

CPS Wiltshire

Overall Performance Assessment

Undertaken November 2005

March 2006

Promoting Improvement in Criminal Justice

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A. INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

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

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

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

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

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

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

B. AREA DESCRIPTION AND CASELOAD

CPS Wiltshire serves the area covered by the Wiltshire Constabulary. Its office is at Chippenham. The Area Headquarters (Secretariat) is based at the Chippenham office.

Area business is divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Unit handles cases dealt with in the magistrates' courts. The Trial Unit handles cases dealt with in the Crown Court.

During the year 2004-05, the average Area number of staff in post was 51.01 full time equivalents.

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

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	2,103	14.2	20.9
Advice	712	4.8	5.1
Summary offences	7,849	52.7	46.9
Either way and indictable only	3,871	26.1	26.7
Other proceedings	324	2.2	0.4
TOTAL	14,859	100%	100%

C SUMMARY OF JUDGMENTS

With the exception of the Chief Crown Prosecutor, the management team has changed completely since the time of our inspection in November 2004. Additionally, the Area was planning to restructure its operations in early 2006 by moving to two combined units, one of which will cover Swindon, and the other will cover the rest of the county. These units will handle cases from start to finish.

Our inspection report (February 2005) highlighted concerns, which the Area had also identified, about the operation of the shadow charging scheme. It was planned to relaunch the scheme, and this took place soon after our visit in November 2004. This relaunch was successful, with a detailed implementation plan being developed. The Area is now very well placed to migrate successfully to full statutory charging in March 2006. Parts of the scheme need to be strengthened, in particular the monitoring of some aspects of casework decision-making.

Overall magistrates' courts cases are managed satisfactorily, with robust systems to ensure cases are reviewed effectively before the first date of hearing. Remedial action had to be taken in 2004-05 in respect of the preparation of summary trials to ensure that the prosecution had undertaken all necessary actions before the pre-trial review (PTR) hearing. A duty prosecutor was assigned to ensure all the necessary actions had been undertaken before the PTR hearing. Performance in respect of the processing of persistent young offenders was good in 2004-05, with the Area, in conjunction with its criminal justice partners, achieving an average processing time of 64 days compared with the national average of 69 days. Performance has, however, declined during 2005-06.

The Area has consistently achieved a better ineffective trial rate than the national average. In 2004-05, 17.9% of magistrates' courts trials were ineffective against a local target of 24.5% and a national average of 24.8%.

CPS Wiltshire shares an Offences Brought to Justice target with its criminal justice partners. This aspect of performance is mainly police driven, although there is scope for the CPS to influence it. The target was not met in 2004-05, with the Area bringing 10,980 offences to justice against a target of 11,826. Performance is improving in 2005-06, and the Area should meet its target. Overall there was a 3.1% increase over the baseline figure against a target of 11%.

In the Crown Court the timeliness of the preparation of committal papers is good, although applications do occasionally have to be made to extend the time to serve the prosecution papers in cases sent directly to the Crown Court. The Area has very few cases discharged because the prosecution is not ready and an adjournment is refused. In 2004-05 prosecutors and caseworkers were responsible for progressing their own cases. In 2005-06 the Area has received additional funding from the Wiltshire Criminal Justice Board to appoint a Case Progression Officer for the magistrates' courts. However, this was delayed and outstanding funding was used to support the appointment of a Crown Court Case Progression Officer from existing staff resources, accompanied by back filling.

Adverse case reports are used effectively in respect of Crown Court cases to identify what action could have been taken to avoid the outcome. A similar system operates in respect of magistrates' courts cases although we found that the form was not being completed in all relevant magistrates' courts cases.

Eighteen confiscation orders, totalling £484,073 were made in 2004-05 against a target of 12. The target for 2005-06 is 21, and to help achieve this the Area has implemented a system, in conjunction with the police, whereby a Financial Investigation Unit officer visits the office once a week to help identify cases which may be suitable for a confiscation order.

Serious and sensitive cases are identified appropriately on the case management system, and the Area has been commended by the CPS Business Development Directorate in respect of this aspect of performance. The Area has appointed Champions and trained specialists to deal with sensitive cases, although the Champions would benefit from having terms of reference which outline clearly their roles and responsibilities. Hate crime outcomes are discussed at Area Management Team (AMT) meetings and the relevant data shared with local interest groups.

The Area has a written custody time limit (CTL) system, which complies for the most part with national guidance and there is evidence that the system has been reviewed. Monitoring systems are generally effective, although the quality of some CTL file endorsements could be improved.

Overall the Area's performance in discharging its obligations in respect of the disclosure of unused material is good, although disclosure record sheets are not used consistently, nor is correspondence relating to disclosure and relevant material stored separately in all cases. This aspect for improvement was identified in our inspection report.

The Area has rolled out its Witness Care Unit to cover all the courts in the county and some of the expected benefits are starting to be realised, but the Area's compliance with the Direct Communication with Victims scheme needs to be improved. Timeliness has been poor but is improving.

The Area ensures the appropriate allocation of work to counsel but needs to develop its formal monitoring of their performance. Similar work needs to be done to improve the monitoring of prosecutors in the magistrates' courts.

The new Senior Management Team is taking a pro-active approach to delivering change and there is evidence of some successful planning with criminal justice partners in 2004-05. Planning and change management processes are developing well although, as the Area recognised, there is scope for further refinement.

A sound approach to resource planning is evident and the Area's budget is systematically monitored and controlled, with regular budget reports provided to the AMT. The Area has worked hard to bring staffing costs, which remain a critical issue, under control.

Performance data is regularly considered by the AMT and accountabilities for performance improvement are well defined with evidence of changes made to correct and improve performance. There is scope for more timely and systematic dissemination of performance information to staff.

The Senior Management Team has established a clear vision, values and direction for the service and a good level of corporacy is developing. Good efforts have been made to improve communication although it is only this year that regular team meetings have been established across all teams.

The Area is able to demonstrate good commitment to community engagement and improving public confidence as part of its core business. It has good relationships with a number of local groups and is developing links with the black and minority ethnic communities.

In the light of the above therefore, our overall assessment of Wiltshire's performance is **GOOD**.

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

OVERALL ASSESSMENT	3 - GOOD
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D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

At the time of our inspection in November 2004 the shadow charging scheme was not working effectively and shortly after the scheme was re-launched. A detailed implementation plan was developed against which progress is regularly monitored. There is good evidence of effective working between the CPS and police project managers, and the senior responsible officers from both organisations. The scheme is now operating at all the charging centres and the Area appears well placed to migrate to statutory charging in March 2006. At the moment not all of the expected benefits are being realised and the monitoring of cases which are subsequently discontinued or where the prosecutor advises no further action needs to be strengthened.

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

- Pre-charge advice is provided at the three charging centres, Chippenham, Melksham and Swindon. Face to face coverage is provided five days a week at Swindon, which rolled out in July 2005, at Melksham three days a week, and Salisbury two days a week. Telephone coverage is provided on other days.
- The Area has effective systems for monitoring the level of pre-charge consultation and cases which should have been referred are drawn to the attention of the project managers. Similar systems are in place to monitor the level of inappropriate requests. The police gatekeepers are effective at sifting out most of these cases before they reach the Duty Prosecutor.
- Police compliance with pre-charge advice is monitored by prosecutors and the police gatekeepers. Issues of non-compliance are discussed by the project implementation team.
- Advice will only be given if an MG3 form is submitted and an appropriate unique reference number allocated to the case. The Duty Prosecutor is responsible for recording their decision on the case management system (CMS). Our check of CMS indicated that this was happening in almost all cases.
- There is a detailed implementation plan, and progress against the plan is assessed on a regular basis. Monthly updates are provided to the Area Management Team by the project manager, who meets regularly with her police counterpart. The Area appears well placed to migrate to statutory charging in March 2006, with the scheme being implemented in accordance with the schedule and most of the deadlines being met within the relevant period.

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

- Legal guidance has been circulated to Duty Prosecutors on a number of aspects of casework handling. There is a local submissions policy in respect of cases which should be submitted to the office for advice as opposed to being dealt with by the Duty Prosecutor. In cases involving allegations of rape, Duty Prosecutors have guidance to consult with the local Champion if the suspect alleges that the victim consented.
- There is a clear escalation policy for the referral of cases where the police disagree with the prosecutor's advice. We saw evidence of this operating effectively, although very few cases are referred.
- Duty Prosecutors are instructed to ensure that the ethnicity and gender of suspects is recorded on CMS. The Area is confident that the police regularly provide this information on the MG3.

Aspects for improvement

- The Area needs to strengthen its monitoring of pre-charge advice, particularly in those cases where it is proposed to discontinue the case after initial advice to prosecute. At the moment such cases do not have to be referred to a Unit Head. The monitoring of cases where the prosecutor advises no further action also needs to be undertaken.

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

- The CPS project manager undertakes a comparative analysis of performance against other Areas to identify any trends which may give rise to concern, for example the proportion of cases where no further action is advised.
- The guilty plea and attrition rates in magistrates' courts cases are both better than the national average, with 70.6% of cases resulting in a guilty plea compared with 68.8% nationally and an attrition rate of 21.1% compared with 22.7%. Similarly, the attrition rate in the Crown Court (20%) is better than the national performance (23.8%).

Aspects for improvement

- The discontinuance rate of cases subject to pre-charge advice needs to be reduced in the magistrates' courts and the Crown Court, although the current low volume of cases at the latter venue can result in significant fluctuations in performance. In the magistrates' courts the discontinuance rate was 15.7%, although this was slightly better than the national average (16.3%). In the Crown Court the rate was 20% compared with 14.6% nationally.

2. MANAGING MAGISTRATES' COURTS CASES

2 - FAIR

Overall magistrates' courts cases are managed satisfactorily, with robust systems to ensure cases are reviewed before the first date of hearing. In the latter part of 2004-05 some aspects of summary trial preparation slipped, particularly the state of preparation for pre-trial review (PTR) hearings, which required urgent remedial action. Historically the Area's ineffective trial rate has been low and performance is good when compared with the national picture. However, relevant data was not shared between the agencies in 2004-05, and consequently there was no analysis of performance. The Area recognised that this needed to be addressed and is now developing the mechanism to undertake this analysis through the relevant sub-group of the Wiltshire Criminal Justice Board (WCJB). The Area's performance in 2004-05, in conjunction with its criminal justice partners, in the processing of persistent young offenders (PYOs) was good. The average time taken was 64 days compared with 69 days nationally. Performance has, however, slipped in 2005-06 and this needs to be addressed.

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

- The Area has robust systems to ensure that cases are reviewed before the first date of hearing. Whenever possible the reviewing prosecutor will conduct the first hearing.
- Relevant staff now have objectives in their Forward Job Plans to improve the quality of file endorsements, which had been an aspect of concern at the time of our inspection. The issue has also been addressed at team meetings.
- The Area uses a summary trial check list, combined with a certificate of readiness to ensure the timely and appropriate review of summary trial cases. In the latter part of 2004-05 remedial action had to be taken to deal with slippage in the timely preparation of cases for PTR hearings, which was resulting in cases being adjourned for a further PTR because the prosecution was not ready.
- Due to a lack of resources the Area did not have a Case Progression Officer (CPO) in 2004-05, and responsibility for progressing cases rested with the allocated lawyer. Following the provision of funding by the WCJB a CPO was appointed in 2005-06.
- Towards the end of 2004-05 the Area started work with the police to strengthen its identification of cases where the restraint and confiscation of assets might be appropriate. This resulted in an agreement whereby a member of the police Financial Investigation Unit attends the CPS office on a weekly basis to assist in identifying relevant cases.

- The Area's performance in respect of the processing of PYO cases was good. In 2004-05 the average time taken was 64 days compared with the national average of 69 days, against the target of 71 days. There are pro-active inter-agency youth case progression groups, which consider the progress of individual cases and identify remedial action.

Aspects for improvement

- Shortly after our inspection in November 2004 the Area abandoned the formal joint performance monitoring with the police of file quality and timeliness. Whilst there had been a high return rate of monitoring forms by prosecutors, analysis of the data had been patchy. The Area is now planning the introduction of the new Prosecution Team Performance Management arrangements, although no system was developed in the interim to replace the previous monitoring. Issues surrounding file quality have been discussed on an ad-hoc basis and there have been no regular meetings with the police Criminal Justice Units.
- Whilst the timeliness of initial guilty pleas in youth cases is good, there is a need to improve the timeliness of trials. Whilst PYO performance was good in 2004-05, it has slipped significantly in 2005-06, and for the rolling quarter June-August 2005 the average processing period was 78 days. The low volume of PYOs can result in a small number of long-running cases having a significant impact on performance. However, the Area, in conjunction with its criminal justice partners, needs to take the necessary remedial action to prevent these cases from becoming long-running.

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

- The Area's cracked and ineffective trial rates are better than the national average, and performance is improving. The ineffective trial rate was 17.9% against a local target of 24.5% and a national average of 24.8%. The percentage of ineffective trials due to the absence of a prosecution witness was 2.6% compared with 4.5%. The vacated trial rate was also better than the national average (13.9% compared with 16.3%). There was similar good performance in respect of cracked trials, with a rate of 32.4% compared with 37% nationally.

Aspects for improvement

- The Area did not in 2004-05, due to the non-availability of relevant data, undertake any analysis of cracked and ineffective hearings which were the fault of the prosecution, nor was there any effective joint analysis with the other criminal justice agencies. Consequently any possible lessons to be learnt were not disseminated to staff. We understand that steps are now being taken to do this through the relevant sub-group of the WCJB.

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

- The appropriate staff have objectives in their Forward Job Plans to ensure that full file reviews are undertaken on the case management system (CMS). Overall full file reviews were undertaken on CMS in 47.6% of cases compared with 27.1% nationally. Our checks confirmed this comparatively good level of performance.

Aspects for improvement

- The Area has experienced difficulty in using CMS to manage outstanding tasks, which has resulted in concerns about the accuracy of the outstanding tasks list. It also needs to develop its use of the Management Information System to inform performance.

3. MANAGING CROWN COURT CASES

3 - GOOD

In the Crown Court the timeliness of the preparation of committal papers is good, although applications do occasionally have to be made to extend the time to serve the prosecution papers in cases sent directly to the Crown Court. The Area has very few cases discharged because the prosecution is not ready and an adjournment is refused. In 2004-05 prosecutors and caseworkers were responsible for progressing their own cases. In 2005-06 the Area has received additional funding from the Wiltshire Criminal Justice Board (WCJB) which has enabled them to appoint a Case Progression Officer for the Crown Court. The ineffective trial rate was significantly better than the national average, but work needs to be done to reduce the number of cracked trials which are due to the prosecution. Cases involving persistent young offenders (PYOs) are expedited. The quality of instructions to counsel could be improved in some cases

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

- The Area has appropriate systems to ensure the timely allocation of cases to prosecutors. Data is collated on the timeliness of the submission of papers from the police, although better use could be made of this to identify trends. The Unit Head has worked with the police to drive up the timeliness of file submission. Committal preparation is timely, but in some cases applications have to be made to extend the time to serve the prosecution case.
- In 2004-05 prosecutors and caseworkers were responsible for progressing their own cases. The evidence from our file examination indicates that this worked effectively, and that court orders were complied with in a timely manner.
- In all the cases we examined the instructions to counsel addressed the issue of the acceptability of pleas.
- The Area met comfortably its 2004-05 confiscation order target. A total of 18 orders, amounting to £484,073, were made against a target of 12. Despite this good performance the Area recognised that there was a need to strengthen its management of this aspect of casework and the head of the Trials Unit has an objective in his Forward Job Plan to take this forward.
- PYO cases are expedited at the Crown Court, although the low volume of such cases means that performance can fluctuate.

Aspects for improvement

- Whilst the delivery of instructions to counsel is timely, we found that in some the case analysis could have been more detailed.

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

- Lessons learnt are disseminated to staff, for example we saw evidence of work being done to improve the quality of casework decision-making in cases involving allegations of the possession of controlled drugs with intent to supply, and in respect of problematic issues of identification.
- The ineffective trial rate was 8.8% which was significantly better than the national average (15.8%) and the Area target (14%)

Aspects for improvement

- The Area did not, due to the non-availability of relevant data, undertake, solely or jointly with its criminal justice partners any analysis of cracked and ineffective hearings which were due to the fault of the prosecution. We understand that this is now being addressed through the relevant sub-group of the WCJB.
- The percentage of trials which cracked due to the prosecution was worse than the national average (16.4% compared with 15.3%). The percentage that cracked due to the prosecution accepting a lesser plea on the day of trial needs to be reduced.

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

- Overall, in 86.8% of case the case management system (CMS) was used to prepare the indictment. Whilst performance fluctuated, the overall trend is positive.

Aspects for improvement

- As in magistrates' courts cases there is a need to improve the use of CMS as a task management tool and develop its use of the Management Information System to inform performance.

4. ENSURING SUCCESSFUL OUTCOMES **2 - FAIR**

Although the Area’s unsuccessful outcome rate is better than the national average, performance in the magistrates’ courts is significantly better than the Crown Court, where the overall rate of unsuccessful outcomes is rising. There is robust analysis of Crown Court unsuccessful outcomes, with learning points identified. The analysis of magistrates’ courts cases needs to be strengthened. Doubts about the accuracy of the recording of some case outcomes make it difficult to assess accurately all aspects of the Area’s performance. The Wiltshire Criminal Justice Area did not meet its Offences Brought to Justice target in 2004-05, although performance is improving in 2005-06.

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

- The Area’s overall performance is illustrated in the following table:

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
Magistrates’ courts		
Discontinuance & bindovers	14%	12.5%
No case to answer	0.3%	0.3%
Dismissed after trial	1.7%	1.5%
Discharged committals	0.4%	0.3%
Overall conviction rate	82.4%	80.8%
Crown Court		
Judge ordered acquittals	15.5%	14.2%
Judge directed acquittals	2.7%	2.0%
Acquittals after trial	6.3%	6.3%
Overall conviction rate	75.3%	75.8%

- Our inspection in November 2004 found that almost all cases were discontinued appropriately. The Casework Quality Assurance scheme is used to monitor performance, and hate crimes have to be referred to the appropriate Area specialist before a decision to discontinue is made.
- We examined a number of unsuccessful Crown Court case outcome reports. These were detailed and identified where action could have been taken to prevent the unsuccessful outcome. They also indicated that the learning points were fed back to staff. A similar process is used for magistrates’ courts cases although we found that the form was not always completed.

- Our inspection report in February 2005 indicated that the Area had very few discharged committals but the end of year performance data indicates that the discharged committal rate is poor. We identified a serious recording error in the last quarter of 2004-05, with 41 cases being wrongly recorded in this category. Actual performance is therefore better than the national average.
- Overall, the Area's combined magistrates' courts and Crown Court unsuccessful outcome rate was 17.9% which was better than the national average (19.6%).

Aspects for improvement

- The overall discontinuance rate rose during 2004-05 and was worse than the national average. Management supervision of cases that were subject to pre-charge advice but subsequently discontinued needs to be strengthened.
- There is a need to develop a more structured approach to the joint analysis of unsuccessful outcomes with the Area's criminal justice partners.
- The Judge Ordered Acquittal (JOA) rate is worse than the national average. Whilst there are concerns over the accuracy of the recording of case outcomes, the Area has identified that sexual offences, particularly allegations of rape, are problematic.
- The Judge Directed Acquittal rate is recorded as being higher than the national average. However, our inspection report identified a number of errors in the recording of case outcomes, and there are doubts about the accuracy of this figure.
- CPS Wiltshire shares an Offences Brought to Justice target with its criminal justice partners. This aspect of performance is mainly police driven, although there is scope for the CPS to influence it. The Area did not meet its target in 2004-05 bringing only 10,980 offences to justice against a target of 11,826. Overall there was a 3.1% increase over the baseline figure against a target of 11%. However, performance in 2005-06 is improving and the Area is currently on track to meet its target.

5. HANDLING SENSITIVE CASES AND HATE CRIMES	3 - GOOD
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The Area has appropriate systems to ensure hate crimes (domestic violence, homophobic, racist and religious crime) and other sensitive cases (for example child abuse and fatal road traffic offences) are managed correctly. Regular reviews of outcomes take place at Area Management Team (AMT) meetings. The Area is taking forward the national domestic violence training plan and has done locally developed training on Anti-Social Behaviour Orders. There are appropriate mechanisms to ensure that decisions to discontinue sensitive and hate crime cases are considered by the appropriate Area Champion. Not all the Area's Champions have terms of reference. The identification and flagging of sensitive cases and hate crimes on the case management system (CMS) is good.

5A: The Area identifies and manages sensitive cases effectively

- Hate crimes and other sensitive cases are allocated by the relevant Unit Head, which ensures that they go to a prosecutor of appropriate experience. In fatal road traffic incident cases the Area makes particular efforts to ensure that the allocated prosecutor has conduct of all hearings. As well as using the Casework Quality Assurance scheme to assess whether cases are being appropriately reviewed and handled, the Area requires Unit Head authorisation before a case of domestic violence is discontinued on public interest grounds. Additionally, Unit Head authority must be obtained before any indictable only charge is discontinued. In rape cases, counsel is selected from an approved list.
- The relevant staff have objectives in their Forward Job Plans to ensure sensitive cases and hate crimes are flagged on CMS. The Area was commended by the HQ Business Development Directorate for its level of compliance, which was confirmed by our checks.
- The Area has appointed effective Champions and specialists for sensitive cases, although because of the Area's limited resources the same person may be the Champion for more than one topic. We saw good evidence of them disseminating information to their colleagues, for example guidance on dealing with Anti-Social Behaviour Orders and the Higher Courts Advocate newsletter.
- Since our inspection in November 2004 the Area has developed an action plan to ensure that rape cases are handled correctly. There was evidence that this plan is regularly reviewed. Our inspection report noted that cases of domestic violence and child abuse were generally dealt with well. The Area has a Service Level Agreement with the police on the handling of domestic violence cases, which was reviewed in the light of the roll-out of shadow charging.

- Data on the outcomes in cases of domestic violence and racist incidents are shared with local interest groups, although there could be a better analysis of hate crime cases where a reduction or change of charge, or agreed basis of plea, reduces or removes the hate element of the offence.

Aspects for improvement

- Not all the Area's Champions and specialists have terms of reference. These should be developed to ensure that there is clarity about their roles and responsibilities.

6. CUSTODY TIME LIMITS
2 - FAIR

The Area has a written custody time limit (CTL) system, and the planned Service Level Agreement with the Court will assist in supporting their current monitoring procedures. The monitoring of the case management system (CMS) is not updated consistently with the Area tending to rely more on their manual diary, than CMS as the backup system. Appropriate CTL guidance on processes will in future be accessible to all staff in the Area 'New Practice Guide'. A central point of contact is needed, for example a CTL Champion to assist staff, to update them and remind them on a regular basis about issues surrounding CTLs at a local and national level.

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

- The Area has a written CTL system, which complies for the most part with national guidance and there is evidence that the system has been reviewed. There are also basic instructions to assist level A2 grades in the CTL process.
- Frequent checks are made by a designated member of staff although there has been a CTL failure in 2005-06. This failure has been raised at team meetings and with senior management.
- The Area system is reviewed regularly and changes are made when new case law or procedures arise. CTL monitoring is currently undertaken by the level B2 manager.
- Training has been provided to key staff involved in the monitoring of CTL cases, which will also form part of the 'New Practice Guide'. Other staff have been given the national induction training on the CTL aspect of CMS usage.
- The Area is working with the courts to introduce a Service Level Agreement to ensure CTLs are correctly calculated and monitored, but this has yet to be finalised.
- Senior managers are given regular assurances by the B2 manager that the CTL system is effective and up to date and they are also involved in the monitoring process. In particular they are aware of any cases that require a CTL extension and are involved to some degree in ensuring that the Area system is functioning effectively.

Aspects for improvement

- Our file examination indicated that CTL calculations were correct but there were inconsistencies in the process. Greater care should be taken to ensure accurate recording in the manual diary. The date that custody commences should be recorded on the front of the file, and all CTL calculations should appear on the front of the file and not within correspondence. File endorsements need to be clear and run in a chronological order. CMS should be regularly updated and outstanding tasks cleared.
- There is scope for further training for all staff on the importance of clear and accurate CTL endorsements.

7. DISCLOSURE
3 - GOOD

Our inspectorate report in February 2005 noted that the Area's performance in relation to its duty of disclosure of unused material was sound. Performance was higher than the national average in all aspects. Our file examination undertaken in this assessment confirmed that performance was still good. There is a need, however, to make better use of disclosure record sheets. The Area Champion has provided guidance to the police on the revised disclosure regime. Updating training still needs to be delivered to some staff, particularly in the Criminal Justice Unit.

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

- Unit Heads use the Casework Quality Assurance scheme to assess whether prosecutors are complying with the provisions of the disclosure regime. This assessment suggests that there is a high level of compliance, which is supported by our file examination. Additionally, disclosure issues are identified through unsuccessful case outcome reports.
- The Area has effective systems to ensure that sensitive material is stored securely.
- The Area Disclosure Champion has delivered training on the updated Joint Operational Instructions, but further training needs to be delivered to some staff, particularly prosecutors in the Criminal Justice Unit. In addition the Area Champion has provided guidance to the police on the operation of the disclosure regime and is endeavouring to provide more police training.
- In our inspection in November 2004 we found that overall disclosure was handled correctly in 88.1% of cases compared with 70.3% nationally. This was excellent compared with national performance. In the magistrates' courts, primary disclosure was handled properly in 82.4% of cases compared with 71.6% and in all Crown Court cases compared with 79.9% nationally. In the Crown Court secondary disclosure was handled properly in 81.8% of cases compared with 59.4%.
- We examined 14 files as part of our Overall Performance Assessment. Primary disclosure was dealt with correctly in all cases, although in one case it was apparent that there were standard items missing from the police schedule. Secondary disclosure was dealt with correctly in four of the seven relevant cases. In the three cases although we considered that disclosure had been properly considered, we could find no record of a letter to the defence confirming that there was no assisting material.

Aspects for improvement

- Although the quality of decision-making is good, we found that in most cases disclosure record sheets are either only partially completed or not used. Disclosure material is not consistently kept separately in the main file. We identified this as an aspect for improvement in our report, and the Area accepts that efforts to improve performance in this aspect have not been successful to date.

8. THE SERVICE TO VICTIMS AND WITNESSES
3 - GOOD

The Area has rolled out its Witness Care Unit to cover all the courts in the county and some of the expected benefits are starting to be realised. The importance of the No Witness No Justice Initiative (NWNJ) has been highlighted in staff objectives. Senior managers have developed an effective working partnership with the Area's criminal justice partners, which has assisted in resolving witness issues. The Area's compliance with the Direct Communication with Victims (DCV) scheme needs to be improved. Timeliness has been poor but is improving.

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

- Witness warning procedures are generally effective and the supply of witness details to the Witness Service is timely. There is a protocol in place for Crown Court cases to assist the staggering of witness's attendance which is helping to reduce waiting times. Caseworkers are aware of the importance of keeping victims and witnesses informed and liaising appropriately with the Witness Service. Most prosecution advocates and staff introduce themselves, and provide information to witnesses at court. Liaison with the Witness Service and Victim Support at an operational level is good.
- The NWNJ initiative is being implemented in accordance with the delivery plan and roll-out of the Witness Care Unit was completed in 2005-06. The benefits are starting to be being realised with witness issues being resolved quickly.
- Special Measures applications are routinely considered and information for witness needs assessment is sought pro-actively from the police and work is ongoing to improve compliance. The drafting of Special Measures applications as part of committal preparation is an objective for all Trials Unit lawyers, and most applications were timely.
- There has been joint training with the police on victim and witness care, the training given was considered to be valuable and worthwhile. Issues affecting vulnerable witnesses are raised at joint advocate selection committee meetings. The Chief Crown Prosecutor is the lead officer on the Wiltshire Criminal Justice Board for victim and witness issues and the Area Business Manager is the chair of the NWNJ project team.

Aspects for improvement

- Compliance with the DCV scheme needs to be improved, although the quality of letters sent is good. Headquarters proxy data suggests that only 62% of cases are being identified. The timeliness of some letters is poor and although the Area has implemented revised procedures these are not yet fully effective, particularly in respect of the Crown Court. We also found that in some cases the need to send a letter to the victim had not been identified.

9. PRESENTING AND PROGRESSING CASES AT COURT 2 - FAIR

The Area ensures the appropriate allocation of work to counsel but needs to develop its formal monitoring of their performance. Similar work needs to be done to improve the monitoring of prosecutors in the magistrates' courts. The Area is developing its use of Higher Court Advocates (HCA) effectively.

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

- The Area has effective systems to ensure advocates have sufficient time to prepare cases. Where possible the Area allocates Narey courts to the prosecutor who has reviewed the cases. In the Crown Court, counsel are selected appropriately and the Area only uses approved counsel in rape cases. Instructions to Counsel are sent out in good time and Area procedures are in place to ensure the timely delivery of files to the Crown Court. Deployment of HCAs in the Crown Court is closely monitored by the head of the Trials Unit to aid their development.
- The Area policy is for in-house prosecutors to cover their own complex or weighty cases. The Area's Champion conducts cases where there is an alleged breach of an Anti-Social Behaviour Order (ASBO), or where an application for a criminal ASBO upon conviction is to be made.
- Prosecutors have objectives in their Forward Job Plans to ensure that they are at court in good time to meet with the victims and witnesses and to explain their role and the court process. Late arrival at court is communicated to the Unit Head by court staff and dealt with on an individual basis.
- In-house prosecutors check cases that are transferred to an agent's court on the day to ensure all necessary actions have been identified and endorsed on the file.
- Unit Heads consider the standard of court endorsements as part of their Casework Quality Assurance reviews. Whilst overall the quality is improving, some agent's endorsements are unsatisfactory.

Aspects for improvement

- The Area acknowledges that advocacy monitoring has been ad-hoc and informal. The monitoring of advocates in the magistrates' courts and Crown Courts needs to be improved.

10. DELIVERING CHANGE
3 - GOOD

The Area has a clear sense of what it wants to achieve. The new Senior Management Team (SMT) is taking a pro-active approach to delivering change and there is evidence of some successful planning with criminal justice partners in 2004-05. Planning and change management processes are developing well although, as the Area recognised, there is scope for further refinement. There is good alignment between personal objectives and business goals. The Area's approach to risk management is consistently good. Learning and development is provided to support the change agenda although the Area has yet to develop evaluation processes.

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

- The Area has a clear sense of what it wants to achieve. During the course of the year, the new SMT established a clear vision and direction for the future, underpinned by future restructuring into combined units, to enable the Area to meet the new requirements of the CPS, in particular statutory charging and the No Witness No Justice (NWNJ) initiative.
- The Area's Business Plans (ABP) for 2004-05 and 2005-06 set out key actions, targets and milestones with accountabilities for each of the CPS national priorities making links to relevant Public Service Agreement (PSA) targets. The last inspection in 2004 identified strong evidence that the ABP was actively managed and reviewed.
- There is evidence of some successful planning with criminal justice partners in 2004-05. The last inspection in 2004 found that inter-agency cooperation had helped deliver good PSA results but expressed concern about slow progress being made towards full implementation of shadow charging, NWNJ and the Effective Trial Management Programme (ETMP). The new SMT has since worked hard to move these projects forward. Shadow charging was successfully re-launched in January 2005 and subsequently rolled out to cover the remaining police division. The first Witness Care Unit (WCU) was opened on schedule in February 2005, and subsequent WCUs have been rolled out on time. ETMP was finally launched in July 2005.

Aspects for improvement

- In 2004-05, the ABP was underpinned by local unit plans. However, these were of poor quality with insufficient linkages to the ABP and there was no evidence that these were systematically reviewed. The new SMT decided that, with just two units operating from the same building and a small Area Management Team meeting regularly to review progress on projects, unit plans were not necessary. Instead action has been taken to develop Forward Job Plans to ensure individual responsibilities are clearly specified in these. This approach is developing well but will need to be reviewed to ensure it works effectively.

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

- In 2004-05, the change strategy comprised the ABP and the joint charging and NWNJ project plans. Project leads and local implementation plans were in place for the latter two projects.
- There is evidence that some change has been successfully implemented, reviewed and action taken as a result. For example, shadow charging was successfully re-launched and lessons learnt from the relaunch were used to inform the completion of the roll-out.
- The new SMT recognised that in view of the complexities involved in the forthcoming restructure process, a more formal change management process was necessary. As part of its "Way Forward" programme it is developing a more sophisticated process for co-ordinating and managing this change programme. The Area Business Manager (ABM) is responsible for project management in close liaison with the Chief Crown Prosecutor. A project board, chaired by the ABM, has been established and an operations group, chaired by the level B2 Business Manager to take forward project streams.
- The Area complies with the CPS Risk Management Strategy. The last inspection in 2004 found the Area's approach to risk management to be consistently good and identified this as a strength. The Area has a sound risk plan which incorporates appropriate counter measures and is regularly reviewed and updated. There is evidence that changes are made as a result. For example, the decision to delay the restructure was made as a result of a risk review.
- There are links between projects, priorities, procedures and staff training. For example, the relaunch of charging required refresher training and risk management training is being arranged for new senior managers.

Aspects for improvement

- To support the change process, the new management team has developed a number of plans in addition to those mentioned above, including Higher Court Advocacy, Rape Action, Community Engagement, and joint Prosecution Team Performance Management Plans. The Area recognises that there would be potential benefit in drawing key milestones from all its plans into an overarching document, to facilitate the project management process. It is planning to do this by extending the use of the Gantt chart currently being used to project manage the restructure process.

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

- The Area Training Plan (ATP) is compiled alongside the ABP to ensure it reflects the needs of the business. Learning and development needs identified during the course of the appraisal process are analysed by the Area Training Committee who assess the need for training against the business objectives set out in the ABP.
- The 2004-05 ATP incorporated key mandatory and other training and appropriate steps are taken to ensure equality of access to training. Whilst the Area acknowledges that due to the volume of legislation the focus is on training legal staff efforts have been made to provide opportunities for non legal staff. For instance, four administrative staff studied towards a Certificate in Criminal Practice in 2004 and a number of administrative staff benefited from shadowing opportunities internally and within the WCU.
- The 2004 Staff Survey indicated a higher than average level of satisfaction with training with an Area score of 59% compared to 52% nationally.
- The Learning and Development Manager's report for 2004-05 does not clarify the extent of training undertaken in the Area. As training records are kept at regional level, the Area is unable to check that all appropriate staff have attended relevant programmes, without accessing regional data. As a result it has more recently started to keep records of training undertaken.

Aspects for improvement

- Although all starters in 2004-05 attended general induction within the Area's standard of six months, this can mean that staff have been in place for many months before receiving induction, which is not ideal.
- In the absence of a central training package, there was no direct diversity and equality training provided during 2004-05, although the Area has subsequently accessed the new national training package.
- There is limited activity in place to assess the effectiveness and value for money of training.

11. MANAGING RESOURCES

3 - GOOD

There is clear evidence that the Area has taken steps to achieve value for money. A sound approach to resource planning is evident and the Area's budget is systematically monitored and controlled, with regular budget reports provided to the Area Management Team (AMT). The Area has worked hard to bring staffing costs, which remain a critical issue, under control. There is active management of the prosecution budget and prudent use of agents was made in 2004-05, although usage has recently increased. Whilst Higher Court Advocates (HCA) usage was relatively low in 2004-05, the rate of savings per session was excellent. The Area is aware that there is scope for increasing the use of its designated caseworkers (DCW). Sickness absence levels were excellent in 2004, although they have since increased.

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

- The last inspection in 2004 found a number of innovative cost saving approaches had been adopted by the Area and identified a strong culture of value for money in the Area as a strength. It found that staff were aware of budgetary issues and accepted that careful management of cost is essential to the delivery of the overall business. As new senior managers have been appointed, job descriptions and job specifications have been revised placing a greater focus on accountability for achieving value for money through improved performance.
- The Area's budget is systematically monitored and controlled. A monthly budget report is produced for discussion by the AMT, which includes projected as well as committed (and known) expenditure, and represents an accurate reflection of progress and spend. The last inspection identified the Area's systems and approach to budgetary management as a strength.
- The Area worked hard to reduce a predicted over spend of over 7% in its non ring fenced expenditure to 0.4% in 2003-04, primarily by changing recruitment practices. Tight budgetary control continued in 2004-05 and the outcome was a 2.1% under spend. Due to the inclusion of some genuine accruals in this figure, the Area believes its actual under spend to be nearer 0.6%.
- The prosecution costs budget is regularly monitored and Headquarters is kept advised of any high cost cases. The last inspection found that the Area had successfully controlled the costs allocated to ring-fenced monies for counsel in the magistrates' courts. Effective systems are in place to ensure that counsel's fees are paid correctly and on time. The percentage of Graduated Fee Scheme (GFS) payments made within one month is consistently above the national average indicating that the Area has no fee backlog and is processing GFS payments in a timely manner.

- The Area is able to demonstrate that additional funding has been allocated to meet key priorities. For example, towards the end of the year, £20,000 was allocated by Wiltshire Criminal Justice Board to fund additional courts which enabled some specific cases such as persistent young offenders and vulnerable victims cases to be targeted for earlier trials.

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

- The Area has an effective and systematic approach to human resource planning based on affordability and need. This was made more difficult during the period as the Area needed to deal with the results of earlier decisions to fill additional posts without permanent funding being available. However, positive management and planning brought staffing costs under control, although this remains a critical issue. The Area's approach also ensures equitable allocation of resources across the units.
- The Area demonstrates a positive approach to promoting flexible working patterns whilst keeping sight of business needs. Performance in relation to sickness absence levels in 2003 and 2004 was excellent with an average number of day's sickness per employee of 5.5 in both years, much better than the national averages of 9.2 and 8.7 days respectively. Sickness absence is closely monitored and a report included in the performance data provided to the AMT. However, sickness absence in 2005-06 is increasing.
- Clear expectations are set for lawyer deployment in court and charging centres, which have recently increased due to current resourcing levels and recruitment difficulties. Deployment is monitored and reports provided to the AMT, although there is scope for this information to be presented in a more helpful way. Agent usage is carefully monitored. Average agent usage in 2004-05 at 18% was better than the national average of 26.9%, although recently this has increased significantly.
- Whilst there was good use made of HCAs in 2003-04, this fell off in 2004-05 as a result of a decision by the AMT to limit HCA work, primarily to allow senior lawyers to assist with the relaunch of shadow charging. As a result HCAs covered only 62 sessions during the year. However, sessions were well targeted and the average savings per session at £397 was excellent. Both the number of sessions and savings per session has increased significantly in 2005-06.

Aspects for improvement

- The Area has 1.8 DCWs who covered 281 magistrates' courts session in 2004-05. This represented 7.9% of court sessions, which was below the national average of 8.3%. The Area is conscious that there is scope for better utilisation of DCWs and more recently has negotiated some changes to courts listings to facilitate this. However, these changes will not come into effect until 2006.

12. MANAGING PERFORMANCE TO IMPROVE

2 - FAIR

The Area is taking action to develop its performance management processes. Performance data is regularly considered by the Area Management Team (AMT) and accountabilities for performance improvement are well defined with evidence of changes made to correct and improve performance. There is scope for more timely and systematic dissemination of performance information to staff. A good level of commitment to joint performance with criminal justice partners is apparent with most of Wiltshire Criminal Justice Board's (WCJB) targets met in 2004-05. Whilst Casework Quality Assurance (CQA) scheme compliance improved towards the end of 2004-05, there is scope for greater analysis and use of data.

12A: Managers are held accountable for performance

- Performance is a standing item at monthly AMT meetings and monthly meetings between the Chief Crown Prosecutor and Area Business Manager (ABM) and individual Unit Heads, which focus on performance, have recently been put in place. A monthly performance report is produced for AMT meetings and specific aspects of performance are discussed. In early 2005, the performance report was overhauled to incorporate Area and unit data on the 15 national priorities and commentary from Unit Heads is included to support improved analysis. Work is continuing to further develop and refine this new system.
- Senior managers' accountabilities for performance improvement are well defined in revised job descriptions and Forward Job Plans and there is evidence that managers at all levels have taken action to correct and improve performance. For example, action has been taken to address under performance in relation to Direct Communication with Victims, to take a more pro-active approach to Proceeds of Crime Act enforcement and to improve the quality of charging processes.
- A Process Improvement Team was established some time ago to support the introduction of the casework management system (CMS). Earlier this year, as preparation for the restructure started, its remit was extended to cover all aspects of business. Since then considerable work has been undertaken on process mapping and there is evidence of some changes made as a result.
- The last inspection found that the performance appraisal system made clear links to the Area Business Plan priorities and targets with individual objectives used to focus attention on areas for improvement. There is evidence of improved personal performance as a result.
- There is a high level of staff consultation and involvement in improvement activity. For example, staff were consulted and involved in planning the charging relaunch. There was wide consultation about the forthcoming restructure and staff at all grades are represented on the implementation group.

Aspects for improvement

- Whilst the Area has taken steps to ensure that performance information is cascaded to staff, for example information is disseminated at Area meetings and a performance notice board in the office has been introduced, there is still scope for more timely and systematic dissemination. The reinstatement of regular team meetings will assist in this respect and the Area intends the new style performance report to become a regular agenda item at team meetings.

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

- The last inspection in 2004 found that the Area is actively involved in developing, monitoring and performing to meet the joint performance targets of the WCJB. A Unit Head was chair of the Service Delivery Group (SDG), a sub group of WCJB, which was effective in ensuring that priorities and targets of the Board were met. The WCJB achieved all its Public Service Agreement targets in 2003-04 whilst in 2004-05 it met its public confidence, persistent young offenders and enforcement targets but not the Offences Brought to Justice targets. The SDG has since been replaced by a Performance and Delivery Group of which the ABM is vice chair. The Area continues to be well represented on other joint performance groups.
- There is evidence of joint improvement strategies being implemented. For example the relaunch of shadow charging and the roll-out of Witness Care Units. Although these developments were implemented successfully, the Area has yet to realise all the expected benefits.
- The Area provides relevant performance data to criminal justice partners. For example, it provides hate crime data to partners and voluntary agencies on a quarterly basis. The Area plays a pro-active role in the criminal justice information technology initiative, with the ABM chairing the joint project group.

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

- The Area has two Management Information System (MIS) licence holders one of whom has attended the initial training course and one who had attended this and a further course.
- At the time of the 2004 inspection, the Area was experiencing difficulties with the reconciliation of CMS and MIS data and was concerned about the correct finalisation of cases. To assist the resolution of these issues colleagues from another Area were invited to review the procedures. This proved a constructive exercise with a number of changes made as a result. Finalisation codes are regularly checked and administrative staff have relevant objectives in this respect included in their Forward Job Plans.
- Relevant information is obtained from and shared with criminal justice partners, although the Area has only more recently accessed detailed cracked and ineffective trial data which is proving valuable.

- There is a good level of comparison of performance with other CPS areas. In developing systems and procedures to support improved performance, the Area frequently accesses and makes use of good practice in other CPS Areas.

Aspects for improvement

- The exercise undertaken with the help of another CPS Area identified scope for greater use of MIS reports to support effective performance management. Use of MIS was found to be limited to monthly performance information reports and some assistance was given in identifying relevant reports that would be of value to the Area.
- There is evidence that indicates the Area may inadvertently be including some specified offences in its caseload figures, an issue that needs to be investigated.
- Dissemination of performance information to staff would be aided by the development of a performance summary, based on the new style performance report, in an easily understood format.
- There is still scope for improving the clarity of endorsements to support accurate coding of cases.

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

- Whilst the Area has implemented the CQA scheme, an agreement was reached with Headquarters in the early part of 2004-05 that only half the sample would be assured each month. The 2004 inspection found that, whilst Unit Heads had a good understanding of lawyer performance, the small number of cases checked using CQA did not allow for a systematic process to identify trends. Action has since been taken to ensure a full file sample is assured and there has been a high level of compliance from the final quarter of 2004-05 to date.
- There is a system in place for providing feedback to staff on an individual basis but the effectiveness of this was limited in 2004-05 until the Area moved to full CQA compliance in the final quarter.

Aspects for improvement

- Some findings from the CQA data relating to victim and witness issues had not been analysed at AMT and unit level to identify improvement actions. However, the new performance data packs recently introduced incorporate a section on CQA performance and allow for comments (although this data has yet to be inserted).

13. LEADERSHIP
3 - GOOD

The Senior Management Team (SMT) has established a clear vision, values and direction for the Area and a good level of corporacy is developing. Good efforts have been made to improve communication although it is only this year that regular team meetings have been established across all teams. There is a good level of staff consultation and involvement and good performance is recognised. There is some evidence that senior managers act as role models and the dignity at work policy is well promoted. The workforce was not representative of the wider community in 2004-05, although improvements have since been achieved.

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

- The SMT has established a clear vision, values and direction for the service which underpins this activity. Staff were involved in the development of the Area Business Plans (ABP) for 2004-05 and 2005-06 and a systematic approach to communicating plans to staff was undertaken. The 2004 Staff Survey identified clarity of role as a strength.
- Managers are clear about their responsibilities for implementing management decisions. Terms of reference for the Area Management Team (AMT) have been revised to clarify its leadership role and senior manager's Forward Job Plans have been revised to ensure they are more clearly focused.
- There is a good level of corporacy developing as the new SMT establishes itself. For example, senior managers have demonstrated a corporate approach when communicating difficult messages in relation to staffing budget issues.
- Although the 2004 Staff Survey found satisfaction with communication at 44% to be just above the national average of 43%, the last inspection found some junior staff to be disengaged from senior managers. Some good efforts have been made by the new team to improve general communication including developing a more effective dialogue with the Whitley Council. More recently a monthly Area Business Manager (ABM) Newsflash has been established that provides updates on new developments and feedback from the AMT. There is a good level of staff consultation and involvement, for example in relation to the forthcoming restructuring exercise.
- Senior managers promote an open and constructive approach to criminal justice colleagues. For example, the Chief Crown Prosecutor has established regular strategic meetings with her counterparts in partner agencies, and senior managers play an active role in the delivery of joint initiatives with criminal justice partners.

Aspects for improvement

- The last inspection found that regular team meetings were not being held. Whilst action was taken in response to this, it is only more recently that regular team meetings have been established across all teams.

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

- All senior managers are involved in outward looking activities through their work with criminal justice colleagues and community engagement and there is evidence that managers demonstrate a willingness to improve through reviewing success and failure. For example, the Area responded constructively to the findings of the 2004 Staff Survey by developing a detailed action plan in consultation with the Whitley Council, which is reviewed regularly.
- The average dignity at work score in the 2004 Staff Survey was 64%, well above the national average of 55%. The need for senior managers to act as role models is enshrined in the AMT's revised terms of reference. There is evidence that senior managers have challenged and taken action over issues relating to dignity at work.
- A reward and recognition scheme was implemented in response to the 2004 Staff Survey and there is evidence that senior managers acknowledge good staff performance.
- The ABM is responsible for equality and diversity issues, and the Area is represented on a number of relevant area fora. Internally, the AMT identified some degree of prejudice in the workplace between full and part-time staff and between units which it is addressing.

Aspects for improvement

- In 2004-05 the Area did not employ any black, minority ethnic or disabled staff. However, the position has since improved.
- The Area's equality and diversity plan, following consultation with the regional Equality and Diversity Officer, was incorporated in the ABP, although specific development actions for staff in 2004-05 were unclear.

14. SECURING COMMUNITY CONFIDENCE
3 - GOOD

The Area is able to demonstrate good commitment to community engagement and improving public confidence as part of its core business. This is supported by their community engagement plan. The effectiveness of engagement activity is assessed and a detailed record is kept. The Area has good relationships with a number of local groups and is developing links with the black and ethnic minority communities. The Area is effective in dealing with the media on local and high profile issues. Public confidence levels are good and should be maintained during the restructuring phase.

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

- The commitment of senior managers is clear and demonstrated as they continue to develop links with the local community through a range of activities. There is a detailed community engagement plan with proposed actions identified, which contains the mechanisms for measuring success. Community engagement activity is also built into the Area Business Plan. Engagement activities with the community are reviewed regularly by the Area Management Team. Media contacts have been developed by the Area Business Manager (ABM) and joint media training has been undertaken with the police.
- A detailed community contact data base has been developed which includes the black and ethnic minority communities. This database helps the co-ordination of community engagement, consultation and feedback to the community. The ABM works pro-actively with 'Harbour' a group supporting refugees and asylum seekers, and the Chief Crown Prosecutor has been pro-active in developing links with the Race Equality Council and the Swindon Muslim community, particularly in the wake of the London bombings in July 2005. Other staff at all levels are involved in a wide range of community engagement activity.
- The ABM is the lead on community confidence for the Area and is pro-active in developing contacts with the local community and the media. Work has been done with the local Race Equality Councils in reviewing how to share data. The Area has up to date information on demographics and local community groups following a report commissioned by the Wiltshire Criminal Justice Board as part of its community engagement strategy. The ABM has also established links with local disability groups and plans to carry out an accessibility check for the disabled on CPS premises.
- The Area's engagement with the media is increasing and links with local newspapers are being developed.

- Public confidence in the criminal justice system in bringing offenders to justice in Wiltshire has risen to 47% compared to 43% nationally.

Aspects for improvement

- A community engagement log was not maintained by the Area in 2004-05 although it is now incorporated into the Area performance reports.

ANNEX A

PERFORMANCE DATA

ASPECT 1: PRE-CHARGE DECISION-MAKING

MAGISTRATES' COURTS CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	16.3%	15.7%	52%	68.8%	70.6%	31%	22.7%	21.1%
CROWN COURT CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	14.6%	20%	68%	66%	60%	23%	23.8%	20%

ASPECT 2: MANAGING MAGISTRATES' COURTS CASES

INEFFECTIVE TRIAL RATE			OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)		
National Target	National Performance 2004-05	Area Performance 2004-05	National Target	National Performance (3-month rolling average Feb 05)	Area Performance (3-month rolling average Feb 05)
24.5%	24.8%	17.9%	71 days	67 days	65 days

**TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS
CHARGED CASES ONLY (MARCH 2005)**

	Initial Guilty Plea Target 59 days		Trials Target 143 days		Committals Target 176 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	83%	6,152	66%	2,698	89%	992
Area	75%	55	50%	24	100%	9

**TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS
CHARGED AND SUMMONSED CASES (MARCH 2005)**

	Initial Guilty Plea Target 59 days		Trials Target 176 days		Committals Target 101 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	87%	5,185	87%	3,309	91%	190
Area	92%	63	80%	20	100%	1

ASPECT 3: MANAGING CROWN COURT CASES

INEFFECTIVE TRIAL RATE

National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	8.8%

ASPECT 4: ENSURING SUCCESSFUL OUTCOMES

UNSUCCESSFUL OUTCOMES (AS A PERCENTAGE OF COMPLETED MAGISTRATES' COURTS AND CROWN COURT CASES)		
National Target	National Performance 2004-05	Area Performance 2004-05
21%	19.6%	17.9%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+11%	+3.1%
Number	11,826	10,980

ASPECT 7: DISCLOSURE

DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' COURTS AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE		
	National Performance	Area Performance
Primary test in magistrates' courts	71.6%	82.4%
Primary test in Crown Court	79.9%	100%
Secondary test in Crown Court	59.4%	81.8%
Overall average	70.3%	88.1%

ASPECT 11: MANAGING RESOURCES

NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)	
2003-04	2004-05
<i>0.4% overspend</i>	<i>2.1% underspend</i>

DCW DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)			HCA SAVINGS (PER SESSION)		SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)		
National Target 2005-06	National Performance 2004-05	Area Performance	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target	National Performance 2004	Area Performance 2004
11.6%	8.3%	7.9%	£224	£397	8 days	8.7 days	5.5 days

ASPECT 14: SECURING COMMUNITY CONFIDENCE

PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
39%	46%



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