

# Area Assurance Inspection of CPS North West

February 2018





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# Contents

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<b>1</b>	<b>Headlines</b> .....	<b>1</b>
	Good practice .....	5
	Strengths .....	6
	Issues to address: .....	7
	Context and methodology .....	8
	Scoring .....	9
<b>2</b>	<b>Part A: The success of CPS people</b> .....	<b>11</b>
	A1: leadership .....	12
	A2: work with criminal justice partners .....	15
	A3: CPS values, equality and diversity policies and staff development .....	17
<b>3</b>	<b>Part B: Continuously improving</b> .....	<b>21</b>
	B1: performance data .....	22
	B2: resources .....	24
	B3: joined-up working .....	27
<b>4</b>	<b>Part C: High quality casework</b> .....	<b>31</b>
	C1: magistrates' courts reviews and decisions .....	32
	C2: magistrates' courts case preparation and progression .....	37
	C3: Crown Court reviews and decisions .....	39
	C4: Crown Court case preparation and progression .....	44
<b>5</b>	<b>Part D: Public confidence</b> .....	<b>49</b>
	D1: communications with victims .....	50
	D2: views and interests of victims, witnesses and the public .....	53
	D3: responsive to stakeholders .....	54
<b>6</b>	<b>Part E: Efficiency and value for money</b> .....	<b>57</b>
	<b>Annexes</b> .....	<b>59</b>
<b>A</b>	<b>Glossary</b> .....	<b>59</b>
<b>B</b>	<b>Area Assurance Programme inspection framework</b> .....	<b>67</b>
<b>C</b>	<b>File sample composition and examination findings</b> .....	<b>75</b>
<b>D</b>	<b>Area performance data</b> .....	<b>81</b>



# 1 Headlines

1.1 We set out here our headline findings in respect of our inspection of the Crown Prosecution Service (CPS) North West Area. Performance as assessed against the criteria of the inspection framework was as follows:

Criteria	Score
<i>Part A: The success of CPS people</i>	
Senior management demonstrates effective <b>leadership</b> 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 <b>CPS values</b> , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Fair
<b>Overall score for the success of CPS people</b>	<b>GOOD</b>
<i>Part B: Continuously improving</i>	
The Area's key <b>performance data</b> is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Good
<b>Resources</b> are systematically managed and deployed effectively	Excellent
<b>Joined-up working</b> is effective and delivers improvements in outcomes for users	Fair
<b>Overall score for continuously improving</b>	<b>GOOD</b>
<i>Part C: High quality casework</i>	
<b>Reviews and decisions</b> (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
<b>Case preparation and progression</b> is effective and timely (magistrates' courts)	Fair
<b>Reviews and decisions</b> (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
<b>Case preparation and progression</b> is effective and timely (Crown Court)	Fair
<b>Overall score for high quality casework</b>	<b>FAIR</b>

Criteria	Score
<i>Part D: Public confidence</i>	
<b>Communications</b> 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	Fair
The <b>views and interests</b> 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	Fair
The Area is <b>responsive</b> 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
<b>Overall score for public confidence</b>	<b>FAIR</b>

**1.2** The Chief Crown Prosecutor (CCP) and several senior managers were newly appointed in 2017. The current management team faced some significant challenges but good foundations are now in place to deliver improvement across the Area. There is a strong ethos of one team across most of the units and the sharing of police and court work across all office locations has assisted with this. Senior managers are visible and leadership and managing change in the Area is improving.

**1.3** The senior management team has worked hard to gain influence with criminal justice partners. There are effective relationships with them at both strategic and operational levels and there has been an impressive level of engagement, which is having a positive impact on cross-agency working. The CPS is represented at all key external meetings and there are effective Local Criminal Justice Board partnerships in all three police forces. There is a constructive and proactive policy of sharing information with partner agencies, which is welcomed by them. Police file quality is a long standing operational issue; the agencies have recognised this and a number of steps have been taken jointly to improve quality and timeliness. In addition, the Statement of Expectations agreement between the CPS and Her Majesty's Courts and Tribunals Service (HMCTS) now provides a framework which enables each agency to hold the other to account, and has already had some impact. In the Crown Court, the judiciary were positive about the CPS's work and the enthusiasm of senior managers to address issues.



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**1.4** The Area considers staff engagement as part of its core business processes. The 2017 Civil Service People Survey Engagement score has increased from the previous year and there is generally effective communication across the offices, despite staff being based in a number of locations. Consultation and inclusivity is good, although implementation of the national CPS Rape and Serious Sexual Offences (RASSO) unit rotation policy has had a negative impact on engagement and morale. It has significant risks to the business, in terms of the effectiveness and efficiency in all the units during a prolonged transitional period. North West scored poorly on Learning and Development in the survey but a Learning, Development and Human Resource (HR) support officer has been appointed, who has a focused approach on raising awareness and uptake of learning and development opportunities.

**1.5** Sickness absence and stress related sickness absence remain an issue. Although there has been some reduction in sickness absence since 2014-15, North West still remains one of the worst performing CPS Areas. Stress related sickness absence is also amongst the worst nationally over the same period and is increasing. Long term sickness is slowly reducing, but remains higher than national. The Area has invested in some training for managers on managing sickness, wellbeing and stress related sickness and managers confirm that they are receiving good support from their HR advisors.

**1.6** North West has under spent against its allocated budget for the past four years and is the only Area to achieve this. It has an effective system for ensuring internal financial control, demonstrates appropriate budget control and has a clear system of responsibility and accountability for managing its resources. Financial delegation is well controlled and reviewed regularly and managers have access to timely and reliable financial information. Controls for managing prosecution costs and Very High Cost Cases have been strengthened. Managers constantly monitor workloads and move work to where there is resource best able to handle it. The Area monitors and manages the use of agents actively and is making good use of its Crown Advocate resource.

**1.7** There has been a substantial reduction in the caseload, as well as a reduction in staffing. The number of cases completed by prosecutors, however, remains some way below the national figure and cases completed by administrators for the same period is also low, due to the high number of administrative staff. Despite the reduction in caseload, staff felt that what they are now dealing with has increased in complexity and that this has not been accounted for in the staffing figures in the National Resource Model.

**1.8** There is a formal structure of meetings at which performance data is scrutinised and team managers are held to account. A performance pack is produced for managers on a monthly basis and contains details of the CPS high weighted measures for North West overall and for each operational unit. The Area has also introduced a summary poster for each unit and an overall Area one which will raise awareness for all staff, although there is a need to ensure that they receive regular and consistent headline data. Where an aspect of performance is raised as an issue, managers carry out appropriate analysis to identify the causes to inform actions and the Area has improved performance in relation to some of the issues raised at the Area Performance Review meetings with CPS Headquarters. It has been proactive in ensuring that there is an emphasis on continuous improvement and has good data quality assurance mechanisms in place to ensure that weaknesses in performance are identified and monitored to ensure improvement.

**1.9** The Area needs to drive a number of improvements before it is in a position to deliver high quality casework, in particular in relation to the timeliness and quality of reviews, the handling of unused material, ensuring there is good 'grip' on cases and that value is added to the casework. In recent months there has been a significant drive to increase the number of Individual Quality Assessments conducted by legal managers of the lawyers on their team to drive improvement in quality. Despite the challenges of police file quality, and although there is a declining trend in the proportion of magistrates' court cases and Crown Court cases that result in a successful outcome, both rates are better than the national average, at 87.1% and 81.3% respectively in the 12 months to June 2017. In addition, since 2013-14 the conviction rates for rape and sexual offences have increased and the Area has generally maintained a rate higher than the national figure. The conviction rate for domestic abuse cases also remains well above the national average.

**1.10** In the magistrates' courts, cases were not always prepared effectively in accordance with Transforming Summary Justice principles. Late or missing reviews compound the impact of poor police file quality and hinder the ability to progress cases at court properly. There was little or no engagement with the defence, either before the first hearing or throughout the life of the case, and there are also challenges in the brigading of cases in certain of the not guilty anticipated plea courts due to the police wrongly labelling cases. Advocates at the first hearing were generally well prepared, progressed cases effectively and, in some instances, made up for a lack of earlier preparation in the office. The effective trial rate has improved and is only just below the national average, whereas in contrast the cracked and ineffective trials rate due to prosecution reasons has worsened, but performance is better than the national average.

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**1.11** In the Crown Court the Better Case Management (BCM) scheme is not completely embedded yet. The quality of police files has meant staff were spending a disproportionate amount of time on 'housekeeping', rather than reviewing the evidence and formulating a strategy in a timely manner. There is a lack of 'buy in' to the BCM culture by the defence, so defence engagement remains a key issue to be addressed. The Area has undertaken a Crown Court Business Review with the aim of delivering casework more efficiently across the Area and has significantly improved its performance in relation to guilty pleas at the first hearing. The Crown Court effective trial rate has fluctuated, but been considerably below the national average for a sustained period and, whilst the cracked rate due to prosecution reasons has improved, it is also worse than the national average.

**1.12** In the most serious and sensitive cases involving vulnerable witnesses the quality of witness care was often of a very high standard, but this standard was not always demonstrated in the 'volume' Crown Court cases. Although special measures were applied for in appropriate cases, they were not always timely. The Area also needs to improve communication by staff to the Victim Liaison Unit that a letter is needed. Where the unit is aware of the need to send a letter, it is prompt in sending one out. Police file quality deficiencies are also having an impact on the Area's ability to meet the needs of victims and witnesses. There is a good relationship with the Witness Care Unit, although there are concerns about the delay in responding to queries raised by the unit.

**1.13** There is a clear strategy and action plan for equality, diversity and community engagement, which sets out North West's priorities to drive improvement in the way prosecutions are conducted and in the outcomes for victims and witnesses. Despite being without an Inclusion and Community Engagement Manager for several months, the Area has delivered a community engagement programme across all three police force areas. There is a comprehensive schedule of Local Scrutiny and Involvement Panels and feedback from external members is positive about the Area's commitment to improving the services to victims and witnesses.

### **Good practice**

**1.14** We identified the following good practice:

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**1** A number of Area business reviews have been instigated in each of the units, namely for the Crown Court, complex casework, digital charging and magistrates' court, operational delivery, and a people workstream (paragraph 2.11).

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2 A new Area performance data pack has recently been introduced to support the drive for improvement and enables performance information to be broken down to individual court centres. This is used by the CCP in meetings with senior stakeholders to compare individual courts and identify best practice from the better performers (paragraph 2.18).

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3 The Area has introduced a new role of Area Legal Lead who, as a member of the Area Learning and Development Committee, ensures that any legal themes and emerging training needs identified via the Casework Quality Board can be formally considered and acted upon (paragraph 2.25).

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4 A number of staff have been offered deputising opportunities and others are taking advantage of shadowing different roles to aid their development and understanding of other functions (paragraph 2.26).

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5 The Learning and Development Officer has developed a comprehensive training web page with details of training events and links to various free e-learning sources, internal and external, for all staff (paragraph 2.26).

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6 The Area business reviews led to some operational delivery staff observing the Local Scrutiny and Involvement Panels to better understand the relevance of what they do and how they make a difference. The feedback has been good and the experience provides a different perspective to task based roles. Prosecutors have also observed the panels and been able to gain an understanding of how decisions can impact on the communities they serve (paragraph 5.19).

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## Strengths

1.15 We identified the following strengths:

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1 The NW Weekly Brief that brings together the headlines for the Area and is sent to staff by email (paragraph 2.9).

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2 Where an aspect of performance is raised as an issue, managers carry out appropriate examination or analysis to identify the causes to inform actions (paragraph 3.5).

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**Issues to address:**

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

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1 The Area needs to further review its approach to sickness absence management to ensure consistency of approach by all managers in actively pursuing a health and wellbeing approach to sickness and use of Fit For Work Notices where appropriate (paragraph 2.28).

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2 The Area needs to ensure that staff receive regular and consistent headline data to raise awareness of the Area's performance in relation to national targets and consider increased use of the Area intranet page to give headline updates (paragraph 3.9).

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3 Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every case (paragraph 4.10).

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4 The Area must ensure that reviews in magistrates' courts cases and in Crown Court cases are timely, set out a clear trial strategy and facilitate effective grip (paragraphs 4.22 and 4.33).

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5 The Area must ensure that appropriate feedback is given to the police where unused material schedules are defective, and that disclosure record sheets provide a full record of disclosure decisions and actions (paragraph 4.38).

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6 The Area needs to ensure that in Crown Court cases there is effective engagement with the defence prior to the first hearing in the magistrates' courts (paragraph 4.41).

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7 Managers should ensure that all communications with witnesses under the Speaking to Witnesses at Court initiative are properly recorded on the appropriate form (paragraph 5.6).

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8 The Area needs to put in place an effective mechanism to ensure that witness communications placed on the case management system are referred to prosecutors promptly and appropriate action is taken (paragraph 5.7).

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9 Managers need to ensure that lawyers inform the Victim Liaison Unit immediately of all cases where a Victim Communication Letter is required and provide an appropriately drafted paragraph where necessary (paragraph 5.10).

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**10** The Area should ensure that lawyers fully address the views and interests of victims and give clear instructions to advocates in the charging advice regarding applications to be made (paragraph 5.13).

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**11** The Area should liaise with its police partners to ensure that appropriate guidance is given to police officers to ensure personal details of victims and witnesses are only endorsed on the correct part of the witness statement form (paragraph 5.16).

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**12** The Area needs to develop a mechanism to ensure that feedback from community groups is widely communicated to enable lessons to be learned and that there is improvement in service delivery for the benefit of all victims of crime (paragraph 5.20).

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### **Context and methodology**

**1.17** North West has offices at Manchester, Preston, Carlisle and Barrow, and is aligned with Greater Manchester Police, Lancashire Constabulary and the Cumbria Constabulary. It covers 15 magistrates' courts and eight Crown Court centres. In the 12 months to June 2017 it had the full-time equivalent of 453.1 staff and its budget for 2016-17 was £33,827,392.

**1.18** The national review of CPS Area structures and other changes have had a significant impact on the senior and middle legal management team. There have been three CCPs in the last three years and a number of senior managers were newly appointed to the Area in 2017, including the current CCP and one of the Deputy Chief Crown Prosecutors (DCCPs). Appointment to the third DCCP post is anticipated following the recent national recruitment campaign. There are also a number of District Crown Prosecutors (DCPs) who are new to their roles and two temporary or acting Senior District Crown Prosecutors (SDCPs). The Area is significantly understaffed at prosecutor level and is struggling to fill posts quickly, which impacts on the use it can make of lawyer resources. There are a number of additional members of staff at administrative level.

**1.19** In the 12 months to June 2017 the Area finalised 37,933 magistrates' court cases and 7,905 in the Crown Court. Its overall magistrates' courts and Crown Court caseload is declining.

**1.20** During the same period it secured convictions (either after trial or by a guilty plea) against 87.1% of defendants in magistrates' court cases and 81.3% of Crown Court defendants. Magistrates' court performance was better than the national figure (84.9%) and Crown Court performance was also better than nationally (79.0%); however, in the Crown Court this is a declining trend.

**1.21** Further information on the Area's performance data is at annex D.

**1.22** Inspectors examined 150 magistrates' court and Crown Court files finalised between May and July 2017. 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.

**1.23** A staff questionnaire was issued to the Area and all staff were invited to participate: the responses are incorporated throughout the report. In addition, the Area provided documentation that demonstrated how it has performed against the inspection framework.

**1.24** Our fieldwork took place during November and December 2017. We spoke with members of the judiciary, representatives of partner agencies and CPS staff, both formally and informally. Court observations were undertaken to assess the effectiveness of case progression.

**1.25** We set out at annex D key Area performance data, compared against CPS national averages. Where available, the most recent data is for the 12 months to June 2017.

**1.26** 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**

**1.27** 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.

**1.28** A glossary of the terms used in the report 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 <b>leadership</b> 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 <b>CPS values</b> , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Fair
<b>Overall score for the success of CPS people</b>	<b>GOOD</b>

*Summary: Senior managers are visible and leadership and managing change in the Area is improving. The staff Engagement score has increased from the previous year and there is generally effective communication across the offices, despite staff being based in a number of locations. There is a strong ethos of one team across most of the units and we were informed that the sharing of police and court work across all office locations has assisted with this. Consultation and inclusivity is good, although implementation of the national CPS RASSO unit rotation policy has had a negative impact on engagement and morale. Sickness absence and stress related sickness absence remain an issue, although long term sickness is slowly reducing. The senior management team has worked hard to gain influence with criminal justice partners and there has been an strong level of engagement, which is having a positive impact on cross-agency working.*

## Performance against the Part A criteria

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

**2.1** The employee Engagement level in the 2017 Civil Service People Survey (CSPS) is 57%, which is below the national average of 61%; however, the Area has improved from an overall score in 2015 of 47%. Raising employee engagement is a strategic objective for the Area and there was good awareness amongst managers of this, at both the strategic and operational levels. Engagement in almost all units is now above the CPS target of 59%, with the only exception being the Crown Court units, where overall morale was lower. The Manchester Crown Court unit has seen some improvement in its engagement from the previous year, whereas the Lancashire Cumbria Crown Court unit has declined significantly by 10%, and had a low response rate in the survey of only 36%. The CCP and other senior managers are working hard to raise engagement and hold regular focus groups, rotating between the office bases in Manchester and Preston, to discuss issues and identify aspects for improvement, in particular process and qualitative matters, which senior managers have been able to take forward with partner agencies.

**2.2** The visibility of senior managers is good and the culture of the Area has changed significantly in the last three years, to an ethos of people first. There have been three CCPs in the last three years and a number of senior managers were newly appointed to the Area in 2017, including the current CCP and one of the DCCPs. Operational managers and staff interviewed were positive about the previous CCP and current Area Business Manager (ABM), who had both only joined the Area in the last three years, both were very 'people focused'. It was stated that all senior managers regularly visit all office locations. Staff felt that the current CCP was also initially extremely visible, but he has needed to focus on engaging with criminal justice partners to deliver the necessary improvements required in the Area. In addition to the visits between Manchester and Preston, the CCP has visited the Carlisle and Barrow offices to formally meet with staff based there; however, staff located with the police at Kendal have yet to see some of the new managers. Staff are positive about the CCP's style of being more involved internally with the business side of the organisation and drilling down into the detail of performance issues, whilst at the same time dealing externally with stakeholders and partners. Administrative staff are particularly complimentary about both their current and previous ABMs.

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**2.3** The majority of operational managers felt that the current senior team allowed them to make their own decisions and were less prescriptive than previous regimes. In response to the Inspectorate questionnaire, 93% of staff were aware of the vision, values and objectives outlined in the CPS 2020 Business Plan and their Area plan, but just over a quarter were not clear on some aspects and felt they could be better integrated into business as usual. Examples included not being aligned with business reality and managers referring staff to the Infonet rather than being able to quote the objectives or use them as business examples. The questionnaire also showed that 57% of managers and staff felt that most or all of the senior managers act as role models and demonstrate commitment to CPS values and equality and diversity policies, while 32% felt some but not all managers displayed this. In addition, the CSPA 2017 revealed that 51% of staff believe senior managers in the Area are sufficiently visible, which is an 8% increase on the previous year.

**2.4** The current management team faced some significant challenges: good foundations are now in place but they are not quite there yet. There is a strong ethos of one team across most of the units and we were informed that the sharing of police and court work across all office locations has assisted with this. The magistrates' courts and RASSO units are now single units and work is in progress to achieve the same in the Crown Court, which will be the last to move to a single unit sharing the workload across the office locations. Whilst key outcomes remain better than national performance, there is a clear correlation between performance and the levels of engagement in the units, with magistrates' courts performance showing an improving trend whereas the Crown Court performance is declining. The Area is reviewing rotas to ensure work is allocated fairly and appropriately across the units, however, there are still some matters which need to be addressed in the Crown Court unit that senior managers are aware of and progressing.

**2.5** In addition to the Area Strategy Board (ASB) there are a number of delivery boards that are working well. The RASSO and magistrates' courts units are each chaired by one of the two DCCPs. Each unit is held to account against its performance outcomes with feedback and context provided to the ASB. The Crown Court unit has a separate delivery board for each of the offices, both are currently chaired by the CCP and both DCCPs attend. There is also an Area-wide Crown Court Business Board which has led to duplication of discussion of issues. The Area is appointing a third DCCP and considering how it can rationalise Crown Court unit meetings. It is currently proposed that the three DCCPs will chair all the delivery groups, releasing the CCP back to a more strategic role.

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**2.6** Leadership and managing change is improving, but the Area is aware that there are still aspects that require improvement. The Leadership and Managing Change score in the CSPA 2017 has fallen by 1% to 38% from the previous year. Although this is considerably higher than the 2015 score of 22%, it remains lower than the CPS overall figure of 46%. In response to the Inspectorate questionnaire, 66% of staff felt they were adequately supported by their manager all of the time or most of the time, however, 13% of staff felt they were rarely or never supported.

**2.7** The national CPS Smarter Working scheme has been welcomed and is having a positive effect on engagement. The scheme enables staff to work from home on occasions or work at other locations nearer their homes, providing a better work life balance, reducing their commutes and making staff feel respected and trusted. We were told by staff that it has also led to improved productivity across the Area. In the CSPA 2017, 97% of respondents said they were aware of the Smarter Working initiative.

**2.8** RASSO rotation has had a negative impact on engagement and morale. The current RASSO team was set up in 2015 and the national CPS rotation policy was introduced across the Service in September 2016. The rotation was not imposed in North West at that time, relying on voluntary rotation by those wishing to leave the unit. According to senior managers, in order to meet the five year timescales outlined in the guidance, the Area will have to rotate two members of staff in and out of the unit every six months, but there appears to be different understanding about the numbers of staff and timescales involved by operational staff. A number of staff from various units indicated that they feel disengaged by the process and have raised concerns with senior managers about the significant risks to the business.

**2.9** There is a Communications Manager and generally there is effective communication across the offices, despite staff being based in a number of locations. The Area undertook a communications survey of staff to understand which communication channels and tools available are used and which they find useful. Although the response rate was low, it showed a number of positive results and emphasised the importance of face to face communications and communications between teams and their managers. The communications page on the Infonet could be utilised further to re-inforce key Area messages, albeit that many of the staff stated that they didn't have time to look at the site. The Communications Manager provides a briefing document, NW Weekly Brief, which brings together the Area headlines and is sent to staff by email.

### Strength

The NW Weekly Brief that brings together the headlines for the Area and is sent to staff by email.

**2.10** There are regular team meetings held in most units, the majority monthly. A review of the minutes of meetings, which were generally concise, revealed that on occasions some actions were allocated without due dates for completion and it was not always clear what action had been taken. Some staff indicated that the delivery of certain messages could be more positive and on occasions email was overused, particularly in relation to productivity targets which they felt added to the pressure of the job. However, in response to the Inspectorate questionnaire 82% of staff felt that they were kept informed of matters that impacted on them directly. The Area has made extensive use of the video link to ensure all team members could attend the same meetings remotely and most staff thought its use was positive, although there been some technical difficulties with the system and some staff had not been able to attend the meetings.

**2.11** Consultation and inclusivity is good. Staff generally felt able to contribute their opinions and the magistrates' courts unit staff, in particular, commented that they felt that the current senior managers consulted with them on decision-making. Three quarters of staff who responded to the Inspectorate questionnaire felt they were given the opportunity to contribute to changes made in the Area. At the operational unit level a number of Area business reviews (**good practice**) have been instigated in each of the units, namely for the Crown Court, complex casework, digital charging and magistrates' courts, operational delivery, and a people workstream. The reviews have been developed to ensure consultation and inclusivity of staff, giving them the opportunity to challenge processes, look for improvement and ultimately be involved in decision-making in the Area. The reviews identified aims and objectives, where the units would like to be positioned and any critical success factors. A number of actions have already been delivered that are leading to positive outcomes and a one Area ethos, although some staff were unsure that the actions in their particular reviews had been agreed. The reviews are continuing to identify further improvements and next steps to take. The people workstream in particular has concentrated on staff engagement and resulted in the production of a leadership expectations policy, as well as formalisation of senior manager and operational manager responsibilities and the development of an Area People Strategy.

Criteria	Score
<b>A2</b> Senior managers work effectively and are influential with criminal justice partners	Good

**2.12** The senior team have worked hard to gain influence with their criminal justice partners. There is a strong level of engagement, which is having a positive impact on cross-agency working. Senior managers have established strong relationships with them and the CPS is consistently represented at all key external meetings. Partners all speak highly of the CCP and senior management team, particularly in relation to their openness, approachability and determination to make improvements.

**2.13** The CPS benefits from effective Local Criminal Justice Board (LCJB) partnerships in all three police force areas. The Cumbria partnership is chaired by the Police and Crime Commissioner (PCC) and the Lancashire and Greater Manchester partnerships by the police. The CCP attends all three boards and has been instrumental in the recent establishment of clearer lines of accountability, as well as a new structure for the Greater Manchester LCJB. Under the new arrangements there are now three distinct sub-groups which report to this LCJB. “To the court door” is chaired by Greater Manchester Police, while HMCTS chair both “1st hearing and trial hearing in the Magistrates’ Court” and “PTPH [Plea and Trial Preparation Hearing] and trial hearing in the Crown Court”.

**2.14** The revised sub-group structure reflects the shifting criminal justice service landscape in the North West and, in particular, the renewed commitment by the police to improve file quality and the drive to improve the workings of Transforming Summary Justice (TSJ) and Better Case Management.

**2.15** Outside the formal meeting structure the CCP has good working relationships with the Chief Constables for the three forces and regular meetings take place. The need for improvement of police file quality is a priority which the CCP has raised with his police counterparts at their meetings. The negative impact of poor police file quality is dealt with elsewhere in this report. Representatives from the Greater Manchester and Lancashire forces both stated that there had been a relatively recent acknowledgement at a senior strategic level that improvement of police file quality is needed and spoke positively about the work that was ongoing in this regard.

**2.16** Another priority for the Area is to achieve greater efficiency in the courtroom and it is accepted that the implementation of TSJ has not resulted in the expected improvement in performance. The CPS and their partner agencies recognise that there are several issues which impact on how the magistrates’ courts across North West operate. This can result in unnecessary adjournments, movement of work around the court building and poor listing practices, which in turn waste the limited resources of all the criminal justice agencies. It also impacts on public confidence by diminishing the quality of service that is provided to victims of crime and witnesses. The CCP and DCCPs completed a number of court observations to experience first-hand the day to day difficulties. In partnership with CPS Mersey-Cheshire a new Statement of Expectations agreement was signed off by the CCP and his HMCTS counterparts in September 2017. This document sets out what is expected of each agency and seeks to deliver the magistrates’ courts business more efficiently. Some operational benefits were already apparent at the time of the inspection and are discussed further elsewhere.

**2.17** The CCP and his deputies regularly meet with the local judiciary in the Crown Court. This was reported as positive and constructive dialogue, with effective action taken by the CPS on any issues raised. One such example involved a concern raised about the lack of engagement between the prosecution and defence. This prompted a piece of work analysing the engagement logs and the North West process was benchmarked with that in CPS Mersey-Cheshire. As a consequence, guidance was issued to staff setting out what was expected with the aim of improving the quality of the logs and, in turn, encouraging better engagement. At the time of this inspection it was too early to show that engagement between the parties had improved as a result of this piece of work yet.

**2.18** The new Area performance data pack enables performance information to be broken down to individual court centres. This is used by the CCP in meetings with senior stakeholders to compare individual courts and identify potential best practice from the better performers (**good practice**). This level of performance information provides for greater accountability, although over the longer term as performance improves and is maintained the Area may wish to consider reducing the amount of data and level of detail produced.

**2.19** In response to the Inspectorate questionnaire, 61% of respondents felt that the working relationship between their unit and the police was good or excellent. The relationship with the courts was rated as good or excellent by 49%, although 21% felt that partnership working in relation to initiatives such as BCM, TSJ and digitisation had not delivered positive results. Staff generally felt that recent initiatives driven by their senior managers were ‘steps in the right direction’ and welcomed the fresh approach that challenged the status quo, although at this stage it is too early to state that these changes have delivered improved performance outcomes.

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

**2.20** In response to the Inspectorate questionnaire, 62% staff agreed that their line manager encouraged staff to adhere to CPS values and equality and diversity policies all of the time and that 72% of managers challenged inappropriate behaviour all or most of the time.

**2.21** North West's score for Inclusion and Fair Treatment in the CSPA 2017 was 69%. This is a marginal improvement on the previous year but a substantial improvement on the 2015 figure, however, this still remains some way below the CPS national average of 75%. Only 8% of respondents said they had experienced bullying and harassment, which is significantly better than the CPS overall figure of 11%, but in contrast 15% said that they had experienced discrimination at work compared with only 13% in the CPS overall.

**2.22** The Area considers staff engagement as part of its core business processes. In addition to the business reviews mentioned above it has developed a staff engagement stocktake document to help identify any demographic differences in engagement, so that appropriate action can be taken to ensure any discrimination is identified and dealt with accordingly. The Area also has a comprehensive Internal Communications Plan 2017-18 which makes specific reference to the CSPA results and the actions being taken.

**2.23** North West scored poorly on Learning and Development in the 2017 CSPA, at 38% compared with the national average of 53%, but Area performance is improving and it is investing considerable resource and efforts into promoting training opportunities. Although it is recognised that promotion opportunities are limited, training features in many aspects of the business, and the Area Business Plan for 2017 states "*...a commitment to continue to focus on staff engagement, investing in training and skills and involving our people in decisions*". During the fieldwork visit there was a general recognition that training opportunities had improved.

**2.24** The Area has appointed a Learning, Development and Human Resource support officer who has a focused approach on raising awareness and the uptake of learning and development opportunities. Part of the role is the maintenance of a training calendar setting out events for the next three months and comprehensive training plans. The plan is split into mandatory and voluntary elements, which include a number of equality aspects and ensure that training is available to all members of staff. Each plan contains a variety of courses, some of these require attendance whereas others are delivered through various e-learning forums. The Area is currently sourcing the services of an external expert to work with the teams and managers in response to the CSPA results. It was felt by some that the plans did not capture all the training being undertaken because many staff, particularly those undertaking free courses and e-learning, did not inform the relevant personnel to enable the information to be recorded.

**2.25** Identification of training needs was generally good and there are a number of forums where training is considered. Training was identified in some of the team meetings and fed into the plans, as well as through individuals' Personal Development Reviews. There is a Learning and Development Committee which is chaired by the ABM and attended



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by Operational Business Managers and legal managers. The Area has also introduced a new role of Area Legal Lead, who is a member of the Learning and Development Committee and ensures that any legal themes and emerging training needs identified via the Casework Quality Board can be formally considered and acted upon (**good practice**). The training plans contain general casework as well as some more discrete legal training and a number of courses to help raise morale and staff engagement. Of particular note is that administrative staff were keen to tell us how their role has been 'professionalised' and that availability of training for them is the best it has ever been.

**2.26** A number of staff have been offered deputising opportunities and others are taking advantage of shadowing different roles to aid their development and understanding of other functions (**good practice**). Each member of staff has an Individual Learning Account (ILA) to cover the cost of training and personnel development. The Area has a target in the Business Plan 2017 for 50% of staff to utilise their allocated ILA funding. In April to September 2017 North West spent ILA funds of £21,059 on 213 activities, compared with £15,677 across the same period in the previous year. This equates to an increase in activities of 102.9%, with associated costs only increasing by 34.3%. Much of the increase in individuals being trained and savings in costs were achieved by the Learning and Development Officer pooling individual training requests to source combined training events. The post holder has also developed a comprehensive training web page with details of training events and links to various free e-learning sources, internal and external, thereby saving time for staff not having to source this information themselves (**good practice**). In response to the Inspectorate questionnaire, 63% of staff stated they had the opportunity to utilise their ILA, 21% that there were good reasons for not being able to do so and 17% said there had been no opportunity to use their ILA due to the pressure of work, the fact that no meaningful courses were available or courses being cancelled.

**2.27** The questionnaire responses also revealed that 63% of staff felt they had the adequate tools, training and technology to deliver a quality service. Key barriers included the technology not being fit for purpose: in particular it was slow, inadequate, unreliable and not fit for dealing with complex cases. Staff also complained of a lack of training on CPS systems and reliability of the internet and Wi-Fi was inconsistent.

**2.28** Sickness absence remains an issue. The average working days lost due to sickness stood at 8.3 days in the 12 months to June 2017, compared with 10.1 in 2014-15. However North West still remains one of the worst Areas for sickness and falls some way short of the CPS level of ambition of 7.2 days or fewer and national performance of 7.4 days. Stress related sickness absence is also amongst the worst, at 38.1% compared with 32.5% nationally, over the same period and it is increasing. The Area has invested in some training for managers on managing sickness, wellbeing and stress related sickness, and

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managers confirmed that they are receiving good support from their Human Resource advisors. Long term sickness is slowly reducing but remains higher than nationally. The Area has appointed Mental Health Champions and has also looked at systems in CPS London in a bid to improve its own sickness management processes. However, more work needs to be done to improve the current position and ensure that this is not causing undue pressure on resourcing or engagement levels. Despite the poor levels of sickness, the Area has only issued five Attendance Improvement Notices and three written Notices of Expectation of Attendance for disability related absence. An average Attendance Improvement Notice will be effective for 15 months, so some notices issued prior to April 2017 will still be live.

#### Issue to address

The Area needs to further review its approach to sickness absence management to ensure consistency of approach by all managers in actively pursuing a health and wellbeing approach to sickness and use of Fit For Work Notices where appropriate.

**2.29** There are some positive and improving indicators of engagement and commitment to the CPS and to the Area. In the CSPA 2017, 77% of respondents indicated that their managers were considerate of their life outside work, 82% said they were treated with respect by the people they work with, 86% felt trusted to do their job and 93% said they were committed to the CPS purpose of delivering justice. Staff turnover is better than the national average and 83% of staff wanted to be working for the CPS for the next one to three years.

**2.30** In the CSPA 2017, however, only a third of Area staff felt that poor performance was dealt with effectively. This is only a marginal improvement from the previous year's survey, and is worse than the CPS national average. Some managers and staff indicated that it would not be common knowledge if action on poor performance was taken and some managers indicated that they were dealing with some staff on an informal basis. The Area did not have any Performance Improvement Notices in place at the time of our visit.

**2.31** Good performance is recognised in a number of ways. The Area held a North West Staff Awards Presentation Event, attended by the CCP, ABM and DCCPs to acknowledge good performance of staff, and nominations for the awards were made by staff. A member of staff has also won a national award. The CPS Simply Thanks scheme has been used, but on a limited basis, and a number of managers acknowledged that better use could be made of this. Staff indicated that managers were on the whole good at recognising and acknowledging good performance, both verbally and through emails.

### 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 <b>performance data</b> is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Good
<b>Resources</b> are systematically managed and deployed effectively	Excellent
<b>Joined-up working</b> is effective and delivers improvements in outcomes for users	Fair
<b>Overall score for continuously improving</b>	<b>GOOD</b>

#### Performance against the Part B criteria

*Summary: The Area has a formal structure of meetings at which performance data is scrutinised and team managers held to account. Where an aspect of performance is raised as an issue managers carry out appropriate analysis to identify the causes, which informs actions, and the Area has been proactive in ensuring that there is an emphasis on continuous improvement. It has good data quality assurance mechanisms in place. North West has under spent against its allocated budget for the past four years and is the only Area to achieve this. It has an effective system for ensuring internal financial control, monitors and manages the use of agents actively and is making good use of its Crown Advocate resource. There are effective relationships with criminal justice partners, at both strategic and operational levels, and a constructive and proactive policy of sharing information with partner agencies that is welcomed by them. Police file quality is a long standing operational issue; jointly the agencies have recognised this and some steps have been introduced to improve quality and timeliness. The Statement of Expectations agreement between the CPS and HMCTS now provides a framework which enables each agency to hold the other to account and has already had some impact.*

Criteria	Score
<b>B1</b> The Area's key <b>performance data</b> is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Good

**3.1** There is a formal structure of meetings at which performance data is scrutinised and team managers held to account. The Area Strategy Board (ASB) meets on a monthly basis, where performance is integral to the agenda. It is chaired by the CCP, who has a clear focus on performance and uses the outcomes to hold the DCCPs to account against their thematic responsibilities. There is a clear division of responsibilities and oversight of the teams' performance at DCCP level, although responsibility for the two Crown Court units is currently split between the two DCCPs. The Area is recruiting a third DCCP and their responsibilities will be rationalised following this appointment.

**3.2** Performance is also central to the monthly unit delivery boards. Meetings between unit managers and the DCCPs concentrate heavily on performance. This provides a clear focus for the work of the boards, where there is analysis of the operational context behind the figures. There are also quarterly meetings between senior Area managers and team managers to hold them to account for their team performance. Aspects of performance, where the need for improvement has been identified as a priority, are recorded in the unit delivery plans and progress against each target is recorded on a quarterly basis.

**3.3** A performance pack is produced for managers monthly and contains details of the CPS high weighted measures for the Area overall and for each operational unit. The content and format of the pack are kept under review and additional data is added where the Area needs to monitor aspects of performance highlighted as a concern. The pack shows performance against CPS targets and the national average, but does not include comparative data with other CPS Areas.

**3.4** The DCCPs and managers provide context behind the data for the Area meetings because the pack itself has no initial commentary highlighting changes in performance or identifying emerging risks. The data is 'traffic light' rated, where appropriate, and on the majority of key outcomes the Area is above national performance and levels of ambition. There is, however, an absence of long term trending so it is not immediately clear where performance is declining, although North West has looked at other Areas for good practice. A brief commentary on performance trends, the 'direction of travel' and inclusion of appropriate performance data for other Areas would allow the pack to be used for benchmarking purposes and highlight emerging risks. The Area also makes good use of other internal outputs and outcomes from stakeholders, including the Data Quality

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Committee, quality assurance processes and a number of business reviews that have been instigated. In addition to the performance pack, the delivery groups are utilised effectively to provide context for issues raised at the Area Performance Review, where North West is held to account by CPS Headquarters, and have improved performance in relation to some of the issues raised at the meetings.

**3.5** The Area has sought feedback from stakeholders and investigated issues raised. Managers at the appropriate level have carried out detailed analysis to confirm the issues identified by partner agencies and have taken action to facilitate improvements by issuing guidance to staff or by addressing issues with individuals. A fall in the rape conviction rate was investigated and a number of themes were identified, including the availability and use of mobile phone and social media evidence, although evidence of sustained improvement has yet to be seen. Work to improve the recording of s146 sentence uplifts for hate crime cases had begun to show an improving trend and recent data showed the Area was above the CPS level of ambition.

### Strength

Where an aspect of performance is raised as an issue, managers carry out appropriate examination or analysis to identify the causes to inform actions.

**3.6** The Area has been proactive in ensuring that there is an emphasis on continuous improvement. A number of business reviews had been instigated to focus on improving performance and increasing efficiency by identifying ways to streamline work processes. The reviews are led by senior managers, but have sought to involve all levels of staff through focus groups. The work of the review teams is reported to the CCP and ABM every two weeks and an update is issued to staff on a weekly basis. The work has involved engagement with stakeholders to improve processes and achieve better outcomes.

**3.7** There are good data quality assurance mechanisms in place to ensure that weaknesses in performance are identified and monitored to ensure improvement. The Casework Quality Board considers the adverse outcomes with the object of learning lessons and improving performance. Area managers also analyse adverse case outcomes regularly to identify lessons to be learned, although the Inspectorate questionnaire revealed that only 38% of staff felt that there were mechanisms in place to learn lessons which actually led to any improvement.

**3.8** Area managers analyse the data on cracked and ineffective trials and targets in relation to improving performance have been included in unit delivery plans. Work has been undertaken by team managers in all the units to identify the issues, challenge the reasons recorded for cracked and ineffective trials with the courts where appropriate, and raise awareness with staff attending court of the importance of ensuring the correct reason for the outcome is recorded.

**3.9** Work is being undertaken to develop a method of ensuring that staff received consistent and easily understandable performance data. In response to the Inspectorate questionnaire only 37% of staff felt that information was provided in an accessible format and shared frequently, and almost 27% felt that such information was rarely or never shared. Most managers were mindful of the importance of not overwhelming staff with emails relating to performance data, but there is some inconsistency of information provided. There was minimal use of the Area's Infonet to display highlights from recent performance or facilitate access to more detailed information. Some information was included in senior manager blogs, but performance data was not often displayed as a headline on the site. Managers have recently developed a one page poster, which displays the key performance information and can be used to inform discussions at team meetings. However, responses to the questionnaire indicated fewer than half of staff felt that there were mechanisms or regular forums where performance information could be exchanged.

### Issue to address

The Area needs to ensure that staff receive regular and consistent headline data to raise awareness of the Area's performance in relation to national targets and consider increased use of the Area intranet page to give headline updates.

Criteria	Score
<b>B2 Resources</b> are systematically managed and deployed effectively	Excellent

**3.10** The Area has under spent against its allocated budget for the past four years, in 2016-17 by £150,390, which is 0.4% of its overall budget. During the financial year 2017-18 North West had predicted an initial over spend of more than £600,000, but now expects to come in under budget at the financial year end. There is an effective system for ensuring internal finance control and appropriate budget control is demonstrated. The five year Strategic Resource template had been approved by CPS Headquarters, one of only a few Areas to achieve this. It will allow North West to recruit to the numbers contained in the plan without the need for a business case to be submitted to Headquarters.

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**3.11** The Area has a clear system of responsibility and accountability for managing its resources. Prosecution costs and general administrative expenses are devolved to the units. Expenditure is monitored and spend is also reconciled against the monthly management reports. Financial delegation is well controlled and reviewed regularly. Managers have access to timely and reliable financial information. The Area Finance Manager (AFM) produces a monthly report for senior managers which shows spend against budget in all key areas, as well as the current budget position. There is a commentary which highlights areas of risk to the budget and the business, where savings have been made, any expected expenditure, and makes recommendations as to any necessary action. There is a monthly meeting between the ABM and AFM to discuss the financial position, identify any risks and, where necessary, consider if additional funding should be sought. In 2016-17 the Area made a number of successful bids for additional funding. The allocation to the budget heads is kept under review and funds are adjusted as necessary to meet business needs.

**3.12** Controls for managing prosecution costs and Very High Cost Cases (VHCCs) have been strengthened. The Area recently carried out some work to improve the monitoring of VHCCs, which are entered into a tracker and overseen by the AFM. Prosecution costs are also monitored and controlled on the units using the expenditure trackers.

**3.13** Staff planning and monitoring is good. There is sound forward planning to cover peak periods of spend, such as increased lawyer agent costs during high annual leave periods or for prosecutor training. Funds have been allocated to cover for clearing backlogs and overtime payments for administrative staff undertaking 'triage' work out of hours to ensure timeliness targets are met in digital charging cases. The Area has recently received approval to recruit the equivalent of six prosecutors at Senior Crown Prosecutor (SCP) level to bring it into line with the National Resource Model. Although the recruitment of SCPs is seen as necessary, the likelihood of a reduced budget in 2018-19 raises a concern as to how North West will remain in budget. The Area believes it has few options in reducing the number of surplus staff; the CPS nationally operates a no redundancy policy and staff turnover in North West is low, so it cannot rely on natural wastage. The Area has made good use of many of its displaced staff in other roles but further utilisation could be made of administrative staff to help with the short fall of lawyers, for example administrative staff undertaking photocopying in the RASSO unit, a job which is currently carried out by lawyers.

**3.14** A recent review of the Area structure had led to a decision to move to one magistrates' court, one Crown Court and one RASSO unit. This allows managers to regard staff as an Area resource for each unit, improving resilience and efficiencies of scale because work can be moved to where there is available resource. The magistrates' courts work had moved to one unit prior to the inspection and the move was imminent in

the Crown Court. The RASSO unit has been viewed as an Area-wide unit for some time. Managers constantly monitor workloads and move work to where there is resource best able to handle it, for example, the majority of digital charging work in the Crown Court had been moved to one location to alleviate pressures elsewhere.

**3.15** There has been a substantial reduction in North West's caseload. Since 2014-15 there has been a fall in the Crown Court caseload of 24.7% and a fall of 29.2% in the magistrates' courts. Staffing has reduced by 10.4% over the same period. Despite the reduction in caseload, staff felt that the casework they are now dealing with has increased in complexity and that this has not been accounted for in the staffing figures in the National Resource Model. However, the number of cases completed by prosecutors, at 231.9, remains some way below the national figure of 267.1 cases for the 12 months to June 2017. Cases completed by administrators for the same period is also low, due to the high numbers of administrators, at 179.5 compared with 235.7 nationally. Contested cases dealt with by prosecutors is also lower than nationally, 22.3 magistrates and 6.2 Crown Court contested cases compared with national figures of 26.2 and 7.9.

**3.16** The use of agents is monitored and managed actively. In-house coverage in the magistrates' courts is amongst the highest in the country, with 81.6% of sessions being covered in-house in 2016-17. The Area has worked proactively to reduce spending on lawyer agents and since 2014-15 has brought down agent spend by almost £40,000 to £295,926 in the 12 months to June 2017, amongst the lowest in the country. This has been assisted by joint work with the courts to secure a reduction in the number of magistrates' courts sessions.

**3.17** The Area makes good use of its Crown Advocate (CA) resource. It has maintained one of the highest utilisation figures in the country, at 72.0% in 2016-17. During this period, CAs have been deployed on work outside the unit such as assisting in clearing RASSO backlogs and taking on a Crown Court caseload. Savings achieved by CAs are seen as an ongoing issue and being closely monitored. The savings per CA has been reducing since 2014-15 when it was calculated at £85,390, but in 2016-17 had dropped to £71,966, which is still significantly above the national average of £63,193. There has also been a reduction in the number of CAs from 39.2 to 35.6 in 2016-17. The ABM meets with the CA unit managers on a monthly basis to review progress. Targets for the savings to be achieved were reduced in 2016-17 and have been lowered for the current financial year.



Criteria	Score
<b>B3</b> <b>Joined-up working</b> is effective and delivers improvements in outcomes for users	Fair

**3.18** There are effective relationships with criminal justice partners at both strategic and operational levels. A quarterly Prosecution Team Performance Management (PTPM) meeting takes place in each of the three police forces and these are attended by senior CPS managers. The Area provides regular PTPM performance data for use at the meetings and there is some evidence that this is used by partners to identify aspects to be improved in both the magistrates' courts and the Crown Court.

**3.19** The Area also provides ad hoc and bespoke data as requested by the police and HMCTS when practicable. It demonstrates the Area's constructive and proactive policy of sharing information with partner agencies, which is welcomed by them. Police representatives confirmed that the CPS provided performance data regularly and this has contributed to improved performance. One example given was an improvement in the quality of remand files attributed to the provision of daily feedback that could be easily disseminated, thereby enabling issues to be readily addressed. Another example involved the Area sharing monitoring data around the timeliness of police bail, which informed the other agencies and resulted in improvement.

**3.20** Following a cross-agency TSJ conference held in March 2017, where poor performance in the North West was identified, actions were agreed for all criminal justice agencies. Whilst there has been some improvement in performance, the Area is still below the national average for key measures.

**3.21** The Statement of Expectations agreement between the CPS and HMCTS now provides a framework which enables each agency to hold the other to account and sets out operational principles designed to achieve efficient and effective delivery of the magistrates' courts business. It will take some time for the principles to be fully embedded and for performance to improve, but there was evidence that it had already had some impact. A number of CPS staff indicated that they felt the new agreement was a positive step. One CPS advocate expressed a view that benefits were already apparent in court, with better consultation taking place about the movement of court files and support provided by CPS managers as necessary.

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**3.22** Weekly telephone ‘dial-ins’ now take place between the courts and CPS at each magistrates’ court centre and these provide an active forum to discuss issues such as the digital mark up of cases, listing and the use of the digital preparation for effective trial (PET) form. Actions are recorded and dealt with by both agencies, although it is essential that there are updates on issues raised if optimum progress is to be made and there is merit in the suggestion that police participation would be of value.

**3.23** Police file quality is a long standing operational issue, particularly in the Greater Manchester and Lancashire forces. This impacts on both CPS and police resources because it results in unnecessary triage of files and action plans, which in turn causes delay in charging cases and progression after charge. Jointly, the agencies have recognised the issue and some steps have been introduced to improve quality and timeliness. The national file quality data is used to produce reports which are shared with police. The Area focused on acquiring the evidence to demonstrate the true position across the three police forces and has been effective in persuading the police to address non-compliance against the National File Standard.<sup>1</sup> The foundations are now in place to drive this improvement with personal objectives for senior police officers, the re-introduction of some police file gate-keeping, a dedicated LCJB group established to examine police input into the process, and CPS legal managers providing training to police officers across two of the three forces.

**3.24** Work is ongoing with Greater Manchester Police around file quality. Following joint process mapping to assess what should be done and what was actually being done, a 12 week pilot has started which seeks to drive up quality in two of the largest police divisions. The majority of files do not now go directly to the CPS, but have to pass through a judicial support unit for a file quality check. The unit is staffed by the police with support from two CPS staff. Although it is in the initial stages, early indicators are that this is resulting in some improvement with a reduction in the number of cases being rejected from 70% to 63%. The Area will conduct an evaluation with its police partners at the conclusion of the pilot to assess its success and consider what needs to be done across the wider force area. The extent of the challenge cannot be underestimated and it will be some time before an assessment can be made about whether this results in sustainable improvement.

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<sup>1</sup> *National File Standard*; CPS; May 2015.  
[www.cps.gov.uk/publications/directors\\_guidance/dpp\\_guidance\\_5\\_annex\\_c.pdf](http://www.cps.gov.uk/publications/directors_guidance/dpp_guidance_5_annex_c.pdf)

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**3.25** The Lancashire force has undergone a difficult 12 month period with the introduction of the digital two-way interface (Connect System) impacting on criminal justice performance. The force, however, were very positive about the fresh start since the summer of 2017 with the CPS, HMCTS and the police working jointly to look at the whole prosecution process, which included cross-agency court observations. A police compliance team now monitors file submissions and holds individual officers to account. Other initiatives include the recruitment of a senior officer with the skills required to gate-keep RASSO casework, coupled with plans for two further posts on divisions to drive up quality for wider crime. Police staff have also attended CPS offices to scrutinise the two-way interface and CPS case management system (CMS) to understand them better and find solutions to daily issues.

**3.26** In the Crown Court, quarterly performance meetings take place for the court centres with the relevant Resident Judges and the CPS is represented at an appropriate level. Every other month meetings take place in Greater Manchester chaired by the Resident Judge to consider performance in relation to Better Case Management and use of the Digital Case System, again the CPS is represented at the suitable lawyer manager level. The judiciary were positive about the CPS's work and the enthusiasm of the senior managers to address issues. One example of improved performance related to a spate of ineffective trials due to failures in the service of unused material, which resulted in a meeting between one of the DCCPs and the relevant Assistant Chief Constable and led to the implementation of some positive changes.



## 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>	
<b>Reviews and decisions</b> (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
<b>Case preparation and progression</b> is effective and timely (magistrates' courts)	Fair
<b>Reviews and decisions</b> (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
<b>Case preparation and progression</b> is effective and timely (Crown Court)	Fair
<b>Overall score for high quality casework</b>	<b>FAIR</b>

### Performance against the Part C criteria

*Summary: The Area needs to drive a number of improvements before it is in a position to deliver high quality casework, in particular in relation to the timeliness and quality of reviews, the handling of unused material, ensuring cases are fully gripped and that value is added to the casework. Despite these difficulties and the challenges of police file quality, the proportion of magistrates' courts and Crown Court cases that result in a successful outcome is above the national average, although there is a declining trend. In the magistrates' courts the cases were not always prepared effectively in accordance with TSJ principles. Late or missing reviews compound the impact of poor police file quality and hinder the ability to progress cases at court properly, although advocates at the first hearing were generally well prepared and progressed cases effectively. In the Crown Court Better Case Management (BCM) is not yet completely embedded. There appears to be a lack of buy in to BCM by the defence, so a key issue to be addressed is defence engagement prior to the first hearing in the magistrates' courts. The Area has undertaken a Crown Court Business Review with the aim of delivering casework more efficiently.*

**4.1** In accordance with the Director's Guidance on Charging<sup>2</sup> cases may be charged by the police without reference to the CPS, or as directed by CPS Direct (CPSD) or Area based lawyers. In assessing Area performance in this aspect, including compliance with the Code for Crown Prosecutors (the Code),<sup>3</sup> we only consider those cases where the charge is directed by an Area lawyer. However, in order to give a full picture we comment on the quality of all charged cases, regardless of how initiated.

Criteria	Score
<b>C1 Reviews and decisions</b> (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

**4.2** In the file sample the Code was applied correctly at the charging stage in 72 out of 75 magistrates' court cases (96.0%). Of these, 50 were police charged cases and the Code was applied correctly in 47 (94.0%). In one case the police charged possession of an offensive weapon where there was no evidence to support the charge, but it was withdrawn by the Area at the first hearing. In another case, which was grossly undercharged by the police, the Area rectified this at the first hearing giving the court adequate sentencing powers and, following a trial, the defendant was sentenced to a term of imprisonment. In the remaining 25 file sample cases, the charging decision was made by CPSD in 22 and the Area in three. All the cases charged by the CPS complied with the Code.

**4.3** The Code, post-charge, was applied correctly by the Area in 68 out of 73 relevant cases (93.2%). In one case the Area lawyer added a charge at the initial review which was not supported by the evidence and was subsequently withdrawn at the first hearing by the advocate at court. In another case, where the police investigation was poor, no steps were taken to build a stronger case and it was allowed to drift to trial, where inevitably no evidence was offered.

<sup>2</sup> *Director's Guidance on Charging (5th edition)*; CPS; May 2013.  
[www.cps.gov.uk/publications/directors\\_guidance/index.html](http://www.cps.gov.uk/publications/directors_guidance/index.html)

<sup>3</sup> *Code for Crown Prosecutors*; CPS; January 2013.  
[www.cps.gov.uk/publications/code\\_for\\_crown\\_prosecutors/](http://www.cps.gov.uk/publications/code_for_crown_prosecutors/)

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**4.4** There were three cases where the Code was applied incorrectly which were discontinued in circumstances where they should have proceeded to trial. In one the defendant had made admissions and in another the evidence was available from the police officers who attended the incident, yet both cases were stopped when the victim failed to attend the trial hearing. In the third case, involving domestic abuse, when the victim failed to attend court the advocate made an application to allow the evidence of the 999 call and from the police body camera in by way of exceptions to the hearsay rule. The application was successful but then the advocate agreed with the defence submission that it would be unfair to admit the evidence, so the evidence was then excluded. There was no application to adjourn to try to engage the victim and no evidence was offered. There were also two cases where the decision to accept the plea or basis of plea was wrong.

**4.5** The police complied with the Director's Guidance in 48 of the 50 cases charged by them (96.0%). There was no evidence that the two cases were referred back to the police or any feedback was given regarding the breach. In contrast the process checks on-site revealed in one case observed, which had been charged by police in breach of the Director's Guidance, the prosecutor had sent an email to their manager pointing out the breach.

**4.6** Quality of the police file can have a significant impact on the CPS's ability to prepare a case for the first hearing and beyond. As stated previously the quality of police files needs significant improvement, in particular the files coming from Greater Manchester Police (GMP) and the Lancashire Constabulary, which form the bulk of the Area's work. In the file sample only 25 of the 63 relevant files (39.7%) submitted by police from all three forces fully complied with the National File Standard (NFS), 30 files (47.6%) did so in part and eight (12.7%) did not comply at all. Deficiencies in the quality of police files were compounded by the fact that 14 (22.2%) were submitted late according to CPS and TSJ timescales, which reduces the time the CPS has to prepare the case and direct any remedial action. The main failing identified in the file examination was 'overbuild' in 12 cases, followed by lack of key statements in nine and the absence of a Victim Personal Statement in three. Failings also included omitting to include key exhibits on the file, in particular CCTV and body worn camera footage, and failing to include civilian availability dates on the appropriate MG10 form. The absence of CCTV footage and other key evidence at the first hearing can inhibit early guilty pleas, particularly in sensitive domestic abuse cases. The findings were confirmed by the on-site reality checks.

**4.7** The overall service from all three police forces was rated as good in only 27 (36.0%) of the 75 cases, fair in a further 27 (36.0%) and poor in 21 (28.0%). The performance of Cumbria Constabulary was significantly better than that of Lancashire and GMP as regards charging decisions, compliance with the Director's Guidance, overall file quality and overall service provided. The overall service provided by the other forces was very poor. The file sample revealed that the CPS was not sufficiently effective in feeding back to police when the police file did not comply with the expectations of TSJ, so cases often come to court without key pieces of evidence. The Area is very much aware of the deficiencies in the current quality of police submissions and action is being taken, as referred to earlier.

**4.8** There is an Area-wide magistrates' court team, with review and court work split between dedicated advocacy and review teams. Not guilty anticipated plea (NGAP) cases are allocated to lawyers to carry out reviews for the first hearing and before trial in relevant cases. A timely quality review is essential if a case is to be dealt with efficiently at the first hearing in accordance with TSJ. The initial review should include, among other things, a case strategy setting out the evidence the prosecution rely on, the witnesses it proposes to call, evidence that can be read, and any applications it is necessary to make. Proper completion of the PET form and preparation of initial disclosure should also be completed.

**4.9** The quality of initial reviews in the file sample was mixed. Only 45 of the 74 applicable cases (60.8%) had a proper and proportionate initial review. The remaining 16 reviews were not up to the required standard. There were a further 13 cases (17.6%) that had no review at all prior to the first hearing. The prosecutor prepared the case effectively in accordance with TSJ principles in only 29 of the 50 relevant cases (58.0%). Furthermore, where the police did not comply with the principles of TSJ this was only identified and raised with the relevant force in 14 of the 40 applicable cases (35.0%). There were also examples where CPS policies were not always followed when cases were reviewed.

**4.10** Where a review had taken place these were often late. In the file sample only 30 of the 61 reviews were timely (49.2%), which is a concern. There were delays in the allocation of cases to lawyers and also delays from allocation to review. A good initial review should include proper completion of the PET form and, although PET forms were completed, the allocated lawyer's name was generally not provided and the form's content varied in quality. It was also rare to see a completed PET form on the file after the first hearing. Process checks conducted during the fieldwork revealed some improvement in the timeliness of reviews at some courts, whereas in others the review was still undertaken very late. We were told that agents had been deployed the previous month to allow advocacy lawyers to assist with a significant backlog in reviews, but that now that the advocacy lawyers were deployed in court again the backlog was increasing. Where there is a late or no initial review at all, this places additional pressure on the advocacy team who have to carry out an effective review of the case in order to progress it at first hearing.



### Issue to address

Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every case.

**4.11** North West is particularly weak in ensuring that cases requiring review between the first hearing and trial are dealt with in an effective and timely manner. Deficiencies in police files and the quality of the initial reviews result in a significant number of cases where the 'one touch' approach envisaged by TSJ is not sufficient. In addition, the Area has to deal with a large number of cases which are charged by the police where the defendant is detained for court prior to being bailed. These need to be reviewed after the first hearing and, at present, the Area struggles to review these cases at all. If they are reviewed it is often much too close to the trial date to be effective.

#### Case study

The defendant was charged by the police along with another in relation to a theft from an elderly person in a shopping centre. The police file was very poor with no evidence of identification. Police charged the case in breach of the Director's Guidance and detained the defendant for court. At the first hearing the defendant pleaded not guilty and the PET form was completed stating "identification" as the issue in the case. The advocate at the first hearing pointed out the lack of evidence on the hearing record sheet, but did not request that the police conduct an identification procedure and permitted the case to continue when it did not comply with the Code. The case was not reviewed for over two months, which was four days before the trial with another review the day prior to trial and neither review addressed the lack of any evidence to identify the defendant. The matter was allowed to proceed to trial where the prosecution offered no evidence.

**4.12** Performance in relation to hearings per contested case has improved from 3.11 in 2013-14 to 2.62 for the 12 months to June 2017, which is better than the national average of 2.89. The Area has also improved in relation to hearings per guilty plea case over the same period, from 1.88 in 2013-14 to 1.72 to June 2017. However, this remains lower than the national average of 1.68.

**4.13** In recent months there has been a significant drive to increase the number of Individual Quality Assessments (IQAs) by legal managers of the lawyers on their team. These have been conducted appropriately and include individual discussion, followed by written feedback. Staff spoken to reported that, in general, they received effective feedback on their performance not only from managers via formal channels, but also less formally from colleagues in other teams.

**4.14** Police compliance with their disclosure obligations was mixed. In 47 of the 75 cases (62.7%) there was full compliance, in 22 it was partial (29.3%) and in six cases (8.0%) a failure to comply at all. Failings included poor descriptions of items on the schedules, instances where the wrong schedule or no schedule was provided, and also where previous convictions of prosecution witnesses were omitted. There were inconsistencies across and within police forces as to what was routinely provided to the CPS. In some files a Streamlined Disclosure Certificate (SDC) was provided with descriptions of the items on the schedule, whereas in others copies of all the items on the schedules were provided.

**4.15** It was acknowledged by senior managers that no clear message was being delivered to the police regarding CPS expectations in the provision of unused material in magistrates' court cases. The Area also needs to improve both the quality and timeliness of its handling of unused material in these cases. In only 17 of the 51 (33.3%) relevant file examination cases was the overall quality of handling of unused material rated as good and in 13 (25.5%) it was poor. Although there were examples of good endorsement of the schedules and the recording of decision-making on the disclosure record sheet (DRS), in many cases there was a lack of evidence of effective control on the disclosure process. This was supported by the feedback from stakeholders that there was a lack of confidence that disclosure was being gripped properly by the Area and, where there was material to disclose, this only occurred very late in the day.

**4.16** In the file review initial disclosure fully met the required standard in 27 of the 51 applicable cases (52.9%), partly in 18 (35.3%) and the standard was not met at all in six (11.8%). Continuing disclosure was necessary in only ten magistrates' court cases in the file sample. It was carried out to the required standard in five cases (50.0%) and in two (20.0%) not at all. There were two cases which proceeded to trial where no review of unused material was undertaken at any stage during the life of the case. The prosecution complied with its duty of disclosure in a timely manner in just 25 out of 48 applicable cases (52.1%). Prosecutors are required to endorse the DRS with all actions and decisions throughout the life of a case. CPS guidance on disclosure in the magistrates' courts is that prosecutors need not complete a DRS where the case is straight forward and there is nothing to disclose, provided a note to that effect is made in the review. Whilst there were examples of good quality DRSs, in only 20 out of 51 relevant cases (39.2%) was a properly endorsed DRS present on the files and in 19 cases (37.3%) it was either entirely lacking or wholly inadequate. There was little or no evidence of effective quality assurance of the handling of unused material in the magistrates' courts, which was acknowledged by senior managers. However, new guidance was due to be sent to the police of the expectations in relation to unused material in the police file.

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

**4.17** Under TSJ effective case progression relies on the correct identification of plea at the charging stage. An incorrectly anticipated guilty plea influences the composition of the initial details of the prosecution case (IDPC), which impacts adversely on the defence representative's ability to properly take instructions or effectively advise their client. In addition, the prosecution and court will not have prepared the case to the required standard for an anticipated not guilty plea. Important aspects of case preparation will not have been addressed such as the key evidence, relevant applications and witness availability. In the file sample, of the 75 cases there were 12 (16.0%) where the plea was incorrectly identified. In nine of the 41 relevant police charged cases (22.0%) the plea was not correctly identified and similarly for three of the 22 relevant CPS charged cases (13.6%). We were told that efficient progression at the first hearing is also hampered by the large volumes of overnight custody cases coming through the courts and the late arrival of papers. This was a particular problem in City of Manchester Magistrates' Court, which was compounded by a shortage of police cells and interview rooms at the court.

**4.18** As already noted there was a lack of effective and timely review of cases by the Area in advance of the first hearing. In the file sample only 29 of 50 relevant cases (58.0%) were prepared effectively in accordance with TSJ to ensure progress at the first hearing. A number of issues contributed to this: allocation to a lawyer was not always timely, the nominated lawyer often did not, in fact, conduct the review and the review itself was late.

**4.19** North West could also be more effective in weeding out weak cases. In the file sample, discontinuance was timely in only ten of the 14 applicable cases (71.4%). Late or missing reviews compound the impact of poor police file quality and hinder the ability to progress cases at court properly. Late service of the IDPC to both the court and defence was noted in the file examination, court observations and also referred to by stakeholders as a factor which impacted adversely on effective progress at the first hearing. The court observations conducted on-site revealed there were often significant delays waiting for defence advocates to go through the IDPC with their clients. There were also difficulties for the defence in receiving the IDPC and filling in the PET form electronically. There were challenges in the brigading of cases in some magistrates' courts due to the wrong police labelling of guilty anticipated plea (GAP) and NGAP cases.

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**4.20** There was little or no engagement with the defence either before the first hearing or throughout the life of the case and this applied to cases where details of the defence solicitor were available in advance of the first hearing. At present any engagement with a view to resolving issues takes place with the advocate at court. This, added to the fact that the defence need to take instructions from the client before any engagement with the prosecutor can occur, can lead to very slow progress and significant waste of the court time.

**4.21** Advocates at the first hearing were generally well prepared and progressed cases effectively, in some instances making up for a lack of earlier preparation in the office. In one case observed the advocate was proactive, performed initial disclosure, watched and reviewed the CCTV footage and made an application for special measures, all of which had been overlooked by the review in the office, which was simply a 'cut and paste' of the pre-charge advice given by CPSD. The first hearing was effective and compliant with TSJ in 55 of the 75 relevant cases (73.3%). Of the 20 cases which were ineffective, the fault was identified as that of the police in two and the CPS and defence in nine each. Sixty five percent of staff who responded to the Inspectorate questionnaire thought that partnership working as regards TSJ and digitisation was delivering positive results. The guilty plea rate has improved from 67.9% in 2014-15 to 75.3% in the 12 months to June 2017, however, the Area has been consistently below the national average during the same period. National performance has also improved over the same period, from 70.8% to 77.3%.

**4.22** In the file sample, 20 of the 62 relevant cases were fully gripped (32.3%). There was some evidence of grip and sound judgement in a further 26 (41.9%) and no grip at all in 16 (25.8%). The submission of further material from the police, communications about witness problems and defence correspondence can sit on the file without being looked at properly until very close to the date of trial. The lack of grip is reflected in the poor compliance with court directions. There was timely compliance with court directions in only four of the 19 applicable cases (21.1%), limited compliance in five (26.3%), and none at all in ten (52.6%). The overall value added by the Area was rated as good in only 18 of the 66 relevant cases (27.3%), fair in 30 (45.5%) and poor in 18 (27.3%).

#### Issue to address

The Area must ensure that reviews in magistrates' courts cases are timely and facilitate effective grip.

**4.23** The number of magistrates' court cases dropped at the third or subsequent hearing has improved from 38.0% in 2014-15 to 34.7% in the 12 months to June 2017, although performance is worse than nationally, at 29.5% for the same period. The proportion of magistrates' court cases which resulted in a successful outcome was 87.1% to June 2017.

Whilst this remains 2.2% above the national average, it is a declining trend from a high of 89.1% in 2013-14. The conviction in rate in domestic abuse cases in the magistrates' courts has similarly remained better than the national average. In the 12 months to June 2017, it was 81.0% compared to 76.4% nationally.

**4.24** The effective trial rate has improved from 46.7% in 2013-14 to 47.4% in the 12 months to June 2017 and is just above the national average of 47.0% for the same period. In contrast, the cracked and ineffective trials rate due to prosecution reasons has declined from 19.0% in 2013-14 to 20.2% to June 2017, although it remains better than the national figure of 22.5%.

**4.25** The Area takes custody time limit monitoring very seriously and the process checks revealed no issues with the system. Although in one case examined the advocate had not recorded all the information required where a defendant previously in custody had then been granted bail.

**4.26** North West has undertaken a significant amount of work to reduce the number of outstanding tasks on CMS for the magistrates' court, which had been running at very high levels. Between June and October 2017 there was a significant reduction in the numbers of outstanding tasks for all three police forces following work with the national CPS Compliance and Assurance Team. The Area has identified a significant number of duplicate tasks being put onto the system and instructions have been given to lawyers and administrative staff to ensure appropriate recording of actions to avoid this. Process checks on-site showed 3,094 outstanding tasks in December 2017 for the magistrates' courts unit, 43.4% of these were escalated (red) tasks, the oldest was dated 3 April 2017 and 19.1% were overdue.

Criteria	Score
<b>C3</b> <b>Reviews and decisions</b> (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

**4.27** In our file sample the Code was applied correctly at the charging stage in 73 out of 75 Crown Court cases (97.3%). There were five police charged cases and the Code was applied correctly at that stage in four (80.0%). Where it was not, the police had charged driving without due care and attention in circumstances where the driving was clearly dangerous. The error was rectified by the Area at the earliest opportunity and the case

resulted in a conviction on the correct charge following a trial. The Code was applied correctly by Area lawyers at the charging stage in all 27 relevant cases. In the remaining 68 cases the charging decision was taken by CPSD and the Code was applied correctly in 67 (98.5%). In the case where the Code was incorrectly applied by CPSD, the Area sought further evidence to rebut the defence put forward at the outset, when none was forthcoming the case was stopped relatively promptly.

**4.28** Inspectors assessed 48.1% of Area charging decisions as good, 37.1% fair and 14.8% poor. There were no excellent examples. In addition it was assessed overall that the charging decision (MG3) included proper case analysis and strategy in 27 relevant cases (38.6%), there was partial compliance in a further 31 (44.3%) but in 12 (17.1%) the analysis and strategy was lacking, which causes additional work later in the case and undermines case progression. In contrast, rape and serious sexual offences were dealt with well and were generally good on case analysis.

**4.29** The Code, post-charge, was applied correctly in 73 out of 75 cases (97.3%). Although this is a relatively high level, there were files where the Code was applied correctly but the decision-making throughout the life of the case was poor. It was noted there were particular issues with identification of the defendant and attributing items to the defendant that could support the prosecution case, for example mobile phones and other physical evidence.

#### **Case studies**

In one case where the Code was not applied correctly the defendant was properly charged with dangerous driving and driving whilst unfit through drugs. He was arrested at the time of the offence but was not sent a notice of intended prosecution (NIP), an issue that was not addressed at charge by the CPSD lawyer, or at the upgrade review ahead of the first hearing. At the post-sending review the lawyer requested clarification, but when information confirmed the position in relation to the NIP, the review stated wrongly that the charge must fail with instruction to stop the dangerous driving and remit the other charge to the magistrates' court. The Crown Advocate instructed queried whether the arrest itself was sufficient to comply with the notice requirements, but because the indication had been given to the defence, both charges were subsequently stopped. The case should have proceeded on both charges.

In the other case, a detailed defence statement was served in January 2017 and placed upon the Digital Case System, but was overlooked until April. Once the Area became aware, the case was not reviewed properly. The defence version was more credible than the complainant's and was supported by the actions of the complainant; the witnesses were completely undermined. The case should have been stopped but was allowed to continue, resulting in an acquittal.

**4.30** There was also a further case where significantly more information was required prior to making the decision to discontinue it; the case strategy and rationale for the decision were both poor. Decision-making in relation to acceptance of a plea or a basis of plea was sound in only half of the eight relevant cases. In the two cases where it was required, the basis of plea was not in writing and signed by the prosecution and defence.

**4.31** Poor police file quality has been an ongoing problem and significant steps have been taken to secure engagement from all three police forces to improve this issue. Overall, the police fully complied with the National File Standard in 26 relevant cases (52.0%), 20 partially (40.0%) and not at all in four (8.0%). Although this is slightly better than the findings for magistrates' courts cases (39.7%, 47.6% and 12.7% respectively), there is still substantial work that needs to be done with police partners. A common issue raised by CPS staff was the housekeeping of police files and, as a consequence, staff perceived they were spending a disproportionate amount of time addressing this rather than reviewing the evidence and formulating a strategy in a timely manner. The Area has drafted an escalation policy, which had been agreed with the three forces as part of its Crown Court Business Review, and at the time of our fieldwork implementation was imminent.

**4.32** Two of the five police charged cases should have been sent to the CPS for charging advice, in accordance with the Director's Guidance. There was nothing on either file to indicate that this had been discussed with police partners and in one case there was no evidence the lawyer was even aware that it was a breach.

**4.33** A good quality review is essential to ensure that the reviewing lawyer has a grip on the case. A proper and proportionate initial review took place in 42 out of 58 relevant files (72.4%), but these reviews tended to be late. In a further ten cases (17.2%) no review was carried out at all. In those cases where it did take place it was timely in 41 (70.7%).

### Issue to address

The Area must ensure that reviews in Crown Court cases are timely, set out a clear trial strategy and facilitate effective grip.

**4.34** There were backlogs of work in the RASSO unit which the Area has taken action to address and there has also been increased monitoring and reporting by the introduction of the RASSO Governance Board. The unit is achieving the 28 day target for charging decisions, but finds it a challenge to manage the work coming back in from the police and do not necessarily have the resources to chase the police. There is also a low uptake by the police in relation to early investigative advice (EIA) which could be of assistance in identifying relevant enquiries in relation to third party material. Further guidance has been issued to the three forces and the unit to ensure a consistent approach to EIA. Police leads have been identified from all three force areas to reinvigorate monthly meetings to discuss pre-charge performance and the progress of cases. The conviction rate for rape has increased very slightly since 2013-14, to 60.6% in the 12 months to June 2017. North West has generally maintained a rate higher than the national average, which currently stands at 58.5%. The conviction rate for sexual offences has steadily increased from 2013-14 to 82.4% to June 2017. It has remained higher than the national average since 2015-16, with the national rate now standing at 79.6%.

**4.35** A dedicated Casework Quality Board considers specific aspects of legal decision-making and undertakes an analysis of adverse outcomes and lessons learned to strengthen delivery of quality casework. The Area has also promoted the use of the IQA system as a constructive development tool and the number of assessments has risen during 2017-18. Themes and actions arising from the assessments are considered within the units, with managers feeding back to lawyers on their cases. Lessons are learned from individual unsuccessful outcome reports and the monthly RASSO adverse outcome reports, as well as the good quarterly reports produced for the Crown Court Boards. Feedback is also provided from counsel and victims and good news is included in the senior managers' blogs.

**4.36** It is accepted that there are issues around police performance which makes it more challenging for lawyers to comply with their obligations in relation to handling disclosure of unused material, but regardless of this issue the Area needs to improve performance. In the file sample, the police complied with their disclosure obligations fully in 32 of the 75 Crown Court cases (42.7%) examined. They partially met the obligations in a further 37 cases (49.3%) and failed to comply in six (8.0%). There were differences between the three police forces, with Greater Manchester Police performing the worst, at only just over 40% fully compliant. The main issue was poor quality descriptions of the items and confused labelling of the material on the schedules, but in GMP cases there was also a lack of a schedule or the wrong schedule in a greater proportion than the other two forces. These issues need to be addressed because they prohibit compliance with the duties placed on prosecutors. There was limited evidence on the files that this was being fed back to the police. The Area has drafted new guidance for lawyers and the police to be issued in



2018 so that lawyers can use this to challenge the police and escalate accordingly. This has been developed as part of North West's response to the joint inspection report on disclosure.<sup>4</sup> In addition, it has provided disclosure training to the Lancashire force.

**4.37** Prosecutors complied with the duty of initial disclosure in 33 cases (53.2%), partially met the obligations in 25 (40.3%) and failed to do so in four (6.5%) of the 62 relevant cases. Continuing disclosure was fully complied with in 29 of the 51 relevant cases (56.9%) with no compliance in three (5.9%). We were told that sometimes defence statements are uploaded by the defence onto the Digital Case System (DCS) and allocated lawyers are unaware of this because the defence do not always use the system's facility that would raise it as a task for the lawyer on CMS. Overall, disclosure duties were complied with in a timely manner in 40 of the 62 relevant cases (64.5%). There were no cases where there was a complete failure to disclose undermining or assisting material to the defence.

**4.38** Sensitive material was dealt with appropriately in 12 of the 19 relevant cases (63.2%), which needs to improve, as does the timeliness of disclosure. There were only 12 cases in the file sample where third party issues arose and ten (83.3%) were handled correctly. In one case where third party material was provided that undermined the prosecution case, the police stated throughout that it did not. It was apparent from the files read that RASSO cases were generally dealt with more thoroughly, the quality of police schedules was higher and, generally, the third party material was available where needed for pre-charge decisions. However, we were told that much of the third party material is provided on disc, requiring lawyers to print it off to edit then scan it back on because there is no administrative support in the unit for this task. Where disclosure provisions are triggered there should be a DRS, which provides a decision-making audit trail. The DRS was completed correctly with actions and decisions in 20 of the 62 relevant cases (32.3%). There were 18 cases where it was not completed at all (29.0%). The overall quality of handling unused material in Crown Court cases was good in 27 (43.5%), fair in 25 (40.3%) and poor in ten (16.1%).

### Issue to address

The Area must ensure that appropriate feedback is given to the police where unused material schedules are defective, and that disclosure record sheets provide a full record of disclosure decisions and actions.

<sup>4</sup> *Making it fair: The disclosure of unused material in volume Crown Court cases*; HMCPSI and HMIC; July 2017. [www.justiceinspectorates.gov.uk/hmcpsi/inspections/making-it-fair-the-disclosure-of-unused-material-in-volume-crown-court-cases/](http://www.justiceinspectorates.gov.uk/hmcpsi/inspections/making-it-fair-the-disclosure-of-unused-material-in-volume-crown-court-cases/)

Criteria	Score
<b>C4 Case preparation and progression is effective and timely (Crown Court)</b>	Fair

**4.39** The Crown Court Better Case Management initiative is not yet completely embedded. The Area has significantly improved its performance in relation to guilty pleas at the first hearing, at 39.1% in the 12 months to June 2017. This follows the improving national trend, but still remains below the national average of 40.9%. The number of hearings per contested case has worsened slightly from 5.45 achieved in 2013-14 to 5.52 to June 2017 and, although North West's performance has been improving since a significant deterioration in 2015-16, it remains worse than the national figure of 5.12. Performance has improved in relation to hearings per guilty plea case since 2014-15, from 4.33 to 4.03 to June 2017, but throughout this period it has always been worse than the 3.57 national rate. The number of hearings per case is an indicator of efficient and effective throughput.

**4.40** It has been identified that defence engagement prior to the first hearing in the magistrates' courts is a key issue to be addressed. The Area conducted two reviews of the defence engagement logs during 2017 which showed many are not completed, have limited entries or that messages have just been left for the defence or letters written with no follow-up. In addition, engagement with Crown Advocates conducting Plea and Trial Preparation Hearings (PTPHs) was not recorded in the logs and only 70% of the logs were uploaded to the DCS. The reviews also noted that there was a lack of engagement with BCM by the defence. IQAs of the Crown Advocates show that, generally, they are all well prepared for the PTPHs, but feedback to the lawyers and use of engagement logs needed to be improved.

**4.41** The Area has undertaken a Crown Court Business Review with the aim of delivering casework more efficiently across the Area. As part of this the Area conducted a PTPH review and an analysis of case and hearing effectiveness and file quality, as well as Crown Court observations. The issues and concerns highlighted have been discussed with relevant Resident Judges. Monitoring showed that a number of cases were adjourned due to late receipt of evidence and, in turn, the late service led to more applications to dismiss, which congested the system. Court observations by managers showed there was an increase in adjournments for fitness to plead and preparation of psychiatric reports. PTPHs were also being adjourned due to lack of CCTV, forensic and medical evidence, which needs to be addressed as part of the drive to improve police file quality. The Area met with HMCTS in September 2017 to discuss the BCM process and a working group has been established to look at the interface between the magistrates' courts and the Crown Court for the transfer of work. The Area has also issued guidance to staff either as reminders in relation to procedures, or of new systems being introduced.

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### Issue to address

The Area needs to ensure that in Crown Court cases there is effective engagement with the defence prior to the first hearing in the magistrates' courts.

**4.42** The file examination showed that the PTPH forms are not always filled out properly and the hearing itself can be a timetabling exercise, with a lack of expectation that cases will progress. This was confirmed by CPS staff that often the directions are set in accordance with the stages and little consideration is given to the relevance of directions and their timeframes to the specific case. Directions still need to be recorded, monitored and managed, which takes resource away from the relevant and necessary work. In contrast, we were also told that BCM had led to some positive results in co-operation with the courts and the use of the DCS was positive. On-site checks and observations showed that not all cases were reviewed in a timely manner ahead of the PTPH and not all hearings were effective, but there was generally good use of the DCS by all parties.

**4.43** Hearing record sheets were completed accurately and uploaded onto CMS in a timely manner in 48 relevant cases (64.0%) and in all the remaining 27 cases (36.0%) there was partial compliance. Training has been provided to Crown Advocates to improve the quality of endorsements at the PTPH to provide greater clarity of issues to be addressed ahead of the trial, or assessing the prospect of resolving the case with a satisfactory plea.

**4.44** In March 2017 North West issued guidance on indictments, which includes amendments to indictments, how to upload to the DCS and how to create tasks with a view to making PTPHs more effective. Feedback suggested that the quality of indictments remains an issue and often multiple copies can be found on the DCS, meaning it is not always easy to determine which is the most recent, particularly where different versions are uploaded on the same day. The issue has been raised by the courts and at the time of our fieldwork the Area intended to undertake a snapshot survey of indictment quality. As part of its Crown Court Business Review the Area also examined the issue of who was the decision-maker at court, the Crown Advocate or allocated lawyer. Following a meeting in July 2017, Crown Advocates have been empowered to make reasonable decisions at court.

**4.45** In relation to Judges' orders, the CPS measure indicates a high compliance level of 90.8% in the 12 months to June 2017, however, the file examination showed performance was well below this level. There was full compliance with Judges' orders made at PTPH in only 32 of the 61 relevant cases (52.5%) and partially in 19 (31.1%). The Area has set a target of 90% timely compliance with Judges' orders as part of the current business plan for proactive case management.

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**4.46** In the file sample, of the 74 relevant cases one (1.4%) was graded as excellent for the value added by the CPS, in 27 (36.5%) it was good, 26 (35.1%) fair and 20 (27.0%) poor. Overall, only 31 of the 74 relevant cases (41.9%) were fully gripped and 28 (37.8%) partially so. This includes aspects such as preparing and serving applications, complying with Judges' orders, responding to communications and reviewing cases where necessary. This is a better performance than in respect of magistrates' courts cases. In contrast, the timeliness of discontinuing cases was worse: it was timely in 11 of the 18 relevant cases (61.1%).

#### **Case study**

Three cases brought against the defendant were merged. There was almost two years from the last review before the trial date. No-one had got to grips with the case and no-one had reviewed the case as a whole. Counsel rectified the disclosure issues on the morning of trial, which required a lot of additional work as a result. In total there were 38 hearings, but the case resulted in a conviction.

**4.47** The level of convictions in the North West has steadily declined since 2013-14 from 85.2% to 81.3% in the 12 months to June 2017, although the conviction rate has remained higher than the national average over the same period, which currently stands at 79.0%. National conviction levels have also followed this trend, but the Area's rate has fallen much further than the national figure over the same period. The overall Crown Court cracked and ineffective trials rate due to prosecution reasons has improved since 2014-15, when it was 15.6%, and was 12.3% to June 2017, which is 0.1% better than nationally. The Crown Court cracked rate due to prosecution reasons has also improved since 2014-15, from 9.7% to 8.4%, although this is still worse than the national average of 7.7%. The effective trial rate has varied since 2013-14, dropping to 35.5% in 2015-16, and stands at 43.0% to June 2017. The rate has been considerably worse than nationally during that period, which is 50.7% to June 2017. Monthly trial meetings are held to examine the reasons for any ineffective trials and at one court more recently this has been extended to cover cracked trials as well.

**4.48** There was a custody time limit (CTL) failure in June 2016 and again in May 2017 in the Crown Court. As a consequence the Area has taken significant steps to improve CTL management, concentrating on monitoring and ensuring process compliance. It has conducted dedicated CTL Peer Reviews, which examined every step of the process for each unit across the Area and resulted in targeted action. There is a weekly assurance system, use of a discrepancy log to provide oversight and local instructions have been issued in relation to CTL responsibilities of staff. A CTL Board has also been introduced which is responsible for analysing cases and processes, with feedback and lessons learned highlighted at the Crown Court Boards. Process checks conducted on-site on the operation

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of the CTL regime confirmed that there were no issues with the system. All files examined were in the diary system on the correct expiry dates and on a number of review dates, which commenced a month in advance of the expiry date. However, the diary system appeared to be complicated with sheets for each day held in a lever arch file. This had the potential for sheets to be inserted in the wrong place in the file, although details of the expiry dates are also on CMS.

**4.49** The Area has worked to reduce CMS tasks significantly and has worked beneath the target set by the National Team for the last 12 months. Task management is a standard agenda on the Crown Court Business Board and copies of monthly unit reports are prepared showing the number of outstanding tasks, with comments from unit managers as to contributory factors. Process checks conducted during the fieldwork show that there were 1,047 outstanding tasks in December for the Crown Court units: 45.7% were escalated (red) tasks, the oldest outstanding dated back to 9 March and 11.1% were overdue. In the RASSO unit there were 680 outstanding tasks in December, 37.5% were escalated, the oldest dated 22 March and 19.4% were overdue.



## 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>	
<b>Communications</b> 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	Fair
The <b>views and interests</b> 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	Fair
The Area is <b>responsive</b> 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
<b>Overall score for public confidence</b>	<b>FAIR</b>

### Performance against the Part D criteria

*Summary: In the most serious and sensitive cases involving vulnerable witnesses the quality of witness care was often of a very high standard, but this standard was not always demonstrated in the volume cases in the Crown Court. The Area also needs to improve communication by staff to the Victim Liaison Unit when a letter is needed. Where the unit is aware of the need to send a letter, it is prompt in sending one out. Although special measures were applied for in appropriate cases, they were not always timely. The CPS has a good relationship with the Witness Care Unit, but there are concerns about the delay in responding to queries raised by the unit. There is an Equality, Diversity and Community Engagement Strategy and Action plan which sets out the Area's priorities to drive improvement in the way prosecutions are conducted and in the outcomes for victims and witnesses. Despite being without an Inclusion and Community Engagement Manager for several months, North West has delivered a community engagement programme across all three police force areas.*

Criteria	Score
<b>D1 Communications</b> 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	Fair

**5.1** In the file sample, in 67 of the 82 relevant cases (81.7%) the prosecutor took all necessary steps to secure victim and witness engagement in the court process, although as highlighted, not all reviews were timely. Where an issue was raised in relation to a witness and recorded on CMS, there was often a significant delay before any action was taken in magistrates' courts cases. In one case which involved thefts from two elderly complainants, the witnesses contacted the Witness Care Unit (WCU) and provided letters from their General Practitioners stating that they were unfit to give evidence in the trial. Although this information was uploaded promptly onto CMS it was not considered by a prosecutor until very shortly before the trial, by which time it was far too late to take effective remedial action.

**5.2** The file examination revealed that in all relevant cases the appropriate special measures were applied for, but again not all the applications were timely; this was achieved in 33 of the 42 applicable cases (78.6%). Performance was consistent across both magistrates' courts and Crown Court cases. There were also delays in informing witnesses whether special measures had been granted, particularly in magistrates' courts cases. It was often necessary for Witness Care Officers to repeatedly chase these enquiries in order to reassure victims, who were often vulnerable. In addition, witnesses were not always informed how they would be giving their evidence until the day before the trial. This impacts on the ability to put the strongest case before the court, for example, a witness who withdrew support for the prosecution because they were not informed whether special measures had been granted.

**5.3** Stakeholders raised the issue that the Area was not always clear in relation to its obligations where evidence was to be given by way of remote links away from the court centre. We were told of occasions where this had been left to the court staff to organise. This may well be a training issue for CPS staff who have limited experience of evidence being given in this manner and can be remedied through shared learning.

**5.4** In the file sample the prosecutor took account of all the rights, interests and needs of victims and witnesses, including consulting with them where appropriate, in 65 of the 103 relevant cases (63.1%). In a further 27 cases (26.2%) some of the needs were considered and acted upon, but there were 11 where this was not done at all (10.7%). Stakeholders commented that in most cases victims and witnesses were consulted where appropriate.



**5.5** A significant proportion of staff (66.9%) who responded to the Inspectorate questionnaire stated that the Area provided a good or excellent service to victims and witnesses. It was, however, thought that the work with the WCU and other witness support agencies was less effective: 25% of staff rated the Area's work in this regards as good, whereas almost half (49.3%) felt there was room for improvement.

**5.6** All staff have been trained in relation to the national Speaking to Witnesses at Court initiative<sup>5</sup> and there were no concerns expressed by stakeholders around application of the policy. In contrast, it was noted during the file examination that the template form on some of the Crown Court files was not always completed at court and, where it was, the information was limited and often of little value. It is important that a full and accurate record of these conversations is documented.

#### Issue to address

Managers should ensure that all communications with witnesses under the Speaking to Witnesses at Court initiative are properly recorded on the appropriate form.

**5.7** The Area responds more effectively to issues relating to witnesses in the Crown Court because there was the capacity to do so, with the paralegal officer allocated to the case able to act more promptly. The level of service provided to witnesses was generally more consistent and of better quality in Crown Court cases than those in the magistrates' courts. In the most serious and sensitive cases involving vulnerable witnesses the quality of witness care was often of a very high standard, but that standard was not always demonstrated in volume cases in the Crown Court and feedback from stakeholders confirmed this view. Feedback from the magistrates' courts team suggested that lawyers would appreciate the opportunity to revisit files prior to trial, to ensure that all the evidence has been provided and to deliver a better service to victims and witnesses. The Area is attempting to address this issue by deploying Associate Prosecutors to look at witness communications.

#### Issue to address

The Area needs to put in place an effective mechanism to ensure that witness communications placed on the case management system are referred to prosecutors promptly and appropriate action is taken.

<sup>5</sup> *Speaking to Witnesses at Court*; CPS; March 2016.  
[www.cps.gov.uk/legal-guidance/speaking-witnesses-court](http://www.cps.gov.uk/legal-guidance/speaking-witnesses-court)

**5.8** The Victim Liaison Unit (VLU) is located at the Manchester office. The unit is only made aware that a Victim Communication Letter needs to be sent to a victim if they are notified by email, either from the reviewing lawyer or the prosecutor or paralegal officer at court. In the sample there were 19 cases where a letter was required. In only 13 (68.4%) of these was a letter provided in a timely manner, in a further two (10.5%) it was sent but was late, and in four (21.1%) it was not sent at all. Three of these were cases in the Crown Court and one was in the magistrates' courts. The failure by staff to communicate to the VLU when a letter is required needs to be improved.

**5.9** Of the 15 letters sent, seven (46.7%) fully met the quality requirements, four partially met them (26.7%) and a further four (26.7%) were wholly inadequate. In this instance, three letters were from magistrates' court cases and one from a Crown Court file. Two of the letters were misleading by suggesting that the original decision to charge had been made by the police, when in fact the charge had been authorised by the CPS. The other two letters were also misleading, stating that the cases could not be proved without the victim's evidence, whereas they should have proceeded as evidence-based prosecutions relying on the evidence of the police officers and without the necessity of evidence from the victim. The letters also lacked empathy in the context of an allegation of domestic abuse. Two of the letters were also late. The Victims' Right to Review scheme was mentioned appropriately in the letters examined in the file sample.

**5.10** Where the VLU is notified of the need to provide a letter, the unit is prompt in sending them out. The Area has consistently performed significantly better than the national average in relation to the timeliness for letters sent to vulnerable and intimidated witnesses since 2013-14. Performance has declined very slightly from 93.1% in 2013-14 to 92.4% for the 12 months to June 2017, while over that period national performance has declined from 84.7% to 80.5%. The VLU has been monitoring, over a number of months, the number of cases requiring a letter where no notification has been sent to them. The unit runs a daily check on unsuccessful outcomes to identify any case which may need a letter. In June 2017, 46 cases were identified across the Area where no notification had been sent to the VLU. For the most part this occurred in magistrates' courts cases where the prosecutor failed to send an email indicating that a letter was required. Not only is this monitoring creating additional work, but it would also not identify cases requiring a letter as a result of a substantial alteration to the charge, therefore it is possible that further cases are still being overlooked. The data is shared with managers and there has been some limited improvement by a reduction in the number of letters missed. However, this is still a significant issue which the Area needs to do more to address. In addition, the unit do not always receive a bespoke paragraph drafted by the lawyers to insert into the letter. The VLU have to rely on the detail recorded in the hearing record sheet, which does not always explain why a charge has been dropped. In turn this creates difficulties in drafting an appropriate letter, particularly in Crown Court cases.

### Issue to address

Managers need to ensure that lawyers inform the Victim Liaison Unit immediately of all cases where a Victim Communication Letter is required and provide an appropriately drafted paragraph where necessary.

5.11 The Area Training Plan 2017-18 provides for staff training on a number of issues relating to victims and witnesses. Out of 224 relevant staff, 158 have undertaken the Prosecution College e-learning course on “Controlling and Coercive Behaviour” and 141 have undertaken the “Prosecuting Domestic Abuse” course. Thirty six advocates are booked to attend “Advocacy and the Vulnerable”.

Criteria	Score
<b>D2</b> The <b>views and interests</b> 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	Fair

5.12 The CPS record of the charging decision (MG3) made full reference to all required applications and ancillary matters, such as consideration of special measures and restraining orders, in only 40 of the 95 relevant cases (42.1%). There were 27 cases which had been charged by the Area where performance was even less satisfactory, with only six (22.2%) fully meeting the requirements and in ten (37.0%) there was no reference at all and no instructions to the advocate to ensure appropriate applications were made. The CPSD template includes a series of prompts for prosecutors and includes sections for applications, whereas the MG3 form used by the Area has no such prompts. It may explain why this detail is not always recorded, but does not justify this poor performance.

5.13 The observations at court and feedback from stakeholders and staff confirmed that relevant material was not often prepared before the case went to court, although in general court advocates performed a good job making appropriate applications, such as special measures, regardless of whether it had been prepared in advance.

### Issue to address

The Area should ensure that lawyers fully address the views and interests of victims and give clear instructions to advocates in the charging advice regarding applications to be made.

**5.14** There were ten cases (16.1%) submitted by the police which did not meet the National File Standard where the primary reason was the absence of a Victim Personal Statement (VPS). If a defendant pleads guilty at the first hearing and is sentenced, the absence of a VPS means that there is no opportunity for the victim's voice to be heard. Work is being undertaken with Greater Manchester Police to secure better compliance with the provision of a VPS as part of the police file. Where a VPS was available, prosecutors were generally good at bringing it to the court's attention.

**5.15** The file examination and court observations did not raise any concerns about the appropriateness of applications in relation to custody and bail, which was confirmed in feedback from stakeholders. Restraining orders were generally requested when appropriate but were often prepared late, or at court, and sometimes did not necessarily cater for all the circumstances of the case.

**5.16** There have been a number of data security breaches whereby personal details relating to victims and witnesses have been disclosed inadvertently. The majority of these relate to details being included in the initial details of the prosecution case package which is sent either to the court, defence representative or the defendant, where unrepresented. Often this happens when personal details are erroneously included by the police in witness statements, and are then not edited by the CPS before they are sent out. This puts an unnecessary burden on staff to check statements and to remedy where necessary. The Area is aware of this issue and has taken action to reduce unauthorised disclosure, which has had some impact.

### Issue to address

The Area should liaise with its police partners to ensure that appropriate guidance is given to police officers to ensure personal details of victims and witnesses are only endorsed on the correct part of the witness statement form.

Criteria	Score
<b>D3</b> 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

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**5.17** There is an Equality, Diversity and Community Engagement Strategy and Action plan, which sets out the priorities to achieving improvement in the way that prosecutions are conducted and in outcomes for victims and witnesses. North West has been without an Inclusion and Community Engagement Manager for several months, but has nevertheless continued to deliver a programme designed to engage with the public across all three police force areas. The Area community engagement log records 48 different activities from April to September 2017, including publishing press releases, delivering training, speaking at conferences, participating in steering groups and hosting Local Scrutiny and Involvement Panels (LSIPs).

**5.18** The LSIPs form a major strand of the strategy and consist of a comprehensive programme with ten meetings a year. Four meetings consider domestic abuse and rape cases, two deal with disability hate crime and crimes against older people, two examine race and religiously aggravated offences and two cover lesbian, gay, bisexual and transphobic (LGBT) hate crimes. The panel members are representatives from local communities and for those that have protected characteristics. All the meetings take place in Preston (Lancashire), but the cases considered span the three police force areas and performance data is also split so that there is a local perspective. An Area update is provided to cover victim and witness issues and there is detailed discussion about particular cases. Minutes are maintained with actions identified for individuals and updates on these actions are usually provided at subsequent meetings. Briefing sheets are distributed for panel members to pass on key messages to their respective communities and groups.

**5.19** The Area business reviews led to some operational delivery staff observing the LSIPs to better understand the relevance of what they do and how they make a difference. The feedback has been good and the experience provides a different perspective to task based roles. Prosecutors have also observed the panels and been able to gain an understanding of how decisions can impact on the communities they serve (**good practice**).

**5.20** Feedback from external members of the LSIPs is universally positive about the work of the panels and the commitment of the CPS to improve the service to victims and witnesses. However, although the Area prepares internal feedback sheets, we were told by some prosecutors that they did not receive feedback about the work of the panels.

### Issue to address

The Area needs to develop a mechanism to ensure that feedback from community groups is widely communicated to enable lessons to be learned and that there is improvement in service delivery for the benefit of all victims of crime.

**5.21** A recurring theme discussed at some of the LSIPs has been the use of the section 146 uplift upon sentencing for hate crime, and the proper recording and communication to the victim. Section 146 is an important tool to build public confidence in the criminal justice system amongst communities at the greatest risk of exclusion and discrimination. Area performance has been poor for some time, but there has been some improvement following the delivery of training to prosecutors and encouragement to be proactive at court in applying for the uplift at sentence. Performance in the 12 months to June 2017 was at 43.9%, which is an improvement on the 2015-16 figure of 34.6% but still below the national average of 54.8%, resulting in North West being one of the worst performers in the country. However, the indications are that improvement should continue.

**5.22** The Area is represented at many other forums which focus on improving public confidence and prioritising engagement with those at the greatest risk of exclusion and discrimination. These include the monthly Challenging Hate Crime Forum, which is a multi-agency meeting held in Manchester; a quarterly meeting of the Lancashire Strategic Hate Crime and Cohesion Group, which focuses on hate crime reporting and raising awareness; and the Domestic Abuse Operational Group, which meets in Penrith (Cumbria). A senior manager has also undertaken work in relation to honour based violence and female genital mutilation, including attending strategic meetings to drive improvement, speaking at conferences and sharing training packages.

**5.23** At the time of the inspection the Area Business Centre was awaiting information from CPS Headquarters about the national priorities. It intends to review the Area action plan on receipt of this information and make recommendations to the Area Strategy Board if necessary. The Area proposes to look at social mobility and build on work whereby a series of packs for schools were developed, covering Racist and Religious Hate Crime, LGBT Hate Crime and Disability Hate Crime, which are now used across England and Wales. A schools strategy has been formulated to work with a secondary school in each of the three police force areas, which will contribute to the delivery of the CPS Social Mobility Strategy and the CPS Volunteering Strategy; the draft is awaiting consideration by the Area Strategy Board.

**5.24** The Witness Care Unit is split into three teams, with two staffed by the police and the third by the CPS. There is generally a good relationship with the Area, but the units raised concerns about the length of time it can take for the Area to respond to queries. Delay can impact on victims and witnesses, and ultimately outcomes. It was reported that the problem has increased since the removal of the case progression manager role for magistrates' courts casework. We were told that response times were worse in the magistrates' courts unit in comparison to the Crown Court units, which is supported by the performance outcomes. In the magistrates' courts, 33.2% of cases were unsuccessful due to victim issues in the 12 months to June 2017 (compared to a national average of 30.7%) and in the Crown Court the figure was 17.2% (compared to 22.3%).

## 6 Part E: Efficiency and value for money

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### **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: North West has under spent against its allocated budget for the past four years and is the only Area to achieve this. Financial delegation is well controlled and there is effective use of resources. The use of agents is monitored and managed actively and in-house coverage in the magistrates' courts is amongst the highest in the country. Good use is made of its Crown Advocate resource and it has maintained one of the highest utilisation figures in the country, at 72.0% in 2016-17. The Area has a surplus of administrative staff and has made good use of many of its displaced staff in other roles.*

**6.1** The introduction of smarter working has been welcomed in the Area and is having a positive effect on staff engagement. The scheme enables staff to work from home on occasions or work at other locations nearer their homes, providing a better work life balance, reducing their commutes and making staff feel respected and trusted. It has also led to improved productivity across the Area. However, sickness absence remains an issue. The high number of average working days lost and high stress related sickness level impact on other staff, increasing stress and reducing productivity.

**6.2** There is a strong ethos of one team across most of the units and the sharing of police and court work across all office locations has assisted with this. The magistrates' courts and RASSO units are now single units. Rotas are reviewed to ensure work is allocated fairly and appropriately across the units and the sharing of work across locations leads to good economies of scale and efficiencies. Work is in progress to achieve the same in the Crown Court, however, there are still some matters which need to be addressed. At present the existence of two Crown Court teams results in numerous meetings, duplicated discussion and the CCP chairing meetings rather than a single thematic deputy. The Area is currently appointing a third DCCP and is considering how it can rationalise the Crown Court unit meetings, thereby releasing the CCP back to the more strategic role in the organisation.

**6.3** A number of workstream reviews have been instigated in each of the units, namely for the Crown Court, complex casework, digital charging and magistrates' courts, operational delivery, and a people workstream.

**6.4** The reviews have been developed to ensure consultation and inclusivity of staff, giving them the opportunity to challenge processes, look for improvement and ultimately be involved in decision-making in the Area. A number of actions have already been delivered that are leading to positive outcomes. The reviews led to some operational delivery staff observing the Local Scrutiny and Involvement Panels to understand better the relevance of what they do and how they make a difference. The feedback has been good and the experience provides a different perspective to task based roles. Prosecutors have also observed the panels and been able to gain an understanding of how decisions can impact on the communities they serve.

**6.5** A number of staff have been offered deputising opportunities and others are taking advantage of shadowing different roles to aid their development and understanding of other departments and roles. There has been a significant increase in learning activities from the previous year, as well as savings in cost, much of which were achieved by the Learning and Development Officer pooling individual training requests to source combined training events. The post holder has also developed a comprehensive training web page with details of training events and links to various free e-learning sources, internal and external, for all staff, saving time for staff not having to source this information themselves. The Communications Manager provides a briefing document, NW Weekly Brief, which brings together the headlines for the Area and is sent to staff by email, saving them time looking at the KIM site and a variety of emails, because staff can just look at what is relevant to them.

**6.6** A new Area performance data pack has been introduced to support the drive for improvement and enables performance information to be broken down to individual court centres. This is used by the CCP in meetings with senior stakeholders to compare individual courts and identify best practice from the better performers. This level of performance information provides for greater accountability.

**6.7** There is an impressive level of engagement by senior managers, which is having a positive impact on cross-agency working. This has resulted in ongoing work with Greater Manchester Police around file quality. A 12 week pilot has started which seeks to drive up quality in two of the largest police divisions. The unit is staffed by the police with support from two CPS members and early indicators are this is resulting in some improvement, although the current level of CPS resource dedicated to this work is not sustainable in the longer term. Joint work with the courts has secured a reduction in the number of magistrates' courts sessions.

**6.8** The level of Crown Court convictions has steadily declined since 2013-14, from 85.2% to 81.3% in the 12 months to June 2017, although the conviction rate has remained higher than the national average over the same period. The proportion of magistrates' court cases that resulted in a successful outcome was 87.1% to June 2017. Whilst this remains 2.2% above the national average, it is a declining trend from a high of 89.1% in 2013-14. The conviction rate for rape has increased very slightly and the Area has generally maintained a rate higher than the national one. Similarly the conviction rate for sexual offences has steadily increased and has remained higher than the national average.



# Annexes

## A Glossary

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### **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 Assurance Programme (AAP)**

Rolling programme of inspections by HMCSI of CPS Areas.

### **Area Business Manager (ABM)**

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

### **Area Performance Review (APR)**

A review of key performance indicators to assess an Area's performance which is used to drive improvement.

### **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.

### **Barrister/counsel**

Member of the independent Bar who are instructed by the CPS to prosecute cases at court.

### **Basis of plea**

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

### **Better Case Management (BCM)**

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

### **Case management system (CMS)**

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

### **Casework Quality Standards**

Set out the benchmarks of quality that the CPS seeks to deliver in prosecuting crime for the public. They cover treatment of victims and witnesses, legal decision-making, casework preparation and advocacy.

### **Charging decision**

The process by which the police and the CPS decide whether there is sufficient evidence for a suspect to be prosecuted. The process is governed by the Director's Guidance on Charging 5th edition which came into effect in May 2013.

### **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.

### **Complex Casework Unit (CCU)**

A unit set up within each CPS Area which handles the most serious cases, such as organised crime, people or drug trafficking and complex frauds.

### **Contested case**

A case where the defendant elects to plead not guilty, or declines to enter a plea, thereby requiring the case to go to trial.

### **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. See also *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**

On the trial date, the defendant offers acceptable pleas or the prosecution offers no evidence. A cracked trial requires no further trial time, but as a consequence the time allocated has been wasted and witnesses have been unnecessarily inconvenienced, thus impacting confidence in the system. See also *offer no evidence*.

### **Criminal Procedure Rules (CPR)**

The Criminal Procedure Rules determine the way a criminal case is managed as it progresses through the criminal courts in England and Wales. The rules apply in all magistrates' courts, the Crown Court and the Court of Appeal (Criminal Division). See also *court orders/directions*.

### **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.

### **Director of Public Prosecutions (DPP)**

Senior Civil Servant who is the head of the CPS.

### **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. There are various regimes and the type of case determines which one applies. See also *streamlined disclosure* and *unused material*

### **Discontinuance**

The formal dropping of a case by the CPS through written notice (under section 23 Prosecution of Offences Act 1985).

### **Effective trial**

The trial goes ahead as a contested hearing on the date that it is listed.

**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.

**Hate crime**

An offence aggravated by hostility based on race, disability or sexual orientation.

**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 measures**

Performance measures given high priority by CPS Headquarters.

**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. See also *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).

**Judge ordered acquittal (JOA)**

Where the Judge dismisses a case as a result of the prosecution offering no evidence before a jury is empanelled. See also *offer no evidence*.

**Knowledge Information Management (KIM)**

The method by which an organisation gathers, categorises, shares and maintains its resources, documents and other electronically stored materials.

### **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 (CJS). The National Criminal Justice Board is the primary forum for setting direction for the CJS.

### **Manual of Guidance (MG) forms**

National forms used by the police and CPS to prepare a case file.

*MG3*: used to record the charging decision.

*MG5*: used to detail the police report – a case file summary setting out the circumstances of the offence(s) and the evidence that is relied upon in the case.

*MG6*: a series of forms previously used in relation to the disclosure of unused material, they have been replaced by the Streamlined Disclosure Certificate. See also *Streamlined disclosure*

*MG11*: used to record a witness's statement and other information such as their contact details and witness care requirements, for example if there are any special measures considerations.

### **National File Standard (NFS)**

This document details what must be included in the police file for particular types of cases. The latest version was published in May 2015.

### **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.

### **Offer no evidence**

Where the prosecution offer no evidence in relation to an offence for which the defendant has been arraigned. This results in a finding of not guilty.

### **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.

### **Police and Crime Commissioner (PCC)**

Elected by their constituents, PCCs' primary role is to set the strategic direction of local policing and to hold the Chief Constable to account for the performance of the police force. They now also have responsibility for the commissioning of support services for victims.

### **Pre-charge decision (PCD)**

The process by which the police and CPS decide whether there is sufficient evidence for a suspect to be prosecuted. The process is governed by the Director's Guidance on Charging.

### **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.

### **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.

### **Review (initial, continuing, summary trial, full file etc)**

The process whereby a crown prosecutor determines that a case received from the police satisfies and continues to satisfy the legal test for prosecution in the Code for Crown Prosecutors. One of the most important functions of the CPS. See also *Code for Crown Prosecutors*.

### **Sentence uplift**

Section 146 Criminal Justice Act 2003 allows the court to increase a sentence when specified aggravating features exist, relating to disability, sexual orientation or transgender identity.

### **Sensitive material**

Any relevant material in a police investigative file not forming part of the case against the defendant, the disclosure of which may not be in the public interest. See also *disclosure*.

### **Special measures applications**

The Youth Justice and Criminal Evidence Act 1999 provides for a range of special measures to enable vulnerable or intimidated witnesses in a criminal trial to give their best evidence. Measures include giving evidence through a live TV link, screens around the witness box and intermediaries. A special measures application is made to the court within set time limits and can be made by the prosecution or defence.

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### **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.

### **Streamlined disclosure**

The new streamlined disclosure process was introduced as part of Transforming Summary Justice. The main principle is that an unused material report is to be available for the defence at the first hearing in magistrates' courts cases:

- in GAP cases, a standardised form of written confirmation is to be provided to the defence, which confirms that the prosecution understand their common law duties
- in NGAP cases, there is to be early provision of unused material. An unused material report, called the Streamlined Disclosure Certificate (SDC), replaces the MG6 series and is served as soon as a not guilty plea is entered. See also *disclosure* and *unused material*

### **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.

### **Unsuccessful outcome**

Cases which result in an acquittal or are discontinued.

### **Unused material**

Material collected by the police during an investigation but which is not being used as evidence in any prosecution. The prosecutor must consider whether or not to disclose it to the defendant. See also *disclosure* and *streamlined disclosure*.

### **Victim Communication and Liaison scheme (VCL)**

Formerly known as Direct Communication with Victims (DCV), this is 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)<sup>6</sup>**

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').

### **Vulnerable and intimidated witnesses**

Witnesses who may be vulnerable or intimidated for the purposes of special measures assistance include, all child witnesses (under 18) and any witness whose quality of evidence is likely to be diminished because they are suffering from a mental disorder (as defined by the Mental Health Act 1983) or have a significant impairment of intelligence and social functioning, or have a physical disability or are suffering from a physical disorder. Complainants to sexual offences are automatically defined as an intimidated witness unless they wish to opt out.

### **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), but most no longer have CPS staff.

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<sup>6</sup> *The Code of Practice for Victims of Crime* [the Victims' Code]; Ministry of Justice; December 2015. [www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime](http://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime)



## B Area Assurance Programme inspection framework

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### 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 APR 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.

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**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	All cases
<b>Pre-charge decision by the police</b>		
The police decision to charge was compliant with the Code for Crown Prosecutors	Yes	92.7%
	No	7.3%
The police decision to charge was compliant with the Director's Guidance	Yes	92.7%
	No	7.3%
The police MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	80.0%
	No	20.0%
<b>Pre-charge decision by the CPS</b>		
The CPS decision to charge was compliant with the Code for Crown Prosecutors	Yes	98.9%
	No	1.1%
The MG3 included proper case analysis and case strategy	Fully met	45.3%
	Partially met	38.9%
	Not met	15.8%
The MG3 made reference to all relevant applications and ancillary matters	Fully met	42.1%
	Partially met	42.1%
	Not met	15.8%
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	43.2%
	Partially met	43.2%
	Not met	13.7%
The CPS MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	76.3%
	No	23.7%
The action plan met a satisfactory standard	Fully met	42.9%
	Partially met	31.9%
	Not met	25.3%

Question	Answer	All cases
Rate the overall quality of the MG3	Excellent	0%
	Good	37.9%
	Fair	41.1%
	Poor	21.1%
<b>Code compliance after charge</b>		
The police file submission complied with the National File Standard for the type of case	Fully met	45.1%
	Partially met	44.2%
	Not met	10.6%
The main failing in the police file was in relation to	VPS	16.1%
	MG5	3.2%
	MG11	19.4%
	Overbuild	22.6%
	Other	38.7%
Police file submission was timely	Yes	80.5%
	No	19.5%
All Code decisions after charge complied with the Code for Crown Prosecutors	Yes	95.3%
	No	4.7%
<b>Initial case review and preparation for the first hearing</b>		
The case received a proper and proportionate initial case review where appropriate	Yes	61.3%
	No	22.5%
	Not done	16.2%
The initial case review was carried out in a timely manner	Yes	59.7%
	No	40.3%

MG5 Police report including case file summary

MG11 Statement made by a witness to be used as evidence

Question	Answer	All cases
The prosecutor prepared the case effectively in accordance with TSJ/BCM to ensure progress in court at the initial hearing(s)	Yes	70.2%
	No	29.8%
The prosecutor identified and raised with the police any lack of compliance with TSJ/BCM	Yes	45.7%
	No	54.3%
The first hearing was effective, complied with TSJ/BCM expectations (where appropriate) and resolved all outstanding issues	Yes	72.3%
	No	27.7%
Any issues with the effectiveness of the TSJ/BCM hearing were primarily occasioned by whom	Police	4.9%
	CPS	51.2%
	Defence	43.9%
<b>Case progression after the first hearing</b>		
The lawyer or team exercised sound judgement and grip on the case	Fully met	37.5%
	Partially met	39.7%
	Not met	22.8%
There was timely compliance with court directions or Judges' orders	Fully met	45.0%
	Partially met	30.0%
	Not met	25.0%
Any decision to discontinue was made and put into effect in a timely manner	Yes	65.6%
	No	34.4%
The decision to accept pleas or a basis of plea was sound	Yes	40.0%
	No	60.0%
Any basis of plea was in writing and signed by the prosecution and defence	Yes	0%
	No	50.0%
	Not known	50.0%
Hearing record sheets were completed accurately, contained sufficient instructions to progress the case and were uploaded to CMS in a timely manner	Fully met	73.3%
	Partially met	26.0%
	Not met	0.7%

Question	Answer	All cases
<b>Disclosure</b>		
The police complied with their disclosure obligations	Fully met	52.7%
	Partially met	39.3%
	Not met	8.0%
The main failing in the police disclosure was in relation to	Listing items wrongly	9.9%
	Poor description of items	26.8%
	Lack of schedule	11.3%
	Wrong schedules	11.3%
	Witness previous convictions	7.0%
	Other	33.8%
The prosecutor complied with the duty of initial disclosure, including the correct endorsement of the schedules (but not including timeliness of disclosure)	Fully met	53.1%
	Partially met	38.1%
	Not met	8.8%
The prosecutor complied with the duty of continuing disclosure (but not including timeliness of disclosure)	Fully met	57.6%
	Partially met	33.9%
	Not met	8.5%
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	59.1%
	No	40.9%
Sensitive unused material was dealt with appropriately	Fully met	63.2%
	Partially met	31.6%
	Not met	5.3%

Question	Answer	All cases
Third party material was dealt with appropriately	Fully met	76.9%
	Partially met	15.4%
	Not met	7.7%
The disclosure record sheet was properly completed with actions and decisions taken on disclosure	Fully met	35.4%
	Partially met	31.9%
	Not met	32.7%
Rate the overall quality of handling of unused material by the CPS	Excellent	0%
	Good	38.9%
	Fair	40.7%
	Poor	20.4%
<b>Victims and witnesses</b>		
Where appropriate the prosecutor took all necessary steps to secure victim engagement in the court process	Fully met	81.7%
	Partially met	11.0%
	Not met	7.3%
The prosecutor took account of the rights, interests and needs of victims and witnesses including consulting with them where appropriate	Fully met	63.1%
	Partially met	26.2%
	Not met	10.7%
The appropriate special measures were applied for	Yes	100%
	No	0%
The application was timely	Yes	78.6%
	No	21.4%
There was a timely Victim Communication and Liaison (VCL) when required	Yes	68.4%
	No	10.5%
	Not done	21.1%
The VCL was of a high standard	Fully met	46.7%
	Partially met	26.7%
	Not met	26.7%

Question	Answer	All cases
<b>Police service quality</b>		
Rate the overall quality of the service from the police	Excellent	0%
	Good	40.0%
	Fair	32.7%
	Poor	27.3%
<b>CPS service quality</b>		
Rate the overall value added by the CPS	Excellent	0.7%
	Good	32.1%
	Fair	40.0%
	Poor	27.1%

## D Area performance data

Casework outcomes	National				North West					
	2014-15	2015-16	2016-17	12 months to June 2017	Variance 2014-15 to June 2017	2014-15	2015-16	2016-17	12 months to June 2017	Variance 2014-15 to June 2017
<b>Magistrates' court</b>										
Successful outcomes	84.2%	83.8%	84.7%	84.9%	-	86.4%	86.4%	87.0%	87.1%	-
Discontinuance	10.5%	10.3%	9.6%	9.3%	-	8.4%	8.0%	7.5%	7.3%	-
<b>Crown Court</b>										
Successful outcomes	79.4%	79.2%	78.8%	79.0%	-	83.5%	82.4%	81.3%	81.3%	-
Judge ordered acquittals	12.5%	12.2%	11.6%	11.4%	-	10.0%	11.2%	10.6%	10.3%	-
<b>Charging volumes</b>										
Number of pre-charge decisions	307,037	276,696	265,275	265,558	-13.5%	34,164	27,722	24,011	23,590	-31.0%
<b>Outcomes where a pre-charge decision has been made</b>										
<i>Magistrates' court</i>										
Guilty pleas	71.2%	71.2%	72.5%	72.6%	-	76.2%	76.9%	77.0%	77.4%	-
Attrition	22.4%	21.8%	20.5%	20.3%	-	18.3%	17.5%	17.0%	16.6%	-
<i>Crown Court</i>										
Guilty pleas	71.9%	71.4%	70.2%	70.2%	-	79.0%	77.8%	75.4%	75.3%	-
Attrition	20.5%	20.6%	21.0%	20.9%	-	16.9%	17.7%	18.7%	18.7%	-

Staffing and caseload changes							
	2014-15	2015-16	2016-17	Variance 2015-16 to 2016-17	12 months to June 2017	Variance 2016-17 to June 2017	2 yr average variance 2015-16 to June 2017
<b>Areas and CPS Direct plus Proceeds of Crime</b>							
Staff in post	4,983.7	4,585.1	4,513.6	-1.6%	4,508.2	-0.1%	-1.7%
Prosecutors in post	2,240.3	2,110.7	2,113.0	0.1%	2,113.1	0.0%	0.1%
Administrators in post	2,743.4	2,474.5	2,400.6	-3.0%	2,395.2	-0.2%	-3.2%
<b>Magistrates' court</b>							
Completed cases	557,887	534,121	495,235	-7.3%	481,383	-2.8%	-9.9%
Contested cases	54,167	59,964	55,323	-7.7%	53,872	-2.6%	-10.2%
Contested cases proportion of completed cases	9.7%	11.2%	11.2%	-0.1	11.2%	0.0	0.0
Contested cases with conviction	33,075	37,513	35,685	-4.9%	34,949	-2.1%	-6.8%
Proportion of contested cases resulting in conviction	61.1%	62.6%	64.5%	1.9	64.9%	0.4	2.3
Contested cases per prosecutor*	24.2	28.4	26.2	-2.2	25.0	-0.7	-2.9
<b>Crown Court</b>							
Completed cases	98,505	96,338	85,881	-10.9%	83,103	-3.2%	-13.7%
Contested cases	16,847	17,351	17,028	-1.9%	16,595	-2.5%	-4.4%
Contested cases proportion of completed cases	17.1%	18.0%	19.8%	1.8	20.0%	0.2	2.0
Contested cases with conviction	9,568	9,862	9,675	-1.9%	9,499	-1.8%	-3.7%
Proportion of contested cases resulting in conviction	56.8%	56.8%	56.8%	0.0	57.2%	0.4	0.4
Contested cases per prosecutor*	7.5	8.2	8.1	0.1	7.9	-0.2	-0.4

\* Excludes CCP and senior staff

Contested cases figures include mixed plea cases



Staffing and caseload changes							
	2014-15	2015-16	2016-17	Variance 2015-16 to 2016-17	12 months to June 2017	Variance 2016-17 to June 2017	2 yr average variance 2015-16 to June 2017
<b>North West</b>							
Staff in post	505.5	463.5	456.4	-1.5%	453.1	-0.7%	-2.3%
Prosecutors in post	216.6	201.1	199.3	-0.9%	197.7	-0.8%	-1.7%
Administrators in post	288.9	262.4	257.1	-2.0%	255.4	-0.7%	-2.7%
<b>Magistrates' court</b>							
Completed cases	53,543	47,173	39,624	-16.0%	37,933	-4.3%	-19.6%
Contested cases	4,714	4,932	4,436	-10.1%	4,235	-4.5%	-14.1%
Contested cases proportion of completed cases	8.8%	10.5%	11.2%	0.7	11.2%	0.0	0.7
Contested cases with conviction	2,672	2,823	2,623	-7.1%	2,520	-3.9%	-10.7%
Proportion of contested cases resulting in conviction	56.7%	57.2%	59.1%	1.9	59.5%	0.4	2.3
Contested cases per prosecutor*	21.8	24.5	22.3	-2.3	21.0	-0.8	-3.1
<b>Crown Court</b>							
Completed cases	10,493	9,961	8,288	-16.8%	7,905	-4.6%	-20.6%
Contested cases	1,231	1,179	1,233	4.6%	1,225	-0.6%	3.9%
Contested cases proportion of completed cases	11.7%	11.8%	14.9%	3.1	15.5%	0.6	3.7
Contested cases with conviction	610	596	643	7.9%	636	-1.1%	6.7%
Proportion of contested cases resulting in conviction	49.6%	50.6%	52.1%	1.5	51.9%	-0.2	1.3
Contested cases per prosecutor*	5.7	5.9	6.2	0.3	6.0	0.0	0.3

\* Excludes CCP and senior staff

Contested cases figures include mixed plea cases

Efficiency, costs and quality	National					North West					Comparison to national average to June 2017	
	2014-15	2015-16	2016-17	12 months to June 2017	Improvement/deterioration 2016-17 to June 2017	2014-15	2015-16	2016-17	12 months to June 2017	Improvement/deterioration 2016-17 to June 2017		
<b>Efficiency</b>												
Completed cases per administrator (FTE)	239.3	254.8	242.1	235.7	Det	221.7	217.7	186.3	179.5	Det	Worse than	
Completed cases per prosecutor (FTE)	293.0	298.7	275.0	267.1	Det	295.6	284.1	240.4	231.9	Det	Worse than	
In-house magistrates' court sessions	72.4%	70.5%	69.4%	70.4%	Imp	86.7%	85.9%	81.6%	84.5%	Imp	Better than	
Associate Prosecutor magistrates' court sessions	27.0%	25.1%	24.5%	24.1%	Det	28.7%	29.5%	26.6%	26.4%	Det	Better than	
Cases dropped at 3rd or subsequent hearings (magistrates' court)	34.1%	30.5%	29.6%	29.5%	Imp	38.0%	36.2%	35.9%	34.7%	Imp	Worse than	
Average sessions per Associate Prosecutor per week	5.59	6.50	6.72	6.67	Det	6.28	7.54	6.37	5.86	Det	Worse than	
Hearings per magistrates' court case (guilty plea)	1.87	1.80	1.69	1.68	Imp	1.88	1.84	1.74	1.72	Imp	Worse than	
Hearings per Crown Court case (guilty plea)	3.84	3.97	3.65	3.57	Imp	4.35	4.51	4.11	4.03	Imp	Worse than	
Percentage of magistrates' court guilty pleas at first hearing	70.8%	70.7%	70.0%	77.3%	Imp	67.9%	69.4%	69.3%	75.3%	Imp	Worse than	
Percentage of Crown Court guilty pleas at first hearing	33.1%	31.8%	39.9%	40.9%	Imp	31.6%	31.2%	37.4%	39.1%	Imp	Worse than	
CPS savings per Crown Advocate	£65,389	£65,550	£63,193	*	*	£85,390	£77,326	£71,966	*	*	*	

\* Following the CPS migration to a different data system, recent figures for Crown Advocate savings are unavailable

Efficiency, costs and quality	National				North West				Comparison to national average 12 months to June 2017
	2014-15	2015-16	2016-17	12 months to June 2017	2014-15	2015-16	2016-17	12 months to June 2017	
<b>Cost</b>									
Prosecution cost per defendant (Crown Court)	£1,080	£1,124	£1,223	£951	£916	£964	£1,106	£880	Imp Better than
Overall spend per completed case	£588	£602	£657	£674	£540	£594	£703	£727	Det Worse than
Overall spend per total staff (FTE)	£77,404	£82,767	£84,641	£84,384	£68,031	£71,880	£72,231	£73,535	Det Better than
<b>Outcomes</b>									
Magistrates' court successful outcomes	84.2%	83.8%	84.7%	84.9%	86.4%	86.4%	87.0%	87.1%	Imp Better than
Crown Court successful outcomes	79.4%	79.2%	78.8%	79.0%	83.5%	82.4%	81.3%	81.3%	No change Better than
Magistrates' court discontinuances	10.5%	10.3%	9.6%	9.3%	8.4%	8.0%	7.5%	7.3%	Imp Better than
Crown Court Judge ordered acquittals	12.5%	12.2%	11.6%	11.4%	10.0%	11.2%	10.6%	10.3%	Imp Better than

FTE Full-time equivalent





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