

Area Assurance Inspection of CPS Cymru-Wales

August 2016

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HMCPsi Publication No. CP001:1211

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1 Headlines

1.1 We set out here our headline findings in respect of our inspection of the Crown Prosecution Service (CPS) Cymru-Wales Area. The Area's performance as assessed against the mandatory modules of the inspection framework was as follows:

Criteria	Score
<i>Part A: Governance and Value for Money</i>	
Managing resources	Excellent
Managing performance	Good
Effectiveness of joint working	Fair
Overall score for Governance and Value for Money	GOOD
<i>Part B: Casework Quality and Service Delivery for Users</i>	
Compliance with disclosure requirements	Fair
Casework reviews and decisions	Fair
Case preparation and progression	Good
Communicating with victims	Poor
Overall score for Casework Quality and Service Delivery for Users	FAIR

1.2 The Area is delivering value for money for its service users. It is operating at a much lower cost per case than the CPS national average and the conviction rates in the magistrates' courts are noticeably better (87.2% compared to a national average of 83.8%). They are also slightly better in the Crown Court (79.9% compared to a national average of 79.1%).

1.3 Performance information is used to identify strengths and weaknesses and drive improvement. Relevant internal and external meetings are held at which performance is the focus of discussion. The Area uses appropriate performance reports drawn from reliable sources which compare its performance against the national average and compare region/unit performance in an appropriate manner. However, it must ensure that its use of resources is effective in all areas of the prosecution process.

1.4 There is a failure to require the police to comply with their obligations for all aspects of the disclosure process, specifically with regard the provision of adequate descriptions on disclosure schedules.

1.5 There needs to be an improvement in the standard of handling the disclosure process by prosecutors.

1.6 Over half the police files reaching Cymru-Wales are not of sufficient quality and little or no challenge or feedback is provided to the police forces around breaches of either the Director's Guidance on Charging¹ or the National File Standard.² On too many occasions, the Area does not review a case at all before it is listed in court and even when it does, the review often does not add any real value.

1.7 Overall, throughput measures are significantly better than the national average. This level of effectiveness is achieved despite the defects identified in the quality and timeliness of the initial review, quality and timeliness of the Initial Details of the Prosecution Case (IDPC) served on the court, and lack of defence engagement. Magistrates' courts performance is stronger than in the Crown Court and both deal with guilty pleas better than contested cases. Whilst outcomes remain above the national average, Crown Court performance is declining in contested cases which is a cause for concern, particularly with regard to rape and serious sexual offences, which form a significant and growing part of the contested caseload.

1.8 There was only limited evidence of compliance with the Victims' Code and policies on communication with victims, while performance is poor in relation to quality and timeliness of correspondence.

Strengths

1.9 We found the following strengths:

- i Resources are managed to achieve value for money.
- ii Performance information is used to identify strengths and weaknesses and drive performance.
- iii The Area Strategic Board has provided effective leadership against a backdrop of a significant reduction in resources.

1 *Director's Guidance on Charging (5th edition)*; CPS; May 2013.
www.cps.gov.uk/publications/directors_guidance/index.html

2 *National File Standard*; CPS; May 2015.
www.cps.gov.uk/publications/directors_guidance/dpp_guidance_5_annex_c.pdf

Issues to address

1.10 The following issues need to be addressed:

- i The Area Strategy Board must ensure that it challenges the police for their failure to have effective police supervision and gatekeeping arrangements (especially with regard to rape and serious sexual offence cases) and the provision of adequate information/case files (including disclosure documents) to the CPS (paragraph 3.27).
- ii The Area must require the police to comply with their obligations for all aspects of the disclosure process, specifically with regard to the provision of adequate descriptions on unused material schedules (paragraph 5.12).
- iii The Area must continue to work with (and challenge where necessary) the police to improve file quality (paragraph 5.22).
- iv The Area must improve the quality of prosecutors' file reviews (paragraph 5.22).
- v The Area needs to improve its case preparation work for the first hearing and comply fully with the requirements of Transforming Summary Justice (paragraph 5.33).
- vi The Area's performance in rape and serious sexual offences work is a particular concern as it is a sensitive and growing area of work. The Area must focus on this and work with (and challenge if necessary) the police to ensure that it is dealt with appropriately (paragraph 5.33).
- vii The Area must improve its performance in relation to compliance with the Victims' Code and all relevant policies that relate to victim communication (paragraph 5.40).
- viii The Area Strategic Board must ensure that the appropriate quality standards are achieved in all communications with victims (paragraph 5.40).

Context and methodology

1.11 CPS Cymru-Wales has offices at Cardiff, Swansea and Mold and is aligned with Gwent, South Wales, Dyfed-Powys and North Wales police forces. It covers 22 magistrates' courts and six Crown Court centres. In the 12 months to December 2015 it had the full-time equivalent of 259 staff and its budget for 2015-16 was £19,267,704 (which consisted of £6,243,294 prosecution costs and £13,024,410 administration (non-ring fenced costs).

1.12 In the 12 months to December 2015 the Area finalised 39,615 magistrates' courts cases and 5,866 Crown Court cases. Since 2012-13, the Area's overall magistrates' courts caseload has declined by 16.1%, whereas in the Crown Court the caseload had increased by 347 cases from 2012-13 (6.3%). There was a slight decrease (0.8%) in the Crown Court caseload from last year to this.

1.13 During the same period the Area secured convictions against 87.2% of defendants in magistrates' courts cases and 79.9% of defendants in the Crown Court. Performance was better than the national average in both the magistrates' courts (better by 3.4%) and the Crown Court (by 0.8%).

1.14 Conviction rates for hate crime (84.3% compared to the national average of 83.0%) and domestic abuse (75.5% compared to 74.2%) are above the CPS national average, however, Cymru-Wales performs significantly below the CPS national average for rape (54.3% compared to 57.7%) and sexual offences (73.9% compared to 77.9%).

1.15 Inspectors examined 120 magistrates' courts and Crown Court files finalised between September 2015-March 2016. We refer at the relevant parts of the report to the key findings from this examination. A fuller set of file examination findings, together with a detailed breakdown of the file sample, can be found at annex C.

1.16 A survey was sent to staff in the Area to ask for their opinions. Our fieldwork took place in May 2016. We spoke with CPS staff and representatives from the four police forces. We also sought feedback on the Area's performance from partner agencies, including those dealing with victims and witnesses. Court observations were undertaken to assess the effectiveness of case progression.

1.17 We set out at annex D key Area data, compared to CPS national average performance. Where available, the most recent data is for the 12 months to December 2015.

1.18 A glossary of the terms used in this report is at annex A.

Part A: Governance and Value for Money

2 About part A of the inspection framework

Performance expectation

The Area has effective governance arrangements to assure the delivery of high quality casework standards and high levels of efficiency and value for money, achieved by obtaining optimum benefit from the resources available to it whilst delivering quality and successful outcomes for users.

2.1 In this section we set out our findings in respect of those modules in part A of the inspection framework. The framework, including the more detailed sub-criteria, is set out at annex B. Part A contains a mix of mandatory and non-mandatory modules. How many of the non-mandatory modules are included is determined by a risk assessment process which considers those factors relevant to each module.

2.2 Every inspection considers as a minimum the three mandatory modules in part A, namely:

- how the Area manages its resources
- how the Area manages its performance
- the effectiveness of the Area in working jointly with its criminal justice partners.

Cymru-Wales was assessed against these modules alone. It triggered only one of the optional criteria, that relating to use of the case management system (B7), and as this inspection was a pilot we decided to take this opportunity to test the mandatory modules alone.

Scoring

2.3 Inspectors assessed how well the Area met the expectations of each mandatory criterion and the sub-criteria. Performance against each of the mandatory criteria was assessed as Excellent, Good, Fair or Poor.

2.4 The table sets out our findings:

Criteria	Score
Managing resources	Excellent
Managing performance	Good
Effectiveness of joint working	Fair
Overall score for Governance and Value for Money	GOOD



3 Performance against the part A mandatory modules

3.1 In this section we set out our evaluation of the Area's performance against the mandatory modules.

Mandatory module	Assessment
Resources (including prosecution costs) are managed to maximise effectiveness and value for money	Excellent

Summary

The Area is delivering value for money for its service users. It is operating at a much lower cost per case than the CPS national average and the conviction rates in the magistrates' courts are noticeably better (87.2% compared to a national average of 83.8%). They are also slightly better in the Crown Court (79.9% compared to 79.1%).

3.2 Based on both spend per full-time employee equivalent and spend per case, the Area's costs are significantly lower than the national average. In the case of spend per case, in the 12 months to December 2015, Cymru-Wales spent £430 per case. This is about 70% of the national CPS average spend per case of £602. In addition, over the four years since 2012, the Area's cost per case has only increased by 2% compared to an increase in the national average of nearly 17% over the same period. The careful management of costs has not been at the expense of outcomes in casework, which are better than average in most case types (see paragraph 1.14).

3.3 The Area Strategic Board (ASB) demonstrates an awareness of performance management issues and continually highlights the need to work efficiently and minimise the need for duplication of work on case files. For example, this approach is reflected in the early decision-making about the viability of cases (especially in the magistrates courts); the proportion of cases dropped at third or subsequent hearing is slightly over 10% lower (better) than the national average. This reduces the impact on finite resources in the Area and its police partners by ceasing at an early stage to prepare cases where there is not a realistic prospect of conviction.

3.4 This above average performance (cost per case/conviction rate) has been achieved against a background of two significant challenges, (a) a reduction in staff numbers and (b) a significant reduction in the Area's estate.

a Staffing numbers have reduced considerably over the last two years. The number of prosecutors has fallen by 15.2% compared to a 9.9% reduction nationally. However, whereas the number of magistrates' courts contested cases has increased nationally, Cymru-Wales's has remained relatively constant. The level of contested cases in the

Crown Court has increased roughly in line with the national average over the previous two years. As a consequence of these movements the contested case per prosecutor is still lower in Cymru-Wales than the national average in the magistrates' courts, but now roughly in line with the national average in the Crown Court.

- b The number of offices has reduced from eight to three (now Cardiff, Swansea and Mold). This reduction in the Area's estate has involved staff relocating and changed working processes with partner agencies.

3.5 Whilst clearly presenting challenges, the ASB has sought to obtain efficiencies from these changes. For example, it has now successfully implemented a much flatter management structure. There are now two Deputy Chief Crown Prosecutors (DCCPs) who report directly to the Chief Crown Prosecutor (CCP) and they in turn have level D legal managers reporting directly to them. This adequately retains a split between operational and strategic focus, with clear lines of responsibility.

3.6 Cymru-Wales is managed on a geographical rather than a functional basis. Therefore the two DCCPs each manage parts of the Area through Regional Management Teams. This structure works well for the Area.

3.7 Our staff survey provided generally positive feedback on these changes and managers generally: 58.6% of those who responded agreed that new initiatives are implemented well in the Area; 58.6% agreed that senior managers provide effective leadership in the Area; and 61.4% thought that managers communicated and engaged with staff effectively.

3.8 The ASB have demonstrated effective planning with a Structured Cost Reduction Plan, which aimed to achieve a structured staff reduction to help the Area meet its reduced budget whilst maintaining the right mix of staff to deliver its service. A flexible approach has been adopted to the need to reduce staff, for example by releasing some based in Cymru-Wales to carry out work for CPS London. A number of staff have since been offered full-time London appointments (without having to relocate there), an approach that may be extended.

3.9 There are sound monitoring arrangements in place to review and manage levels of spend. In 2014-15 the Area had an overspend of £617,187 which it managed to reduce in 2015-16 to £120,206. This current overspend is as a result of a prosecution spend of £133,695 more than budget, primarily due to Very High Cost Cases (VHCCs) which will be subsequently reimbursed by CPS national Headquarters. The non-ring fenced (NRF) administration expenditure for 2015-16 resulted in an underspend of £13,490. Over the two financial years the Area has seen a reduction in its NRF expenditure of £629,447, a drop of 4.6%. The Area routinely monitors its spend and it is a standing item at ASB meetings to ensure a high level focus is maintained on this.

3.10 The impact that prosecution costs have on the Area is clearly recognised and monthly forecasts are completed by units using the salary and expenditure trackers and prosecution cost projections. A more centralised process for forecasting prosecution costs, which aims to be more precise, has also recently been implemented. The effectiveness of this is currently being monitored through the Area Business Manager (ABM).

3.11 Requests to CPS Headquarters for additional funds to cover specific activities or initiatives are supported by appropriately costed business cases. We were provided with examples of those approved in the 2015-16 financial year, such as funding to help the Area in the development of its rape and serious sexual offences operating model and its approach to the Better Case Management initiative. VHCC and Proceeds of Crime Act budget allocations have also been received throughout the year in response to bids from the Area.

3.12 In the financial year to December 2015 Cymru-Wales spent £369,378 on lawyer agents (which it acknowledges is an increase on the previous year's expenditure). This has enabled prosecutors who would otherwise be presenting trials to carry out casework reviews. The Area continually reviews its in-house staff usage (use of associate prosecutors is 6% above the national average) and there are also plans to recruit and expand the number of lawyers at Crown Prosecutor grade, which will enable a reduction in the usage of lawyer agents.

3.13 There were 15.7 full-time equivalent Crown Advocates (CAs) employed in the 12 months to December 2015, which is a reduction from 17.7 in 2014-15. Their utilisation on CA work increased between 2012-13 and 2014-15, but fell by 8.0% in the 12 months to December 2015, which now puts the Area 2.5% less than the national average. However CA savings, when assessed against CA full salary costs, indicate that since 2014-15 Cymru-Wales has been operating at a notional profit.

Mandatory module	Assessment
The Area's key performance data is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Good

Summary

The Area uses performance information to identify strengths and weaknesses and drive improvement. Relevant internal and external meetings are held at which performance is the focus of discussion. The Area uses appropriate performance reports drawn from reliable sources which compare its performance against the national average and compares region/unit performance in an appropriate manner.

3.14 Responsibilities for performance are clearly defined within the Area. The ASB provides the focus on performance improvement and the monitoring of success. The ASB meets on a monthly basis and performance data is discussed in detail following the publication of quarterly results. The Regional Management Teams, which are responsible for performance at a local level, identify the root causes of issues raised and drive improvement at the operational level.

3.15 The Area Performance Officer provides monthly reports and a narrative for the ASB which highlights aspects of work where performance has dipped or there are continuing issues for concern. The Performance Officer's analysis identifies Area operational units which have had particular influence on the overall results and gives a clear steer on where to target efforts to improve performance. The Performance Officer also uses the CPS national databank to identify trends.

3.16 Performance information is available to all Area staff on Cymru-Wales's internal website, with a monthly summary of Area performance against national figures and its ranking on a number of high weighted measures. Office visits by the CCP and ABM and team meetings are also used to keep staff up to date with performance. Our staff survey indicated that 78.3% felt that they understood where their Area or unit stood in comparison to the performance of other CPS Areas and units. However, recent workshops undertaken in the Area identified concerns with the infrequency of team meetings and the lack of time staff have to take on board this information.

3.17 The Area places a high priority on data quality. Despite the impact on staff resource, it instigated 100% checks on the accuracy of data input into the case management system (CMS) then, as monitoring showed improvement, the frequency of checks were reduced.

3.18 Whilst performance information is used to identify strengths and weaknesses, there are aspects of casework in which it has not made substantial or sustained improvement. For example, the conviction rate for rape and serious sexual offences needs to improve, the Area must ensure the police provide appropriate information to its lawyers so that they can effectively comply with their disclosure obligations (see chapter 5) and there must be an improvement in the service provided to victims (written communications).

3.19 Whilst the Area demonstrates an awareness of these weaknesses, and has put forward a number of initiatives including a review of, and additional resources for, the Victim Liaison Unit and Rape and Serious Sexual Offences (RASSO) unit, performance remains weak. Cymru-Wales has failed to achieve the necessary improved outcomes and needs to review its approach to consider what else it can do that will be more effective.

3.20 The Area does look at the differences between the units and regions for ideas to improve performance. An example of this is the undertaking of a review to examine compliance with the input of Resource Efficiency Measures data, looking to the better performing units to identify potential improvements.

3.21 Networking opportunities are grasped by staff to identify good practice. For example, liaison between Area Performance Officers across the CPS is helping to ensure consistency in the source data for performance information used across the Areas and for partner meetings.

Mandatory module	Assessment
The Area is influential with partners and joined up working is effective and delivers improvements in outcomes for users	Fair

Summary

The Area works closely with its criminal justice partners and has successfully delivered improved outcomes in a number of aspects of performance through criminal justice system initiatives, however, there are aspects in need of further improvement.

3.22 The Area is represented by senior managers at Local Criminal Justice Boards (LCJBS) and other joint delivery boards. Stakeholders were of the view that there was a constructive relationship with the CPS and there was evidence of good relations with senior managers, with the Area being complimented on its positive approach by stakeholders. There is generally a common identity amongst the Welsh criminal justice agencies, which is of benefit to all the agencies, and a number of initiatives are currently being undertaken with a view to improving performance. For example, the CPS is working closely with the police to pilot a monitoring system that will provide feedback on the quality of files submitted; and is developing a local charging scheme with South Wales Police, in the hope that it will deliver an improved and more locally accountable service.

3.23 There are regular meetings at the strategic level between the CCP and Chief Constables of the four police forces in Wales, with the courts and the judiciary, and of the All Wales Criminal Justice Board. The DCCPs liaise with the Assistant Chief Constables and attend LCJBs, and there is a willingness to address aspects of concern. One example was a discussion of the backlogs in the CPS providing charging advice in RASSO cases. The Area deployed additional resources to address this and there was joint working of the criminal justice partners to monitor the position. Regional operational managers attend meetings with the police to examine local performance and secure improvements (see paragraph 3.27).

3.24 The Prosecution Team Performance Management (PTPM) meetings, which are held on a monthly basis throughout the Area, were regarded by the ASB as an effective means of managing performance between the CPS and police. The CPS provides a data pack for these meetings relevant to the region and covering a range of key joint performance measures. There is analysis to identify any aspect of work falling below expected standards, with a breakdown to individual cases and an assessment of what went wrong so that lessons can be learned. Meetings cover performance in the magistrates' courts and Crown Court and examine issues arising out of the Transforming Summary Justice (TSJ) and Better Case Management (BCM) initiatives.

3.25 The Area is represented at the range of joint agency meetings by managers with appropriate decision-making authority, which contributes to the effectiveness of these meetings. These include the LCJBS and groups such as the Criminal Justice Efficiency Programme Board, which meets to examine key performance data and hold partners to account.

3.26 Cymru-Wales has delivered a steady increase in guilty pleas at first hearing (68.0% to 74.9%) in the magistrates' courts since 2012-13 and has been consistently better than the national average. This has been achieved by working closely with the police and courts.

3.27 Whilst there are generally effective relations with partners, we have identified certain issues which demonstrate the Area's approach to partnership working is in need of review and improvement. Most notably, these were in RASSO work, disclosure and police file quality.

- a We were informed that only 50% of RASSO cases referred for pre-charge advice were in fact charged by the Area. This suggests issues with the effectiveness of police supervision and 'gatekeeping' arrangements. The Area has taken steps to address these issues but these have not yet led to improved outcomes. It means that scarce CPS resources are being taken up reviewing cases where the police could and should have decided to take no further action. Our thematic review of the CPS RASSO units³ (published February 2016) highlights the need for the CPS to address this issue.
- b There is a local practice in the Area of not challenging inadequate descriptions provided by the police on the schedule of unused material. Instead, the Area is routinely sent the unused documents. The lack of proper scheduling requires the lawyer to review all the items, which then adds to the time taken to prepare cases. It is not compliant with either the statutory framework for disclosure or TSJ (see chapter 5).
- c It is acknowledged at senior management level in the Area, and apparent from our file examination, that there is a significant issue around the quality of police files. As with RASSO work the Area has developed a number of initiatives to improve file quality, but at the time of our inspection these had yet to lead to improvement. Failure to meet the National File Standard involves the Area in more work to chase missing items and can prevent efficient case management (see chapter 5).

Issue to address

The Area Strategy Board must ensure that it challenges the police for their failure to have effective police supervision and gatekeeping arrangements (especially with regard to rape and serious sexual offence cases) and the provision of adequate information/case files (including disclosure documents) to the CPS.

³ *Thematic Review of the CPS Rape and Serious Sexual Offences Units*; HMCPSI; February 2016.
www.justiceinspectorates.gov.uk/hmcpsi/inspections/thematic-review-of-the-cps-rape-and-serious-sexual-offences-units/



Part B: Casework Quality and Service Delivery for Users

4 About part B of the inspection framework

Performance expectation

The Area delivers sound decisions, effective case preparation and presentation, improved outcomes and a quality service for users.

4.1 In this section of the report we set out our findings in respect of those modules inspected in part B of the inspection framework. Part B of the framework also contains a mix of mandatory and non-mandatory modules. How many of the non-mandatory modules are included is determined by a risk assessment process which considers those factors relevant to each module.

4.2 Every inspection considers as a minimum the four mandatory modules in part B, namely:

- Area compliance with its duties in respect of the disclosure of unused material
- casework reviews and decisions
- case preparation and progression
- communication with victims.

Cymru-Wales was assessed against these modules alone. It triggered only one of the optional criteria, that relating to use of CMS (B7), and as this inspection was a pilot we decided to take this opportunity to test the mandatory modules alone.

Scoring

4.3 Inspectors assessed how well the Area met the expectations of each mandatory criterion and the sub-criteria. Performance against each of the mandatory criteria was assessed as Excellent, Good, Fair or Poor.

4.4 The table sets out our findings:

Criteria	Score
Compliance with disclosure requirements	Fair
Casework reviews and decisions	Fair
Case preparation and progression	Good
Communicating with victims	Poor
Overall score for Casework Quality and Service Delivery for Users	FAIR



5 Performance against the part B mandatory modules

Mandatory module	Assessment
The Area complies with its duties of disclosure in relation to unused material	Fair

Summary

The Area needs to ensure that the disclosure process is robustly quality assured to improve performance, including taking steps to ensure the police comply with their own obligations (specifically with regard the provision of adequate descriptions on unused material schedules).

5.1 The Area acknowledges that there are issues with police compliance in relation to disclosure requirements (including the drip feeding of unused schedules to the CPS) and has attempted to improve disclosure performance internally and with the police, including: adding a disclosure section to the CPS national Individual Quality Assurance scheme; providing training to the police on a number of occasions; ensuring that disclosure is an agenda item on the monthly police/CPS PTPM meetings; and from May 2016, the Area Disclosure Champion and nominated Area Disclosure Single Points of Contact are carrying out quarterly thematic dip samples of cases.

5.2 However, our file examination results reveal there is still a need for further initiatives to improve performance.

	Excellent	Good	Fair	Poor
Overall quality of handling of unused material by CPS	0%	36.2%	45.7%	18.1%

5.3 The disclosure process is supported by the requirement to provide an audit trail of actions and decisions on the disclosure record sheet (DRS). Our case file examination showed that there was full and proper completion of the DRS in only just under half of the cases examined (49.5%) and inspectors found that in 29.7% of cases the DRS did not even partially meet the required standard.

5.4 Disclosure was timely in just over half of cases inspected (53.5%) and this needs to improve.

5.5 Whilst our case file review identified that in 76.1% of relevant cases the prosecutor fully complied with the duty of continuing disclosure (including the correct endorsement of the schedule), in 4.3% of cases the appropriate standard was not met.

5.6 One particular aspect of concern is the lack of challenge to the police in relation to the provision of inadequate unused material disclosure schedules. An effective disclosure process requires the police to provide adequate descriptions to the CPS of the unused material in a case, which the prosecutor should then review and apply the test for disclosure if they are of the view that the description is adequate. If the description is inadequate they should request further information or inspect the document in question, and should also give feedback to the police.

5.7 This acceptance of inadequate schedules shifts the onus of checking the items away from the police disclosure officer and onto the reviewing lawyer. Not only is this an approach with which we disagree, it is not in accordance with the statutory framework for disclosure or the principles of TSJ.

5.8 Without the descriptions being of an adequate standard the defence are prevented from seeing potentially important information, which may prompt them to make further requests to the Area or applications to the court for disclosure of certain documents.

5.9 There is clearly insufficient information provided by the police to allow the prosecutor to undertake a meaningful disclosure review from the schedule alone and therefore the prosecutor must examine the listed items. This unnecessary work increases the potential risk of an error being made by a reviewing lawyer undertaking the disclosure review, due to the increased number of documents that need to be considered in each file review.

5.10 Our case file examination revealed that the police fully complied with their disclosure obligations in only 41.4% of the cases and the most common failing was the lack of provision of an adequate description of the items on the unused material schedule. Our own data identified a lack of challenge by the Area to the police to comply with their obligations.

5.11 During the inspection process we found the following matters of concern:

- a As part of our case file examination we identified a finalised file where a disclosable item had not been passed to the defence, in contravention of the Criminal Procedure and Investigations Act 1996 requirements (fortunately the defendant had been acquitted); and

-
- b The Area identified a serious disclosure failure which was communicated to the defence representatives and in early 2016 there was an appeal to the Court of Appeal in relation to this apparent disclosure failure. The case involved two defendants who had been convicted of a single count of aggravated burglary (serving five and eleven years' imprisonment). In respect of this case, the Area acknowledged that had the item been correctly described by the disclosure officer, the prosecutor would have been put on notice that it contained information which should have been disclosed to the defence.

5.12 The Area needs to ensure that the disclosure process is quality assured robustly.

Issue to address

The Area must require the police to comply with their obligations for all aspects of the disclosure process, specifically with regard to the provision of adequate descriptions on unused material schedules.

Mandatory module	Assessment
Casework reviews and decisions (including the use of applications and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction	Fair

Summary

Over half the police files reaching the Area are not of sufficient quality and not enough is being done to address the issue. There needs to be greater challenge to the police forces around breaches of either the Director’s Guidance on Charging or the National File Standard. On too many occasions, the Area does not review a case at all before it is listed in court and, even when it does, the review often does not add any real value.

5.13 The Area is currently undertaking work with the police to improve file quality, however, the service provided by the four police forces which feed into Cymru-Wales is not of a sufficiently high standard. Of the 120 cases examined by inspectors, in only 44.2% was the service by the police rated as good, 27.5% as fair and 28.3% poor.

5.14 A large proportion of the files examined were subject to the requirements of the National File Standard (NFS). Whilst police files were generally submitted within the prescribed timescales (70.4% were delivered on time) less than half complied with the NFS (48.7%). When the team visited the Area and conducted file examinations of live cases in court we found that slightly more (60.0%) complied with the NFS.

5.15 Whilst there is evidence of the issue of police file quality being raised between the agencies, our casework review reveals that in too few cases does the reviewing prosecutor identify and challenge defects in police submissions. The one case in the file sample which was charged by police in breach of the Code for Crown Prosecutors (the Code) was allowed by the Area to run to trial and there was no evidence on the case file to suggest that any feedback had been given. Of the 26 police charged cases, seven had been charged by police in breach of the Director’s Guidance on Charging (DG5) and should have been referred to the CPS for charge and in these, too, there was little evidence of this being identified by the prosecutor or fed back to the police. Our ‘reality checks’ in court of live cases also showed that three of the ten cases had been charged by police in breach of DG5, again without the breach being identified or the police challenged.

5.16 Lack of challenge to police compliance was also apparent with regard to TSJ and BCM. In only 12 out of 38 cases in the file examination (31.6%) did the Area identify and raise with the police a lack of compliance by police with the requirements of TSJ/BCM. This was replicated in the ten cases observed in the NGAP court, four of which did not meet

the NFS, but in only one was the defect addressed during the review. In that case, the lawyer asked for the missing items without identifying that it amounted to a breach of the NFS. Without much more consistent challenge to the police there is unlikely to be any significant improvement.

5.17 Whilst we were informed that feedback was provided to the police on failed cases via the legal managers, of the 28 adverse outcomes (discontinuance or court-ordered acquittals) only five (17.9%) had an adequate adverse outcome report on CMS, or other evidence present on the file, that lessons to be learned had been identified.

5.18 The Area's charged cases were all Code compliant, which is excellent, but the Area is not as effective as it should be in the prompt discontinuance of those cases charged by the police or CPS Direct (CPSD) which do not comply with the Code. Out of 120 cases examined, 114 (95.0%) complied with the Code at charge and six (5.0%) did not (one police charged and the other five from CPSD). Five out of six cases went on to fail the Code test when reviewed by the Area post-charge. Three were allowed to proceed to the Crown Court and the other two were belatedly discontinued.

Case study

An allegation of grievous bodily harm was investigated by the police following an incident in a nightclub where the complainant received serious head injuries and was unable to recall what had happened to him.

The suspect handed himself in to the police (when he found out how serious the victim's injuries were) and in interview explained that he was uncertain as to the exact events in the nightclub but suggested that whatever actions he took were in self-defence. The area of the incident was covered by CCTV. The police sought charging advice from CPSD.

The police informed the charging lawyer that a clear two handed push could be seen on the CCTV and the prosecutor authorised charge without insisting on the CPS seeing the footage. The case was reviewed twice by the Area and allowed to continue without a lawyer actually viewing the CCTV, which was available by this time.

The case proceeded to the Crown Court and a different lawyer finally viewed the CCTV. They took the view that the CCTV did not support the prosecution case and therefore the case was discontinued.

5.19 There is significant room to improve the quality of Cymru-Wales's review work, particularly the effectiveness of the initial review conducted as part of TSJ. In our file examination, of the cases requiring a review before the first hearing, nearly a quarter

(24.7%) had not been reviewed at all by the time the case came into court for the first hearing. Of the remainder, just over a third (38.8%) had a review of the appropriate quality, which addressed the relevant issues and included a prosecution case theory or strategy.

5.20 These findings were supported by our reality checks, in which half the live cases examined on-site had a review which we rated as poor, often consisting of a one line review which added no value. Only 64.1% of reviews (TSJ/BCM files in our case file sample) were timely, thereby allowing insufficient time for remedial action when it is identified.

Case study

A rape case charged on the threshold test by CPSD did not have a single review (noted on CMS) by the Area during the whole life of the case – it proceeded to trial in the Crown Court and ended in a jury acquittal.

5.21 Our file examination showed low compliance with TSJ requirements for IDPC service (only 42.7% were timely). However, the Area has an agreement with Her Majesty's Courts and Tribunals Service (HMCTS) that applications for orders such as special measures can be made orally. This assists in the deployment of resources.

5.22 Of the cases in the file sample, eight involved a decision to accept a basis of plea. Of those, five were sound decisions (62.5%) but in none of them was the basis reduced to writing as required by the Attorney General's Guidance.⁴ In fewer than half the relevant cases the views of the victim were taken into account when deciding to discontinue one or more charges, accept lesser pleas or take a basis of plea. Police were consulted more often, in 66.7% of the cases when it was proposed to discontinue or substantially alter charges.

Issue to address

The Area must continue to work with (and challenge where necessary) the police to improve file quality.

Issue to address

The Area must improve the quality of prosecutors' file reviews.

⁴ *Guidelines on the acceptance of pleas and the prosecutor's role in the sentencing exercise*; Attorney General's Office; November 2012.
www.gov.uk/guidance/the-acceptance-of-pleas-and-the-prosecutors-role-in-the-sentencing-exercise

Mandatory module	Assessment
Case preparation and progression are effective and timely	Good

Summary

Whilst outcomes remain above the national average, Crown Court performance is declining in contested cases which is a cause for concern, particularly with regard to rape and serious sexual offences, which form a significant and growing part of the contested caseload.

5.23 The first hearing was fully effective and complied with the expectations of TSJ/BCM in 75.8% of the files examined. In the magistrates' court 72.9% of cases were fully effective at the first hearing and, of those that were not, the Area was at fault in only six out of 23 cases (26.1%). Our reality check on-site (observation of an NGAP court) revealed nine out of 11 cases (81.8%) were fully effective and the CPS was not at fault for the other two being ineffective.

5.24 For the 12 months to December 2015 the average number of hearings per case was only 1.67. This has improved from previous years and is well below the national average. In contested cases the average is 3.01 hearings per case, compared to a national figure of 3.63. The number of cases dropped at third or subsequent hearing is 20.7% (slightly over 10% lower (better) than the national average of 31.0%).

5.25 In the Crown Court the average number of hearings is 5.07 per case (also below the national average of 5.66). Our court observations of BCM cases showed that the Plea and Trial Preparation Hearings (PTPHs) were all effective, the PTPH form was fully and properly completed, and that the parties engaged effectively at the hearing.

5.26 The Area performs well in this respect, despite the fact that timely service of the IDPC bundle is not achieved in most cases. Only 42.7% were timely in the file sample and only 64.7% of sufficient quality. Observations at an NGAP court found in five of the ten cases the IDPC had been served late and over a third were not of the required standard (35.3%).

5.27 Stakeholders expressed concern that the IDPC was not being served in accordance with TSJ timescales. We were informed that often the papers arrived with the court the day before the court hearing. Papers were also often served late in the Crown Court, which was borne out by our court observations. The court is nonetheless clearly determined that the first hearing will be effective; this convergence of interest has ensured that the hearings are effective despite late service.

5.28 Defence engagement is not taking place in advance of the first hearing. Of the cases where the defence representative was adequately identified by the police, in only one (a Crown Court case) did the Area effectively engage before the first hearing.

5.29 Compliance with judges' orders and court directions is also in need of improvement. Overall only 37.6% of the cases we examined showed full compliance. This bore out stakeholder feedback that the CPS did not always progress cases effectively. Performance was better in the magistrates' courts (45.9% compliance) than in the Crown Court (31.3%).

5.30 Overall, there was a satisfactory level of 'grip' in under a third of the cases we examined (31.5%). The use of CMS, file endorsements and file housekeeping were fully satisfactory in only 11.5% of Crown Court cases and 32.2% of magistrates' courts cases.

5.31 The overall conviction rate in the magistrates' court for the 12 months to December 2015 was 87.2%, which was a very slight fall from previous years but still well above the national average of 83.8%. In the Crown Court, the conviction rate has been in decline and now sits a little over the national average (79.9% compared to 79.1%). Judge ordered acquittals have decreased over the period and for the year ending December 2015 sit at 12.2% (nationally 12.3%).

5.32 Current performance in rape and serious sexual offences cases needs to improve, with a conviction rate of only 54.3% (compared to 57.7% nationally). Given the fact that these cases represent a significant proportion of the overall Crown Court caseload they impact significantly on the Crown Court conviction rate. As noted in chapter 3 we were informed that only 50% of RASSO cases that were referred for pre-charge advice were in fact charged by the Area. If this issue were addressed it would free finite resources to focus on charged cases.

5.33 The cracked and ineffective trial rate remains better than the national average. In the magistrates' courts it has improved from the previous year (to 50.0%) and remains lower (better) than the national average (52.3%). In the Crown Court, the rate has worsened since the previous year (41.8% to 43.6%) but is still better than the national average of 50.1%.

Issue to address

The Area needs to improve its case preparation work for the first hearing and comply fully with the requirements of Transforming Summary Justice.

Issue to address

The Area's performance in rape and serious sexual offences work is a particular concern as it is a sensitive and growing area of work. The Area must focus on this and work with (and challenge if necessary) the police to ensure that it is dealt with appropriately.

Mandatory module	Assessment
Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, Victim Communication Letters, communications with bereaved families, and those relating to the Victims' Right to Review) occur where required, and are timely and of a high standard	Poor

Summary

There was only limited evidence of compliance with the Victims' Code and policies on communication with victims, while performance is poor in relation to quality and timeliness of correspondence.

5.34 Our case file examination revealed a number of weaknesses:

- a Of the 106 files that had an identified victim, just over half (53.8%) fully met the required standard for compliance with the Victims' Code and policies on communication with victims.
- b In only 50.0% of relevant cases was a timely Victim Communication Letter (VCL) sent.
- c There was a failure to send a Victim Communication Letter in 45.5% of relevant cases.

Case study

When dealing with a hate crime the lawyer advised the Victim Liaison Unit (VLU) that the victim was entitled to an enhanced service and that the Victim Communication Letter must be sent in one day. The VLU waited four days before making a request to the police to send further contact details for the victim (as they were not on the file). This request was chased again five days later with no response. Weeks later, the VLU wrote to the CPS unit and asked if they still wanted to send the VCL. There was no record of a response on the file and no letter appears to have been sent despite it being drafted.

- d Letters to victims were only of sufficient quality in 50.0% of relevant cases.
- e There was a lack of empathy towards victims in some VCLs and in one case we examined which required the Area to offer a meeting with the victim, there was a failure to do so.
- f In addition to the Area's obligation to inform victims of changes to their case as part of the national CPS VCL scheme, there is also an obligation to inform the victim when a decision is made to stop the case under the national Victims' Right to Review (VRR) scheme. In only 70.0% of relevant files examined by inspectors was reference made to the scheme.

g There were examples of letters being sent to victims with the wrong outcomes and insufficient information to explain the decisions taken.

5.35 We have noted that in our Area Casework Examination Programme (ACEP) 2014-15, Cymru-Wales fully met its obligations in 66.7% of cases where victims were required to be consulted on a plea or proposed discontinuance, which compared favourably to 49.7% of cases nationally. However in our current file examination, only 42.8% of victims were consulted, representing a decline in performance.

5.36 A number of staff acknowledged to inspectors the weaknesses of the current system and we were informed by managers that some prosecutors had chosen to write their own letters to victims, as they found the template letters inadequate. Other staff commented that they would benefit from further training on how to write Victim Communication Letters.

5.37 An integral part of the process for sending outcome details of cases to victims is for prosecutors to provide the necessary information in a timely manner. For this purpose (and others) the Area requires prosecutors at court to complete hearing records sheets (HRSs). However, we found there to be a delay in the time that agents submitted the HRS to the CPS office. The late response was usually down to an agent completing the form as a word document and then emailing the result to the admin department, causing delay in passing the information onto the VLU. This would then cause delay in informing the victim or witness of the decision or outcome. Overall, our case file inspection showed that 59.3% of magistrates' court hearing outcomes were not promptly submitted on an HRS, while in the Crown Court the figure rose slightly to 60.7%.

5.38 Although in-house prosecutors were timelier in submitting their HRS due to the instant update on the Prosecutor App, their endorsements were often poor and it was difficult in some instances to ascertain what had happened at court or why a decision had been made to stop or alter a charge. Important information is thereby lost. The Area needs to ensure that it complies with the requirements to write to the victim in every case where the charge had been altered or stopped.

Case study

A defendant was convicted of non-racially aggravated assault and criminal damage. Whilst the victim's letter accurately provided details of the sentence, it inaccurately informed the victim that this related to convictions for both a racially aggravated assault and a non-aggravated assault.

The letter also informed the victim inaccurately that the defendant had been acquitted of an offence of criminal damage.

5.39 Concerns have been raised with the adequacy of the service provided to victims by Cymru-Wales on previous occasions. In particular:

- a In 2014-15 the VLU Project Team, from CPS Headquarters Strategy and Policy Directorate, inspected the Wales VLU as part of its Victim Liaison Unit Assurance Review. It set out 11 recommendations for improvement which included: Prosecutor compliance is an issue both in terms of the timeliness and adequacy of the information; Prosecutors should inform the VLU whether the VCL communication requested should be sent within one or five days; appoint a VLU manager (one was in place at the time of our inspection) and be more proactive at managing the VLU on a day-to-day basis (which the Area informs us is being provided); and to provide a structured process for monitoring the quality of the communications drafted by the Victim Liaison Officers.
- b HMCPsi visited CPS Wales in June 2015 as part of the communicating with victims inspection,⁵ when similar findings to those above were identified.
- c In March 2016 an internal review was conducted by senior Area staff which also identified weaknesses. The review recommended appointing a dedicated manager to the unit and amending the template letters. It also sought to remind prosecutors of the expectations of communicating with victims by using performance objectives. With this in mind, the CPS Cymru-Wales Business Plan 2015-16 set down as one of the Area's objectives to take forward the recommendations arising from the VLU Assurance Review and subsequent inspections.

⁵ *Communicating with victims*; HMCPsi: January 2016.
www.justiceinspectorates.gov.uk/hmcpai/inspections/communicating-with-victims/

5.40 The Area has been aware of these weaknesses in dealing with communications with victims for a period of time and has an action plan in place, but has not improved performance to an acceptable standard. However, we acknowledge that it is working to implement the national CPS Speaking with Witnesses Initiative and has the further obligation to comply with the requirements of the Welsh Language Act 1993, although we were not able to ascertain how much communication is sent out in Welsh.

Issue to address

The Area must improve its performance in relation to compliance with the Victims' Code and all relevant policies that relate to victim communication.

Issue to address

The Area Strategic Board must ensure that the appropriate quality standards are achieved in all communications with victims.

Annexes

A Glossary

Adverse case

An adverse result is a case which is either discontinued by the prosecution or stopped by the court because of a lack of evidence.

Agent

Agents are lawyers who are not employed by the CPS but who are booked, usually on a daily basis, to prosecute cases in court on its behalf. They are not empowered to take decisions under the Code for Crown Prosecutors and have to take instructions from CPS lawyers in this regard.

Annual Casework Examination Programme (ACEP)

This involves examination and assessment of a number of CPS files previously undertaken annually by HMCPSI. Files are taken from across the CPS and cover a range of serious and less serious casework.

Area Business Manager (ABM)

The most senior non-legal manager at CPS Area level.

Area Strategic Board (ASB)

The senior management team for Cymru-Wales.

Associate prosecutor (AP)

A CPS employee who is trained to present cases in the magistrates' court on pleas of guilty, to prove them where the defendant does not attend, or to conduct trials of non-imprisonable offences.

Basis of plea

When the defendant pleads guilty to the charge, but does not agree the full facts as set out by the prosecution. The prosecution must then decide whether to accept the basis on which the defendant is pleading guilty.

Better Case Management (BCM)

The single national process for case management of Crown Court matters. It is led by Her Majesty's Courts and Tribunals Service (HMCTS) and involves the CPS and police. The aim is to deal with cases more efficiently.

Case management system (CMS)

IT system for case management used by the CPS. Through links with the police systems CMS receives electronic case material.

Chief Crown Prosecutor (CCP)

The most senior legal manager at CPS Area level and the person who is held to account for its assurance controls and performance.

Code for Crown Prosecutors (the Code)

The public document that sets out the framework for prosecution decision-making. Crown Prosecutors have the Director of Public Prosecutions' (DPP) power to determine cases delegated, but must exercise them in accordance with the Code and its two stage test – the evidential and public interest stages. 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. *See also Threshold test.*

Court orders/directions

An order or direction made by the court at a case progression hearing requiring the prosecution to comply with a timetable of preparatory work for a trial. These orders are often made under the Criminal Procedure Rules.

CPS Direct (CPSD)

The CPS Area which takes the majority of CPS decisions as to charge under the charging scheme. Lawyers are available on a single national telephone number so that advice can be obtained at any time.

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 because the prosecution offer no evidence.

Crown Advocate (CA)

A lawyer employed by the CPS who has a right of audience in the Crown Court.

Custody time limit (CTL)

The statutory time limit for keeping a defendant in custody awaiting trial. May be extended by the court in certain circumstances.

Hearing record sheet (HRS)

A CPS electronic record of events at court. If completed correctly it acts as a continual log of court proceedings and court orders.

Individual Learning Account (ILA)

The ILA gives every member of CPS staff access to £350 a year for professional development to ensure all staff have the tools and skills to do their job.

Individual Quality Assessment (IQA)

The CPS scheme to assess the performance of individuals and compliance with the CPS's Casework Quality Standards.

Ineffective trial

The trial does not go ahead on the trial date due to action or inaction by one or more of the prosecution, defence or the court and a further listing for trial is required.

Initial Details of the Prosecution Case (IDPC)

The material which the prosecution is obliged to serve on the court and defendant before the first hearing. Documents to be included vary dependent upon the type of case and anticipated plea, but always include the charge sheet and the police report (MG5).

Local Criminal Justice Board (LCJB)

There are a number of Local Criminal Justice Boards (or partnerships) in England and Wales, which bring together the chief officers of all the criminal justice agencies and partnerships in order to co-ordinate delivery of the criminal justice system.

National File Standard (NFS)

This document details what must be included in the police file for particular types of cases.

Not Guilty Anticipated Plea (NGAP)

A Not Guilty Anticipated Plea involves a case whereby the defendant is expected to deny the offence at court following an assessment of the available evidence.

Paralegal officer/assistant

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.

Plea and Trial Preparation Hearing (PTPH)

This is a first hearing before the Crown Court at which cases should be effectively managed and listed for trial. There is a specific PTPH form which should be completed as far as possible prior to the hearing and completed at that hearing. This is part of the BCM initiative.

Prosecution Team Performance Management (PTPM)

Joint analysis of performance by the CPS and police locally. It is used to consider the outcomes of charging and other joint processes.

Prosecutor App

Computer application designed to give CPS lawyers in the magistrates' court easy access to case files and a means of rationalising the process of recording information on hearing outcomes on CMS.

Prosecutor's duty of disclosure

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 undermine the prosecution case or assist the defence case. Initial (formerly known as "primary") disclosure is supplied routinely in all contested cases. Continuing (formerly "secondary") disclosure is supplied after service of a defence statement. Timeliness of the provision of disclosure is covered in the Criminal Procedure Rules.

Rape and Serious Sexual Offences (RASSO)

Includes rape, sexual assault, sexual activity offences, abuse of children through prostitution or pornography, and trafficking for sexual exploitation.

Resource Efficiency Model (REM)

Used to measure how long tasks take and how many are being processed to create a standardised way of measuring the resources needed to carry out work across the organisation.

Standard Operating Practices (SOPs)

National CPS processes that apply consistency to business practices. They provide a set procedure for all Areas to adhere to. Examples of SOPs are those for Transforming Summary Justice, Better Case Management, and custody time limits.

Threshold test

The Code for Crown Prosecutors provides that where it is not appropriate to release a defendant on bail after charge, but the evidence to apply the full Code test is not yet available, the threshold test should be applied.

Transforming Summary Justice (TSJ)

A cross-criminal justice agency initiative which aims to reform the way in which criminal casework is undertaken in the magistrates' courts and to create a swifter criminal justice system, with reduced delay and fewer hearings. The initiative is based on ten characteristics to be implemented by all the agencies to achieve its aims.

Very High Cost Case (VHCC)

A scheme used by the CPS to ensure that work undertaken by counsel in the preparation and presentation of cases in the Crown Court, Higher Court and at the advice stage is actively managed by the reviewing lawyer and expenditure in the most complex, serious and expensive cases is subject to proper audit.

Victim Communication and Liaison Scheme

A CPS scheme under which victims are informed of decisions to discontinue or alter substantially any charges. The CPS must notify the victim within one working day if they are vulnerable or intimidated and within five working days for all other victims. In some case categories a meeting will be offered to the victim or their family to explain these decisions.

Victim Liaison Unit (VLU)

A dedicated team of CPS staff in every Area responsible for all direct communication with victims, administering the Victims' Right to Review scheme, complaints, and for overseeing the service to bereaved families.

Victims' Right to Review Scheme (VRR)

Under the scheme a review of the following CPS decisions can be sought: not to charge; to discontinue (or withdraw in the magistrates' courts) all charges thereby ending all proceedings; to offer no evidence in all proceedings; and to leave all charges in the proceedings to "lie on file" (this is the term used in circumstances where the CPS makes a decision not to proceed and requests that the charges be allowed "to lie on the file" marked 'not to be proceeded with without the leave of this Court or the Court of Appeal').

Witness Care Unit (WCU)

Unit responsible for managing the care of victims and prosecution witnesses from the point of charge to the conclusion of a case. Staffed by witness care officers and other support workers whose role it is to keep witnesses informed of progress during the course of their case. Units may have a combination of police and CPS staff (joint units).



B Area Assurance Programme inspection framework

Introduction

The framework is split into two sections: Governance and Value for Money; and Casework Quality and Service Delivery for Users. Each section has a performance expectation and a number of criteria against which evidence may be gathered, depending on the nature of the risk identified as attaching to those aspects of the framework. Evidence will be gathered against the criteria marked as mandatory for any Area assessment; these are criteria A1, A3, A8, B2, B3, B4 and B8. The remaining criteria are optional and our risk parameters will be applied to determine whether evidence is gathered against them.

The CPS Casework Quality Standards⁶ are reflected in the framework and compliance by the CPS with the regime of Individual Quality Assessments will form part of the inspection methodology where it is deemed appropriate. Likewise the framework is structured to take account of and consider other key aspects such as Standard Operating Practices, Transforming Summary Justice and Better Case Management.

Overall, inspectors are looking to see that the CPS delivers the maximum benefit for users and stakeholders with the resources available. This means the right people doing the right things at the right time for the right cost, and delivering the right outcome. The focus will be on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

⁶ *Casework Quality Standards*; CPS; October 2014.
www.cps.gov.uk/publications/casework_quality_standards/index.html

Part A: Governance and Value for Money

Performance expectation

The Area has effective governance arrangements to assure the delivery of high quality casework standards and high levels of efficiency and value for money, achieved by obtaining optimum benefit from the resources available to it whilst delivering quality and successful outcomes for users.

Criteria

- 1 Resources (including prosecution costs) are managed to maximise effectiveness and value for money. [MANDATORY]**
 - 1.1 The prosecution costs budget is regularly monitored as part of the Area's budget monitoring arrangements and prosecution costs are properly accounted for.
 - 1.2 Relevant staff understand the key drivers of prosecution costs and use this to inform decision-making.
 - 1.3 Very High Cost Cases are identified correctly, with appropriate management and control of relevant cases.
 - 1.4 Area managers are clearly accountable for achieving value for money through improved performance.
 - 1.5 Area managers promote the concept of value for money throughout the Area.
 - 1.6 There are effective systems for assessing the most appropriate staffing structure/ levels across the Area, with work conducted by staff at the right level.
 - 1.7 Staff flexible working patterns are balanced with core requirements.
 - 1.8 The balance between in-house prosecutors and agent usage represents a good use of resources.

- 2 The Area's budget is managed systematically and deployed in such a way as to balance efficiency and successful outcomes.**
 - 2.1 The Area's budget is systematically controlled through devolution, proper monitoring and accurate knowledge of committed expenditure.
 - 2.2 The Area's budgetary allocation and planning support strategic and operational delivery.

-
- 2.3 The Area has an effective and transparent system of allocating funds to budget holders. There are clear financial delegation limits, which are understood by staff.
 - 2.4 Area managers are effective in negotiating financial matters with CPS Headquarters and partners.
 - 2.5 The Area controls and manages all material assets effectively.
 - 2.6 Area-based internal audit processes are sound and applied consistently.
- 3 The Area's key performance data is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement. [MANDATORY]**
- 3.1 There is regular and robust analysis of performance by the Area management team, which is based on reliable and timely performance data and other relevant information.
 - 3.2 There is effective benchmarking of performance across the Area, and with other Areas, national performance and CPS levels of ambition.
 - 3.3 Analysis of performance and benchmarking inform decision-making and resource allocation, lead to remedial action taken where appropriate, and contribute to improving performance.
 - 3.4 Area quality assurance and performance monitoring measures identify aspects for improvement and good practice, which are shared with staff and which drive improvements in service delivery.
 - 3.5 Performance information is disseminated in a readily understood format to staff.
 - 3.6 Teams are held to account for their performance.
- 4 The quarterly performance review (QPR) is a realistic portrayal of the Area's performance and QPRs are used robustly to identify failings and drive improvements.**
- 4.1 The Area demonstrates an understanding of the reality of performance and service delivery at the operational level.
 - 4.2 Senior managers assess performance robustly, using regular reality checks (such as dip samples, reviews of failed cases and court observations) to inform their understanding of front-end delivery levels.
 - 4.3 The senior management team undertakes the QPR process robustly and openly.
 - 4.4 The QPR process is used to help identify effective measures to improve performance.

4.5 Actions resulting from the QPR and assessment are agreed, taken forward and followed up.

5 The Area is committed to equality and diversity policies, CPS values and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale.

5.1 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.

5.2 Area managers effectively communicate the vision, values and direction of the CPS.

5.3 The Area has integrated equality into all relevant strategies and plans, including the Area training plan, and there is equality of access to training.

5.4 The Area has a plan in place to improve staff engagement levels.

5.5 Sick absence reduction targets have been set and actions taken to meet them.

5.6 Area managers motivate staff, build effective teams, and challenge inappropriate behaviour.

5.7 Staff are provided with the appropriate resources and training to do their jobs.

5.8 Good performance is identified and rewarded, and poor performance tackled appropriately.

6 National Standard Operating Practices, policies and initiatives are implemented effectively by the Area, and quality assurance by the Area is robust, with opportunities taken to improve service delivery.

6.1 National initiatives, such as Transforming Summary Justice and Better Case Management are implemented effectively by the Area.

6.2 The risks and interdependencies of national policies and initiatives as they affect the Area have been correctly identified and remedial action has been taken where necessary.

6.3 Compliance with Transforming Summary Justice and Better Case Management is measured accurately and reported robustly within the Area and to CPS Headquarters.

6.4 The Area complies with Standard Operating Practices and there is an effective quality assurance regime to monitor and manage processes and systems.

6.5 Managers and staff understand how individual initiatives and processes impact on each other and the efficiency of the Area and criminal justice system generally.

- 6.6 Responsibilities for quality assurance and continuous improvement in Standard Operating Practices, national policies and initiatives are defined and tasked to the appropriate management level.
- 7 There are effective two-way communication channels between Area managers and staff, which are used to identify and utilise opportunities to maximise effectiveness, value for money and the quality of service delivery.**
- 7.1 Area managers have ongoing effective engagement with staff on strategic and operational matters.
- 7.2 Managers understand their responsibilities for implementing senior management decisions.
- 7.3 Senior managers take time to make themselves available to staff at key points in the business calendar or during change processes.
- 7.4 Regular and open dialogue occurs through team meetings, with feedback to senior managers of relevant information.
- 8 The Area is influential with partners and joined up working is effective and delivers improvements in outcomes for users. [MANDATORY]**
- 8.1 Senior managers promote an open and constructive approach with criminal justice colleagues.
- 8.2 The Area works effectively with the Local Criminal Justice Board (where applicable).
- 8.3 There are effective arrangements for joint performance management with criminal justice partners, which include robust quality assurance processes.
- 8.4 Relevant performance information, areas for improvement and good practice are shared between criminal justice system partners and used to identify strengths and weaknesses.
- 8.5 Joint improvement strategies are implemented, actions are followed up and improvement results.

- 9 The Area is responsive to community groups, victims and witnesses, complainants, other stakeholders and the public, and uses their feedback robustly to identify strengths and weaknesses and to improve service delivery.**
- 9.1 Senior managers are committed to engaging with and securing the confidence of victims and witnesses, other stakeholders and the public.
 - 9.2 The needs of victims and witnesses are identified, addressed and incorporated into the core business of the Area.
 - 9.3 The Area prioritises engagement with stakeholders or community groups at the greatest risk of exclusion and discrimination.
 - 9.4 Complaints, Victims' Right to Review communications and other feedback from stakeholders, community groups and the public are used to identify aspects for improvement.
 - 9.5 Actions identified from feedback are implemented effectively and followed up robustly.
 - 9.6 The Area can demonstrate improvement in service delivery, engagement or community confidence as a result of actions taken on feedback received.

B: Casework Quality and Service Delivery for Users

Performance expectation

The Area delivers sound decisions, effective case preparation and presentation, improved outcomes and a quality service for users.

Criteria

- 1 **Area charging arrangements are effective in delivering timely and good quality early investigative advice and charging decisions to the police, and drive improvement in successful outcomes.**
 - a There are processes in place to ensure the timely delivery of good quality early investigative advice and written pre-charge advice and charging decisions.
 - b The Area effectively manages inappropriate requests for advice or a charging decision from the police.
 - c The Area identifies and addresses appropriately with CPS Direct any weaknesses and strengths in CPSD advices.
 - d The Area uses key performance indicators to assure itself of the effectiveness of charging advice and decisions.
 - e There is effective use of appropriate assurance processes, such as dip sampling and the Individual Quality Assurance scheme to ensure the quality of decision-making and timeliness, and compliance with the Code for Crown Prosecutors, Casework Quality Standards and relevant policies.
 - f Aspects for improvement are identified from data and quality assurance, remedial actions are implemented and followed up, and performance improvements result.
- 2 **The Area complies with its duties of disclosure in relation to unused material. [MANDATORY]**
 - a The Area ensures that prosecutors are complying with all relevant legislation and guidance on the disclosure process.
 - b There is a senior lead for disclosure who is effective in promoting compliance and improvement and is available to provide advice in complex cases.
 - c Disclosure is quality assured robustly, aspects for improvement are identified, and performance improves as a result.
 - d The Area provides training to staff on disclosure in a timely manner and performance improvement results.

- 3 Casework reviews and decisions (including the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction. [MANDATORY]**
- a The Area checks that all files received from the police are in accordance with National File Standards and the principles of Transforming Summary Justice and Better Case Management.
 - b The Area feeds back effectively to the police where they do not comply with the Code for Crown Prosecutors or the Director's Guidance on Charging.
 - c The Area ensures that there is a timely and proportionate review in all cases requiring one.
 - d Reviews and decisions are quality assured to ensure that they:
 - i comply with the Code and any relevant policy or guidance
 - ii are properly endorsed on either the hearing record sheet or the digital file on CMS
 - iii include a prosecution case theory or trial strategy to maximise the prospects of a successful outcome
 - iv identify when ancillary orders or additional information may be requested at sentencing or other disposal, and ensure this information is available to the court to avoid unnecessary delays.
- 4 Case preparation and progression are effective and timely. [MANDATORY]**
- a Area systems support the effective progression of cases, including compliance with Criminal Procedure Rules and Standard Operating Practices.
 - b The Area ensures that cases progress at the first magistrates' court hearing in accordance with Transforming Summary Justice principles.
 - c The Area ensures that case progression in the Crown Court is in accordance with the principles of Better Case Management.
 - d The Area ensures that the number of effective trials and successful outcomes are increasing through effective case preparation and progression.
 - e Systems are in place to ensure that prosecution advocates are correctly briefed in a timely manner.

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- 5 Sensitive, domestic abuse and other hate crime cases are prioritised appropriately and handled effectively to deliver successful outcomes.**
- a The Area has effective management and quality assurance systems for sensitive, domestic abuse and other hate crime, and complex or high profile cases, to deliver successful outcomes and a quality service for victims.
 - b The Area satisfies itself that these cases (sensitive etc) are appropriately handled throughout their lifetime, including compliance with relevant policy and guidance.
 - c Quality assurance processes identify lessons to be learned and good practice, actions are identified and improvements result.
 - d There is an effective system for communicating learning points and good practice to staff and criminal justice partners.
 - e The proportion of successful outcomes in sensitive etc cases (as measured by the conviction rate) is improving.
 - f There are effective leads or co-ordinators for sensitive cases, with the necessary skills and training, who are consulted, or handle cases, where appropriate.
 - g Cases involving rape and serious sexual offences are allocated to specialist staff with the necessary skills and training, who comply with relevant policy and guidance.
 - h The Area has taken steps to ensure that these cases (sensitive etc) are identified and flagged correctly on CMS.
- 6 Best evidence and successful outcomes are achieved by the effective use of agreed evidence, witness warnings, accurate and timely communications with witnesses, and the effective use of special measures, interpreters, intermediaries and witness summonses where appropriate.**
- a The Area ensures that casework decisions and case preparation make effective use of live witnesses at trial, section 10 admissions, and applications to admit evidence, and improvements in successful outcomes result.
 - b The Area ensures that there is proper consideration of measures to enable victims and witnesses give their best evidence, including special measures, intermediaries and interpreters where appropriate.

- c The Area monitors the use of witness summonses and warrants to ensure that decisions regarding summonses are timely, their use is proportionate, and risk assessments have been carried out where appropriate.
 - d The Area's processes ensure that cracked and ineffective trials and unsuccessful outcomes attributable to witness issues are declining.
- 7 The case management system (CMS) and electronic cases are managed effectively to ensure accurate records of cases (including flagging and finalisation) to promote efficient case progression, successful outcomes and to generate reliable performance information.**
- a The Area works with the police to ensure that police files are added to CMS in a timely and effective manner.
 - b The Area monitors and quality assures CMS usage to ensure that:
 - i CMS is used to record all case events
 - ii applicable relevant monitoring codes or flags are correctly applied
 - iii hearing record sheets are completed accurately and uploaded promptly
 - iv letters, emails and other documents are uploaded to CMS promptly
 - v cases are correctly and accurately finalised on CMS, including the reason code.
 - c CMS task lists and reports are used robustly to manage, monitor and improve case progression.
- 8 Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, Victim Communication Letters, communications with bereaved families, and those relating to the Victims' Right to Review) occur where required, and are timely and of a high standard. [MANDATORY]**
- a The needs of victims and witnesses are fully considered and there is timely and appropriate liaison and support throughout the prosecution process.
 - b The Area works closely with the Witness Care Unit, police and other criminal justice partners to ensure that the service to victims and witnesses is of a high standard.
 - c The Area ensures compliance with the requirement to consult victims in appropriate cases, including discontinuance and acceptance of pleas.
 - d The Area ensures that communications with victims and bereaved families are sent where required and are of a high standard, with reference to sources of support or additional rights (including the Victims' Right to Review) where appropriate.
 - e Area training plans give appropriate priority to training on victim and witness issues and relevant policies and guidance.

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- 9 The views and interests of the victim, witnesses and public are reflected and protected by the appropriate use of remand or bail conditions, Victim Personal Statements and ancillary orders at sentencing, and by the proper management of custody time limits, including due diligence in the progress of custody cases.**
- a The Area ensures that victim and witness issues are considered at the pre-charge stage and clear instructions are provided to advocates for all hearings.
 - b The Area ensures that applications to refuse bail, seek bail conditions or appeal the grant of bail are appropriate and proportionate, and are effective in protecting the victim and the public.
 - c The Area ensures that the opportunity to make a Victim Personal Statement has been provided in applicable cases, and that prosecutors take the necessary steps to present it to the court in the way that the victim chooses, as far as possible.
 - d Area processes ensure that the right ancillary orders are sought at sentencing or other disposal to protect the victim, witnesses or the public.
 - e The Area has an effective system for monitoring custody time limits.
- 10 Defendants' rights are reflected in decision-making and case management and prosecutions are conducted firmly and fairly.**
- a The Area ensures that charging and discontinuance decisions are compliant with the Code for Crown Prosecutors and that decisions to discontinue are made and put into effect in a timely manner.
 - b The Area ensures that applications to remand a defendant in custody or seek to attach bail conditions to a defendant's bail are made only where necessary and in accordance with statutory provisions.
 - c Area processes ensure that custody cases are prioritised.
 - d The Area ensures that the needs of young or vulnerable defendants are reflected to an appropriate degree in decision-making and case preparation and progression.
- 11 Before and at court, prosecutors and advocates engage effectively with the defence to ensure effective case progression and avoid ineffective hearings or cracked trials.**
- a Area processes ensure that there is timely engagement with the defence in Transforming Summary Justice cases.
 - b The Area ensures that case management issues are resolved between the parties at the first hearing.

- c The Area ensures that communications with the defence are open, fair, firm and timely.
 - d Area staff monitor and escalate where appropriate non-compliance by the defence with the Criminal Procedure Rules and court directions or orders.
- 12 Advocates are well-prepared, display high standards of advocacy skills, are proactive in progressing cases and contribute effectively to the just, timely and proportionate disposal of cases.**
- a The Area ensures that advocates progress cases effectively and play their part in delivering a successful outcome.
 - b The Area implements National Advocacy Standards and other national policies on advocacy.
 - c The Area systematically monitors performance in advocacy and case progression and provides feedback, with dissemination of lessons learned and good practice.
 - d The Area ensures that advocates at court accurately record all decisions and matters relating to the case.
 - e The Area allows sufficient time for advocates to review and prepare cases for court.
 - f The Area provides the necessary resources, training and guidance to advocates, including paralegal assistance in court where appropriate, to support advocates in delivering a high standard of case progression and presentation.
- 13 The Area delivers a high standard of victim and witness care at court.**
- a Area systems, processes and training equip advocates with sufficient time and the skills to comply with the guidance on speaking to witnesses at court.
 - b The Area ensures that advocates are robust in challenging defence witness requirements.
 - c The Area ensures that in relevant cases advocates accurately and promptly relay to the Victim Liaison Unit the necessary information for Victim Communication Letters.
 - d The Area engages effectively with Witness Care Units, victim and witness support agencies and other criminal justice partners, to deliver improvements in victim and witness care at court.

C File sample composition and examination findings

Question	Answer	
Pre-charge decision by the police		
The police decision to charge was compliant with the Code for Crown Prosecutors	Yes	96.2%
	No	3.8%
The police decision to charge was compliant with the Director's Guidance	Yes	73.1%
	No	26.9%
Pre-charge decision by the CPS		
The CPS decision to charge was compliant with the Code for Crown Prosecutors	Yes	94.7%
	No	5.3%
The MG3 included proper case analysis and case strategy	Fully met	29.8%
	Partially met	58.5%
	Not met	11.7%
Victim issues were dealt with appropriately in the MG3	Fully met	60.0%
	Partially met	29.4%
	Not met	10.6%
Rate the overall quality of the MG3	Excellent	1.1%
	Good	37.2%
	Fair	40.4%
	Poor	21.3%
Code compliance after charge		
All Code decisions after charge complied with the Code for Crown Prosecutors	Yes	95.8%
	No	4.2%
Digital case file		
The use of CMS, file endorsements and file housekeeping were satisfactory	Fully met	21.7%
	Partially met	65.8%
	Not met	12.5%

Question	Answer	
Initial case review and preparation for first hearing		
The case received a proper and proportionate initial case review where appropriate	Fully met	38.8%
	Partially met	23.5%
	Not met	12.9%
	Not done	24.7%
The first hearing was effective, complied with TSJ/BCM expectations (where appropriate) and resolved all outstanding issues	Yes	75.8%
	No	14.2%
	Not applicable	10.0%
Any issues with the effectiveness of the first hearing were primarily occasioned by whom	Police	53.3%
	CPS	30.0%
	Court	6.7%
	Defence	10.0%
Case progression after the first hearing		
The magistrates' court or Crown Court trial took place on the first listing for trial	Yes	76.7%
	No	23.3%
The lawyer or team exercised sound judgement and grip on the case	Fully met	31.5%
	Partially met	51.9%
	Not met	16.7%
There was timely compliance with court directions or judges' orders	Fully met	37.6%
	Partially met	30.6%
	Not met	31.8%
There was compliance throughout the life of the case with the relevant CPS policy for the type of sensitive or specialist case concerned	Fully met	54.8%
	Partially met	29.0%
	Not met	16.1%

Question	Answer	
Disclosure		
The overall quality of handling of unused material by the CPS was	Excellent	0%
	Good	36.2%
	Fair	45.7%
	Poor	18.1%
Victims and witnesses		
The Victims' Code, Prosecutors' Pledge and any other policy guidance on the treatment of witnesses was complied with	Fully met	53.8%
	Partially met	35.8%
	Not met	10.4%
There was a timely Victim's Communication Letter (VCL) when required	Yes	50.0%
	No	4.5%
	Not done	45.5%
The VCL was of a high standard	Fully met	50.0%
	Partially met	25.0%
	Not met	25.0%
Police service quality		
The overall quality of the service from the police was	Excellent	0%
	Good	44.2%
	Fair	27.5%
	Poor	28.3%



D Key performance data

Outcomes	National					Cymru-Wales				
	2012-13	2013-14	2014-15	2015-16 to Dec 15 2012-13	Variance to Dec 15 2012-13	2012-13	2013-14	2014-15	2015-16 to Dec 15 2012-13	Variance to Dec 15 2012-13
Magistrates' court										
Successful outcomes	86.2%	85.6%	84.2%	83.8%	-	88.3%	88.0%	87.6%	87.2%	-
Discontinuance	9.7%	9.8%	10.5%	10.4%	-	8.6%	8.9%	9.0%	9.2%	-
Crown Court										
Successful outcomes	80.6%	81.0%	79.4%	79.1%	-	82.6%	83.3%	79.9%	79.9%	-
Judge ordered acquittals	11.6%	11.5%	12.5%	12.3%	-	9.6%	9.7%	12.9%	12.2%	-
Charging volumes										
No. of pre-charge decisions	299,345	298,077	307,037	287,313	-4.0%	19,421	19,309	19,152	18,580	-4.3%
Magistrates' court										
Guilty pleas	71.7%	71.8%	71.2%	71.0%	-	75.4%	75.3%	74.1%	74.1%	-
Attrition	22.0%	21.6%	22.4%	22.1%	-	18.8%	18.9%	20.9%	20.2%	-
Crown Court										
Guilty pleas	71.8%	72.8%	71.9%	71.3%	-	75.1%	77.2%	74.1%	73.8%	-
Attrition	19.3%	18.8%	20.5%	20.7%	-	17.3%	16.9%	20.3%	20.2%	-

Staffing and caseload changes							
	2012-13	2013-14	2014-15	% change 2013-14 to 2014-15	2015-16 to Dec 15	% change 2014-15 to Dec 15	2 yr average % change 2013-14 to Dec 15
Areas and CPS Direct plus Proceeds of Crime							
Staff in post	5,807	5,285	4,984	-5.7%	4,679	-6.1%	-11.5%
Prosecutors in post	2,605	2,375	2,240	-5.7%	2,140	-4.5%	-9.9%
Administrators in post	3,202	2,910	2,744	-5.7%	2,539	-7.5%	-12.7%
Magistrates' court							
Completed cases	700,423	633,306	557,887	-11.9%	539,724	-3.3%	-14.8%
Contested cases*	53,488	53,770	54,167	0.74%	59,567	10.0%	10.8%
Contested cases proportion of completed cases	7.6%	8.5%	9.7%	1.2	11.0%	1.3	2.5
<i>Contested cases with conviction</i>	34,473	33,805	33,075	-2.2%	36,944	11.7%	9.3%
Proportion of contested cases resulting in conviction	64.4%	62.9%	61.1%	-1.8	62.0%	1.0	-0.8
Contested cases per prosecutor**	20.5	22.6	24.2	-	27.8	-	-
Crown Court							
Completed cases	95,862	93,446	98,505	5.4%	97,942	-0.6%	4.8%
Contested cases*	17,604	16,102	16,847	4.6%	17,564	4.3%	9.1%
Contested cases proportion of completed cases	18.4%	17.2%	17.1%	-0.1	17.9%	0.8	0.7
<i>Contested cases with conviction</i>	10,553	9,627	9,568	-0.6%	9,965	4.1%	3.5%
Proportion of contested cases resulting in conviction	59.9%	59.8%	56.8%	-3.0	56.7%	-0.1	-3.1
Contested cases per prosecutor**	6.8	6.8	7.5	-	8.2	-	-

* Includes mixed pleas

** Excludes CCP and senior staff

Staffing and caseload changes							
	2012-13	2013-14	2014-15	% change 2013-14 to 2014-15	2015-16 to Dec 15	% change 2014-15 to Dec 15	2 yr average % change 2013-14 to Dec 15
Cymru-Wales							
Staff in post	354.0	307.0	276.0	-10.1%	259.0	-6.2%	-15.6%
Prosecutors in post	155.0	132.0	121.0	-8.3%	112.0	-7.4%	-15.2%
Administrators in post	199.0	175.0	155.0	-11.4%	147.0	-5.2%	-16.0%
Magistrates' court							
Completed cases	47,236	46,200	42,545	-7.9%	39,615	-6.9%	-14.3%
Contested cases*	2,781	2,748	2,655	-3.4%	2,756	3.8%	0.3%
Contested cases proportion of completed cases	5.9%	5.9%	6.2%	0.3	7.0%	0.7	1.0
<i>Contested cases with conviction</i>	1,703	1,735	1,563	-9.9%	1,641	5.0%	-5.4%
Proportion of contested cases resulting in conviction	61.2%	63.1%	58.9%	-4.3	59.5%	0.7	-3.6
Contested cases per prosecutor**	18.0	20.8	21.9	-	24.6	-	-
Crown Court							
Completed cases	5,519	5,612	5,912	5.3%	5,866	-0.8%	4.5%
Contested cases*	951	803	816	1.6%	868	6.4%	8.1%
Contested cases proportion of completed cases	17.2%	14.3%	13.8%	-0.5	14.8%	1.0	0.5
<i>Contested cases with conviction</i>	538	433	406	-6.2%	426	4.9%	-1.6%
Proportion of contested cases resulting in conviction	56.6%	53.9%	49.8%	-4.2	49.1%	-0.7	-4.8
Contested cases per prosecutor**	6.1	6.1	6.7	-	7.8	-	-

* Includes mixed pleas

** Excludes CCP and senior staff

	National						Cymru-Wales						Comparison to nat. average 2014-15 to Dec 15
	2012-13	2013-14	2014-15	2015-16 to Dec 15	Improvement/deterioration 2014-15 to Dec 15	2012-13	2013-14	2014-15	2015-16 to Dec 15	Improvement/deterioration 2014-15 to Dec 15			
Efficiency													
Completed cases per administrator (FTE)	248.7	249.7	239.2	251.1	↑	265.1	296.1	312.6	309.4	↓			↑
Completed cases per prosecutor (FTE)	305.7	306.0	293.0	298.0	↑	340.4	392.5	400.5	406.1	↑			↑
In-house magistrates' court sessions	80.0%	74.4%	72.4%	71.2%	↓	91.9%	79.7%	81.5%	78.5%	↓			↑
Associate prosecutor magistrates' court sessions	31.9%	28.8%	27.0%	24.1%	↓	35.6%	35.3%	34.8%	30.2%	↓			↑
Cases dropped at 3rd or subsequent hearings (magistrates' court)	37.9%	35.8%	34.1%	31.0%	↑	33.2%	25.3%	25.7%	20.7%	↑			↑
Average sessions per associate prosecutor per week	5.42	5.25	5.59	5.84	↑	5.39	5.28	5.74	6.16	↑			↑
Hearings per magistrates' court case (guilty plea)	1.93	1.91	1.94	1.91	↑	1.87	1.74	1.71	1.67	↑			↑
Hearings per Crown Court case (guilty plea)	3.52	3.58	3.84	3.98	↓	3.30	3.42	3.59	3.60	↓			↑
Percentage of magistrates' court guilty pleas at first hearing	67.0%	68.1%	70.6%	70.4%	↓	68.0%	71.1%	74.3%	74.9%	↑			↑
Percentage of Crown Court guilty pleas at first hearing	38.8%	35.8%	-	-	-	39.9%	34.9%	-	-	-			-
Percentage of Crown Court guilty pleas at first, second or third hearing pre-PCMH	-	-	34.5%	33.9%	↓	-	-	39.1%	38.3%	↓			↑
CPS savings per Crown Advocate	£55,404	£61,936	£65,389	£67,056	↑	£55,078	£65,371	£83,701	£83,280	↓			↑

National		Cymru-Wales						Comparison to nat. average 2014-15 to Dec 15		
	2012-13	2013-14	2014-15	2015-16 to Dec 15	Improvement/deterioration 2014-15 to Dec 15	2012-13	2013-14	2014-15	2015-16 to Dec 15	Improvement/deterioration 2014-15 to Dec 15
Cost										
Prosecution cost per defendant (Crown Court)	£1,027	£1,044	£1,080	£1,121	↓	£876	£846	£812	£875	↓
Overall spend per completed case	£516	£536	£587	£602	↓	£422	£390	£393	£430	↓
Overall spend per total staff (FTE)	£70,689	£73,682	£77,399	£82,035	↓	£62,889	£65,865	£69,050	£75,579	↓
Quality										
Magistrates' court successful outcomes	86.2%	85.6%	84.2%	83.8%	↓	88.3%	88.0%	87.6%	87.2%	↓
Crown Court successful outcomes	80.6%	81.0%	79.4%	79.1%	↓	82.6%	83.3%	79.9%	79.9%	↔
Magistrates' court discontinuances	9.7%	9.8%	10.5%	10.4%	↑	8.6%	8.9%	9.0%	9.2%	↓
Crown Court judge ordered acquittals	11.6%	11.5%	12.5%	12.3%	↑	9.6%	9.7%	12.9%	12.2%	↑

FTE Full-time equivalent PFMH Plea and case management hearing

↑ Improvement

↓ Deterioration

↔ Minimal/no change

➤ Better than comparison with national average



E Summary of results of staff survey conducted by HMCPSI

70 CPS Cymru-Wales staff responded to the survey.

Question	Strongly agree/ Agree	Respondents	Positive response rate (%)
I feel that new initiatives are implemented well in my Area	41	70	58.6%
I feel that new initiatives are implemented well in my team	48	70	68.6%
The TSJ initiative is working well in my Area	40	70	57.1%
The BCM initiative is working well in my Area	37	67	55.2%
Senior managers provide effective leadership in my Area	41	70	58.6%
The Area is influential with partner agencies	34	69	49.3%
Managers communicate and engage with staff effectively	43	70	61.4%
I understand how my Area/team performs in comparison to other Areas and teams	54	69	78.3%
I believe that the workload is fairly balanced between teams in the Area	33	69	47.8%
Poor performance is managed effectively in my Area	20	70	28.6%
I receive regular and constructive feedback on my performance	48	69	69.6%
The feedback I receive helps me improve my performance	48	70	68.6%
I have clear work targets and objectives	58	70	82.9%
I have the tools I need to do my job effectively	41	69	59.4%
I have an acceptable workload	40	70	57.1%
I have adequate time to complete my work	36	70	51.4%

Question	Strongly agree/ Agree	Respondents	Positive response rate (%)
I feel motivated to do a good job	54	70	77.1%
I consider that my Area provides a good service to victims and witnesses	46	70	65.7%
Case progression is effectively and timely in my Area	36	70	51.4%
The Area prioritises sensitive cases (domestic abuse and other hate crime cases) appropriately	48	70	68.6%

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