

**HM CROWN PROSECUTION SERVICE INSPECTORATE**  
**INSPECTION OF CPS WEST YORKSHIRE (REPORT 11/04)**  
**EXECUTIVE SUMMARY**

**Introduction**

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

**The Area**

2. CPS West Yorkshire serves the area covered by the West Yorkshire Constabulary. Its three offices are at Leeds, Bradford and Wakefield and operate from five co-located sites: at Bradford North, Bradford South, Halifax, Huddersfield and Wakefield. The Area Headquarters (Secretariat) is based at the Leeds office.
3. The Area was previously reported on in July 2001. At the time of the current inspection it employed the equivalent of 279.1 full time staff. In the year ending December 2003, it dealt with 70,405 cases in the magistrates' courts and 5,404 cases in the Crown Court. Pre-charge advice was given to the police in a further 17,734 cases.

**Main findings of the inspectorate**

4. Overall, the Area is performing well. Inspectors found that managers have a clear vision, which is shared by staff and supported by appropriate allocation of responsibility and accountability. The Area has been at the forefront in the implementation of important national CPS initiatives, for example, the taking over from the police of charging responsibilities, and dealing with cases of street crime.
5. Particularly good management systems have been established. Performance monitoring is extensive, and inspectors found a clear commitment towards maintaining continuous improvement. The level of staff appreciation of the management's vision, and of what is going on in the Area generally, is unusually high. The inspectors' main concerns relate to aspects of casework performance, and the report does not contain any managerial recommendations.
6. Senior managers consulted widely before considering whether the existing structure best met the Area's business needs and have been innovative in agreeing the improved arrangements that are scheduled to take effect in October 2004. The importance of developing managers at all levels is well recognised, and the Area Secretariat has recruited wisely to acquire the capacity needed to assist them by providing expert practical guidance.
7. The overall quality of decision-making is good and necessary positive action is being taken to improve the quality of police files and joint case preparation. The quality of endorsement of initial review has improved significantly and the overall quality of endorsements recording court proceedings is impressive.

8. In a climate of competing priorities, resources have been directed towards implementing the charging scheme and assuring the quality of Crown Court casework, at the expense of the CJUs. As a result, generally, readiness for magistrates' courts hearings has been unsatisfactory. Area managers have begun to address the factors that have given rise to this dip in performance with suitable measures that they, and the inspectors, expect to increase efficiency.
9. The discontinuance rate remains high and requires detailed analysis with the police to address the causes. The rate of discharged committals would be greater were it not for pre-emptive discontinuance in some cases.

## **Specific findings**

### *Casework*

10. The quality of formal advice to the police is good and generally timely. However, the overall quality of information provided by the police for pre-charge advice needs to improve, so the CPS can ensure that only appropriate cases and charges are pursued.
11. Improvement is needed in the overall preparedness for magistrates' courts hearings. Inadequate continuing review and failure to ensure that files contain necessary information has frustrated the progress of cases. Performance should improve as recently recruited staff gain experience and the quality of joint case preparation and progression improves. The introduction of the proposed new structure should also increase efficiency.
12. Positive action has been taken to reduce the numbers of ineffective trials, and a lower than average proportion of adverse outcomes is attributable to CPS review failure. The quality of decisions to discontinue is good, but the consistently high rate of discontinuance needs to be addressed in conjunction with the police.
13. Lawyers and caseworkers are generally pro-active in seeking to add value when handling Crown Court cases. The overall quality of instructions to counsel is acceptable, although inspectors examined relatively few that contained a detailed analysis of strengths and weaknesses of the case. There is also room for improvement in the overall preparedness for committal proceedings.
14. Generally, the Area's performance in considering disclosure of unused material is good; however, inspectors have concerns about some aspects. Not all lawyers complete disclosure record logs in accordance with national guidance and sensitive unused material was dealt with appropriately in only slightly more than one-third of relevant magistrates' courts cases.
15. Performance in handling sensitive cases is generally good, but should be more consistent in cases arising from racist incidents. Substantial progress has been made by CPS West Yorkshire in engaging minority ethnic communities, but the information gained needs to be disseminated more effectively to all CPS staff to increase the overall awareness of the context in which such offences arise.

16. The Area is including some specified proceedings in its casework data, contrary to CPS accounting rules, and in spite of a recommendation in our previous report. These cases should generally remain with the police until the CPS takes them over in accordance with the statutory provisions.

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

17. The overall standard of prosecution advocacy observed by inspectors was below the national average. The strategic decision taken by the Area Management Board has resulted in the full deployment of the Area's most experienced advocates on casework destined for the Crown Court, and in the provision of pre-charge advice at charging stations. As a result, some of the advocates assessed by the inspection team were amongst the most inexperienced employed by the Area. Procedures for assessing the quality of internal advocacy have been good, but are now at a transitional stage. Positive steps have been taken to improve the overall performance of agents and there is good deployment of designated caseworkers. The introduction of the charging scheme has restricted the use of Higher Court Advocates in the Crown Court, which needs to be increased once the scheme is embedded.

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

18. Witnesses are treated with proper consideration at court and receive a good level of support. Good links are maintained with the Witness Service and the service to vulnerable witnesses is improved through weekly joint operational meetings. Special Measures are used appropriately and decisions are routinely explained. However, phasing of witnesses should be extended beyond cases involving vulnerable witnesses, to improve the service given to all witnesses attending court.

#### ***Performance management***

19. Performance targets and casework standards have been set and communicated to staff. There is a robust monitoring regime with the Area Management Board (AMB) conducting a monthly review while focusing on particular aspects. Quarterly unit reports identify issues, providing the opportunity for comment on good work and aspects for improvement. The reports have a clear link to the Area Business Plan, Certificate of Assurance and Risk Register.
20. However, data collection systems and management information reports vary between the units and need to be more consistent. The Area is developing a uniform system, which will identify the core data needed and streamline collection processes.

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

21. Deployment of staff is reviewed regularly with due consideration of future needs. The Area structure is evolving to meet the demands of changes in working practices brought about by co-location and the charging scheme. There are sound structures to identify and address development needs. Recent changes have necessitated the appointment of new managers and they have received comprehensive training. There has, in addition, been refresher training for existing managers. Staff have also been well supported in adapting to the Compass Case Management System, and in improving their IT literacy generally. Training is evaluated and revised to maximise its business benefits.

22. Further efficiency savings arising from co-location can be achieved through greater integration of administrative processes. Unit meetings have been irregular and there is room for improvement in the general level of understanding among staff about the nature and purpose of managerial activity.

### ***Financial management***

23. The AMB makes the key financial decisions for the Area and, where there are competing demands for resources, considers which represent best value for money. Appropriate financial management training has been provided and day-to-day monitoring of the budget is reflected in various reports. However, some specified offences have been wrongly included in casework data, which could lead to an exaggerated claim on national resources.

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

24. There is now a more joined-up, focussed approach towards liaison within the local criminal justice system, building on long-standing good working relationships. The Area was one of the first to pilot the new national case management system (Compass) when its functionality was limited, and considerable effort locally has gone into encouraging and supporting staff to adapt. The Area's estate is well managed and the quality of accommodation available to staff at most of the co-located units is relatively good. The Area enjoys good working relationships with CPS Headquarters and has been at the fore in piloting important national initiatives and providing feedback on policy proposals.

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

25. The AMB takes the lead in discussing relevant issues and deciding how Local Criminal Justice Board (LCJB) targets can be met, taking into account current performance levels, organisation and structure, and known changes or initiatives that will impact upon the Area. Progress on the implementation of the Business Plan is reviewed regularly and staff are updated. The AMB oversees and co-ordinates the various change initiatives, adopting a systematic, project-based approach. Staff contribute in open meetings and are involved in working groups convened to develop operational systems.

### ***Public confidence***

26. The Area is aware of the need to increase understanding of its role and has demonstrated a commitment to community engagement. A pro-active approach has been taken towards engaging with the local media and good relationships have been established. The CCP has provided a clear lead on transparency and accountability, and has taken advantage of many opportunities to speak about the CPS's role and comment on local criminal justice issues.
27. There is also a strong commitment to providing prompt, detailed responses to complaints and arranging personal meetings in appropriate cases. Performance in communicating the reasons for decisions to victims has improved significantly in recent months.

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

28. Great importance is attached to explaining to staff the aims and objectives of the Area and how they are able to contribute. The Area's management structure is conducive to achieving its objectives and co-operation with other criminal justice system agencies is generally good. The Area has a high profile in the LCJB and the CCP acts as chair. The CPS contributes to all its initiatives, with resources being made available to allow full participation. There is also appropriate CPS representation on the LCJB Delivery Group and the local District Operational Groups.

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

29. Better quality charging decisions should reduce the rate of attrition, and performance in narrowing the justice gap and avoiding unnecessary delay should also improve as a result of several positive measures, including those designed to drive up the quality of initial police files. Centrally held data on offences brought to justice has been volatile, but the latest figures to October 2003 indicate that 3.4% more offences had been brought to justice in West Yorkshire.

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

30. Ineffective trial rates are falling and moving closer to Area targets. The Effective Trial Management project should ensure that timeliness targets are met more often, while positive action has been taken to improve the rate of witness attendance. The latest performance in the magistrates' courts was a 29% ineffective trial rate (the national average is 30%) and 17% in the Crown Court (compared to 20% nationally).

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

31. A multi-agency witness satisfaction survey is undertaken twice yearly and the results fed back to the LCJB. The Board also places substantial reliance on the national crime survey. Locally, the British Crime Survey showed a 2% increase in confidence in the effectiveness of bringing criminals to justice, although the figures are not necessarily statistically significant. In addition, the CCP has given a clear lead in dealing with complaints and ensuring that lessons are learned.

### ***Value for money***

32. The AMB makes the key financial decisions for the Area. Where there are competing demands for resources, it considers which represent best value for money. The current financial and performance management regimes allow the AMB to accurately monitor resources and assess future liabilities.
33. The Area has recruited successfully, but resources have been stretched as a result of a heavy commitment towards piloting and implementing key CPS initiatives. It is working closely with the police to achieve efficiencies by streamlining administrative procedures at the co-located units.

### *Equality and diversity issues*

34. The Area is very pro-active in dealing with equality and diversity issues and has a commitment to meeting the relevant standards. It has recognised the need to work more closely with community disability groups.

### **Recommendations**

35. Inspectors made the following five recommendations:
1. Area managers include all discontinued cases within the existing regular and rigorous analysis of unsuccessful outcomes, and address the causes in the joint performance work undertaken with the police.  
  
Prosecutors consult with the police before discontinuance whenever feasible, and record the outcome of the discussion.
  2. The Area Management Board should take immediate further steps to improve the overall quality and timeliness of preparation for magistrates' courts hearings. In particular, to ensure that:
    - \* case files contain all relevant witness statements and other information;
    - \* any necessary information has been obtained from the police;
    - \* any continuing reviews and necessary actions have been taken, for example, in time for pre-trial reviews; and
    - \* important decisions impacting upon the conduct of the case, for example, to change or discontinue charges, are timely.
  3. Prosecutors should always give proper consideration to the disclosure of sensitive unused material - particularly in contested magistrates' courts cases - and consistently comply with the requirements of the Joint Operational Practice instructions.
  4. The Area Management Board should introduce structured, consistent systems to ensure that information gained from community engagement throughout the Area is disseminated internally, to better inform casework decision-making and to increase the awareness of staff generally.
  5. The ABM and CCP ensure that specified proceedings are not included in the Area's caseload statistics, and clarify with police and the magistrates' courts the role of the CPS in specified proceedings.

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