

Area Assurance Inspection of CPS Yorkshire and Humberside

February 2017



**HM Crown Prosecution
Service Inspectorate**

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HMCPsi Publication No. CP001:1217

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1 Headlines

1.1 We set out here our headline findings in respect of our inspection of CPS Yorkshire and Humberside. The Area's performance as assessed against the inspection framework was as follows:

Criteria	Score
<i>Part A: The success of CPS people</i>	
Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Good
Senior managers work effectively and are influential with criminal justice partners	Good
The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good
Overall score for the success of CPS people	GOOD
<i>Part B: Continuously improving</i>	
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
Resources are systematically managed and deployed effectively	Excellent
Joined-up working is effective and delivers improvements in outcomes for users	Good
Overall score for continuously improving	EXCELLENT
<i>Part C: High quality casework</i>	
Reviews and decisions (including charging decisions, 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 (magistrates' courts)	Fair
Case preparation and progression is effective and timely (magistrates' courts)	Fair
Reviews and decisions (including charging decisions, 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 (Crown Court)	Fair
Case preparation and progression is effective and timely (Crown Court)	Fair
Overall score for high quality casework	FAIR

Criteria	Score
<i>Part D: Public confidence</i>	
Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Good
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	Good
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	Good
Overall score for public confidence	GOOD

1.2 Yorkshire and Humberside is a well-managed Area which provides a good level of service, value for money and outcomes, albeit some aspects of casework need to improve. Leadership is improving, reflected in recent staff survey results and comments from staff. Area managers are often seen as upholding CPS values and are well respected by members of staff.

1.3 Communication is effective and managers learn lessons from feedback. Senior managers lead by example with communication of difficult conversations and guide junior managers across the Area. Staff are generally kept well informed on matters of change, although some staff indicated that there is still room for improvement.

1.4 Senior managers have made concerted efforts to be visible throughout the three offices and meetings are co-ordinated to ensure regular visits. Further efforts are required with respect to the administrative grades, but on the whole the Area is aware of the need to engage all members of staff to convey the one team ethos.

1.5 Yorkshire and Humberside is influential with its partner agencies both at a strategic and operational level. This provides the Area with the ability to drive changes forward for both joint and CPS goals. Relationships have not always been strong and the Area has gone some way in developing relationships with partners to work more closely together.

1.6 CPS staff attend a number of strategic meetings, despite this being resource intensive due to the size of the Area. It is proposed to move to a thematic structure with one Deputy Chief Crown Prosecutor (DCCP) responsible for the magistrates' court and one for the Crown Court. This may assist in streamlining the number of meetings currently attended and provide a better focus.

1.7 The Area is engaged with joint working which has brought about improvements in performance. It has worked closely with partners to embed new initiatives such as Transforming Summary Justice (TSJ) and Better Case Management and has spent time working on relationships which were less fruitful in the past.

1.8 There is a comprehensive Learning and Development Strategy which identifies training priorities and responsibilities, including timescales. The strategy also ensures equality of access to training is fully considered by the Area. Individual Learning Accounts are properly monitored and used effectively to develop staff.

1.9 The Area has a well-established Personal Development Review structure for its staff. However, learning casework lessons from Individual Quality Assessments are yet to be developed and an effective process has still to be established.

1.10 Poor performance and managing sickness are handled well, with positive results. Good performance is also recognised and success is celebrated on a regular basis. This combination has raised standards in the Area.

1.11 The performance management process is clearly designed to engender accountability and ensure that suitable challenge is levelled at managers where appropriate. There are a number of regular, scheduled meetings to engender accountability in a number of themes. Improvements have resulted and aspects identified where there has been a shortfall.

1.12 Yorkshire and Humberside has key links with other CPS Areas to establish aspects of good practice and needs to build upon its links to drive further improvement. Benchmarking is a feature and performance data is designed so comparisons can be made between Areas. Data is provided to managers, who are relied upon to communicate it to staff. Consideration is needed as to whether this method is successful in ensuring frontline staff appreciate how the Area is performing overall and in comparison to other Areas.

1.13 Resources are systematically managed and there is a firm grip on the budget. There are good financial controls with appropriate continuous reviews and levels of delegation. The Area has consistently come within budget for a number of years and another underspend is predicted for 2016-17. Resources are used appropriately, although there should be consideration of whether the deployment of the associate prosecutor resource is fully effective when compared to other CPS Areas.

1.14 Legal decision-making is sound in the magistrates' court, however the Area fails to challenge the police when quality falls below the expected standard. Timeliness of reviews needs to be tighter and more work needs to be conducted by the Area to raise the quality of reviews by legal staff.

1.15 Case progression in the magistrates' court is a concern and the Area needs to ensure that case progression tasks are prioritised. Cases need to be fully prepared under the TSJ initiative in order to reduce the need for case management after the first hearing. There is a good conviction rate in the magistrates' court but a poor effective trial rate.

1.16 Legal decision-making in the Crown Court is sound but the Area needs to put in place systems and processes to drive up the quality and timeliness of reviews. There is scope for improvement with respect to disclosure handling for both the CPS and partner agencies. The Area will need to consider further training for staff.

1.17 There is a good level of successful outcomes, however too many cases are not properly managed and progressed in the Crown Court and, as the magistrates' courts, the effective trial rate needs to improve. There has been a recent reduction in the number of outstanding Crown Court tasks on the case management system, which will need to be maintained to improve performance.

1.18 The Victim Liaison Unit has been established for a number of years and has a number of experienced staff. Cases where a letter needs to be sent to the victim are routinely identified correctly. Yorkshire and Humberside was also one of the pilot sites for the Speaking to Witnesses at Court scheme. The pilot was a success and it has now rolled out nationally.

1.19 The Area has developed processes and practices to assist victim and witness engagement and to improve their criminal justice experience. Victim Personal Statements are used well when received, but the police are not always challenged when one is not sent. There has been a key focus on domestic abuse cases in some parts of the Area, which has produced positive results.

1.20 Engagement with community groups is high on the agenda. Key staff have built up links with community groups and provide reassurance to them with respect to CPS work. The Area has identified key groups that require focus and support. Focus on victims and witnesses is evident in some parts of Yorkshire and Humberside, but not all. This has led to frustration from some Witness Care Units that responses are not prioritised appropriately and is an issue to deal with to ensure the optimum level of service to victims of crime across the whole Area.

Strengths

1.21 We identified the following strengths:

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- 1 The Senior Management Team communicate well and lead by example (paragraph 2.7).

 - 2 The Area develops and plans for succession management well by involving junior legal and administrative managers in joint strategic meetings (paragraph 2.13).

 - 3 The Area engages well with stakeholders and has built upon relationships that were struggling in the past (paragraph 2.23).

 - 4 The Personal Development Review process is well embedded in the Area and is monitored regularly for both quality and timeliness (paragraph 2.34).

 - 5 There is an effective performance management regime across a number of themes designed to engender accountability and enable constructive challenge to the wider management team (paragraph 3.7).

 - 6 There is suitable challenge within the Area by the Senior Management Team which has engendered a culture of accountability and ambition (paragraph 3.16).

 - 7 The Area's Victim Liaison Unit is effective (paragraph 5.8).

Issues to address

1.22 The following issues need to be addressed by the Area:

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- 1 The Area needs to ensure greater senior management engagement with administrative staff (paragraph 2.10).

 - 2 The Area needs to consider maximising the resources available in-house to cover magistrates' courts in order to minimise agent spend (paragraph 3.26).

 - 3 The Area needs to further engage with police partners to raise the level of police file quality to the required standard (paragraph 3.32).

4 The Area must embed the Individual Quality Assessment process to ensure it improves casework quality (paragraph 4.11).

5 Disclosure record sheet guidance in magistrates' court cases should be disseminated across the Area to ensure consistency and ensure disclosure audit trails are kept where necessary (paragraph 4.16).

6 Prosecutors should feed back poor quality disclosure documents to the police to raise standards (paragraph 4.16).

7 The Area must improve compliance with court directions and case progression tasks in order to increase the effective trial rate (paragraph 4.28).

8 The Area needs to ensure that cases are reviewed in accordance with Better Case Management and national Standard Operating Practices (paragraph 4.35).

9 Compliance with the requirements for the disclosure of unused material must improve (paragraph 4.45).

10 The Area should ensure robust case progression of Crown Court cases (paragraph 4.53).

11 Victim and witness issues arising during the trial process should be prioritised consistently across the Area (paragraph 5.29).

Context

1.23 Yorkshire and Humberside has offices at Leeds, Sheffield and Hull and is aligned with North Yorkshire, South Yorkshire, West Yorkshire, and Humberside police forces. It covers 15 magistrates' courts and six Crown Court centres. In the 12 months to September 2016 it had the full-time equivalent of 422.4 staff and the budget for 2016-17 was £32,110,155.

1.24 In the 12 months to September 2016 the Area finalised 48,970 magistrates' court cases and 8,801 in the Crown Court. Its overall magistrates' court caseload has reduced and is also reducing in the Crown Court.

1.25 During the same period convictions were secured (either after trial or by a guilty plea) against 87.2% of defendants in magistrates' court cases and 82.3% of defendants in the Crown Court. Magistrates' court performance was better than national performance (84.2%), as was Crown Court performance (79.1%).

1.26 Although there is good performance in relation to conviction rates, the effective trial rates in both the magistrates and Crown Court are below the national average and suggests issues with progression for contested cases. The 12 months to September 2016 the effective trial rate stood at 41.4% in the magistrates' court (compared to the national average of 47.2%) and 38.2% in the Crown Court (compared to 50.5%).

Methodology

1.27 Inspectors examined 150 magistrates' court and Crown Court files finalised between July and September 2016. We refer at the relevant parts of the report to the key findings from this examination. The full findings, together with a detailed breakdown of the file sample, can be found at annex C.

1.28 Our fieldwork took place in December 2016. We spoke with members of the judiciary, representatives of partner agencies and CPS staff, both formally and informally. Court observations and 'reality' checks were undertaken to assess the effectiveness of case progression.

1.29 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 September 2016.

1.30 The report sets out our findings in respect of each section of the inspection framework. The framework, including the more detailed sub-criteria, is set out at annex B.

Scoring

1.31 Inspectors assessed how well the Area met the expectations in each section of the framework as assessed against the criterion and the sub-criteria. Performance against each of the criteria was assessed as excellent, good, fair or poor. A glossary of the terms used is at annex A.

2 Part A: The success of CPS people

Performance expectation

The Area is led and managed effectively to ensure it has the right people equipped with the appropriate tools and skills for the job to deliver a high quality service. This is achieved by ensuring all staff have the right technology, systems and skills, to enable decisions to be made fairly, at the right time and at an appropriate level.

Criteria	Score
<i>Part A: The success of CPS people</i>	
Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Good
Senior managers work effectively and are influential with criminal justice partners	Good
The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good
Overall score for the success of CPS people	GOOD

Performance against the Part A modules

2.1 In this section we set out our evaluation of the Area's performance against the Part A modules.

Criteria	Score
A1 Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Good

Summary: There are good levels of leadership throughout the Area, spanning from the top level to frontline managers. The Area demonstrates a concerted effort by senior managers to engage with staff at all levels and grades, although there is room for further improvement. This is having a positive effect on morale and reflects the improvement in recent staff survey results.

2.2 Inspectors found evidence through staff responses that senior managers act as role models and there is generally a culture of respect throughout the Area. In the Civil Service staff survey 2016, 49% of staff indicated that they felt the actions of senior management are consistent with the CPS values. However, the score was below CPS national performance (58%),

but there is an improvement in the Area's score from 34% in 2015. Likewise there were improvements, albeit lower than national levels, with staff feeling that senior managers role model behaviours.

2.3 Our HMCPSI staff survey¹ indicated that Area prosecutors had more confidence in senior managers, as opposed to the administrative grades. Overall, 67% of staff indicated that they thought that all, most or some managers act as a role model and demonstrate a commitment to CPS values and equality and diversity policies.

2.4 We heard directly from staff that communication at senior levels has improved, although it was also expressed that there was still room for improvement. Trade Union representatives confirmed that senior management respond well to issues raised by staff. Leadership and managing change indicators in the 2016 Civil Service survey have improved, although are still lower than the CPS as a whole.

2.5 Difficult messages in relation to the movement of resources are communicated effectively by the Senior Management Team (SMT). Inspectors found that these managers have spent many operational hours visiting affected units to explain their decisions and why movement is necessary, taking an overview of the Area resources. Senior managers spoken to stated that such conversations are challenging and that they have learnt lessons and adapted their communication styles.

2.6 Administrative grade managers told us that they meet regularly with senior management. They welcomed this opportunity to engage at the highest level and were enthusiastic about the meetings. Our staff survey showed that 79% of respondents felt they are kept informed of matters that directly impact them at least some of the time and 69.8% that they were given the opportunity to contribute to change made in the Area some or the majority of the time. Asked "are you clear on the CPS vision, values, priorities and objectives in CPS 2020 and the 2016-17 Plan", 71% were clear or very clear.

2.7 Senior management were closely involved with the communication to the Rape and Serious Sexual Offences (RASSO) team of the recent national policy decision of rotation. There was engagement with the RASSO team prior to the policy being formalised to keep them abreast of progress so that appropriate representations could be made. When the policy was introduced senior managers met with the teams again to provide them with the national perspective of rotation and how it could be implemented locally, with minimal disruption to the casework and staff. Despite this close engagement some RASSO staff still felt that this could have been handled better and communication made more effective. Senior managers spoken to agreed that lessons would be learned.

¹ Part of the Inspection methodology included an electronic survey sent to all Area staff with specifically designed questions to elicit information and views. The response rate to our survey was approximately 25% of staff.

Strength

The Senior Management Team communicate well and lead by example.

2.8 Feedback from staff commended senior managers with respect to the Area Management Conference held in June 2016, where some indicated that they felt more informed and motivated after the conference. Particular reference was made regarding the Chief Crown Prosecutor's (CCP) contribution.

2.9 Yorkshire and Humberside is held to account for its performance at Quarterly Performance Reviews with senior managers from CPS Headquarters. This format is replicated in the Area, with senior management holding to account those who lead the operational units. This was found to be an effective format for delivering objectives and driving up performance. Inspectors found that regular team meetings were a general feature throughout the Area, conducted by managers at all grades. The channel of information was two-way at team meetings with staff having the opportunity to feed information upwards and the Area also benefitted from having People Champions in place for ease of communication. Some staff did, however, convey to inspectors that not all messages that they fed upwards were adequately responded to by management.

2.10 The Area currently has three sites, with the majority of senior managers based in Leeds. There are concerted efforts made by them to be more visible at the other sites, but this has had mixed results. With open plan offices at Sheffield and Hull it would appear that visibility is more obvious and inspectors heard that senior managers sit amongst staff when they attend. Meetings are co-ordinated so managers can visit all sites and entries put into SMT diaries to encourage movement. However, we found limited evidence of senior management engagement with administrative staff based at Leeds and there was an acceptance by senior managers that this was something that requires more attention.

Issue to address

The Area needs to ensure greater senior management engagement with administrative staff.

Criteria	Score
A2 Senior managers work effectively and are influential with criminal justice partners	Good

Summary: The Area has developed strong relationships with most of its stakeholders and criminal justice system (CJS) partners. The momentum should be maintained in order to consolidate this success and reinvigorate some of the less energised relationships.

2.11 The Area is routinely represented at an appropriate level at a wide range of key external meetings with CJS partners and third sector agencies. This allows for meaningful discussion and important decisions can be agreed. Meetings are viewed in a positive light as an opportunity to influence outcomes.

2.12 These relationships are viewed by both the CPS and partner agencies as essential to the business, but they have taken some years to develop. The Area accepts that some of them need further enhancement to enable real progress. Senior managers now feel that they have the right individuals in place to enhance relationships.

2.13 We found evidence that senior managers are keen to continually develop working relationships across all levels, for example some senior managers will take their junior legal and administrative managers to meetings to facilitate greater engagement and learning.

Strength

The Area develops and plans for succession management well by involving junior legal and administrative managers in joint strategic meetings.

2.14 Key stakeholders often have direct access to senior CPS managers; we found evidence that senior officials in other CJS agencies appreciate this flexibility on the part of the SMT and often utilise such less formal avenues to quickly resolve difficult issues. Some CJS stakeholders described the Area as having a “can do” attitude and were confident that the CPS will work effectively with them in the furtherance of common goals.

2.15 While the majority of stakeholders we spoke to expressed very positive opinions of the working relationship with the CPS, some did not share this view and one commented that the CPS were not as committed as they are to working on joint issues. As mentioned above, there are some relationships which require further work.

2.16 At the highest level the Area has established an effective dialogue with the Police and Crime Commissioners (PCCs) in Yorkshire and Humberside, which enables an open and frank exchange around performance and joint projects. There are meetings with the PCCs every six months and with the Area's police Chief Constables at a similar frequency. We received positive comments from the PCCs who engaged with us during our inspection. Particular reference was made to the CPS involvement in the Local Criminal Justice Board (LCJB) and collaboration regarding recent victim and witness initiatives, although there was a hope for even closer joined-up working between the police and the CPS.

2.17 Senior CPS managers attend a number of meetings at the strategic level. The CPS is represented at the Regional Heads of Criminal Justice meeting and the monthly Regional Harmonisation meeting, which are attended by all four police forces. The harmonisation meeting has been a useful mechanism in the drive to achieve consistency in performance across the police forces.

2.18 CPS management attend Prosecution Team Performance Management (PTPM) meetings with the four police forces and also regular, less formal, meetings with the police at an appropriate level. Police criminal justice unit heads work collaboratively with the SMT and there is the perception that the organisations are working towards the same goals.

2.19 The Area has worked effectively with the senior management of Her Majesty's Courts and Tribunals Service (HMCTS) and the judiciary. The CPS and HMCTS have agreed to a single performance regime, which will be applied to a large number of court centres. It will be managed by the Joint Improvement Board, which comprises of senior officials from the various criminal justice agencies.

2.20 We found that one court centre had not engaged as fully as expected with respect to the brigading of Crown Court cases. The Area has worked at the highest level with their partners and was able to come to agreement whereby the Plea and Trial Preparation hearings (PTPHs) at that court centre will now all be heard in the same court room. This demonstrates the SMT's influence with partner agencies, which leads to improved outcomes.

2.21 The Area has representation on numerous criminal justice groups and is proactive in sharing data and information with them. There are a number of groups who heavily depend upon the CPS to provide performance data so that strengths and weaknesses can be accurately identified.

2.22 The Area is proposing to move to a thematic structure rather than a geographical one, which may provide the opportunity for it to streamline the current arrangements for engagement with stakeholders.

2.23 When asked in our survey about working relationships with partner agencies, 66% of CPS respondents viewed their unit's relationship with the police as excellent or good and 60% said that their unit's relationship with the courts was excellent or good.

Strength

The Area engages well with stakeholders and has built upon relationships that were struggling in the past.

Criteria	Score
A3 The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good

Summary: The Area has a comprehensive Learning and Development Strategy which identifies training priorities and responsibilities, including timescales. There is a clear application process in place for Individual Learning Account (ILA) funded training. Training is being delivered and staff encouraged to use ILA funding.

2.24 Equality of access to training is fully considered by the Area. The Learning and Development Strategy states managers must work with staff to ensure that reasonable adjustments are considered to support individual employees to participate in development. The Area Training Committee ensures that equality issues are considered in the scheduling of programmes, for example varying training days to support flexible working patterns. The Equality, Diversity and Community Engagement Manager monitors all employee Personal Development Plans and access to development opportunities.

2.25 There is proactive review of ILA usage. A reduction in the number of applications for training is to be assessed following completion of mid-year Personal Development Reviews (PDRs). The Business Plan includes a priority to support the success of Area staff and ILA usage is one measure. The business centre produces quarterly reports including the ILA spend to date and sharing ideas for recommended development activities. There is some evidence of good ILA usage across the Area.

2.26 From our staff survey, overall 39% of respondents felt they had the opportunity to utilise their ILA, which helped with their development. Administrative staff feel they have limited access to relevant courses.

2.27 From the log supplied by the Area it has spent £8,674.50 from the start of this financial year, with a further £2,300.54 due to be spent on ILA usage. Some of this expenditure includes books. The maximum spend is £350 per person and with 422.4 staff in post this seems very low. The Civil Service staff survey learning and development score was 44% (2% below the CPS national figure and 1% down from the previous year). However, the inclusion and fair treatment score is 73% up 2% from previous year and 2% higher than the CPS nationally.

2.28 Yorkshire and Humberside achieved its target of a 58% employee engagement score in the 2016 Civil Service survey, which was an increase of 2% from the previous year. Furthermore it was a substantial improvement from the 2014 survey, when the score was only 51%. Individual action plans are used for separate units to improve staff engagement. As a result, the engagement score improved very substantially in respect of the Crown Court team.

2.29 There is a co-ordinated approach to employee engagement. Staff engagement activity is overseen by the Area Strategy Board, while the People Strategy Group discusses key challenges identified in the Civil Service staff survey. Beneath this there are local People Strategy Groups for the hubs/teams. The People Strategy Champion is the Business Change Delivery Manager and the Area Business Manager (ABM) also attends the People Strategy Group meetings. The Communication Strategy includes objectives to support the delivery of key messages from the survey. We received a consistent message that People Champions are able to get messages across to managers and back to teams.

2.30 Sick absence reduction targets have been set and are discussed at the Area People Board. There are 20 Attendance Improvement Notices in place. The Area Quarterly Performance Review highlighted that in the latest performance statistics Yorkshire and Humberside's average annual working days lost is 8.5 days per person per year and showing a positive downward trend. Annual working days lost for the 12 months to September 2016 was 8.6.

2.31 The proportion of absence related stress in the 12 months to September 2016 was 31.6% (national figure is 32.2%). The top three reasons for absence are stress, anxiety and depression. There are mechanisms in place to ensure sick absence is managed effectively.

2.32 The Human Resource (HR) plan includes the provision of intensive support for managers in tackling absence issues. The work includes identification of the reasons behind short term absence, for example if there has been a link between building/facilities issues. The SMT have implemented a monthly case by case review of all long term sickness

absences. Yorkshire and Humberside participated in a peer review across Areas on the handling of sickness absences. The report concluded they have good compliance with HR processes and record keeping. The Area identifies individual strategies for each absence to get people back to work as soon as possible.

2.33 There is a Wellbeing Strategy. RASSO staff said they felt able to raise any welfare issues arising from the type of work they do and they would be managed effectively. A management conference looking at stress management and resilience was held. A recent focus has been made on sickness absence due to stress and promoting mental health awareness. The Civil Service survey 2016 produced some varying results, in that 14.0% of staff felt they personally experienced discrimination at work, which is high for an Area (national CPS figure 12.0%), however only 8.0% personally experienced bullying or harassment at work, which is a very positive (national figure 11.0%).

2.34 There is a significant amount of work to ensure PDRs are of a high quality. The People Strategy Board reviews the quality of PDR objectives and discussions. A dip sample of them is taken which are marked and moderated. Every manager gets a letter from the CCP commenting on the effectiveness of their PDRs.

Strength

The Personal Development Review process is well embedded in the Area and is monitored regularly for both quality and timeliness.

2.35 There is not a mechanism in place to identify recurring issues from Individual Quality Assessments (IQAs), which look at the quality of casework handling. IQAs are conducted by legal managers but numbers are inadequate. There are no systems in place to identify common training or process issues. There are plans to introduce a process to capture trends across units, but this has yet to be implemented.

2.36 The Area actively manages poor performance, initially through informal processes. There are no formal Performance Improvement Notices but there are two informal performance improvement plans. We saw an example of where performance was addressed effectively. There is evidence of a review of performance in a number of cases and that good aspects were identified in addition to poorer ones. There was balanced feedback which resulted in further actions being put in place.

2.37 The Area recognises and rewards good performance with the use of simply thanks vouchers, e-cards and articles on the KIM Area intranet site, and publicly acknowledges success through local and national staff awards.

3 Part B: Continuously improving

Performance expectation

The Area continuously improves how it works, deploying resources to work effectively and using efficient processes.

Criteria	Score
<i>Part B: Continuously improving</i>	
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
Resources are systematically managed and deployed effectively	Excellent
Joined-up working is effective and delivers improvements in outcomes for users	Good
Overall score for continuously improving	EXCELLENT

Performance against the Part B modules

Criteria	Score
B1 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 produces performance packs which are disseminated to managers and conveyed to staff. The Senior Management Team follows a similar regime to that of CPS Headquarters to hold teams to account within the Area. This has enabled strengths and weaknesses to be identified and improvements made.

3.1 The Area produces its individual performance packs following the layout and topics covered in the Headquarters Quarterly Performance Review (QPR). The packs are broken down within high weighted performance measures into the four constabulary areas, individual police divisions and individual court centres. PTPM meetings are held around police divisions. The internal QPR meetings are held around six weeks after the quarter ends and are attended by the CCP, ABM and other Area managers. This enables the SMT to analyse performance information in preparation for the Headquarters QPR. It also enables aspects of poor performance to be identified and, again, helps the Area prepare for the meetings and have potential plans for remedial action.

3.2 There are examples of the Area responding to aspects of poor performance. The magistrates' court guilty plea at first hearing rate in the 12 months to September 2016 stood at 69.1%, which is an improvement on 68.2% in 2014-15. This has seen steady improvement month by month in those parts of the Area which had previously struggled to improve these first hearing rates. The Area continues to work on the issues highlighted by the Headquarters Compliance and Assurance Team around its implementation and operation of TSJ and is understood to be making progress.

3.3 Headquarters QPR packs prepared for the meetings compare Yorkshire and Humberside's performance against other CPS Areas to identify aspects of achievement and concern. This information is used by the Headquarters team to challenge the Area on aspects of performance which lag behind national figures. The Area produces performance review packs quarterly for its business units which, whilst primarily focussing upon each unit, does also inherently compare these against other units across the Area.

3.4 The Area has a 'buddying' arrangement in place with CPS North East. It has been using this to review different approaches and identify good practice. While the process appears useful on an informal basis, the Area is struggling to identify key improvements resulting from this approach. For example sickness absence has been reviewed but this mainly identified that the other Area had major differences in approach which were not felt suitable for use in Yorkshire and Humberside.

3.5 A wealth of comprehensive performance information is produced, however this appears mainly aimed at manager grades. The Area utilises a KIM site to present performance information to staff providing a detailed analysis of its units. This includes key aspects of magistrates' court and Crown Court performance in relation to, for example, conviction rates; effective trial rates; hearings per case; guilty plea rates; prosecutions dropped at third or subsequent hearings; witness issues; violence against women and girls; and hate crime.

3.6 The performance packs are well used by Area managers. The Area decided to concentrate on providing the data to management and relying on managers to communicate the relevant performance to their teams in their weekly or monthly updates.

3.7 It is noted that in our staff survey, 81% of respondents answered positively (regularly/sometimes) to the question "Is performance information shared with you in a format that is easily accessible and understandable?". This indicates that the performance packs provided to managers are effectively communicated to staff. While it employs a 'traffic light' approach (red, amber and green highlighting) for staff to quickly appreciate where performance is comparably good or bad, the level of detail provided is extensive, which may hinder staff from understanding how Yorkshire and Humberside is performing against other CPS Area's without management input.

Strength

There is an effective performance management regime across a number of themes designed to engender accountability and enable constructive challenge to the wider management team.

3.8 The Performance Manager appears to have a good relationship with local managers to help interpret performance information. One to ones are regularly held with managers to help them understand and interpret performance issues. The Communications Manager publishes the local team talk online and in addition sends a weekly email to staff, including periodic input from the Performance Manager.

3.9 The IQA process appears to be at an early stage. Across the Area it is currently only used to report on the volume of IQAs completed by managers. A DCCP is now leading on the introduction of a more comprehensive process designed to pick up reporting and learning issues. Inspectors were informed that the DCCP, together with a senior manager from RASSO, have established a review system which will go to the Area Management Board for approval.

3.10 Monitoring has enabled the Area to address some aspects of performance. For example, there has been some success with improving domestic abuse conviction rates in West Yorkshire. The Area feels that this has been achieved through good liaison with the police and agreement for a number of actions including how police deal with cases, looking after victims and getting cases through court more effectively. There is now good gatekeeping by the police in getting the right cases to the CPS and good engagement with victims. In West Yorkshire there has been a continual improvement in the domestic abuse conviction rate. It was 78.2% in the 12 months to September 2016, compared to 73.5% in the previous 12 months. It is also noted that in the July-September 2016 quarter alone this improvement has continued, to 79.6%.

3.11 Weekly case management system (CMS) performance checks are routinely carried out across the Area. These checks are driven by standard management information system (MIS) reports designed to help the Area gain assurance of the accuracy of its records. The level of independent checking and the resource applied is carried out in an intelligent manner. For example, a 100% check of principal offence categories was carried out for eight months. These identified a mismatch of over 10% in early 2015. This subsequently reduced to around 5%, so the checking was reduced accordingly. Results of these weekly MIS performance checks are posted on the KIM site.

3.12 The performance management process is clearly designed to engender accountability and ensure that suitable challenge is levelled at managers where appropriate. There are a number of regular, scheduled meetings to do this across a number of themes.

3.13 To help spread experience and build future capacity, the Area has started to invite staff members who are aspiring managers to the meetings.

3.14 These meetings are used to take action around specific issues, such as the number of postal requisitions being issued by some police forces and the length of time these cases are taking to conclude in court. The correct flagging of cases involving religious or racial motivation on CMS has been a problem, but is now seeing improvement in the magistrates' court as a direct result of the in-house approach.

3.15 The Area also operates Custody Time Limit (CTL) and Disclosure Strategy Boards. These meetings take place quarterly, involving the CCP, relevant Area Champion and the DCCPs. Beneath this sit the CTL and disclosure leads meetings, chaired by the Area Champions and attended by the district leads.

3.16 In our survey, 53% of staff responded positively to the question "Do you have regular meetings with your manager to discuss your performance?", 73% responded positively to "Are you and your team set any performance objectives or targets to achieve on a regular basis?" and 82% to "Do you feel that the exchange of information, at team meetings for example, leads to improvement in performance?".

Strength

There is suitable challenge within the Area by the Senior Management Team which has engendered a culture of accountability and ambition.

Criteria	Score
B2 Resources are systematically managed and deployed effectively	Excellent

Summary: Resources are systematically managed and there is a firm grip on the budget. The Area has consistently come within budget for a number of years. There are good financial controls and the majority of resources are used appropriately, although the Area should consider whether the deployment of advocates in the magistrates' court is at optimum levels.

3.17 Yorkshire and Humberside has a strong track record of underspending against its allocated budget. In 2015-16 it underspent by £195,546, which represented 0.6% of its total non-ring fenced (NRF) and prosecution spend budget. The current year's budget (2016-17) of £32,110,155 is a reduction of £259,731 (0.8%) against the previous financial year.

3.18 The Area has a process of systematic monthly monitoring of non-ring fenced expenditure. It also projects spend across the remainder of the year to identify any shortfalls in budget or potential underspends, which can be returned to CPS Headquarters. At the time of the inspection it anticipated an overall underspend on NRF costs of £51,453 against the current budget of £21,452,203. This is £468,972 (2.1%) less than the £21,869,722 original budget.

3.19 Prosecution costs are monitored effectively. They are by necessity "demand led", however close monitoring of casework costs takes place. Cases costing in excess of £10,000 are monitored on an individual basis. There is also a £5,000-£10,000 'watch list' which is monitored to identify cases that are approaching the £10,000 mark. The prosecution costs manager carries out a check of everything over £10,000 and sample checks of payments under that amount. Spend is monitored throughout the year with a specific review at the mid-year point to identify any anticipated budgetary problems. At the time of our inspection there was a predicted underspend of just below £81,000 on prosecution costs.

3.20 There are clear financial delegation limits in place and the appropriate national systems for controlling and managing expenditure are used. These are set by the ABM and budget delegation is reviewed every couple of months to ensure that it is still appropriate. This is controlled by the system, which has the defined delegations set by the Area. Most budgets are centralised and most costs therefore centrally controlled.

3.21 Sound processes for the control of financial expenditure are in place with appropriate authorisation as required. The ABM produces a report for each Area Strategy Board meeting highlighting current expenditure, forecast expenditure and identifying any risks to the Area meeting its allocated budget. Longer term financial strategies are discussed and reviewed twice a year. Where there are immediate issues that impact on finances, the ABM liaises with the appropriate manager(s). There is a panel in place which reviews any requests for additional expenditure such as overtime, extra agents outside the agreed parameters, or more staff. Any request for additional expenditure must be in a mini business case format detailing the expenditure, what actions have already been taken and business benefit.

3.22 Spend is monitored closely throughout the year to identify potential savings. This has enabled savings to be made on items such as expert witness fees and editing of witness DVDs. As identifiable savings are made money is promptly returned to Headquarters.

3.23 The Area liaises and negotiates with Headquarters finance as appropriate regarding financial matters. The original Crown Advocate (CA) savings target was £2,334,200 which, through negotiation with Headquarters, was reduced to £2,028,600. This was predominantly to reflect the number of CAs being deployed in other aspects of casework, such as the RASSO team when it was first set up at the beginning of the year.

3.24 The Area maintains a continual review of staffing levels and mix and the implications of changes in approach on these aspects. It responds to shortfalls or issues where it can. For example when RASSO team numbers were low, the Area used different methods of recruitment to ensure that the application process for external candidates was more accessible. This should enable the Area to release the CAs currently working in the RASSO unit and return them to Crown Court advocacy.

3.25 The abstraction of CAs to other work is clearly having a negative impact on their utilisation figures. In the 12 months to September 2016, of the potential time available the Area's CAs were only actually used to do Crown Advocate work for 54% of their time. This is, however, better than the national figure of 49% for the same period. In addition the ability of these individuals to carry out fee earning work to cover their full salary cost has also been impacted. Therefore in the same period this produced a notional loss £489,450 of earnings against full salary costs. We would, however, emphasise that during this period the CAs were utilised fully doing RASSO casework and other review activity.

3.26 Yorkshire and Humberside has low in-house coverage of its magistrates' courts sessions. At 58.6% (12 months to September 2016) it is nearly the lowest of all CPS Areas; the national average for the same period was 68.6%. In addition, despite having almost the highest number of associate prosecutors (APs) of all Areas (average staff in post to September 2016 of 23.2), the average number of sessions that each AP covers is relatively

low. The figure was 5.54 sessions per week compared to a national average of 6.63. We were informed that some APs currently assist with the completion of the magistrates' court rota. The team are allocated a lawyer agent budget and work within the budget to cover the sessions. If APs were utilised in accordance with the national average the Area would require fewer APs and have a reduced lawyer agent spend.

Issue to address

The Area needs to consider maximising the resources available in-house to cover magistrates' courts in order to minimise agent spend.

Criteria	Score
B3 Joined-up working is effective and delivers improvements in outcomes for users	Good

Summary: Generally the Area has an effective working relationship with its criminal justice partners and there have been improvements in performance and new initiatives. However, there is still work required if it is to realise maximum benefit from partnership working.

3.27 There is a well-established structure for communication and liaison with criminal justice partners which allows for collaborative working, with the aim of driving improvement and furthering common goals. Senior managers attend LCJBs for each county, below which sits the Efficiency and Effectiveness Board that CPS managers routinely attend. There are other LCJB sub groups and the CPS are members of all of them. Joint improvement is a key theme at the partnership meetings and issues of common concern are highlighted for discussion so that TSJ, Better Case Management (BCM) and digitisation are kept in focus by the agencies.

3.28 There is evidence of staff at all levels working closely with CJS partners. CPS administrative staff were being sent to work with the police and courts for developmental purposes. In parts of the Area police file builders sat with the CPS for a short period in order to gain an understanding of the issues faced by the CPS. Such cross-agency working is designed to help resolve issues, but also serves to reinforce working relationships.

3.29 The CPS has demonstrated willingness to assist partner agencies; the RASSO team delivered guidance and training to the police, the Area conducted joint work with the police criminal justice unit and training was delivered to the police around the TSJ initiative, as well as concerning disclosure.

3.30 There is evidence of performance benchmarking; the Performance Manager will obtain LCJB reports from the police and data from the courts, additionally the Area sends performance data to CJS partners. The information is used, amongst other things, in order to identify and promote good practice across the Area as a whole.

3.31 Collaboration with partners has led to improvements in performance; an example of good partnership working with the police has seen an improvement in domestic abuse conviction rates. A joint RASSO meeting across the forces has also seen some improvements and the meetings enable the CPS to ensure consistency in approach across the police. Working with external agencies in the Area's Local Scrutiny and Involvement Panels has also assisted performance improvements. For example, feedback from stakeholders during a scrutiny panel resulted in improved letters to victims of crime.

3.32 Despite the strong culture of partnership working there remain aspects that still require some further work. An example of this is police file quality. In our file examination police files submitted to the CPS fully complied with the relevant National File Standard² in only 33.9% of cases. The Area has moved forward with attempts to engage partner agencies and managers should be commended for the efforts that have been put in to progress relationships. There is clearly some way to go before relationships are optimal with some partners across the region, however the Area is starting to have effective dialogue in places where there was previously little effective engagement.

Issue to address

The Area needs to further engage with police partners to raise the level of police file quality to the required standard.

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

4 Part C: High quality casework

Performance expectation

The Area delivers justice through excellent, timely legal decisions, casework preparation and presentation, leading to improved outcomes.

Criteria	Score
<i>Part C: High quality casework</i>	
Reviews and decisions (including charging decisions, 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 (magistrates' courts)	Fair
Case preparation and progression is effective and timely (magistrates' courts)	Fair
Reviews and decisions (including charging decisions, 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 (Crown Court)	Fair
Case preparation and progression is effective and timely (Crown Court)	Fair
Overall score for high quality casework	FAIR

Performance against the Part C modules

4.1 In accordance with the Director's Guidance on Charging 5th edition³ some cases may be charged by the police without reference to the CPS, or as directed by CPS Direct (CPSD) or Area based prosecutors. In assessing Area performance in this aspect, including compliance with the Code for Crown Prosecutors, we only consider those cases where the charge is directed by an Area prosecutor. However, in order to give a full picture we comment on the quality of all charged cases, regardless of how initiated.

4.2 In our file sample the Code for Crown Prosecutors (the Code)⁴ was applied correctly at the charging stage in 87 out of 92 CPS charged cases (94.6%).

³ Director's Guidance on Charging (5th edition); CPS; May 2013. www.cps.gov.uk/publications/directors_guidance/index.html

⁴ Code for Crown Prosecutors; CPS; January 2013. www.cps.gov.uk/publications/code_for_crown_prosecutors/

4.3 Ten of the 92 cases (10.9%) were Area based charging decisions. The Code was applied correctly by Area based prosecutors at the charging stage in all cases.

4.4 We assessed 10% of Area charging decisions as excellent as recorded on the MG3 (record of charging decision), 60% good and 30% fair, none were poor. Of the ten cases the charging decision failed to refer to all relevant applications and ancillary matters in two (20%) and three out of the nine relevant cases (33.3%) lacked sufficient instructions to the court prosecutor.

4.5 The Code, post-charge, was applied correctly in 148 out of 150 relevant cases (98.7%).

Criteria	Score
C1 Reviews and decisions (including charging decisions, 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 (magistrates' courts)	Fair

Summary: Legal decision-making is sound, however there is a failure to challenge the Area's police forces regarding breaches of the Director's Guidance on Charging and the National File Standard. Around a third of the police files reaching the CPS are not of sufficient quality. Once the file is received, prosecution reviews are often carried out too late to rectify problems.

4.6 We found in our examination of 75 magistrates' court cases that only 22 out of 69 (31.9%) fully complied with the National File Standard (NFS) at the time of their submission to the CPS by the police. The main failing in over half of the relevant cases (55.3%) was file 'overbuild' (providing more material than is necessary), which impacts adversely on both police and CPS resources. In almost a quarter of the files that did not fully comply with the NFS (23.4%) a Victim Personal Statement (VPS) was missing. Timeliness is not, however, an issue as 95.8% of the files sampled were submitted on time.

4.7 Inspectors found limited evidence of the police file quality being challenged, in fact, in only eight out of 45 applicable magistrates' court cases (17.8%) did the prosecutor identify and raise lack of compliance with TSJ. Inspectors were informed that some police forces have limited gatekeeping systems, which was thought to be contributing to some of the region's poor file quality. The Area, however, accepts that feeding back poor quality to the police is something which requires improvement. However, there has been some feedback provided with respect to the ongoing national file quality assessments.

4.8 The police decision to charge was compliant with the Code in 43 out of 49 (87.8%) cases in our magistrates' court file sample. The Area correctly discontinued all six cases where the Code was not applied correctly. Six cases were also found to have been charged by the police in breach of the Director's Guidance. In the cases where there was a breach of the Director's Guidance there was no evidence of this being identified and fed back to the police.

4.9 CPSD incorrectly applied the Code in one of 26 magistrates' court cases (3.8%). Unfortunately, this case was allowed to continue by the Area and resulted in an acquittal after trial. Overall the Area applied the Code correctly post-charge in 73 out of 75 (97.3%) of the magistrates' court cases sampled.

4.10 In the file examination, of the magistrates' court cases requiring a review prior to the first hearing, 19 out of the 71 (26.8%) relevant cases had not been reviewed before that hearing. Of the 52 files which were reviewed, 48 (67.6%) had a proper and proportionate initial review which addressed the relevant issues and included a prosecution case theory or strategy. Eleven of the 52 reviews (21.1%) were completed late, which impacts adversely on the time available for remedial action if required prior to the first hearing. These findings were supported by our reality checks, in which 61.5% of live anticipated not guilty cases examined on-site had a review which was rated as fair or poor, some consisting of a one line review which added little value. The case study below demonstrates some of the issues that were prevalent in these cases.

Case study

CPSD charged a domestic abuse case identified as a GAP (anticipated guilty plea) case as the defendant partially accepted an assault on a factually different basis to that alleged. The complainant retracted her statement after the case was charged but sufficiently in advance of the first hearing for it to be reviewed; however, no review was conducted before the hearing. The case was transferred to the NGAP (not guilty anticipated plea) court where it was adjourned for trial with actions required in respect of the retraction statement. The complainant was warned for trial and the further material requested from the police was provided promptly, however this was not reviewed until a period of five weeks from receipt, in which time the victim was kept in the dark with respect to progress of the case. The case was discontinued due to the withdrawal information, which was available prior to the first hearing.

4.11 Although there is a requirement for management to dip sample files to test the quality of the reviews as part of the Individual Quality Assessment (IQA) process, it was apparent that some reviews were still not of the required standard and there was little evidence of improvement during our reality checks. When inspectors spoke with senior managers regarding IQA, it was accepted that the Area still has more work to do to embed the process effectively. Some frontline managers informed inspectors that they were struggling to keep up with IQA due to other commitments such as Personal Development Review writing and managing staff. It was evident from the quality of file reviews that the IQA process needs to be firmly embedded in order to drive up standards.

Issue to address

The Area must embed the Individual Quality Assessment process to ensure it improves casework quality.

The disclosure of unused material

4.12 The findings on the overall quality of the handling of unused material in our magistrates' courts file sample are set out below:

	Excellent	Good	Fair	Poor
Magistrates' courts (out of 43 applicable cases)	0%	39.5% (17 cases)	27.9% (12 cases)	32.6% (14 cases)

4.13 The file examination revealed that the Area had fully complied with their initial disclosure obligations in 23 out of 43 cases (53.5%), partially in 14 (32.6%) and not at all in six (14.0%). Where applicable it complied with its duties of continuing disclosure in four out of seven cases (57.1%). Timeliness for disclosure was also not as good as would have been expected given that the CPS is now required to complete initial disclosure on anticipated not guilty cases prior to the first hearing under the principles of TSJ. Out of 40 relevant magistrates' court cases, the disclosure was timely in 31 (77.5%).

4.14 Reality checks and court observations also suggested that disclosure had not been served in all of the files listed in the NGAP courts. This resulted in the court making further orders.

4.15 The prosecution disclosure process should be supported by providing an audit trail of actions and decisions on the disclosure record sheet (DRS) unless the prosecutor endorses the file that one is not required. Our case file examination showed that where completion of the DRS was required, the standard was not met in 23 out of 43 (53.5%) relevant cases. Managers are aware that DRSs are not always being completed in magistrates' court cases and the Area was questioning the requirement for a DRS in simple magistrates' court cases. Recent guidance from CPS Headquarters confirms that not all magistrates' court cases require the DRS, but that there must be an endorsement on the case that one was considered and the case is suitable not to have a DRS. There were no such endorsements in the cases examined by inspectors where there was a missing DRS.

4.16 With respect to police handling of disclosure, our file examination revealed that the police fully complied with their disclosure obligations in 56 out of 75 (74.7%) relevant cases. The most common failing where they had not complied was the provision of schedules with poor descriptions of the items listed. Again there was no evidence seen of this being challenged by the CPS. The Area have compiled training documents and recently delivered training to the police on the completion of streamlined disclosure certificates. This is positive and demonstrates a willingness by the Area to improve quality, however it will need to challenge poor quality disclosure documents and feed back individual cases to the police to enable standards to be raised.

Issue to address

Disclosure record sheet guidance in magistrates' court cases should be disseminated across the Area to ensure consistency and ensure disclosure audit trails are kept where necessary.

Issue to address

Prosecutors should feed back poor quality disclosure documents to the police to raise standards.

Criteria	Score
C2 Case preparation and progression is effective and timely (magistrates' courts)	Fair

Summary: Prosecutors are not fully complying with the principles of TSJ and generally have a poor 'grip' on their cases. However, despite this, Yorkshire and Humberside has performed significantly better than the national average with respect to conviction rates.

4.17 TSJ has been embedded in the Area and they have taken steps to incorporate its principles into domestic abuse cases through NGAP domestic abuse courts. The CPS is further liaising with criminal justice partners to incorporate TSJ into youth and remand cases. On the whole, the courts served by Yorkshire and Humberside believe that TSJ works well, with well brigaded courts. However, inspectors were informed the Area felt that for the scheme to be fully effective, more co-operation and robust case management is required in some of the magistrates' courts.

4.18 In our file examination only 36 out of 51 (70.6%) cases were prepared effectively to ensure progress at the first hearing. Reality checks of NGAP and GAP files showed that initial details of the prosecution case (IDPC) bundles were served as required in 24 out of 30 cases (80.0%). We were informed that on the whole IDPC bundles are served in a timely manner upon the court and defence, although some cases did not meet the required timescales. During court observations inspectors noted a lack of compliance with the completion of Preparation for Effective Trial (PET) forms; seven out of 11 (63.6%) PET forms not being completed to the required standard. Inspectors also noted a lack of thought around the use of s.10 admissions, which could have been better used to progress the hearings. Bad character applications were not always prepared prior to the first hearing. The Area was, however, strong at making applications for orders such as special measures, which were routinely made orally.

Case study

The defendant entered a commercial property without permission and stole a set of keys. Pre-charge advice correctly authorised a charge of burglary contrary to section 9 (1)(b) of the Theft Act 1968. However, the police mistakenly charged section 9 (1)(a) of the Theft Act 1968 which suggested that he entered to steal but had removed nothing. An initial review identified the mistake but no action was taken to correct it. The advocate at court also noted the error but did not amend the charge, allowing the defendant to plead to the incorrect offence. The judge spotted the mistake when the facts were outlined resulting in the plea having to be withdrawn and the amended charge laid.

4.19 TSJ requires the prosecution to engage with the defence in advance of the first hearing where a defence representative has been adequately identified on the police NGAP file. During our court observations of NGAP cases, inspectors noted 11 such cases and found that only four defence representatives had been contacted prior to the first hearing. In the absence of prior defence engagement it takes place in court, which can cause unnecessary delay.

4.20 Despite a lack of adequate preparation, our file examination showed that none of the 15 ineffective first hearings were due to the CPS. This was supported by our court observations, where six of the 30 (20.0%) NGAP and GAP hearings were ineffective, none of which were the fault of the CPS. The Area and stakeholders believe that there has been an increase in ineffective first hearings due to the use of police postal requisitions, which results in fewer defendants attending as required. This is being considered at senior levels across the agencies.

4.21 The effectiveness of the use by police of the postal requisition process is something which may require more detailed scrutiny at a national level.

4.22 Another aspect of concern was the lack of compliance with court directions in magistrates' court cases. Our file examination revealed that of the 15 magistrates' court cases where the court had made a direction in accordance with the Criminal Procedure Rules, eight (53.3%) were not complied with on time by the Area and three (20.0%) were only partially timely. This reflects comments received by stakeholder feedback. The Area accepts that whilst embedding TSJ its focus was on ensuring that first hearings were productive and that case progression after the first hearing suffered as a result. In addition, the Area accepts that the removal of case progression managers from the magistrates' courts in accordance with the Standard Operating Practice (SOP), was not handled as well as it could have been. We were informed that staff are still getting used to the new allocation of tasks in accordance with the SOP. Reality checks revealed that some parts of the Area had excessive backlogs of tasks showing on CMS. Managers suggested that now TSJ and the SOP have been fully implemented, they can begin on making a difference to quality in respect of case progression.

4.23 Performance is measured by CPS Headquarters of the proportion of magistrates' court cases that are dropped after three or more hearings. This is one of the indicators of effective case progression. Yorkshire and Humberside performs well below the national average and has done so for a number of years. Cases that are not discontinued in a timely fashion are likely to use more resources and lead to complainants having an unrealistic expectation as to the likely outcome of the case. In the 12 months to September 2016, 36.4% of cases were dropped after three or more hearings compared with 29.9% nationally.

4.24 The Area accepts that this is as a result of only discontinuing cases when all other avenues have been exhausted and, from its perspective, the timing of the discontinuance is not a driving factor. Although conviction rates are higher, there is a need to balance the resource implications that this may have across the Area.

4.25 There were 12 discontinued cases in our magistrates' court file sample and, despite the above, the decision to drop the case was not timely in only one (8.3%).

4.26 There has not been a custody time limit failure in the magistrates' court during 2015-16. CTL reality checks, however, did reveal risks around poor endorsements on hearing record sheets (HRSs) and inaccurate updates in the back up diary.

4.27 Despite the need to improve casework processes there are good levels of outcome performance in the magistrates' courts including:

- the magistrates' courts conviction rate has slowly increased; in the 12 months to September 2016 it had reached 87.2%, which is 3.0% higher than the national average
- the domestic abuse conviction rate has slowly improved; for the 12 months to September 2016 it stood at 78.6%, again 3.0% higher than the national average
- the guilty plea rate at first hearing for all cases has improved steadily since 2013-14 by 2.9%. For the 12 months to September 2016 it was 69.1%, although this is below the national average of 70.6%. The overall guilty plea rate for CPS pre-charge decision cases has increased and is 4.7% higher than the national average.

4.28 The main performance issues relate to trial effectiveness:

- the effective trial rate has decreased slightly and for the 12 months to September 2016 was 41.4%, which is significantly worse than the national average of 47.2%
- the proportion of cracked and ineffective trials due to prosecution reasons has increased to 22.4%, although the trend is consistent with national performance where the rate is 22.2%.

Issue to address

The Area must improve compliance with court directions and case progression tasks in order to increase the effective trial rate.

Criteria	Score
C3 Reviews and decisions (including charging decisions, 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 (Crown Court)	Fair

Summary: Crown Court cases are receiving a proportionate review and decision-making is sound, however, disclosure handling is an issue.

4.29 As referred to earlier, only a small number of cases examined were charged by the Area and in each the Code was applied correctly, which is excellent performance. Post-charge the Area again applied the Code correctly in all 75 cases. However, we noted that in several of the cases which had been charged on a threshold test basis, although it was correct to continue the full Code test review had not been recorded. There were four Crown Court cases where CPSD did not apply the Code correctly at the charging stage. The Area reviewed these cases and correctly terminated proceedings, which demonstrates sound decision-making. There is a process for feeding issues back to CPSD through an online mechanism, although we did not assess how effectively this was used.

4.30 The police charged nine out of 75 Crown Court cases (12.0%) and, of those nine, the decision to charge was not compliant with the Code in two (22.2%). The Area identified and discontinued the cases. Legal managers from the Sheffield office gave an example of a number of cases being charged by police without the necessary consent from the Attorney General's Office. These cases had to be withdrawn and later re-charged once the appropriate consents had been gained. In our file sample the police had charged six out of nine Crown Court cases in breach of the Director's Guidance on Charging (66.7%). Inspectors found no evidence of the breaches being challenged and the Area accepts that the need to escalate breaches of the Director's Guidance can often be missed.

4.31 Similar police file quality issues were found in the examination of Crown Court files as in the magistrates' court sample. Only 16 out of 43 (37.2%) cases fully met the NFS. In the files where there had been a failing, it was predominantly due to overbuild. There was limited evidence of this being identified and raised with the police. The CPS accepts that it needs to use the escalation process more to challenge poor police compliance with the NFS. We were told that some police forces were better than others at compliance. The SMT informed us how it has attempted to engage stakeholder relationships to address this, although there is an acceptance that there is still some way to go. The move to a thematic casework structure may provide a further opportunity to ensure consistency across the Area.

4.32 There was a proper and proportionate initial review in 70.4% of the relevant cases examined (50 out of 71), but in 15 of the 71 (21.1%) no review was carried out. The review was timely in 66.1% of cases (37 out of 56). Reality checks on live files confirmed that the NGAP Crown Court cases are being reviewed late. This is impacting upon the quality of case preparation prior to the first hearing. Inspectors were informed that late identification and allocation of these files contributes to late reviews by prosecutors.

4.33 We noted from the file sample that there was a variance from the SOP in that reviews post-sending were marked as an Early Guilty Plea (EGP) review and an initial review would be conducted just before the Plea and Trial Preparation Hearing (PTPH). The EGP reviews on the whole were not effective as they did not address issues identified on the HRS, or by the defence when engagement had taken place. When completed the initial reviews were proportionate but there was little evidence of bespoke memorandum being sent to the police requesting specific outstanding evidence/case file material. There were indications that some members of the Area thought the post-sending 72 hour (now five days) review to be unnecessary. This ignores the purpose of the review which is to give the police an early indication, by way of a reasoned note, what further evidence is required either to elicit an effective guilty plea or to enable a fully effective PTPH. Late notice to the police impacts on their ability to deliver on time what is required, which can adversely affect subsequent case progression.

4.34 We received feedback from stakeholders that some case reviews are being conducted late and there is poor case management. This is supported by our file examination findings, where we found that there was no grip in eight out of 75 cases (10.7%) and only partial in 27 (36.0%). Whilst reviews are taking place pre-PTPH, there was a lack of quality and limited further reviews, as required, as the case progressed.

Case study

CPSD pre-charge decision where two out of three suspects were charged with production of cannabis. The initial review demonstrated the prosecutor had got a good grip on the case, amending charges for the indictment and highlighting deficiencies with the evidence in the case. However, there were no further reviews to confirm material requested was provided and that deficiencies in the evidence had been rectified. A defence statement was served but this was not responded to until after an order was made by the court and the compliance with this order was a month late. The trial date was pushed back and additional evidence was only served close to the original trial date.

4.35 As with the magistrates' court cases there was little evidence found by inspectors that IQAs were being used to drive up the quality of casework in the Crown Court. The Area will need managers to use this tool to assess and improve the quality of casework in a systematic way.

Issue to address

The Area needs to ensure that cases are reviewed in accordance with Better Case Management and national Standard Operating Practices.

4.36 The Area is complying with preparation of the PTPH form. BCM reality checks supported that the forms were being completed when cases were being prepared. However, where there is evidence awaited, such as forensic and from mobile phones, insufficient information is too often provided to enable realistic dates to be entered on the forms for the service of such evidence.

4.37 Sound decision-making was found in the file examination cases where there had been a decision to accept a plea to either a lesser charge or fewer charges than the defendant faced (eight out of eight cases). However, where there had been a basis of plea the written signed copy was not on CMS in three of the eight relevant cases. During reality checks inspectors found a case proceeding to a Newton hearing which had no copy of the basis of plea on CMS. It was located only on the Digital Case System (DCS), which further supports the findings in our file read.

4.38 We found that HRSs were completed fully and accurately and uploaded onto CMS within the required timescales in 74.7% of cases in the file sample (56 out of 75). CMS reality checks revealed that there are issues with late HRSs from external counsel, which is impacting upon the Area's ability to update the cases within the required timescale. Managers from the Crown Court team have met with the head and chief clerks of local chambers, to impress upon them the requirement for timely HRSs.

The disclosure of unused material

4.39 Inspectors were concerned about the handling of disclosure in the Crown Court files examined and Area managers agreed that disclosure could be handled better by their units. The findings on the overall quality of the handling of unused material are set out below:

	Excellent	Good	Fair	Poor
Crown Court (out of 62 applicable cases)	0%	40.3% (25 cases)	40.3% (25 cases)	19.4% (12 cases)

4.40 The police fully met their disclosure duties in 50 of the 73 cases examined (68.5%), partially in 18 (24.7%) and not at all in five (6.8%). The main failings were due to lack of schedules and poor descriptions of items. Inspectors found evidence that the Area has delivered training to a number of its police forces. However inspectors found no evidence of poor schedules being returned to the police and little of items being requested when descriptions were inadequate. Instead, the schedules were often endorsed with decisions made upon inadequate descriptions of items and without possession of them.

Case study

In a multi-defendant harassment case initial disclosure was timely. However, the schedule of unused material contained limited items. Of note there was no reference to material generated as a result of the interrogation of three mobile phones or to third party material which would have been in existence. A log was disclosed which did not meet the test and had poor address redaction. There was a DRS but it failed to record the disclosure decisions made, service of a defence statement and reasons for the response, and limited material disclosed as part of continuing disclosure. Disclosure was raised at trial where items had to be disclosed that met the test and which should have been provided to the defence at a much earlier stage.

4.41 Of the files examined, the CPS complied with its disclosure duties fully in 37 out of 62 applicable cases (59.7%), partially in 19 (30.6%) and not at all in six (9.7%). Worryingly, continuing disclosure duties were only fully met in 24 out of 47 of the applicable cases (51.1%) and not at all in nine (19.1%). Disclosure was timely in 51 out of 62 cases (82.3%).

4.42 In spite of there being a requirement to complete a DRS which records all disclosure actions and decisions made, the examination revealed that a DRS was only properly completed in 21 out of 62 (33.9%) cases, partially in 24 (38.7%) and not at all in 17 (27.4%). We found instances on the files examined where unused material had not been disclosed initially, but was at a later point with no explanation endorsed. In addition we noted that updates after defence statements were received were not always endorsed on the DRS.

4.43 In the 19 relevant cases examined inspectors found that handling of sensitive material was only dealt with properly in nine (47.4%) and not at all in five (26.3%). We were informed that the Area has delivered training to its Crown Court prosecutors. This was advanced training for larger cases with sensitive material.

4.44 We found that there has been conflicting information from the Area on the completion of a disclosure management document and a risk register. These documents are only required in certain cases, when used appropriately the documents are of great assistance in cases.

4.45 The Area intends to deliver a back to basics training course on disclosure.

Issue to address

Compliance with the requirements for the disclosure of unused material must improve.

Criteria	Score
C4 Case preparation and progression is effective and timely (Crown Court)	Fair

Summary: The Area achieves a good level of successful outcomes, however too many cases are not properly managed and progressed. This is having an adverse effect on the effective trial rates and causes inefficiencies in the system.

4.46 The CPS takes the view, which is supported by stakeholder feedback, that BCM has embedded in the Area. It has taken a while for PTPH courts to be brigaded, but these are taking place as a result of effective liaison with HMCTS and resident judges.

4.47 Fifty one out of 58 cases (87.9%) in our file sample were prepared effectively to ensure progress at the PTPH and none of the ineffective hearings were attributable to the CPS. BCM reality checks on live cases supported this. In the 12 months to September 2016, the guilty plea rate at first hearing in the Crown Court was 33.4%, slightly below the national average of 35.7%.

4.48 Engagement with the defence prior to first hearings is an issue and in the files examined there was little evidence of it being successful. In some instances it was clear that little effort had been made by the prosecutor to have meaningful dialogue. In others it could not take place as the defence contact number was not on CMS. Stakeholder feedback confirmed that there is a lack of engagement prior to PTPH from both parties. However, inspectors did observe that discussion with the defence was taking place at court. Sheffield Crown Court now insists that defence engagement logs are uploaded onto the DCS. We considered this as good practice as it not only focuses the attention on effective engagement prior to the first hearing, but also allows parties to view whether this has taken place.

4.49 Yorkshire and Humberside has a good overall conviction rate in the Crown Court which is better than the national average, at 82.3% for the 12 months to September 2016 compared with 79.1% nationally. The 61.3% conviction rate for rape cases in the same period exceeds the CPS's national level of ambition of 60.0% and again is better than the national figure of 57.6%. The Area has put considerable effort into working with the police on rape cases, including attending a regular joint force meeting and ensuring proper gatekeeping takes place before the file is received.

4.50 The Area's overall effective trial rate in the Crown Court is 38.2% for the 12 months to September 2016, compared to a national average of 50.5%. In the same period its overall cracked and ineffective trial rate was 14.7%, with the national average at 13.0%. Trials cracked due to prosecution reasons stood at 10.7% with the Area ranking the lowest nationally in this aspect. Stakeholder feedback was that material is being served late, in some instances on the day of trial, and that there is a need for more robust case management. We found in the file examination that there was too often insufficient case preparation between the PTPH and trial.

4.51 The Area has implemented the Crown Court SOP with the split of responsibilities between prosecutors and paralegal officers. Prosecutors have conduct of the case and the paralegal officers are responsible for case management up to trial. Inspectors were informed that there was a backlog of tasks on CMS, but the Area has made progress in reducing these and now manages cases effectively through the task list. Our CMS reality checks confirmed this. The Area accepts that the previous backlog of tasks may have accounted for poor case progression.

4.52 Timely compliance with judges' orders is, at 85.2%, better than the national average of 80.1%. This is very similar to our file examination findings for both full and partial compliance (85.5%). Stakeholder feedback was that orders are complied with, but invariably a seven day extension is sought. The CPS accepts that there have been issues with compliance, however this is in part due to the late provision of material/information from the police and, when necessary, legal applications from counsel.

4.53 There was one Crown Court custody time limit failure in 2014-15 and one in 2015-16, but none since. Inspectors found evidence that systems were in place to minimise the risk of CTL failures in that assurance logs were being completed and signed off by managers, although we found some inaccuracies in the CTL back up diaries.

Issue to address

The Area should ensure robust case progression of Crown Court cases.

5 Part D: Public confidence

Performance expectation

The service to victims and witnesses is central to the work of the Area. It ensures that decisions are appropriately explained and its interaction with victims and witnesses takes account of their needs, is open and direct, and shows empathy. The Area works with and learns from local communities to build confidence in the criminal justice system.

Criteria	Score
<i>Part D: Public confidence</i>	
Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Good
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	Good
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	Good
Overall score for public confidence	GOOD

Performance against the Part D modules

Criteria	Score
D1 Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Good

Summary: The Area has made a strong commitment to victims and witnesses in its Business Plan and benefits from having a CCP who leads on victims and witnesses nationally. There is an effective Victim Liaison Unit, ensuring that victims receive notification when decisions to stop or alter cases are made and providing a central point of contact for those victims. However, there is room for improvement with respect to the timeliness and quality of some letters to victims.

5.1 The Victim Communication and Liaison scheme (VCL) provides a mechanism for the CPS to communicate and liaise directly with identified victims to ensure they receive accurate and timely information in certain instances, for example where the CPS makes a decision to discontinue proceedings or substantially alter charges. The Service aims to send out notifications to vulnerable victims within one day and non-vulnerable victims within five days of the decision.

5.2 The Victim Liaison Unit (VLU) has been established in Yorkshire and Humberside for a number of years and has experienced staff who understand the process and priority of communications to victims.

5.3 The pathway to the VLU is that prosecutors making relevant decisions should email a paragraph of text to the unit to be inserted into a template letter. There should be sufficient information within the paragraph to enable the VLU to write a high quality letter to the victim. Inspectors were informed that this practice is not always followed and often minimal information is provided, but due to the unit staff's experience levels they are able to interpret the information and draft a letter. On occasions prosecutors or caseworkers fail to notify the VLU of the need for a letter. The Area Finalisation Team assists in identifying these missed cases and alerting the VLU.

5.4 We were informed that letters arising from the RASSO and Complex Casework units are drafted entirely by the prosecutors from the unit due to the sensitivities of these cases, although these letters are quality assured by VLU members to ensure that appropriate language is used.

5.5 The Area has targets for the number of letters expected to be sent out per month based upon a formula used from data in previous months. Yorkshire and Humberside has managed to meet this target in recent months and focus should now be directed towards improving the letters' timeliness. In our file sample, 27.6% of VCL letters sent out to victims did not meet the timeliness ambitions.

5.6 The Finalisation Team will be lost in early 2017 due to changes in structure and staff felt that this may have an adverse impact on the notification to the VLU of the need for letters. Senior managers are aware of the impact and the matter has been raised at the Area's management meetings.

5.7 In our file sample, we found that eight out of 21 letters (38.1%) fully met the quality standard, 12 (57.1%) partially and one not at all (4.8%). Inspectors spoke with staff who agreed that some of the letters lacked empathy but they were following standard templates as instructed. Some staff did alter the templates to provide better quality but were restricted in how much amendment was possible. The VLU manager sits on the national working group looking at template letters and has provided feedback from the Area.

5.8 The VLU has a process of dip sampling letters for quality and timeliness and the unit staff provide the Victim Liaison Manager with details of Area staff who fail to notify them of the need for a letter when one is required. The unit also keeps a log of all calls from victims to ensure follow-up calls are more tailored. Quality of letters and logs form part of the team's appraisal process. Inspectors found that the VLU operates effectively and the unit has been visited by staff from other CPS Areas to establish best practices.

Strength

The Area's Victim Liaison Unit is effective.

5.9 In 58 out of 73 cases in our file sample (79.5%) the Area fully met and took account of the rights, interests and needs of victims and witnesses, including consulting with them where appropriate. This was partially done in 13 (17.8%) and not at all in two (2.7%).

5.10 The Area was a pilot site with respect to Speaking to Witnesses at Court (STWAC).⁵ CPS launched guidance in March 2016 in an effort to improve the quality of service delivered to victims and witnesses at court by prosecuting advocates. We found evidence that the STWAC scheme was well embedded in the Area with appropriate training provided to staff. We received positive feedback from the judiciary and the Bar, and feedback from external community groups welcomed the scheme. We found evidence of endorsements on files confirming that conversations with witnesses had taken place and the Area provides paralegal support in the Crown Court to further facilitate the recording of conversations with witnesses. Inspectors were also informed that the Area had completed 'exit' surveys with witnesses, where feedback was positive.

5.11 The Area held STWAC training for agents and counsel during May 2016. Despite initial misgivings by some counsel, the guidance has been fully adopted. Some feedback received from community groups suggested that counsel should be provided with further time to spend with witnesses to make them feel at ease.

5.12 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.

⁵ *Speaking to Witnesses at Court*; CPS; March 2016.
www.cps.gov.uk/Publications/Prosecution/speaking-to-witnesses-at-court-guidance-mar-2016.pdf

Criteria	Score
D2 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	Good

Summary: The Area demonstrates a key focus on the needs of victims and witnesses. Positive comments from stakeholders highlighted how Yorkshire and Humberside has developed processes and practices to assist engaging victims and witnesses and is developing methods to enhance their criminal justice experience. There is room for improvement with Victim Personal Statements and the use of witness summons, however, on the whole the Area was seen to be making positive efforts to address the shortfall.

5.13 In five out of ten cases (50.0%) in our file sample Area prosecutors dealt fully effectively at the charging stage with all relevant applications and ancillary matters, including those relating to victim and witness issues.

5.14 The CPSD charging advice template provides for prompts to ensure the prosecutor focuses attention on the needs of victims and witnesses at this stage. Inspectors found that the Area had developed their own template for charging RASSO cases to address some of the concerns highlighted above. The template provides the police with prompts to consider all relevant matters, so a more informed decision can be made by the prosecutor. Inspectors were informed that the template has been provided to CPS Headquarters and we considered that this was an effective document.

5.15 In our full file sample we found that in 40 out of 48 cases (83.3%) the need to secure victim engagement was fully met and account taken of the rights and interests of victims and witnesses in 58 out of 73 cases (79.5%). However in those cases that were subject to Area charging advice the requirements were met in each one.

5.16 In our file sample, one of the main failings of police file quality in accordance with the NFS was the failure to provide a Victim Personal Statement (VPS), although performance was much better in RASSO cases. The Area did not always feed back the failure to the police and some cases proceeded throughout the process without a VPS. Feedback received from stakeholders such as the court and judiciary suggested that VPSs were not received in every case, but indicated that when one was provided it was appropriately used and Area prosecutors read out the statements when required in accordance with the requirements.

5.17 There is a Specialist Domestic Violence Court (SDVC) at Leeds Magistrates' Court. The CPS ensures that a specialist prosecutor is deployed to cover the court who has previously reviewed the cases, in accordance with TSJ principles. West Yorkshire Police provide personnel in court to assist the prosecutor and feedback is provided via the police support with respect to any issues with police file quality. The SDVC is geared towards providing a bespoke service to victims of domestic abuse and ensures that trials are listed as early as possible to retain the engagement of victims and witnesses. The Area is proposing a similar approach to be adopted in Sheffield Magistrates' Court and negotiations are ongoing with South Yorkshire Police.

5.18 The Area performs well with respect to ancillary orders at sentence. We found that restraining orders were applied for in appropriate cases and drafted in appropriate terms. There has been improved performance in requesting and recording sentencing uplifts for hate crimes.

5.19 With respect to witness attendance, the Area performs on a par with the national average, with performance in the Crown Court better than the magistrates' court. Inspectors found stakeholders' views were mixed on the appropriate use of witness summons. Feedback included witness summons being requested early at the first hearing in appropriate TSJ cases and the quality of written applications being good, but there was also a view that applications were not always being made where appropriate, especially in cases involving domestic abuse. Feedback was also received that when applications were not made at the first hearing there was little remedy until the day of trial, indicating issues with case progression as mentioned in the previous section.

5.20 There was positive feedback from stakeholders regarding the use of s.28 Youth Justice Criminal Evidence Act 1999. Yorkshire and Humberside was a pilot for s.28 in cases with victims under 16 years old. This is soon to extend to victims under 18 years old. The Area and stakeholders commented that the pilot had worked well at improving the quality of the criminal justice experience for young victims.

Criteria	Score
D3 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	Good

Summary: The Area utilises its scrutiny panels to re-enforce its strong community ties built up by the Equality, Diversity and Community Engagement Manager (EDCEM) who leads on implementation of the Area's Community Team Strategy and Action Plan. The EDCM is supported by senior managers as well as prosecutors to deliver improvements to service delivery. The CPS has built up good relationships with the police Witness Care Units, but there remains some frustration with respect to the prioritisation of witness issues.

5.21 There is a permanent EDCM who co-ordinates the Area's community engagement activity. The EDCM is supported in her role by a prosecutor who assists with community engagement, which allows her to concentrate on her other roles such as values and People Champion. We received feedback from a number of community groups the Area engages with and views regarding the EDCM were positive throughout.

5.22 The EDCM is pivotal with respect to identifying and prioritising engagement with stakeholders or community groups at the greatest risk of exclusion and discrimination. The Area has built up a good connection with the rural farming community and a prosecutor has been assigned to lead engagement. This is showing a positive result in addressing rural concerns. The EDCM has also identified other community groups on which there needs to be more focus and there has been engagement with the police with respect to data and trends.

5.23 Many of the community links are formed through the operation of the Area's Local Scrutiny and Involvement Panels. There are three panels, for hate crime, domestic abuse and rape cases. We were told that the hate crime and domestic abuse scrutiny panels meet three times a year and the rape scrutiny panel twice a year. We were not assured that the hate crime and domestic abuse panels met as frequently as stated. Despite this, inspectors noted the effectiveness of the panels with respect to content and follow-up work. All scrutiny panels had action logs and these were updated for every meeting. In particular, inspectors found that the rape scrutiny panel was highly effective.

5.24 Comments were received from stakeholders that there was insufficient representation on the hate crime scrutiny panel from Black, Asian and Minority Ethnic (BAME) groups. The Area should look to expedite the process of membership to ensure that there is a rounded representation on the panel which reflects the local demographics.

5.25 The Area has developed a Community Team Strategy and Action Plan (CTSAP) for 2016-17. The plan supports the national CPS 2020 vision and seeks to ensure engagement with communities, so that the CPS is aware of their concerns when decision-making and developing policies and practices. The Community Team comprises the EDCM and a Senior Crown Prosecutor and is responsible for delivering on the CTSAP. The team report to the Area Strategy Board and progress of the plan is measured via an annual self-assessment.

5.26 The Area utilises previous self-assessments to drive forward changes for the following year. The CTSAP for 2016-17 now incorporates a list of 25 actions to plug the gaps identified from the self-assessment in March 2016. The plan includes actions to raise the quality of casework standards; improve governance and reporting arrangements; improve the ability to respond to priorities that emerge in neighbourhoods and communities and diverse groups; consider community concerns when making decisions and developing policies and practices; and improve working with partner agencies to address community concerns. We found that the plan was an effective document and evidence suggested that it was being followed, with actions developed to improve casework and priorities.

5.27 As well as scrutiny panels, the Area is engaged in a number of other activities with the community. The Area holds a community engagement log which records its activity. A number of managers are utilised with respect to community engagement, in particular managers from the RASSO team continue to work with community groups. However, there is an appreciation that due to resource and time constraints and the size of the Area, not all community meetings can be attended by the CPS.

5.28 We found that there was sufficient engagement to drive forward improvements and confidence. Positive comments were put forward by the community groups and stakeholders who provided written responses to our questions. Additionally, the HMCPSI staff survey showed that 80% of staff who responded considered that the Area prioritises sensitive cases (domestic abuse and other hate crimes) appropriately.

5.29 Our staff survey revealed that 65% felt the service provided to victims and witnesses was either excellent or good. Feedback from partner agencies was mixed. Positive comments were received in relation to joint working at a strategic level, but there remained frustration with service delivery at the frontline. Issues raised included late requests for witness attendance requirements and slow CPS responses to issues raised by victims and witnesses. Inspectors found there was evidence that some units were prioritising issues raised by victims and witnesses, although this approach was not consistent across the Area.

Issue to address

Victim and witness issues arising during the trial process should be prioritised consistently across the Area.

6 Part E: Efficiency and value for money

Performance expectation

The Area ensures it delivers the maximum benefit for users and stakeholders with the resources available. It has the right people doing the right things at the right time for the right cost, and delivering the right outcome. It is focussed on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

This aspect was not scored.

Summary: The Area delivers good value for money with improving outcomes. Working within budget it is able to demonstrate that performance improvements can be made by weeding out inefficiencies and working with partners to enable streamlined processes. The Area should build upon this to tackle the remaining aspects where there is scope to improve delivery of a quality service.

6.1 Recent staff surveys reflect the improving trend with respect to leadership within the Area. Communication throughout the Area is strong and lessons are learnt when feedback is received. Communication is two-way and staff are provided opportunities to engage with changes. Further changes, such as moving to a thematic structure, are being introduced to make additional efficiency savings.

6.2 When looking at the relative cost of the Area and its comparative performance in terms of convictions in both the Crown Court and magistrates' courts, Yorkshire and Humberside is delivering a value for money service. However, aspects of casework quality and case progression are causing inefficiencies and having an adverse impact on the effective trial rates. Implementation of the IQA process is at an early stage with the Area only focussing on volume information and, although still developing an appropriate process, this has yet to be implemented.

6.3 The Area has made significant progress with stakeholder engagement. Some aspects are delivering results now and others are work in progress. Senior managers command respect with stakeholders and have negotiated better terms with the implementation of TSJ and BCM.

6.4 The Area has a regular and robust focus on performance and resources and responds to aspects of poor performance and resource need where these are identified. The abstraction of CAs from core work is having a negative effect on their utilisation and their ability to achieve targeted savings. The deployment of APs in the magistrates' court is lower than other CPS Areas which results in increased spend on the agent budget meaning inefficient use of resource.

6.5 There are sound processes for the control of expenditure which is closely monitored throughout the year and has resulted in the Area building a track record of underspending against its allocated budget over a number of years. It is currently expecting to again spend less than the budget allocated this financial year.

6.6 The Area is performance focussed which is reflected in its outcomes. In terms of magistrates' courts performance, since 2013-14 Yorkshire and Humberside has clearly performed better than the national average. In the Crown Court, although performance has deteriorated since 2013-14, this has been at a slower rate than that nationally. In both courts the positive level of outcomes remains better than the corresponding national averages. In the 12 months to September 2016, the magistrates' court conviction rate was 87.2% (3.0% better than the national average) and Crown Court conviction rate 82.3% (3.2% better than nationally).

6.7 Legal decision-making is sound, however, despite strong leadership improvements in casework quality and case progression are necessary to ensure cases are concluded at the earliest opportunity. TSJ and BCM have now been embedded in the Area to increase the number of early guilty pleas and reduce the number of contested cases. However, compliance with the schemes will need to be enforced to enable maximum savings to be made. There is still more the Area can do to add value to the overall casework process.

6.8 An effective VLU has been established, taking away from the prosecutors the need to draft letters to victims. The unit is currently exceeding its target for the number of letters required and is being visited by other CPS Areas to establish good practice.

Annexes

A Glossary

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.

Area Business Manager (ABM)

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

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.

Attendance Improvement Notice (AIN)

Issued by managers to staff to address unsatisfactory attendance due to non-disability related sickness absence.

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. *See also Newton hearing.*

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.

Digital Case System (DCS)

An online system used in the Crown Court which reduces the paper flowing through the criminal justice system by enabling all parties to access the same electronic case file.

Guilty Anticipated Plea (GAP)

A Guilty Anticipated Plea involves a case whereby the defendant is expected to admit the offence at court following an assessment of the available evidence.

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.

High weighted performance measures

Measures of performance CPS Headquarters specifically regards as highly important.

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 the 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.

Local Scrutiny and Involvement Panel (LSIP)

The mechanism through which the public can hold the CPS to account over the way that it delivers its services to the local community.

Management information system (MIS)

An application used to report on case related data entered into CMS. MIS provides real-time information on the work being handled by each unit, allowing managers to obtain a more informed picture of how their Area or unit is performing.

National File Standard (NFS)

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

Newton hearing

Held where the defence and prosecution's conflicting versions of the evidence are put forward for the judge to adjudicate on. *See also Basis of plea.*

Non-ring fenced budget

Money which the CPS is free to allocate to any service that requires it.

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.

Postal requisitions

Used by the police to inform individuals that they are required to attend court to face a criminal allegation. The new method came into effect under the Criminal Justice Act 2003.

Preparation for Effective Trial (PET) forms

Completed by the defence, prosecution and the court, they are used in the magistrates' court to manage cases due for trial.

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'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.

Section 10 (s.10) admission

Admissions made between the parties under section 10 of the Criminal Justice Act 1967. These can be used to avoid unnecessary witnesses attending court to give evidence and shorten the length of trials.

Section 28 (s.28) Youth Justice and Criminal Evidence Act 1999

Covers witnesses aged under 16 or suffering from a mental disorder, significant impairment or physical disability. Permits the victim's cross-examination to be pre-recorded in advance and played to the court at the trial.

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.

Third sector agencies

Independent of government, they can include voluntary and community organisations.

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.

Victim Communication and Liaison scheme (VCL)

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.

Victim Personal Statement (VPS)

This gives victims a voice in the criminal justice process by helping others to understand how a crime has affected them. If a defendant is found guilty, the court will take the VPS into account, along with all the other evidence, when deciding upon an appropriate sentence.

The Code of Practice for Victims of Crime (the Victims' Code)

A statutory code of practice for the treatment of victims of crime, with which all criminal justice agencies must comply. Its aim is to improve victim contact with the criminal justice agencies by providing them with the support and information they need.

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 five sections: The success of CPS people; Continuous improvement; Delivering high quality casework; Ensuring public confidence; and Efficiency and value for money. Each section has a performance expectation and a number of criteria against which evidence will be gathered. Sub criteria have been identified for each section which can be used as a guide to help assess performance.

The framework aligns significantly with the current CPS priorities and takes account and considers other key initiatives such as Standard Operating Practices (SOPs), Transforming Summary Justice (TSJ) and Better Case Management (BCM).

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, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

Part A: The success of CPS people

Performance expectation

The Area is led and managed effectively to ensure it has the right people equipped with the appropriate tools and skills for the job to deliver a high quality service. This is achieved by ensuring all staff have the right technology, systems and skills, to enable decisions to be made fairly, at the right time and at an appropriate level.

Criteria

- 1 **Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service.**
 - 1.1 Senior managers act as role models demonstrating commitment to CPS values and equality and diversity policies.
 - 1.2 Senior managers have effective engagement with staff on strategic and operational matters.
 - 1.3 Senior managers effectively communicate the vision, values and direction of the CPS.
 - 1.4 All managers motivate staff, build effective teams, and challenge inappropriate behaviour.

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- 1.5 All managers understand and take responsibility for implementing senior management decisions.
 - 1.6 Regular and open dialogue occurs through team meetings, with feedback to senior managers of relevant information.
 - 1.7 Senior managers take time to make themselves available to staff at key points in the business calendar or during change processes.
- 2 Senior managers work effectively and are influential with criminal justice partners.**
- 2.1 Senior managers promote an open and constructive approach with criminal justice colleagues.
 - 2.2 The Area works effectively with Local Criminal Justice Boards (or similar where applicable).
- 3 The Area is committed to CPS values, equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale.**
- 3.1 The Area has integrated equality into all relevant strategies and plans, including the Area training plan, and there is equality of access to training.
 - 3.2 The Area is implementing a plan to improve staff engagement levels which is delivering results.
 - 3.3 Sick absence reduction targets have been set and actions taken to meet them.
 - 3.4 Good performance is identified and rewarded, and poor performance tackled appropriately.

Part B: Continuously improving

Performance expectation

The Area continuously improves how it works, deploying resources to work effectively and using efficient processes.

Criteria

- 1 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.**

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- 1.1 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.
 - 1.2 Analysis of performance informs decision-making and resource allocation, leads to remedial action being taken where appropriate, and contributes to improving performance.
 - 1.3 There is effective benchmarking of performance across the Area, with other Areas, national performance and CPS levels of ambition, which informs decision-making and resource allocation.
 - 1.4 Performance information is disseminated in a readily understood format to staff.
 - 1.5 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.
 - 1.6 Teams are held to account for their performance.
 - 1.7 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.
 - 1.8 The QPR process is applied robustly and openly and used to improve performance.

2 Resources are systematically managed and deployed effectively.

- 2.1 The Area's budget is systematically controlled through appropriate delegation, 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 Headquarters and partners.
- 2.5 The Area has effective systems for assessing the most appropriate staffing structure and staffing levels across the Area, which are used to ensure that work is conducted by staff at the right level.
- 2.6 The balance between in-house prosecutors and agents' usage represents a good use of resources.

3 Joined-up working is effective and delivers improvements in outcomes for users.

- 3.1 There are effective arrangements for joint performance management with criminal justice partners, which include robust quality assurance processes.
- 3.2 Relevant performance information, areas for improvement and good practice are shared between criminal justice partners and used to identify strengths and weaknesses.
- 3.3 Joint improvement strategies are implemented, actions are followed up and improvement results.

Part C: High quality casework

Performance expectation

The Area delivers justice through excellent, timely legal decisions, casework preparation and presentation, leading to improved outcomes.

Criteria

Magistrates' courts casework

- 1 Reviews and decisions (including charging decisions, 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.**
 - 1.1 The Area checks that all files received from the police comply with National File Standard and the principles of Transforming Summary Justice (TSJ). Unresolved issues are escalated when appropriate.
 - 1.2 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 (5th edition).
 - 1.3 The Area ensures that there is a timely and proportionate review in all cases requiring one, which is appropriately recorded.
 - 1.4 Reviews and decisions comply with the Code and any relevant policy or guidance; include a prosecution case theory or trial strategy to maximise the prospects of a successful outcome; and identify when ancillary orders or additional information may be requested at sentencing.

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- 1.5 Reviews and decisions are robustly quality assured.
 - 1.6 The Area complies with its duties of disclosure in relation to unused material.
 - 1.7 Disclosure is robustly quality assured, aspects for improvement are identified, and performance improves as a result.

2 Case preparation and progression is effective and timely.

- 2.1 Area systems support the effective progression of cases, including compliance with the Criminal Procedure Rules and SOPs.
- 2.2 The Area ensures that cases progress at the first magistrates' court hearing in accordance with TSJ principles.
- 2.3 The Area ensures that the number of effective trials and successful outcomes are increasing through effective case preparation and progression.
- 2.4 The Area has an effective system for the management and monitoring of custody time limits.
- 2.5 CMS task lists and reports are used robustly to manage, monitor and improve case progression.

Crown Court casework

3 Reviews and decisions (including charging decisions, 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.

- 3.1 The Area checks that all files received from the police comply with National File Standards and the principles of BCM. Unresolved issues are escalated when appropriate.
- 3.2 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.
- 3.3 The Area ensures that there is a timely and proportionate review in all cases requiring one, which is appropriately recorded.
- 3.4 Reviews and decisions comply with the Code and any relevant policy or guidance; include a prosecution case theory or trial strategy to maximise the prospects of a successful outcome; and identify when ancillary orders or additional information may be requested at sentencing.
- 3.5 Reviews and decisions are robustly quality assured.

- 3.6 The Area complies with its duties of disclosure in relation to unused material.
- 3.7 Disclosure is robustly quality assured, aspects for improvement are identified, and performance improves as a result.

4 Case preparation and progression is effective and timely.

- 4.1 Area systems support the effective progression of cases, including compliance with the Criminal Procedure Rules and SOPs.
- 4.2 The Area ensures that cases progress in the Crown Court in accordance with BCM principles.
- 4.3 The Area ensures that the number of effective trials and successful outcomes are increasing through effective case preparation and progression.
- 4.4 The Area has an effective system for the management and monitoring of custody time limits.
- 4.5 CMS task lists and reports are used robustly to manage, monitor and improve case progression.

Part D: Public confidence

Performance expectation

The service to victims and witnesses is central to the work of the Area. It ensures that decisions are appropriately explained and its interaction with victims and witnesses takes account of their needs, is open and direct, and shows empathy. The Area works with, and learns from, local communities to build confidence in the criminal justice system.

- 1 **Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard.**
 - 1.1 The needs of victims and witnesses are fully considered and there is timely and appropriate liaison and support throughout the prosecution process.
 - 1.2 The Area ensures compliance with the requirement to consult victims in appropriate cases, including discontinuance and acceptance of pleas.

- 1.3 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.
- 1.4 Area training plans give appropriate priority to training on victim and witness issues and relevant policies and guidance.
- 2 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.**
 - 2.1 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.
 - 2.2 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.
 - 2.3 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.
 - 2.4 Area processes ensure that the right ancillary orders are sought at sentencing or other disposal to protect the victim, witnesses or public.
- 3 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.**
 - 3.1 Senior managers are committed to engaging with, and securing the confidence of, victims and witnesses, other stakeholders and the public.
 - 3.2 The needs of victims and witnesses are identified, addressed and incorporated into the core business of the Area.
 - 3.3 The Area prioritises engagement with stakeholders or community groups at the greatest risk of exclusion and discrimination.
 - 3.4 Complaints, Victims' Right to Review communications, and other feedback from stakeholders, community groups and the public are used to identify aspects for improvement.
 - 3.5 Actions identified from feedback are implemented effectively and followed up robustly.

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- 3.6 The Area can demonstrate improvement in service delivery, engagement or community confidence as a result of actions taken on feedback received.
 - 3.7 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.

Part E: Efficiency and value for money

Performance expectation

The Area ensures it delivers the maximum benefit for users and stakeholders with the resources available. It has the right people doing the right things at the right time for the right cost, and delivering the right outcome. It is focussed on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

- 1.1 Area managers actively promote the concept of value for money throughout the Area.
- 1.2 Effective and efficient case progression is avoiding duplication and minimising waste by ensuring that only appropriate cases are brought to court in an expedient manner.
- 1.3 High quality casework is maximising the likelihood of a successful result.
- 1.4 Partnership working is delivering positive results in outcomes for users.
- 1.5 The Area, through effective management, makes best uses of its resources to optimise their effectiveness and delivers successful outcomes.

C File sample composition and examination findings

Question	Answer	
Pre-charge decision by police		
The police decision to charge was compliant with the Code for Crown Prosecutors	Yes	86.2%
	No	13.8%
The police decision to charge was compliant with the Director’s Guidance	Yes	79.3%
	No	20.7%
The police MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	77.6%
	No	22.4%
Pre-charge decision by the CPS		
The CPS decision to charge was compliant with the Code for Crown Prosecutors	Yes	94.6%
	No	5.4%
The MG3 included proper case analysis and case strategy	Fully met	44.6%
	Partially met	42.4%
	Not met	13.0%
The MG3 made reference to all relevant applications and ancillary matters	Fully met	73.9%
	Partially met	16.3%
	Not met	9.8%
There were appropriate instructions and guidance to the court prosecutor contained in either the MG3 or the PET or PTPH created with the MG3	Fully met	63.7%
	Partially met	29.7%
	Not met	6.6%
The CPS MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	91.2%
	No	8.8%
The action plan met a satisfactory standard	Fully met	45.1%
	Partially met	36.3%
	Not met	18.7%

Question	Answer	
Rate the overall quality of the MG3	Excellent	2.2%
	Good	42.4%
	Fair	42.4%
	Poor	13.0%
Code compliance after charge		
The police file submission complied with the National File Standard for the type of case	Fully met	33.9%
	Partially met	47.3%
	Not met	18.8%
The main failing in the police file was in relation to	VPS	25.7%
	MG5	1.4%
	Defendant's pre. convictions	2.7%
	MG11	4.1%
	Overbuild	54.1%
	Other	12.2%
Police file submission was timely	Yes	90.8%
	No	9.2%
All Code decisions after charge complied with the Code for Crown Prosecutors	Yes	98.7%
	No	1.3%
Initial case review and preparation for the first hearing		
The case received a proper and proportionate initial case review where appropriate	Yes	69.0%
	No	7.0%
	Not done	23.9%
The initial case review was carried out in a timely manner	Yes	72.2%
	No	27.8%
The prosecutor prepared the case effectively in accordance with TSJ/BCM to ensure progress in court at the initial hearing(s)	Yes	83.3%
	No	16.7%

MG5 Police report including case file summary

MG11 Statement made by a witness to be used as evidence

Question	Answer	
The prosecutor identified and raised with the police any lack of compliance with TSJ/BCM	Yes	31.9%
	No	68.1%
The first hearing was effective, complied with TSJ/BCM expectations (where appropriate) and resolved all outstanding issues	Yes	82.5%
	No	17.5%
Any issues with the effectiveness of the TSJ/BCM hearing were primarily occasioned by whom	Police	22.7%
	CPS	0%
	Court	9.1%
	Defence	63.6%
	Probation	4.5%
Case progression after the first hearing		
The lawyer or team exercised sound judgement and grip on the case	Fully met	44.0%
	Partially met	39.6%
	Not met	16.4%
There was timely compliance with court directions or judges' orders	Fully met	44.3%
	Partially met	32.9%
	Not met	22.9%
Any decision to discontinue was made and put into effect in a timely manner	Yes	91.7%
	No	8.3%
The decision to accept pleas or a basis of plea was sound	Yes	90.0%
	No	10.0%
Any basis of plea was in writing and signed by the prosecution and defence	Yes	25.0%
	No	75.0%
Hearing record sheets were completed accurately, contained sufficient instructions to progress the case and were uploaded to CMS in a timely manner	Fully met	80.3%
	Partially met	15.6%
	Not met	4.1%

Question	Answer	
Disclosure		
The police complied with their disclosure obligations	Fully met	72.1%
	Partially met	19.7%
	Not met	8.2%
The main failing in the police disclosure was in relation to	Listing items wrongly	7.3%
	Poor description of items	48.8%
	Lack of schedule	22.0%
	Other	22.0%
The prosecutor complied with the duty of initial disclosure, including the correct endorsement of the schedules (but not including timeliness of disclosure)	Fully met	57.1%
	Partially met	31.4%
	Not met	11.4%
The prosecutor complied with the duty of continuing disclosure (but not including timeliness of disclosure)	Fully met	51.9%
	Partially met	25.9%
	Not met	22.2%
The failure to comply with the duty of disclosure was a complete failure to disclose undermining or assisting material (late disclosure is not a complete failure)	Yes	0%
	No	100%
The prosecution complied with its duty of disclosure in a timely manner	Yes	80.4%
	No	19.6%
Sensitive unused material was dealt with appropriately	Fully met	47.4%
	Partially met	26.3%
	Not met	26.3%
Third party material was dealt with appropriately	Fully met	25.0%
	Partially met	50.0%
	Not met	25.0%

Question	Answer	
The DRS was properly completed with actions and decisions taken on disclosure	Fully met	30.5%
	Partially met	31.4%
	Not met	38.1%
Rate the overall quality of handling of unused material by the CPS	Excellent	0%
	Good	40.0%
	Fair	35.2%
	Poor	24.8%
Victims and witnesses		
Where appropriate the prosecutor took all necessary steps to secure victim engagement in the court process	Fully met	83.3%
	Partially met	14.6%
	Not met	2.1%
The prosecutor took account of the rights, interests and needs of victims and witnesses including consulting with them where appropriate	Fully met	79.5%
	Partially met	17.8%
	Not met	2.7%
There was a timely VCL when required	Yes	44.8%
	No	27.6%
	Not done	27.6%
The VCL was of a high standard	Fully met	38.1%
	Partially met	57.1%
	Not met	4.8%
Police service quality		
Rate the overall quality of the service from the police	Excellent	1.3%
	Good	48.7%
	Fair	36.0%
	Poor	14.0%

Question	Answer	
CPS service quality		
Rate the overall value added by the CPS	Excellent	1.4%
	Good	42.1%
	Fair	38.6%
	Poor	17.9%

D Area performance data

Outcomes	National					Yorkshire and Humberside				
	2013-14	2014-15	2015-16	12 months to Sep 16	Variance 2013-14 to Sep 16	2013-14	2014-15	2015-16	12 months to Sep 16	Variance 2013-14 to Sep 16
Magistrates' court										
Successful outcomes	85.6%	84.2%	83.8%	84.2%	–	86.2%	85.9%	86.6%	87.2%	–
Discontinuance	9.8%	10.5%	10.3%	10.1%	–	9.6%	9.6%	8.8%	8.2%	–
Crown Court										
Successful outcomes	81.0%	79.4%	79.2%	79.1%	–	83.2%	82.0%	82.4%	82.3%	–
Judge ordered acquittals	11.5%	12.5%	12.2%	11.9%	–	11.5%	12.0%	10.8%	10.7%	–
Charging volumes										
No. of pre-charge decisions	298,077	307,037	276,696	272,308	-8.6%	30,764	29,551	27,663	26,763	-13.0%
Magistrates' court										
Guilty pleas	71.8%	71.2%	71.2%	72.1%	–	73.6%	73.9%	75.6%	76.8%	–
Attrition	21.6%	22.4%	21.8%	21.0%	–	20.4%	20.2%	19.2%	18.1%	–
Crown Court										
Guilty pleas	72.8%	71.9%	71.4%	71.0%	–	77.2%	75.2%	75.5%	75.4%	–
Attrition	18.8%	20.5%	20.6%	20.6%	–	17.0%	18.3%	17.7%	17.9%	–

Staffing and caseload changes							
	2013-14	2014-15	2015-16	% change 2014-15 to 2015-16	12 months to Sep 16	% change 2015-16 to Sep 16	2 yr average % change 2014-15 to Sep 16
Areas and CPS Direct plus Proceeds of Crime							
Staff in post	5,285.1	4,983.7	4,585.1	-8.0%	4,505.4	-1.7%	-9.6%
Prosecutors in post	2,375.1	2,240.3	2,110.7	-5.8%	2,138.6	1.3%	-4.5%
Administrators in post	2,909.9	2,743.4	2,474.5	-9.8%	2,366.8	-4.4%	-13.7%
Magistrates' court							
Completed cases	633,306	557,887	534,121	-4.3%	514,632	-3.6%	-7.8%
Contested cases	53,770	54,167	59,964	10.7%	57,061	-4.8%	5.3%
Contested cases proportion of completed cases	8.5%	9.7%	11.2%	1.5%	11.1%	-0.1%	1.4%
<i>Contested cases with conviction</i>	33,805	33,075	37,513	13.4%	36,125	-3.7%	9.2%
Proportion of contested cases resulting in conviction	62.9%	61.1%	62.6%	1.5%	63.3%	0.8%	2.2%
Contested cases per prosecutor*	22.6	24.2	28.4	4.2	26.7	-1.7	2.5
Crown Court							
Completed cases	93,446	98,505	96,338	-2.2%	92,349	-4.1%	-6.2%
Contested cases	16,102	16,847	17,351	3.0%	17,434	0.5%	3.5%
Contested cases proportion of completed cases	17.2%	17.1%	18.0%	0.9%	18.9%	0.9%	1.8%
<i>Contested cases with conviction</i>	9,627	9,568	9,862	3.1%	9,854	-0.1%	3.0%
Proportion of contested cases resulting in conviction	59.8%	56.8%	56.84%	0.0%	56.5%	-0.3%	-0.3%
Contested cases per prosecutor*	6.8	7.5	8.2	0.7	8.2	-0.1	0.6

* Excludes CCP and senior staff

Staffing and caseload changes							
	2013-14	2014-15	2015-16	% change 2014-15 to 2015-16	12 months to Sep 16	% change 2015-16 to Sep 16	2 yr average % change 2014-15 to Sep 16
Yorkshire and Humberside							
Staff in post	496.5	454.3	431.4	-5.0%	422.4	-2.1%	-7.0%
Prosecutors in post	204.4	181.5	170.3	-6.2%	177.1	4.0%	-2.4%
Administrators in post	292.1	272.8	261.2	-4.3%	245.4	-6.1%	-10.1%
Magistrates' court							
Completed cases	62,275	52,909	50,637	-4.3%	48,970	-3.3%	-7.4%
Contested cases	5,038	4,832	4,880	1.0%	4,605	-5.6%	-4.7%
Contested cases proportion of completed cases	8.1%	9.1%	9.6%	0.5%	9.4%	-0.2%	0.3%
<i>Contested cases with conviction</i>	3,292	3,077	3,148	2.3%	2,959	-6.0%	-3.8%
Proportion of contested cases resulting in conviction	65.3%	63.7%	64.5%	0.8%	64.3%	-0.3%	0.6%
Contested cases per prosecutor*	24.7	26.6	28.7	2.0	26.0	-2.7	-0.6
Crown Court							
Completed cases	10,232	9,885	9,452	-4.4%	8,801	-6.9%	-11.0%
Contested cases	1,216	1,285	1,334	3.8%	1,316	-1.3%	2.4%
Contested cases proportion of completed cases	11.9%	13.0%	14.1%	1.1%	15.0%	0.8%	2.0%
<i>Contested cases with conviction</i>	701	757	748	-1.2%	743	-0.7%	-1.8%
Proportion of contested cases resulting in conviction	57.6%	58.9%	56.1%	-2.8%	56.5%	0.4%	-2.5%
Contested cases per prosecutor*	5.9	7.1	7.8	0.8	7.4	-0.4	0.4

* Excludes CCP and senior staff

Efficiency, costs and quality											
National						Yorkshire and Humberside					
	2013-14	2014-15	2015-16	12 months to Sep 16	Improvement/deterioration 2015-16 to Sep 16		2013-14	2014-15	2015-16	12 months to Sep 16	Improvement/deterioration 2015-16 to Sep 16
Efficiency											Comparison to nat. average 12 months to Sep 16
Completed cases per administrator (FTE)	249.7	239.3	254.8	256.5	Imp	248.2	230.2	253.5	235.5	Det	Worse than
Completed cases per prosecutor (FTE)	306.0	293.0	298.7	283.8	Det	354.8	346.0	352.9	326.3	Det	Better than
In-house magistrates' court sessions	74.4%	72.4%	70.5%	68.6%	Det	68.7%	69.0%	63.0%	58.6%	Det	Worse than
Associate prosecutor magistrates' court sessions	28.8%	27.0%	25.1%	24.7%	Det	41.4%	40.5%	30.7%	28.7%	Det	Better than
Cases dropped at 3rd or subsequent hearings (magistrates' court)	35.8%	34.1%	30.5%	29.9%	Imp	42.8%	38.8%	34.8%	36.4%	Det	Worse than
Average sessions per associate prosecutor per week	5.25	5.59	6.50	6.63	Imp	6.00	6.16	6.00	5.54	Det	Worse than
Hearings per magistrates' court case (guilty plea)	1.85	1.87	1.80	1.74	Imp	1.95	1.95	1.87	1.81	Imp	Worse than
Hearings per Crown Court case (guilty plea)	3.58	3.84	3.97	3.83	Imp	3.50	3.88	4.00	3.77	Imp	Better than
Percentage of magistrates' court guilty pleas at first hearing	67.8%	70.8%	70.7%	70.6%	Det	66.2%	68.2%	69.0%	69.1%	Imp	Worse than
Percentage of Crown Court guilty pleas at first hearing	35.8%	33.1%	31.8%	35.7%	Imp	34.2%	29.2%	29.3%	33.4%	Imp	Worse than
CPS savings per Crown Advocate	£61,936	£65,389	£65,550	£60,600	Det	£54,887	£63,135	£72,096	£67,431	Det	Better than

Efficiency, costs and quality											
National						Yorkshire and Humberside					
		2013-14	2014-15	2015-16	12 months to Sep 16	Improvement/deterioration 2015-16 to Sep 16	2013-14	2014-15	2015-16	12 months to Sep 16	Improvement/deterioration 2015-16 to Sep 16
Cost											
Prosecution cost per defendant (Crown Court)		£1,044	£1,080	£1,124	£1,159	Det	£821	£922	£968	£982	Det
Overall spend per completed case		£536	£588	£602	£629	Det	£466	£518	£535	£553	Det
Overall spend per total staff (FTE)		£73,683	£77,404	£82,767	£83,743	Det	£68,126	£71,555	£74,578	£75,967	Det
Outcomes											
Magistrates' court successful outcomes		85.6%	84.2%	83.8%	84.2%	Imp	86.2%	85.9%	86.6%	87.2%	Imp
Crown Court successful outcomes		81.0%	79.4%	79.2%	79.1%	Det	83.2%	82.0%	82.4%	82.3%	Det
Magistrates' court discontinuances		9.8%	10.5%	10.3%	10.1%	Imp	9.6%	9.6%	8.8%	8.2%	Imp
Crown Court judge ordered acquittals		11.5%	12.5%	12.2%	11.9%	Imp	11.5%	12.0%	10.8%	10.7%	Imp
											Better than

FTE Full-time equivalent

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