material. We agreed with the case outcome, but again the file was silent about the reasoning behind the decision.
- 4.24 The Area and the police agreed that there was a need for further general training on the disclosure of unused material. The Area was awaiting the issuing of revised joint operational instructions on unused material before commencing training. These have now been issued and the Area will wish to take forward this training as soon as practicable.
- 4.25 In our last report we commended the Area for developing a protocol with the local authority in relation to third party material in child protection matters. We were pleased to find that the handling of third party material is being dealt with correctly in accordance with the protocol.

Strengths

- * The handling of third party material.

Aspects for improvement

- * The handling of sensitive material.
- * Joint training with the police on the disclosure of unused material.

STANDARD: SENSITIVE CASES (DOMESTIC VIOLENCE, CHILD ABUSE/CHILD WITNESS, RAPE, HOMOPHOBIC ATTACKS) ARE DEALT WITH IN A TIMELY WAY IN ACCORDANCE WITH CPS POLICY IN A MANNER FREE FROM BIAS AND DISCRIMINATION; AND RACE CRIME IS DEALT WITH IN A MANNER THAT IS FREE FROM BIAS AND DISCRIMINATION.

- 4.26 The Area handles domestic violence cases sensitively and applied the CPS policy on domestic violence in 12 out of 14 cases. In one case the file had not been endorsed to indicate that the reviewing lawyer had considered all relevant options before discontinuing, and in the other we considered that the case could have proceeded without the victim's evidence.
- 4.27 There is an Area protocol with the police on the handling of domestic violence cases. This appears to work well, although we noted that in some cases the police had not flagged the file to indicate that the offence was one of domestic violence.
- 4.28 Although Suffolk does not have a significant minority ethnic population, the Area handles racist incident cases and has a number of trained specialists to deal with them.
- 4.29 We examined six racist incident cases, all of which were dealt with correctly. At the time of our last inspection the police had concerns about how the Area dealt with cases of racist abuse against police officers. The police raised no similar concerns during the course of this inspection. The Area also had significant involvement in the setting up of the Suffolk Multi-Agency Forum Against Racial Harassment, one of the functions of which is to undertake, where appropriate, a peer review of the handling of racist incident cases across the relevant agencies. This is an innovative development, and reflects the general involvement of the Area in issues of race equality.
- 4.30 Sexual offences involve special and often difficult evidential considerations, which were highlighted in the joint HMCPSI and HMIC Report into the Investigation and Prosecution of Cases Involving Allegations of Rape (April 2002). Area instructions to counsel in rape cases now contain specific paragraphs relating to the conduct of the case intended to promote the interests of the victim. In addition, we noted that reviewing lawyers are particularly alert to the needs of the victims in relation to giving evidence.
- 4.31 The overall target of 71 days from arrest to sentence was not met in the CJS Area for the quarters ending June and September 2002. Additionally, the target was not met in the magistrates' court for the quarter ending September 2002. We were told consistently that a few long-running cases in the Crown Court had adversely affected performance. This cannot, however, account for the poor performance in the magistrates' court. We were pleased to note that unpublished figures for the months of October and November 2002 (which were not available at the time of our inspection) indicate that performance has improved significantly and the Area is again now meeting the target.
- 4.32 All the necessary mechanisms, which should ensure good performance, are in place. These include an Area youth case progression officer and regular inter-agency youth case progression meetings. The Area has also reached agreement with the court on the holding of additional Youth Court sittings. We noted, however, from our file examination, examples of where performance could be improved, for example the setting of a PDH date 28 days after committal for a PYO jointly charged with an adult when the target should be 14 days.

- 4.33 The Area has been alert to the recent slippage in performance, and initiated a meeting with PA consultants to carry out a more detailed analysis of where delays were occurring. The CPS together with the other agencies will wish to ensure that the mechanisms already in place are used to maintain the focus on PYO cases.

Aspects for improvement

- * The progressing of cases where PYOs are jointly charged with adults in accordance with PYO time guidelines.

- 4.34 In child abuse cases, which are generally well handled, there is a need for lawyers to endorse on the file that they have watched the video of the child's evidence. Additionally, this endorsement should include reference to the quality of that evidence.

- 4.35 Although there are systems in place to monitor the whereabouts of video of the child's evidence, the Area experiences difficulties in the return of these tapes at the end of the case from authorised recipients. This leads to delay in their return to the police. The Area is aware of this difficulty, and is taking action to reinforce the undertaking given before the tapes are sent out.

- 4.36 In all the serious and sensitive cases examined, we noted that reviewing lawyers were alert to the provisions relating to special measures for the protection of witnesses while giving evidence. They were quick to point out to the police when the measures were potentially available, and ensured that the appropriate information was available to make an informed decision.

Strengths

- * The introduction of the Suffolk Multi-Agency Forum Against Racial Harassment.
- * Consideration of whether special measures are available for the protection of witnesses while giving evidence.

Aspects for improvement

- * The endorsement of files in child abuse cases to indicate that the reviewing lawyer has watched the video of the child's interview. The endorsement to include comment on the quality of the evidence.

STANDARD: FILE/MESSAGE HANDLING PROCEDURES SUPPORT TIMELY CASEWORK DECISIONS AND ACTIONS IN BOTH MAGISTRATES' COURT AND CROWN COURT. THE RECORDING OF CASE OUTCOMES AND ARCHIVING SYSTEMS ARE EFFICIENT AND ACCURATE.

- 4.37 The recording of case outcomes is accurate. This is partly due to the work of the Area Administrative Officer who checks monthly produced SCOPE reports to highlight mistakes, and manually adjusts the performance indicators (PIs), bringing problems to the attention of managers. We found that mode of trial information was not always entered correctly by CJU staff, causing manual adjustments to be made to the TU PIs. In the TU, no warrants have been written off the SCOPE system in the last six months. Managers should take steps to address these issues.
- 4.38 At the time of the on-site phase of the inspection, there was a backlog of updating and finalisation in the CJU. Some of the files had been in court almost a week earlier. SCOPE print outs revealed there to be several historical cases that had not been updated from their last court appearance. We understand that this situation arose due to staff shortages and delays in files being returned from court. Overtime is being used to clear the backlogs and a stocktake is planned. Whilst this is assisting, managers will need to ensure that backlogs, once cleared, are not allowed to develop again. Greater staff flexibility in the tasks carried out would assist in preventing backlogs developing. Managers need to be alert to the high risk involved if police staff, once the move to co-location has taken place, are asked to take on a backlog of work and SCOPE records are not up to date.
- 4.39 We were satisfied that the recording of case outcomes in the TU was up to date. The latest stocktake report was being worked on whilst we were on site and there was no historical backlog.
- 4.40 We were pleased to note that a final 'audit' of the file takes place to ensure that all necessary actions have been completed before it is finally archived.
- 4.41 Unfortunately, in the CJU, the backlog in updating and finalisation and a large amount of outstanding trial work had resulted in inefficiencies. A vicious circle had developed, as the backlogs reduced the likelihood of finding files. Collating files for court and linking post were therefore taking longer than necessary leaving less time to work on updating and trial work. Staff and managers were also spending valuable time separating urgent from non-urgent work to ensure all necessary actions were taken on time. Managers will wish to consider ways of prioritising work more effectively.
- 4.42 The linking of post was kept to a minimum by the filing of certain items, such as dates to avoid, within a folder, which were not then linked to the file until the day before it was due in court. This system can only work if there is a clear understanding by staff about the sort of information that can be filed in this way and what should be brought to a lawyer's attention.
- 4.43 We had concerns about the systems used for the delivery and return of files to and from one magistrates' court location, and the Crown Court sitting at Ipswich. The Area will wish to satisfy itself that file handling and transport arrangements are both secure and appropriate.

Strengths

- * The system for ensuring the accuracy of finalisations.

Aspects for improvement

- * Arrangements for clearing backlogs and the updating and finalisation of cases in the CJU.

STANDARD: SYSTEMS ARE IN PLACE TO ENSURE COMPLIANCE WITH TIME LIMITS/TARGETS. RECORDING OF CASE OUTCOMES AND ARCHIVING SYSTEMS ARE EFFICIENT AND ACCURATE.

- 4.44 We examined ten cases while on site, comprising five magistrates' and five Crown Court files, to determine compliance with custody time limit (CTL) procedures.
- 4.45 In both units, files subject to CTLs are identified by administrative staff who calculate the review and expiry dates using a ready reckoner. The dates are endorsed on the front of the file and in a manual diary. We found that the dates were not particularly noticeable on CJU files, and they may wish to adopt the sticker system used in the TU, which is effective and ensures the time limit is clearly visible. The level B1 managers check the diaries on a daily basis. They identify files that require action and bring them to the attention of the lawyer or caseworker. SCOPE is not used as a back up system, however the TU receive lists of cases subject to CTLs, which they cross-reference with their own records.
- 4.46 Four of the five Crown Court files we examined had correct review and expiry dates. In one case the time limits were not recalculated after the defendant was released on bail and then re-admitted into custody, resulting in the original expiry date being monitored. In another case, although the dates were correct, the CTL continued to be checked although the defendant had been released on bail. Staff must ensure that the diary is updated as soon as a change in custody status occurs to prevent unnecessary checks taking place.
- 4.47 In the CJU, all of the files we examined had correct review and expiry dates although in one case, 56 and 70-day expiry dates were recorded for a summary only offence. In another case, time limits were recorded after the defendant was arrested on warrant for an offence to which he had already pleaded guilty. Again this will cause unnecessary work.
- 4.48 The Area should ensure that all members of staff are familiar with the rules governing CTLs, which expiry dates apply to which offences and when separate time limits are required.
- 4.49 The Area should also bear in mind that where CTLs are due to expire on or close to a date of hearing, all parties should be put on notice that an application to extend CTLs will be made if the case does not proceed as envisaged.

Strengths

- * Clarity of CTL information on Crown Court files, and a double check by caseworkers to ensure dates have been correctly calculated.

Aspects for improvement

- * Updating of information in CTL diaries.
- * Staff understanding of the rules governing expiry dates.

STANDARD: COURT ENDORSEMENTS ARE ACCURATE AND THOROUGH AND TIMELY ACTIONS ARE TAKEN AS A RESULT.

- 4.50 In our last inspection report we commented that the standard of court endorsements could be improved. We have already commented on the quality of court endorsements in respect of PTR hearings. Whilst other court endorsements were generally acceptable, we noted that some were barely legible. The Area is seeking to address this issue through specific objectives in individual forward job plans.

Aspects for improvement

- * The legibility of court endorsements.

STANDARD: THE AREA HAS EFFECTIVE SYSTEMS IN PLACE TO IDENTIFY LEARNING POINTS FROM CASEWORK AND IMPLEMENT IMPROVEMENTS. INFORMATION ON OPERATIONAL AND LEGAL ISSUES IS EFFICIENTLY AND EFFECTIVELY DISSEMINATED.

- 4.51 Failed cases are analysed by the Unit Heads and learning points disseminated to staff. In addition the Area produces a newsletter called "*Punchy Points*" which highlights aspects of key performance. The Area also produces Glidewell updates to keep staff informed on the move to co-location.

5. **ADVOCACY AND QUALITY OF SERVICE DELIVERY AT COURT**

KEY REQUIREMENT: THE AREA DELIVERS A HIGH QUALITY OF SERVICE, INCLUDING ADVOCACY, TO THE COURT, OTHER COURT USERS, AND VICTIMS AND WITNESSES; THE QUALITY OF SERVICE IS FREE FROM BIAS AND DISCRIMINATION, AND CONTRIBUTES TO THE EFFECTIVENESS OF COURT HEARINGS.

Overview

- 5.1 The Area has robust systems for requiring full files from the police. The lawyer in court usually completes requests to the police for full files. Prosecutors are generally well prepared, although we considered that in some cases more information could have been obtained from the police before the first hearing to assist in case progress.
- 5.2 The Area has set a challenging Higher Court Advocate (HCA) session target. At the time of our inspection the Area was on course to meet the target. HCAs cover the full range of work in the Crown Court.
- 5.3 The standard of advocacy is good, although we observed on one occasion a lack of formality between prosecuting and defence advocates.
- 5.4 Our specific findings are as follows:

STANDARD: SELECTION AND MONITORING OF ADVOCATES IN MAGISTRATES' 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 THE CPS GENERAL DUTY UNDER THE RACE RELATIONS (AMENDMENT) ACT 2000.

- 5.5 We observed 15 advocates including Area lawyers, HCAs, agents, counsel and two DCWs. The performance of all ten CPS advocates observed was at least competent in all respects, with three, including a DCW, being above average in some respects. The counsel we observed were competent in all respects, with one being above average in some respects.
- 5.6 Because of our increasing emphasis on all aspects of quality of service delivery at court, our advocacy observations were limited in nature. Comparisons against past performance should be avoided as they may give a misleading impression.
- 5.7 The deployment of HCAs is very effective, covering the whole range of Crown Court casework. The Area flags up potential HCA trials at the time that the committal papers or prosecution case is prepared. Once a case has been identified as appropriate for an HCA, it is generally kept in-house. Some cases, which could be dealt with by an HCA, are sent to junior counsel. This ensures that they get sufficient experience of prosecuting, and also allows the HCAs sufficient time to supervise the preparation of committals.
- 5.8 The regular presence of HCAs at the Crown Court contributes to progressing cases. We saw a number of examples in our file sample where counsel was able to confer at court with an HCA, thus ensuring that a decision on acceptable pleas could be made without the case being adjourned.

- 5.9 There was no formal monitoring of the quality of advocacy at the time of our last inspection, nor has any yet been implemented. The Area recognises that this has to be introduced, and are considering how best to take forward this aspect of performance management.
- 5.10 The Unit Heads do not undertake much advocacy, although the Head of the CJU has prioritised the conduct of PTR courts. However, the absence of the CCP for significant periods of the week, and the planning of the move to co-location has required them both to carry out a range of additional tasks. We recognise that at the moment they cannot undertake this function fully.

Strengths

- * The effective deployment of HCAs at the Crown Court across the whole range of casework activity.

STANDARD: PREPARATION FOR COURT IS EFFICIENT AND ENABLES BUSINESS TO PROCEED AND PROGRESS.

- 5.11 The Area has robust systems for requiring full files from the police. The lawyer in court usually completes requests to the police for full files. Prosecutors are generally well prepared, although we considered that in some cases more information, for example the value of the drugs in a case of possession with intent to supply, could have been obtained from the police before the first hearing.
- 5.12 Summary trial reviews, on receipt of the full file, were carried out in good time in 11 of the 12 cases we examined, and action taken to notify the police of witness requirements and serve statements for the trial was similarly prompt in 11 of the 12 cases. We have referred to the pre-trial check form, which should be completed by the reviewing lawyer. However, we could only find evidence of such a check being carried out in four cases.

Strengths

- * The timeliness of requests for full files.

Aspects for improvement

- * Undertaking pre-trial checks.

STANDARD: STAFF ATTENDANCE AT COURT IS TIMELY AND PROFESSIONAL, AND THE CORRECT LEVELS OF SUPPORT ARE PROVIDED.

- 5.13 The advocates we observed had attended promptly, and were able to assist other court users before the start of proceedings. Caseworkers also attended court in good time to assist counsel.
- 5.14 The Area seeks to maintain one to one caseworker coverage, but this is not always possible at the Crown Court sitting at Ipswich (there is only one court room at the Crown Court sitting at Bury St. Edmunds). In serious and sensitive cases it is Area practice for caseworkers to cover their own cases. Until recently this had meant that caseworkers often had to travel out of the Area, as the resident judge could not hear murder cases. He is now authorised to hear such cases, which has assisted the Area in utilising its resources. The Area has a number of part-time caseworkers, which can make it difficult for them to cover lengthy trials. However, they will rearrange their work patterns where possible.

STANDARD: WITNESSES ARE TREATED WITH CONSIDERATION AT COURT AND RECEIVE APPROPRIATE SUPPORT AND INFORMATION.

- 5.15 The standard of witness care by in-house prosecutors at court is good, but could be improved by some agents. In particular there is good consultation with witnesses about the acceptability of pleas. Whilst witnesses are not routinely called into court to be told why trials are ineffective, prosecutors seek to explain to them the reasons why the case has to be adjourned. Caseworkers are good at keeping witnesses informed of events at court and are willing to discuss issues with witnesses when a case is concluded.
- 5.16 The Area provides the Witness Service with lists of witnesses attending court so that appropriate assistance can be offered, although occasionally they are not told of late changes. There is also good liaison over witnesses who require special measures.

Strengths

- * The good standard of witness care by in-house prosecutors and caseworkers.

STANDARD: THE CPS HAS ADEQUATE ACCOMMODATION AT COURT AND THERE ARE SUFFICIENT FACILITIES TO ENABLE BUSINESS TO BE CONDUCTED EFFICIENTLY.

- 5.17 CPS does not have separate accommodation at each magistrates' and Crown Court centre. Accommodation has to be shared at Lowestoft Magistrates' Court and the Crown Court sitting at Bury St. Edmunds. The CPS room in the Crown Court sitting at Ipswich is inadequate. However, a new Crown Court centre is being built which should alleviate this problem, and also improve accommodation for witnesses.

6. VICTIMS AND WITNESSES

KEY REQUIREMENT:

- * THE NEEDS OF VICTIMS AND WITNESSES ARE MET;
 - * DECISIONS TO DISCONTINUE, OR SUBSTANTIALLY ALTER A CHARGE ARE PROMPTLY AND APPROPRIATELY COMMUNICATED TO THE VICTIM IN ACCORDANCE WITH CPS POLICY, AND IN A WAY WHICH MEETS THE NEEDS OF INDIVIDUAL VICTIMS.
-

Overview

6.1 Overall, there is a need to improve the effectiveness of the Direct Communication with Victims (DCV) initiative. Whilst timeliness is good, letters are not being sent in all appropriate cases. The quality of the letters sent to victims can be improved.

6.2 Aspects of performance in relation to the Area meeting the needs of victims and witnesses are dealt with primarily in our chapter on Advocacy and Quality of Service Delivery.

6.3 Our specific findings are as follows:

STANDARD: THE AREA HAS DETERMINED THE MODEL TO BE USED FOR DIRECT COMMUNICATION WITH VICTIMS AND HAS ESTABLISHED APPROPRIATE PROCESSES TO DELIVER THE INITIATIVE EFFECTIVELY.

6.4 The Area has adopted the standard CPS model. Our findings indicate that the processes for delivering the DCV initiative are not sufficiently effective. There is a need to improve the identification of relevant cases, and ensure that the lawyer with responsibility for the decision prepares the letter to the victim.

STANDARD: ALL STAFF INVOLVED IN THE PROCESS FOR DIRECT COMMUNICATION WITH VICTIMS HAVE BEEN PROPERLY TRAINED.

6.5 Caseworkers and lawyers attended training courses in the summer of 2002. The manager of the Victim Information Bureau is developing training for administrative staff to help increase awareness of the initiative and assist in identification of relevant cases.

6.6 With the move to co-location there will also be a need to ensure that police administrative staff are trained in the operation of the processes.

STANDARD: ALL CASES WITH AN "IDENTIFIABLE" VICTIM ARE PROPERLY IDENTIFIED.

6.7 We could only find evidence that an appropriate letter had been sent in 12 of the 17 relevant cases in our file sample. Monitoring work carried out by the Area also indicates a shortfall in the quality of identification. The Area will wish to satisfy itself that it has appropriate systems for flagging and identifying these cases.

Aspects for improvement

- | |
|--|
| <ul style="list-style-type: none">* The flagging of cases with an identifiable victim. |
|--|

STANDARD: LETTERS ARE SENT TO VICTIMS IN APPROPRIATE CIRCUMSTANCES, ARE TIMELY AND APPROPRIATELY DRAFTED.

- 6.8 There is no discernible pattern to the volume of letters sent out to victims. The most recent nationally published figures show that 60 letters were sent in June 2002, 99 in July and 67 in August. As discussed, a concern about the identification of cases indicates that these figures may not be complete. The timeliness of the letters in those cases that are identified is good. In August 2002, the average time for sending out a letter was five days, compared with the national average of seven.
- 6.9 The quality of letters could be improved. Whilst the use of nationally agreed standard paragraphs is appropriate in many cases, it is important that letters are tailored to meet the needs of individual victims. In one case, highlighted by our lay inspector, standard paragraphs and overly complicated language had been used when writing to a young victim. A complaint about the handling of the case was made, and similar concerns were raised about the response to the letter of complaint. In another case, the reasoning behind dropping a charge had not been explained in terms which would have been easily understood by someone with no knowledge of criminal law.
- 6.10 There were further examples of inappropriate letters in our file sample. In one case a letter was sent to an address where the victim no longer lived. The case had been dropped because he was not traceable. In another a standard form paragraph was used which indicated that the victim would be disappointed with the case being dropped. In fact the victim had withdrawn her support for the prosecution.
- 6.11 These findings, based on a small sample of cases, indicate clearly that there is a need for the quality of letters to be monitored and improvements made. We have made a recommendation, which reflects the importance of this initiative in improving public confidence in the criminal justice system in general, and the CPS in particular.

RECOMMENDATION

We recommend that Unit Heads undertake a qualitative assessment of DCV letters, in particular whether the use of standard paragraphs is appropriate.

STANDARD: MEETINGS ARE OFFERED IN APPROPRIATE CIRCUMSTANCES, STAFF ARE ADEQUATELY PREPARED AND FULL NOTES ARE TAKEN.

- 6.12 Meetings are offered in appropriate circumstance but none under the initiative have been held since the scheme began. We noted, however, from our file sample that prosecutors volunteered to meet reluctant witnesses, particularly in domestic violence cases. This is consistent with the Area's high standard of witness care.
- 6.13 The current CPS premises are not suitable for meetings, and they are therefore held at Ipswich Police Station. The new premises will have a Victim and Witness suite.

Strengths

- * The willingness of prosecutors to meet with victims.

7. PERFORMANCE MANAGEMENT

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

Overview

- 7.1 The Area attaches a high level of importance to performance management, and takes pride in being rated amongst the lowest risks in CPS national assessments. Their performance against CPS targets compares favourably to national averages in most categories.
- 7.2 A significant amount of performance data is collected, much of which is made available to staff. Analysis could occasionally be more robust. There were indications that not all staff, including managers, readily understood some of the information provided. The Area will want to consider what are the most important aspects of performance which need to be monitored and report accordingly – greater alignment to Public Sector Agreement (PSA) and the Narrowing the Justice Gap targets would be useful.
- 7.3 Our specific findings are as follows:
- STANDARD: PERFORMANCE IS REGULARLY MONITORED BY SENIOR AND MIDDLE MANAGEMENT AGAINST PLANS, OBJECTIVES, TARGETS AND STANDARDS, EVALUATED, AND ACTION TAKEN AS A RESULT.**
- 7.4 The AMT regularly discuss performance. Information is shared with staff with graphs and data available in hard copy and electronically. Data is also included in the staff magazine. Monthly performance spreadsheets are provided to managers, and a quarterly analysis of performance indicators (PI) is circulated. The analysis of performance data could be stronger and more focused.
- 7.5 The range of dip sampling/performance data in the TU was impressive, covering caseworkers, lawyers and counsel, with a variety of staff involved. The CJU Unit Head faces a formidable personal challenge, in that he tries to see all adverse cases, discontinuances and DCV letters for quality assurance purposes, in addition to the monitoring of lawyer's files and PI accuracy.
- 7.6 Not all the prescribed checks were taking place at the agreed frequency. Managers have struggled recently to maintain their performance monitoring as they have been attempting to reduce backlogs (CJU) and prepare for co-location.

Strengths

- * The range of performance data collected and made available to staff.

Aspects for improvement

- * Analysis of performance data could be strengthened and more focused.

STANDARD: SYSTEMS ARE IN PLACE FOR THE MANAGEMENT OF PERFORMANCE JOINTLY WITH CJS PARTNERS.

- 7.7 There are well-defined inter-agency performance management systems in place in Suffolk. Nevertheless, there is variance in their effectiveness in tackling issues and some appear to take a long time to resolve, for example implementing a county wide effective PTR system, and the quality of police files at Bury St. Edmunds.
- 7.8 Joint performance management (JPM) figures on the quality of police files suggests that the Area is in the upper quartile of national performance. However, concerns were expressed to inspectors that this was not an accurate reflection of file quality, particularly in the west of the county. Regular JPM meetings are held with the police, but the Area will wish to engage further with the police, particularly at a senior operational level, to resolve this inconsistency. We noted during the course of our file examination that the form TQ1 was not being returned in all relevant cases. The Area will wish to ensure that its compliance with this aspect of JPM give an accurate picture of file quality.
- 7.9 The CPS and police have worked well together at reducing problems relating to identification evidence.
- 7.10 We discuss issues surrounding the cracked and ineffective trial rate in our chapter on key performance results.

Strengths

- * Success, through joint working, in reducing identification evidence problems.

Aspects for improvement

- * Some known issues (some mentioned in last inspection) could be progressed more quickly by more effective inter-agency work, particularly with divisional police commanders.

8. PEOPLE MANAGEMENT AND RESULTS

KEY REQUIREMENT:

- * 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.
-

NB: We did not inspect fully against all defining elements of this criterion, as we were perfectly happy with the Area's approach to many issues. Issues with regard to staff appraisal and communication were inspected with a lighter touch, sufficient to confirm our initial assessment that the Area generally performs satisfactorily in those aspects of work.

Overview

- 8.1 Many aspects of people management are handled well and this was reflected in the findings of the staff survey. A high percentage of staff are happy with communication from managers, and most feedback on training was also positive.
- 8.2 Issues relating to organisational structure were difficult to judge in the light of the uncertainty with regard to roles and responsibilities after co-location. In the circumstances, the Area has, sensibly, committed to review the situation after implementation.
- 8.3 Our major focus was to follow up on the feedback from the staff survey with regard to perceptions that behaviour was not always appropriate. Whilst Area managers have responded positively to this issue, we consider that more needs to be done to bring the matter to a satisfactory conclusion.
- 8.4 Appraisals, interim reviews and Forward Job Plans were in order for lawyers and TU caseworkers, but were not up to date for CJU support staff. As greater clarity is achieved in revised roles, so managers will need to update objectives.
- 8.5 Our specific findings are as follows:

STANDARD: HUMAN RESOURCES ARE SYSTEMATICALLY AND CONTINUOUSLY PLANNED.

- 8.6 Planning total headcount is based on the standard CPS activity based costing staffing model. There are a number of staff on career breaks at the moment and these are carefully monitored by the ABM. The staffing levels have been significantly increased in recent months and allow for very limited growth in the future, unless budgets change unexpectedly.

STANDARD: STAFF STRUCTURES AND NUMBERS ENABLE WORK TO BE CARRIED OUT COST EFFECTIVELY.

- 8.7 Staff are generally satisfied that there are now sufficient resources available. Whether they are deployed in the right place is not yet clear, as there are so many uncertainties with regard to co-location. Most of the CJU level A staff are transferring to the TU next month, leaving 3.6 level A staff and 1.6 level B1 managers to support the three units on a remote basis. Some changes have been made recently to the structure of the secretariat in order to staff a Victim Information Bureau.
- 8.8 In 2002-03 the Area deployment of agents in the magistrates' courts has tripled compared with the corresponding period in the last financial year. This was primarily due to a delay in recruitment. In the year to date, agents covered 23% of court sessions. We recognise that this occurred when staffing levels were lower, and has reduced recently as new staff have joined. The Area will wish to monitor the rate of agent usage, particularly in the light of our earlier comment that their standard of witness care is not perceived as being as good as that of in-house prosecutors.
- 8.9 Although the Area has been working in functional units for approximately two years, there has been no formal rotation policy. Changes have occurred as staff have left but this has not been part of any staffing strategy. At the time of our inspection the Area was developing a formal rotation policy.

STANDARD: STAFF CAPABILITIES ARE IDENTIFIED, SUSTAINED AND DEVELOPED.

- 8.10 The majority of feedback (interviews and staff survey) on training and development was positive although there were still some concerns among level A staff with regard to induction and on the job training which may have been heightened in light of the forthcoming changes.
- 8.11 Positive aspects include:
- * Access to NVQ training;
 - * Area registered as a pupillage training organisation;
 - * Area training days including useful external specialist training; and
 - * Good training records and plans.
- 8.12 As stated elsewhere, there are some major hurdles to be crossed soon with regard to training for the new post co-location systems, although a training programme for TU staff was about to be implemented. It is recognised that there is a high reliance on police co-operation in the weeks leading up to co-location, if it is to be a success. This constitutes a big risk to the Area and, were it not for the imminence of the move, would have attracted a recommendation.

Strengths

- * The commitment to training and the wide range of developmental activities available.

STANDARD: ACTION HAS BEEN TAKEN TO IMPLEMENT CPS EQUALITY AND DIVERSITY INITIATIVES AND ALL STAFF ARE TREATED EQUALLY AND FAIRLY.

- 8.13 The staff survey indicated that a small number of staff were not happy with the way they were treated by colleagues. To their credit, managers reacted positively to this disappointing and, in their eyes, surprising feedback. Further work was undertaken and a follow up survey conducted.
- 8.14 This confirmed that the perception persisted, with half (15 of 30) of the respondents making some negative comments. It also gave greater insight into the type of problems at the root of individuals concerns. The CCP has reminded staff of the standards laid out in the CPS booklet 'Dignity and Work'. The Area is now at a difficult stage in the process; some staff consider the problem still exists, but the anonymity of the process makes carrying forward issues with individuals difficult. Staff are not keen to make formal complaints, and the problem occurs most frequently in moments of stress which are likely to grow considerably in the next few months.
- 8.15 Some managers expressed the view that there was little more that can be done. However, despite the action taken so far, there remain some residual concerns and there may be some benefit in bringing in a third party to help address outstanding issues.

RECOMMENDATION

We recommend that the CCP continues the effort to change the behaviours which give rise to staff dissatisfaction.

9. MANAGEMENT OF FINANCIAL RESOURCES

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.

Overview

9.1 Our evaluation of financial data and information provided by the Area prior to the inspection, was that the appropriate controls and systems were in place to ensure that the Area stays within budget. Our spot checks on site confirmed this, although we do have slight concerns over the budget position for 2003-04.

9.2 We were satisfied that the Area complies with CPS guidelines on financial management. The Area has good systems for monitoring and processing payments using the new Graduated Fees Scheme (GFS).

9.3 Our specific findings are as follows:

STANDARD: THE AREA HAS EFFECTIVE CONTROLS TO FACILITATE AN ACCURATE APPRECIATION OF ITS BUDGETARY POSITION FOR RUNNING COSTS.

9.4 Generally there are good financial management controls. A level B2 manager in the Secretariat deals with the day-to-day operational issues, with the ABM addressing more strategic issues. A wide range of spreadsheets are available for monitoring and forecasting budget outcomes. There is a reconciliation process, although this could be more robust to enable issues to be identified earlier.

9.5 Some financial information is processed on Lotus software, which entails a risk, in that only one member of staff operates the system and it is not supported by the CPS IT helpdesk. We were pleased to be told that discussions were underway to transfer information and systems to Excel spreadsheets.

9.6 Delays in recruiting staff have left the Area in a comfortable budget position this year, resulting in money being returned to CPS Headquarters.

9.7 The Area has now recruited several new staff and is projecting a small overspend in the next financial year. There are a number of reasonable assumptions behind this thinking, which means that the risk is low; however if the Area seeks to review its management structure, and also recruit an additional level D ABM, then adjustments may need to be made to remain within budget.

<p>Strengths</p> <p>* Very detailed financial spreadsheets with good level of core data.</p>

STANDARD: PROSECUTION COSTS ARE EFFECTIVELY MANAGED AND REPRESENT VALUE FOR MONEY.

- 9.8 The Area is very proactive in the management of counsel fees under the new GFS. Agreement is sought at an early stage (usually at court) as to the number of witnesses and pages of evidence involved, as these affect the fees payable. A small backlog arose when the scheme was first introduced, but this has been managed and cleared. An electronic log is kept of fees paid and outstanding.
- 9.9 For the small number of cases that fall outside the GFS, an experienced level B2 manager negotiates fees. Case management plans are completed in the appropriate circumstances.

Strengths

- * Good system for managing counsel fees.

STANDARD: THE AREA DEMONSTRATES A VALUE FOR MONEY APPROACH IN ITS FINANCIAL DECISION-MAKING.

- 9.10 The Area recognised at an early stage in the current financial year that it would not have to commit its full budget, and therefore returned money to CPS Headquarters. Additionally, the Area had already declined to accept part of the Performance Improvement Plan funds offered on the grounds that they could not usefully spend the money in this financial year, indicating a responsible approach to financial management.
- 9.11 Subsequently, some of the monies returned have been used to offset a problem with the costing for re-location. This re-allocation of funds was deemed necessary to avoid even more delays in Glidewell implementation, which would have had a negative impact on staff and the credibility of the CPS.
- 9.12 As the Area has recruited additional lawyers, the spend on agents to represent the CPS in the magistrates' courts has been reduced.

Strengths

- * A responsible approach to financial budgeting, in making 'excess' funds available to CPS HQ at an early stage.

10. POLICY AND STRATEGY

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.

- 10.1 In this intermediate inspection, the relevant aspects of performance for this key requirement are dealt with primarily in our chapter on Leadership and Governance.

11. PUBLIC CONFIDENCE

KEY REQUIREMENT:

- * THE AREA IS PROACTIVELY 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.
-

- 11.1 In this intermediate inspection, the relevant aspects of performance for this key requirement are dealt with primarily in our chapters on Advocacy and Quality of Service Delivery, Victims and Witnesses and Leadership and Governance.

12. LEADERSHIP AND GOVERNANCE

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.

Overview

- 12.1 We recognise that from an Area perspective, the timing of the inspection was not ideal, coming shortly before the delayed move to new premises and co-location with the police.
- 12.2 There has been progress on a number of issues since our last inspection. The use of the Business Excellence Model (EFQM) has expanded, the functional split into a TU and CJU has been fully implemented, and co-location with police is imminent.
- 12.3 There remain, however, some issues of concern, including:
- * the state of readiness together with a lack of clarity with regard to the roles, responsibilities and processes for the new co-located units (mainly CJU related); and
 - * the strain on the management structure, exacerbated by the extensive nature of the CCP's involvement with the Compass project.
- 12.4 Our specific findings are as follows:
- STANDARD: VISION AND VALUES ARE DEVELOPED AND SUPPORT A CULTURE OF CONTINUOUS IMPROVEMENT.**
- 12.5 The Area has continued to broaden staff involvement in self-assessment activity through use of the EQFM. Approximately half of the staff have now had some input and Area managers were in the process of analysing the latest feedback in order to develop any appropriate action plans.
- 12.6 There is a tendency for a small group of staff to take on a disproportionate amount of 'additional' work, as evidenced by the division of responsibilities as specialists or champions. The Area will want to try and spread the load more evenly as opportunity allows.
- 12.7 Whilst recognising the difficulties of the current position, staff would prefer to see more of the CCP. He is aware of the concern (listed in IiP action plan) and is endeavouring to become more visible.

STANDARD: MANAGERS ACTIVELY MOTIVATE, RECOGNISE AND SUPPORT THEIR STAFF.

- 12.8 The Area has tried to improve recognition of staff performance and there is a regular section in the staff magazine celebrating achievements.
- 12.9 As with many CPS Areas morale is variable, and the forthcoming move to co-location is causing uncertainty. It was pleasing, however, to see high levels of co-operation between TU and CJU staff at all levels.

STANDARD: THE AREA HAS DEVELOPED AN EFFECTIVE MANAGEMENT STRUCTURE TO DELIVER AREA STRATEGY AND OBJECTIVES.

- 12.10 The CCP spends about half of his time in the Area with the rest devoted to the Compass project. He has retained a lot of his external liaison role and consequently has limited time in the Area office. He is the chair of the shadow Local Criminal Justice Board. Some of his responsibilities have been delegated to the two Unit Heads, which has increased the pressure on them in what are already difficult times. In the CJU, the Unit Head has given some additional responsibilities to three 'lead lawyers'. However he retains line management responsibility for more than 20 staff in addition to having a leading role in the forthcoming changes. The level B1 line managers in the CJU were previously managed by DCWs and the Area was investigating the possibility of re-introducing such a structure.
- 12.11 We had serious concerns that the management structure was 'stretched' at the time of the inspection. When combined with the major changes about to be implemented in Suffolk, we consider that this represents a considerable risk to the Area, particularly over the next few months. This is particularly worrying in that there were still many unresolved aspects of working practices in the co-located environment, which are likely to require significant management attention.
- 12.12 There are already signs that some normal activities have slipped recently as re-location and co-location draw ever nearer.

RECOMMENDATION

We recommend that the CCP review the management structure and responsibilities to ensure that managers have a realistic prospect of delivering Area strategies and objectives.

STANDARD: EFFECTIVE PLANS OF ACTION, WHICH IDENTIFY KEY ISSUES, AND WHICH REFLECT CPS AND CJS STRATEGIC PRIORITIES, AND LOCAL NEEDS, ARE IN PLACE.

- 12.13 The Area Business Plan 2002-2003 includes a risk management programme for the first time. As the Area becomes more familiar with the process, there is scope for improving the identification of risks and their preventative measures, and this was recognised by Area managers. We were concerned that risk registers for co-location and re-location had not been maintained.

- 12.14 The Area has been planning for co-located Glidewell units for a considerable time, although progress was slower than had been anticipated. Initial plans were aiming for implementation in 2002. Difficulties with accommodation and police resources were cited as the primary reasons for delays. The revised 'go live' date is 17 February 2003.
- 12.15 Whilst there was a lot of information with regard to the Glidewell move, it was not controlled by formal project planning techniques. A timeline was maintained and displayed on notice boards, which gave details of major deadlines and target dates.
- 12.16 Our over-riding concerns related to the lack of certainty as to the processes and systems to be used in the new units. This, not surprisingly, was also causing concern to a small number of administrative staff. It had been envisaged that the police would take on responsibility for almost all of the tasks traditionally performed by the CPS administrative staff in CJU. The complete range of tasks which will affect the placement and utilisation of CJU staff need to be clarified. We were told that the police had not yet identified all the operational staff to do this work and hence the appropriate training had not even begun. This represents a serious risk to the project. Meetings in late December, which should have clarified a number of these issues, were cancelled and the unavoidable absence of the CPS project leaders at a critical time has been unfortunate, particularly in the light of the lack of project plans.
- 12.17 There were still a lot of issues to be resolved in a very short time-span. The cancelled meeting has been rescheduled for late January, and concerted efforts will be necessary to ensure a relatively smooth transition.
- 12.18 Due to the urgency of the issue, we discussed our concerns with the CCP during the on site phase of the inspection. However, we make no recommendation, as implementation should have occurred before this report is published.
- 12.19 Notwithstanding the above concerns, staff were generally looking forward to the change, and were optimistic that in the long run there would be benefits.
- 12.20 Shortly after co-location has been completed, the Area will be deploying the new Compass Case Management System. This will require the implementation of further processes and systems, and was, naturally, the source of some reservation among staff.

Aspects for improvement

- * Better use of formal project management techniques for major developments.

STANDARD: THE AREA IS RESPONSIVE TO THE VIEWS OF AN INFORMED, DIVERSE COMMUNITY.

- 12.21 The Area continues to make progress in engaging with the community, although as we have found elsewhere, the response from community groups is mixed. The CCP recognises that there is scope for more development and is keen to do so. Efforts to engage with educational establishments have had limited success so far.

12.22 There has been positive liaison with the local Racial Equality Council, with participation in a “Black meets Blue” scheme involving minority ethnic communities and the police, and the Suffolk Multi-Agency Forum Against Racial Harassment, although once again the contact centres on the CCP. The Area has received a national CPS equality and recognition award, which recognises the work it has done in this field.

12.23 The Area took a leading role in organising a joint CJS stand at the Suffolk Show. This was deemed to be a significant success, with 9,000 visitors, and it is planned to repeat the exercise in the coming year. It has also contributed to court open days.

STANDARD: COMPLAINTS ARE EFFECTIVELY MANAGED TO MINIMISE THE RISK OF DISSATISFACTION AND TO ENSURE APPROPRIATE LESSONS ARE LEARNT.

12.24 Complaints have traditionally been handled in a timely manner, and this is still true to a large extent (just one late by mid year). The quality of responses, whilst usually satisfactory, occasionally fails to take account of the particulars of the complainant (age in one case) or explain the reasons behind a decision in plain English. We have already indicated that the quality of DCV letters is an aspect for improvement. Similar improvements need to be made in respect of responses to some letters of complaint.

13. PARTNERSHIPS AND RESOURCES

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

Overview

- 13.1 Partnerships with other agencies are well developed and relationships are cordial. As previously stated, we consider that there is work to be done in making some of the inter-agency groups more effective, primarily with police and the magistrates' courts.
- 13.2 The overall use of resources is satisfactory with good financial controls and use of technology. The current premises are far from ideal, and would have attracted some negative comments were it not for the imminent move to new premises. Staff are looking forward to an improved working environment.
- 13.3 Our specific findings are as follows:

STANDARD: PARTNERSHIPS WITH OTHER CJS AGENCIES ARE DEVELOPED AND MANAGED.

- 13.4 The Area is perceived by partner agencies as active in the development of CJS strategies. All agencies commented that the CPS is very responsive to their needs, and they feel very comfortable to pick up the telephone to discuss issues. There is still a tendency for issues that could be handled by Unit Heads to be addressed with the CCP, although the agencies involved do not mind the minor delays this occasionally involves. The profile of staff, other than the CCP, could be raised, particularly with senior police officers and community groups.
- 13.5 The police believe that relationships have improved and are much more inclined to involve the CPS early in the development of individual cases or major operations.
- 13.6 A sub group of the Trials Issues Group has developed a Witness Care Work Plan, which is regularly monitored and updated. There are also a number of useful inter-agency protocols in place, although some would benefit from review and update. CPS managers have played a leading role in developing the shadow LCJB Narrowing the Justice Gap plan.

Strengths

- * Regular monitoring with other agencies of the Area Witness Care Work Plan.
- * Improved co-operation with police in major operations.

Aspects for improvement

- * Increased involvement and a higher profile for staff (other than the CCP) in inter-agency and community work.

STANDARD: IT IS DEPLOYED AND USED EFFECTIVELY.

- 13.7 The use of technology was a strength of the Area during the last inspection. Internal use of IT remains a strength, with good use of spreadsheets for managing data and the use of e-mail and the shared drive for communication. We have mentioned elsewhere in the report our concerns about the use of Lotus software.
- 13.8 The CPS has changed IT systems since our last visit and this has reduced the Area's capability to communicate electronically with external agencies. A 'secure mail' pilot has been undertaken and a protocol was being developed to enable the issue to be carried forward. There was a great deal of confusion as to what should be happening in terms of electronic communication between the police and the CPS, and staff from both organisations appeared to be working outside what the CPS perceived to be an agreed system. As the new protocol is agreed, Area managers will need to work with the police to ensure that there is a common understanding as to how to get the best out of the available IT systems.
- 13.9 There was also a lack of clarity as to how the SCOPE system is to be updated in the co-located CJU environment. This needs urgent resolution.
- 13.10 As there will be no typing facilities, and possibly no CPS administrative staff in the co-located CJUs, there will be a greater reliance on lawyers and DCWs producing their own documents using the Connect 42 system.

Strengths

- * Good use of technology to manage performance and financial data, and to communicate internally.

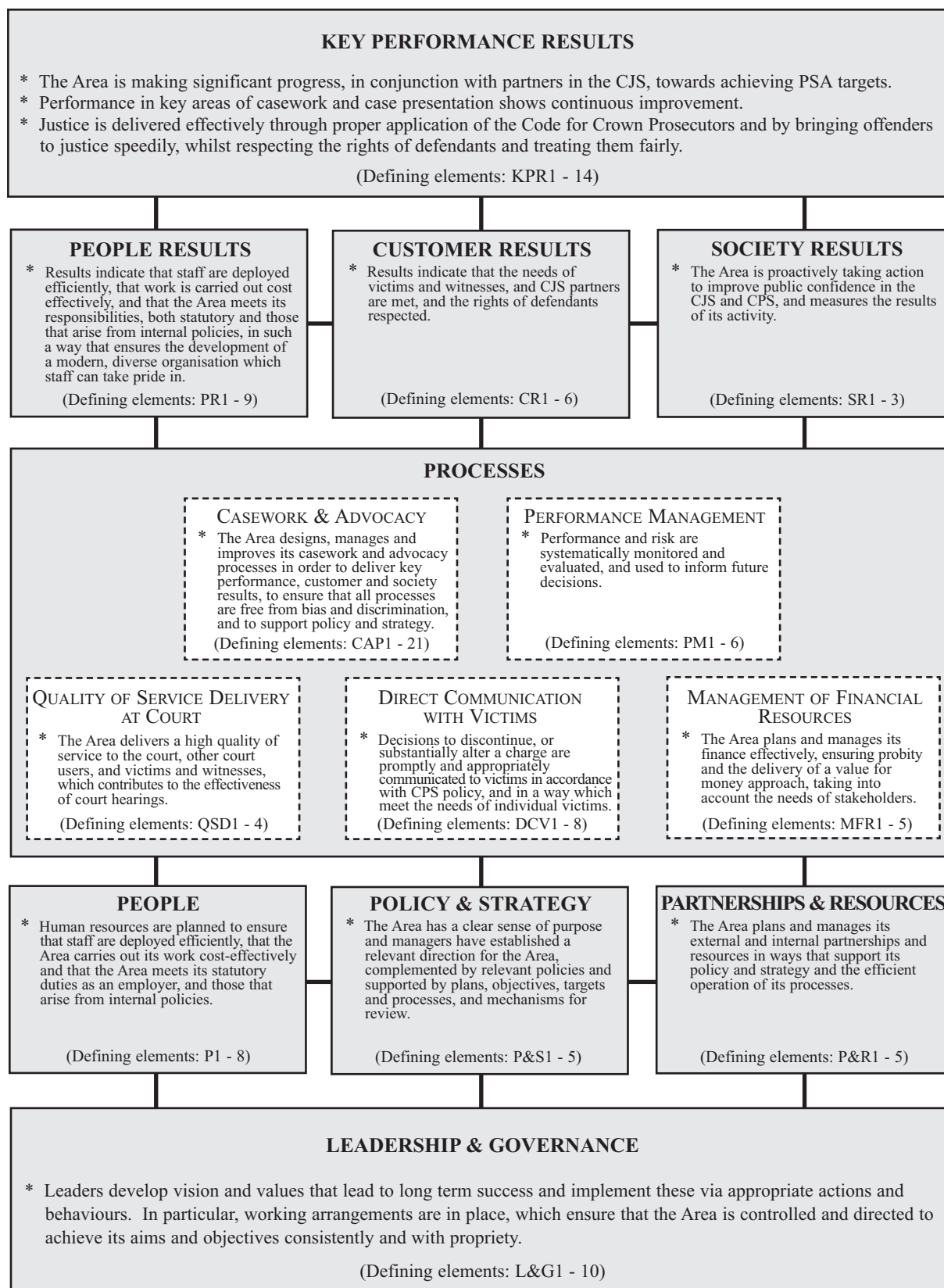
Aspects for improvement

- * Clearer understanding of CPS and police staff with regard to electronic communication.

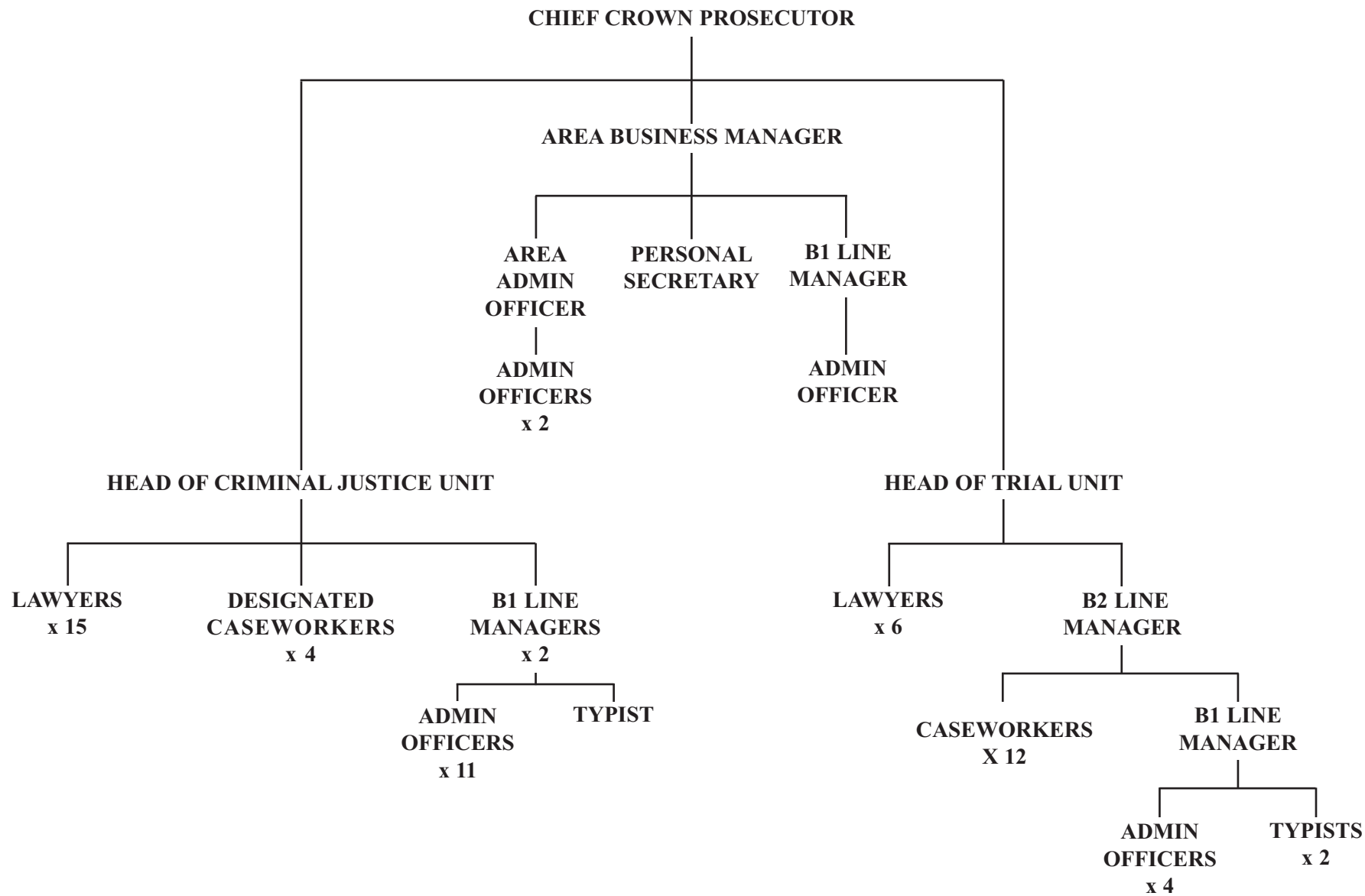
STANDARD: THE AREA HAS A GOOD WORKING PARTNERSHIP WITH HEADQUARTERS DEPARTMENTS AND THE SERVICE CENTRE.

- 13.11 Relationships are generally good, but there have been instances where the Area had hoped to receive better support; from the Central Property Unit during the early stages of the re-location planning and, from Human Resources, when dealing with a staff complaint.

BUSINESS EXCELLENCE MODEL INSPECTION MAP



CPS SUFFOLK STAFF STRUCTURE



ANNEX 3

Types of case - Magistrates' Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Advice	841	5.6	52,748	3.8
Summary motoring	5,917	39.7	517,123	36.8
Summary non-motoring	2,271	15.3	263,225	18.8
Either way & indictable	5,839	39.2	561,153	40.0
Other proceedings	19	0.1	9,568	0.7
Total	14,887	100	1,403,817	100

Completed cases - Magistrates' Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Hearings	10,421	74.3	969,390	72.3
Discontinuances	1,722	12.3	173,020	12.9
Committals	723	5.2	91,789	6.8
Other disposals	1,161	8.3	107,291	8.0
Total	14,027	100	1,341,490	100

Case results - Magistrates' Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Guilty pleas	9,212	87.8	801,191	82.2
Proofs in absence	692	6.6	117,115	12.0
Convictions after trial	427	4.1	38,823	4.0
Acquittals: after trial	137	1.3	15,268	1.6
Acquittals: no case to answer	19	0.2	1,696	0.2
Total	10,487	100	974,093	100

Types of case - Crown Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Indictable only	296	31.6	36,510	29.8
Either way: defence election	99	10.6	14,759	12.1
Either way: magistrates' direction	302	32.2	39,248	32.1
Summary: appeals; committals for sentence	240	25.6	31,906	26.1
Total	937	100	122,423	100

Completed cases - Crown Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Trials (including guilty pleas)	614	88.1	74,340	82.1
Cases not proceeded with	61	8.8	12,911	14.3
Bind overs	13	1.9	1,383	1.5
Other disposals	9	1.3	1,882	2.1
Total	697	100	90,516	100

Case results - Crown Court	CPS Suffolk		National	
	Number	Percentage	Number	Percentage
Guilty pleas	403	64.6	55,944	73.8
Convictions after trial	125	20.0	11,951	15.8
Jury acquittals	77	12.4	6,473	8.5
Judge directed acquittals	19	3.0	1,470	1.9
Total	624	100	75,838	100

TABLE OF RESOURCES AND CASELOADS

AREA CASELOAD/STAFFING CPS SUFFOLK		
	January 2003	September 2000
Number of lawyer SIP (excluding CCP)	20.9	16.6
Cases per lawyer (excluding CCP)	712.3	813.7
Magistrates' court contests per lawyer (excluding CCP)	27.9	37.53
Committals per lawyer (excluding CCP)	34.6	40.3
Crown Court trials per lawyer (excluding CCP)	10.6	18.07
Number of B1, B2 & B3 caseworkers in post (excluding ABM)	16.4	13
Committals per caseworker (B1, B2)	44.1	51.5
Crown Court trials per caseworker (B1, B2)	13.5	23.1
Non ring fenced running costs	£2,353,368 (September 2002)	£1,698,422 (March 2001)

N.B. Caseload data represents an annual figure for each relevant member of staff.

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

	RECOMMENDATIONS	POSITION IN JANUARY 2003
R1	The CCP and PTLs monitor the continuing review of cases to ensure that appropriate and effective review is undertaken.	High level of continuing review found – full agreement with the application of the Code at summary trial and committal review.
R2	The CCP takes steps to analyse the reasons for discontinued and adverse cases and liaises with the police with a view to agreeing a protocol for addressing identification difficulties.	No identification issues found in cases examined.
R3	Prosecutors record reasons for opposing bail on the file, together with the magistrates' reasons for their decisions and any bail conditions.	Not considered in this intermediate inspection.
R4	Prosecutors make full records on files of review decisions.	Some outstanding legibility issues, and a need to endorse views on quality of video recorded evidence in child abuse cases.
R5	The CCP and PTLs ensure that adverse case reports are properly completed and used by managers to analyse cases outcomes and avoid recurring errors.	Adverse case reports and analysis on all relevant files examined.
R6	The CCP: <ul style="list-style-type: none"> * completes the implementation of the Area's protocol on unused material in the light of the Attorney General's Guidelines; * ensures that prosecutors follow this protocol; and * provides joint training regarding the provision of the CPIA. 	Significant progress made in compliance with the statutory duties at the primary and secondary disclosure stages. Review decisions in relation to sensitive material need to be better evidenced. Area about to embark on further training with the police.

	RECOMMENDATIONS	POSITION IN JANUARY 2003
R7	<p>The CCP:</p> <ul style="list-style-type: none"> * in conjunction with the Magistrates' Courts Service, analyse the reasons for cracked and ineffective trials, to minimise both delay and inconvenience to victims; and * ensures that the prosecution undertakes a full and effective role at PTRs and that all issues are resolved. 	JPM of cracked and ineffective trials is now undertaken. Outstanding concerns over the high level of cracked trials, particularly those where a bind over is accepted on the day of trial. Issue being addressed by the Unit Head.
R8	Prosecutors and caseworkers fully address the issues in the case and, where appropriate, the acceptability of pleas in instructions to counsel.	The position is still unsatisfactory.
R9	The CCP introduces a system which provides a more comprehensive coverage in the Crown Court, enables caseworkers to attend court to cover their own cases and promotes continuity at trials.	Good progress made, no concerns identified during this inspection.
R10	The CCP and ABM draw up a project plan detailing the responsibilities and timetable of key actions and decisions relating to the implementation of Glidewell, and communicates this to staff and other CJS partners.	Generally a good level of communication. Co-location was due to take place in the middle of February 2003.
R11	The CCP ensures that the management checks identified in the Certificate of Assurance annex document (dated 26 June 2000) are conducted as indicated, or the document is reviewed and updated.	Good level of performance management.
R12	The CCP ensures that plans are developed that will enable HCAs to be deployed more frequently in the Crown Court, including PDHs.	Very good level of deployment, including contested cases.
R13	The CCP ensures that all outstanding FJPs and PDPs are completed as a matter of urgency.	Not considered in this intermediate inspection.

	RECOMMENDATIONS	POSITION IN JANUARY 2003
R14	The CCP works with the other agencies to improve the service to victims over compensation claims.	No concerns identified in this inspection.
R15	The CCP ensures that TQ1 forms are accurately completed and returned to the police, and the Area engages actively in JPM.	Remains room for improvement in this aspect of performance, including increased engagement at divisional police level.
R16	The CCP continues to negotiate constructively with the Magistrates' Courts Service about listing, in order that court and CPS time is used as effectively as possible, and delays within the criminal justice system are reduced.	No concerns identified in this inspection.
R17	That the ABM develops a comprehensive security policy.	Not inspected in light of imminent move to new premises.
R18	The ABM ensures that the electronic interchange of data with other CJS partners (part of a Home Office project) is compliant to data protection regulations.	Project had ceased before this inspection. Area now operates Connect 42.
R19	The CPS analyses complaints received systematically and promulgates any lessons learnt to staff.	No concerns identified in respect of this aspect of complaint handling.
	SUGGESTIONS	POSITION IN JANUARY 2003
S1	The CCP ensures that the domestic violence and racist incident registers are accurate and information therein is used appropriately.	Logs inspected and no concerns identified in this inspection.
S2	The CCP and PTLs consider the Area's use of section 9 Criminal Justice Act 1967 and, in particular, whether it can be used more frequently in the case of police officers.	No concerns identified in this inspection. Section 9 used appropriately in all relevant cases.

	SUGGESTIONS	POSITION IN JANUARY 2003
S3	The CCP and PTLs ensure that all advocates, counsel and agents are monitored so that high standards are maintained, and that existing approved lists are updated.	Advocacy monitoring was being implemented at the time of this inspection.
S4	The CCP liaises with the local chambers to reduce the number of returned briefs.	No concerns identified in this inspection.
S5	The ABM reviews the working patterns of part-time staff to ensure that workloads are equitable, and considers the option of co-ordinating hours or establishing some formal job shares where appropriate.	No concerns identified in this inspection.
S6	The ABM reviews how to gain the most efficient use of typists' time and develops contingency plans for dealing with their absence.	Not considered in this intermediate inspection.
S7	The AMT reviews the number and frequency of meetings that are conducted to ensure that those with the greatest priority take place with high attendance levels.	No concerns identified in this inspection.
S8	The CCP seeks to involve other members of staff more extensively in driving forward initiatives in reaching out to the community.	There remains a need to broaden the representational role of staff below CCP level, particularly in the absence of the CCP on other duties.
S9	The ABM takes steps to ensure that the appearance of the office is improved.	Not inspected in the light of the imminent move to new premises.

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

	Number of files examined
File sample per CJU	
Cases subject to custody time limits	5
Cracked and ineffective trials	10
Domestic violence	5
Magistrates' court trials	10
Race crime	5
Youth trials	3
File sample per TU	
Advice	5
Cases subject to custody time limits	5
Child abuse	5
Committals discharged after evidence tendered	1
Cracked or ineffective trials	10
Crown Court trials	10
Judge ordered acquittals	15
Race crime	0
Rape	5
TOTAL	94

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

Judges

His Honour Judge Devaux

Crown Court

Mrs E Richardson, Court Manager

Magistrates' Courts

Mr J Rodley, Justice's Chief Executive

Mr C Bowler, Clerk to the Justices

Mr D Dean, Chairman of St Edmundsbury/Stowmarket Bench

Mr G Garden, Chairman of Haverhill/Sudbury Bench

Mrs S Humphrey, Chairman of South East Suffolk Bench

Mrs S Pawson, Chairman of North East Suffolk Bench

Mr B Ruddock, Chairman of Magistrates' Courts Committee

Police

Mrs G Parker, Acting Chief Constable

Chief Superintendent M Green

Chief Superintendent G Munns

Chief Superintendent P Worobec

Acting Chief Superintendent D McDonnell

Acting Chief Inspector T Powell

Detective Inspector J Quinton

Mr G Leader

Ms R Love

Defence Solicitors

Mr I Duckworth

Mr H Rowland

Counsel

Dr L Dobbs QC

Ms C Bryant

Mr J Dugdale

Mr J Farmer

Mr C Morgan

Mr M Norman

Mr H Vass

Mr P Wain

Victim Support

Mr A Barrow, Area Manager

Witness Service

Mr A Driscoll
Ms M Fenn
Ms Z Peak
Ms R Sually

Youth Offending Team

Mrs J Stephens-Row, Head of Youth Offending Service
Ms B Clabburn

Council for Racial Equality

Mr S Budu
Mr H Clarke

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 CRIMINAL JUSTICE STRATEGY COMMITTEE (ACJSC)	A local forum for the heads of the criminal justice system agencies, including the resident judge, intended to oversee local initiatives at a senior level. In the course of being replaced by <i>Local Criminal Justice Boards</i>
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 done consistently to a proper, professional standard
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