



HMCPSI

HM Crown Prosecution
Service Inspectorate

Area Assurance Programme composite report

**Findings from the full
Area Assurance Programme
2016–17 to 2018–19**

October 2019

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Who we are

HM Crown Prosecution Service Inspectorate inspects prosecution services, providing evidence to make the prosecution process better and more accountable.

We have a statutory duty to inspect the work of the Crown Prosecution Service and Serious Fraud Office. By special arrangement, we also share our expertise with other prosecution services in the UK and overseas.

We are independent of the organisations we inspect, and our methods of gathering evidence and reporting are open and transparent. We do not judge or enforce; we inform prosecution services' strategies and activities by presenting evidence of good practice and issues to address. Independent inspections like these help to maintain trust in the prosecution process.

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1. Summary

Introduction

1.1. In the past, HM Crown Prosecution Service Inspectorate (HMCPsi) has used a number of approaches to provide assurance as to the performance of the Crown Prosecution Service (CPS). During 2015–16, we reviewed our inspection methodology and developed a new way of working, which enabled us to provide a more comprehensive commentary on overall CPS performance while reducing the burden of inspection on CPS Areas.

1.2. In our Business Plan for 2016–17,¹ we set out our plan for the new Area Assurance Programme (AAP). It was designed to assess how well the CPS delivers the maximum benefit for users and stakeholders with the resources available. The aim is to give assurance that successful outcomes and quality service are being achieved through proper governance, casework quality, effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work – and where they are not, to highlight that fact to those who can bring about changes.

1.3. We conducted two pilot AAP inspections (in CPS Wales and CPS South West), which we evaluated in the summer of 2016. This led to a revised methodology which has been used to inspect all other CPS Areas. Given our resources, we planned to deliver the AAP inspections over two years, 2017–18 and 2018–19. We set out initial findings from ten Areas in a composite report published in August 2018.²

1.4. This report includes the findings from all 14 CPS Areas, including a revised casework assessment of the two pilot Areas to ensure that all Areas have been subject to the same casework assessment. It summarises our findings from the full AAP programme. Links to each of the published reports can be found in annex D.

¹ justiceinspectorates.gov.uk/hmcpai/inspections/hmcpai-business-plan-2016-17/

² justiceinspectorates.gov.uk/hmcpai/inspections/findings-of-the-area-assurance-programme-in-2016-17-and-2017-18-july-18/

Headlines

1.5. The AAP inspections present a national picture and highlight that there are many aspects where the CPS performs well. The findings across the 14 reports highlight that all CPS Areas demonstrate strong leadership, communication and staff engagement.

1.6. The CPS should be commended for driving up the quality and level of leadership. Too often in the past (2007–15), our Area inspection reports highlighted weaknesses in local leadership and partnership working. In this programme of AAP inspections, we have universally rated Areas as either good or excellent. The vast majority of CPS Areas are being effectively led and well managed. Inspectors found that there is good work undertaken with criminal justice partners at a strategic level. Most Areas also have effective staff engagement and demonstrate actions that are consistent with the CPS values. Areas recognise that good communication is critical to effective leadership and a number of inspection reports identify examples of good practice and strengths in how Areas communicate with their staff.

1.7. However, in a number of reports, we did note that where the Areas had multiple locations or staff based in other parts of the country, some leadership teams found it challenging to engage effectively with all staff. Some Area staff indicated that they felt detached and not part of their Area. However, inspectors also found that a number of Area senior management teams had managed to engage with staff on multiple sites well, and these Areas were assessed as excellent. Our observation was that some Area teams had a culture that made this work and others saw this as a challenge.

1.8. Having the right staff doing the right role is critical to ensuring that the Area can deliver value for money. There is no doubt that recruitment is a particular problem in some Areas. Reports identified differing approaches being taken across the country to deal with the difficulties of recruiting the appropriate level and grade of staff within different Areas. Improved digital working has enabled staff in some Areas to work in teams that provide services remotely to other Areas. In most cases, we found this worked well. The leadership team in London South had managed to operate this model successfully and inspectors felt it could be an example to others of how to do this well. We also found that smarter working, such as flexible working and staff being able to work from home, facilitated by digitisation, has been broadly welcomed and is having a positive effect not only on staff engagement but also on productivity.

1.9. Areas generally had a good focus on performance improvement and we found evidence in some Areas that there was a strong performance management culture where teams were held to account. In some Areas, there

was evidence that a drive for continuous improvement was well embedded. However, the performance management culture was not universally good and, in a number of reports, we identified this as an issue that needs to be addressed. In some Areas, performance management was not delivering improved results and performance issues drifted.

1.10. The focus on financial control in all Areas is effective. Budgetary control and governance processes are working well. The majority of Areas have a good grip on finance and controls.

1.11. We found that there were some Areas which were improving outcomes while working within budget. These Areas were able to demonstrate that performance could be improved by weeding out inefficiencies and working with partners to streamline processes. Across the country, a large number of CPS Areas were delivering good value for money. However, there was a small number of Areas that needed to improve to ensure that they could deliver a quality service to the public.

1.12. Historically, CPS London's performance outcomes were significantly worse than national performance for most, if not all, key CPS measures. In 2017, the Area was split into CPS London North and CPS London South. The AAP reports set out that, as part of the split, the Areas were given additional resources, over and above the budget baseline, to focus on improving performance and arresting the decline in outcomes. It was clear that this increase in resources, which allowed each London Area to recruit an additional 25 lawyers and a number of legal managers, had produced immediate positive results. Inspectors noted a marked improvement in the morale, culture and effectiveness of the Areas after the split.

1.13. Whilst the AAP reports highlight good leadership, effective performance management and budget control, inspectors again highlighted that the core element of the CPS's business – legal decision making and casework – needs to continue to improve.

1.14. Overall, the CPS could do more to add value to, and gain a grip on, cases. A lack of grip on a case causes unnecessary work, with time being lost to address problems that should have been resolved much earlier in the process.

1.15. Overall findings highlight that, in all but one Area, more needs to be done to improve the handling of disclosure in straightforward cases in the Crown Court. We acknowledge that, since starting this programme, the CPS has rolled out a significant training programme for all prosecutors on disclosure. The training programme is not just about changing how individual cases are handled, but about shifting the mindset and culture within investigations and prosecutions.

This includes focused classroom training to develop the core skill of disclosure as part of the investigative process and an ongoing training programme for all prosecutors on disclosure. Our recent inspection of disclosure sets out a clearer picture of performance in this area.³ However, the findings in the later inspections in the AAP programme highlight that more work is still needed to embed the improvement measures and ensure that the changes are having the intended effect throughout police forces and CPS Areas.

1.16. Many reports highlight that, in too many cases, in the period between first appearance and trial, the CPS appeared to do little to review the case or progress work that needed to be done. Too much was left to be done at a late stage, if it was done at all. We describe this in the reports as “lacking grip”.

1.17. This is a matter of considerable concern, although between the release of the tranche one findings and the publication of this report, the number of cases with a lack of an initial review improved from 19.2% to 14.4% of cases examined. CPS Areas lacking grip can have a direct effect on how victims and witnesses experience the criminal justice system, which can ultimately affect public confidence in the system as a whole. It is vitally important to public confidence in the criminal justice system that only those cases that deserve consideration by the courts proceed to prosecution.

1.18. Public confidence and the service delivered to victims and witnesses by the CPS are key elements of our assessment. Across England and Wales as a whole, we assessed that the CPS could do more to communicate with victims in a timely and effective manner. The CPS is generally effective at representing the interests of victims and witnesses within the court process, making timely and effective representations in court, but there are issues with the quality, accuracy, timeliness and empathy of the letters which are sent to victims and witnesses.

1.19. Overall, we found that most Areas had good levels of community engagement and worked effectively to use feedback to improve local practices and processes.

³ https://www.justiceinspectors.gov.uk/cji/wp-content/uploads/sites/2/2017/07/CJJI_DSC_thm_July17_rpt.pdf

Area Assurance Programme methodology

1.20. AAP inspections are conducted against an inspection framework (see annex A). The framework contains five sections:

- The success of CPS people
- Continuous improvement
- Delivering high quality casework
- Ensuring public confidence
- Efficiency and value for money.

1.21. Each section has a performance expectation and a number of criteria against which we gather evidence.

1.22. The framework aligns significantly with the CPS's current strategic priorities and takes account of other key initiatives.

1.23. Each report identifies good practice and strengths in the Area, as well as issues to address. where the Area needs to take specific action to improve performance. Overall, inspectors are looking to see that the CPS delivers the maximum benefits for users and stakeholders with the resources available. This means the inspection makes an assessment of whether the right people are doing the right things at the right time at the right cost, and delivering the right outcomes. AAP inspections focus on ensuring that Areas achieve successful outcomes and quality service delivery through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

1.24. As well as gathering evidence through inspection activity, we also use data to provide evidence of performance. The data we use primarily comes from the CPS and Her Majesty's Courts and Tribunals Service. We also refer to the Civil Service People Survey; for this report, we have used the CPS surveys published in November 2015, 2016, 2017 and 2018.

2. Part A: The success of CPS people

2.1. The majority of CPS Areas are led and managed effectively and there is mainly good work undertaken with partners at a strategic level. Most Areas also have effective staff engagement and demonstrate actions that are consistent with the CPS values.

2.2. In the previous composite report, published in August 2018, all Areas inspected had an overall rating of good, with one being rated excellent. There are now two Areas rated as excellent.

Part A: The success of CPS people	A1: Leadership	A2: Work with Partners	A3: Values, staff engagement, morale	Overall score for Part A
East Midlands	Good	Good	Good	Good
East of England	Fair	Good	Fair	Good
London North	Good	Good	Fair	Good
London South	Good	Good	Excellent	Excellent
Merseyside & Cheshire	Good	Good	Good	Good
North East	Fair	Good	Fair	Good
North West	Good	Good	Fair	Good
South East	Good	Fair	Fair	Good
Thames & Chiltern	Fair	Fair	Good	Good
Wessex	Good	Good	Good	Good
West Midlands	Good	Excellent	Good	Excellent
Yorkshire & Humberside	Good	Good	Good	Good

Table 1: Scores for CPS Areas' performance against Part A of the AAP inspection framework⁴

2.3. As Table 1 shows, two CPS Areas demonstrated excellent leadership, with the remainder all achieving good ratings. In all inspections, inspectors observed that senior managers actively promoted the CPS values in the workplace.

2.4. Good communication is critical to effective leadership. In a number of reports, inspectors identify examples of good practice and strengths in how Areas communicate with their staff. One Area produces a weekly newsletter for staff who are not office based, to keep them informed about important

⁴ Excludes the pilot Areas, which were inspected under a different framework.

developments. This was effective and staff indicated that it was key to giving them a sense of belonging. Another Area produced a dedicated Area magazine and a range of subject focused newsletters. This has helped it maintain effective communications across the Area and with a satellite office some distance away.

2.5. However, staff in some Areas indicated that senior managers, and managers generally, sent numerous communications and messages but this did not help them feel engaged and informed. Inspectors noted that in some Areas, there was an over-reliance on email; in some instances, staff said that face-to-face communication would have more impact and be more effective.

2.6. The Civil Service People Survey assessed employee engagement through experiences at work, as measured by questions on nine themes:

- my work
- organisational objectives and purpose
- my manager
- my team
- learning and development
- inclusion and fair treatment
- resources and workload
- pay and benefits
- leadership and managing change.

2.7. The latest Civil Service People Survey, carried out in 2018, shows a very slight deterioration of scores for questions on these themes since the 2017 survey. The overall engagement index score remained the same.

2.8. At the national level, the CPS has improved across all the themes measured over the period of the AAP. Between 2015 and 2018, the CPS's overall engagement score improved from 54% to 61%: a 7% increase. Over the same period, in nearly all Areas inspected, engagement scores improved.

2.9. At the national level, the most significant improvement related to two themes: learning and development and leadership and managing change. Inspection findings identified an increased focus, both locally and nationally, on learning and development and change management, including consulting staff

consultation and involving them in the decision making process. This increased focus was evident and recognised by most Area staff.

2.10. Table 2 compares the national results across the period covered by our AAP reports.

Civil Service Engagement Survey scores	2015	2016	2017	2018
Employee engagement	54%	59%	61%	61%
My work	68%	71%	75%	73%
Organisational objectives and purpose	83%	86%	87%	84%
My manager	60%	64%	69%	68%
My team	71%	73%	75%	74%
Learning and development	43%	46%	53%	56%
Inclusion and fair treatment	67%	72%	75%	73%
Resources and workload	64%	68%	70%	67%
Pay and benefits	36%	35%	33%	30%
Leadership and managing change	33%	43%	46%	43%

Table 2: Civil Service People Survey results 2015–18

2.11. Whilst overall engagement scores improved in all CPS Areas, there were two Areas where some staff indicated that they felt detached and not part of their Area. In one Area, we found that there were tensions between staff in different offices. This made the movement of work across the Area more difficult, with staff thinking that it was unreasonable to ask them to do the work of other teams. In another Area, inspectors found a ‘growing split’ between the business and legal teams, leading to a ‘them and us’ culture.

2.12. The West Midlands report describes the benefits which have resulted following the creation of a ‘one team’ ethos, with the senior team and the Chief Crown Prosecutor (CCP) developing a ‘People First’ culture which has contributed to staff feeling supported and high levels of improved engagement. The West Midlands Area has also improved its performance, and inspectors found that improved engagement was a key motivator for Area staff. In both London South and North we noted good practice, with senior managers engaging with staff well and in a number of ways, including both CCPs leading from the top and meeting all new and newly promoted staff. The London CCPs also use these meetings to set out the vision for the Area and to personally engage staff.

2.13. Inspectors also found that, in the Areas with numerous office locations, staff engagement and understanding of the Area's priorities was often less clear. Areas with multiple locations also present a challenge to the senior management team, in terms of how they engage in a meaningful way with all staff. Inspection findings also identified that, with more remote working and advocacy staff who are regularly at court and not in the office, effective engagement can be difficult to achieve. As mentioned in paragraph 2.4, one Area produced a weekly newsletter; in other Areas, senior managers undertook a regular roving programme of visits. Our findings from the London North and London South inspections, both of which have remote teams working for them, set out how both Areas have been successful in working with remote teams to ensure they feel part of the Area. These findings show that geography should not be a barrier.

Changes in senior management had resulted in improved visibility of senior staff and commitment to improving the service delivered

2.14. Whilst overall engagement scores have improved, there were some noticeable differences between local units' scores. Inspectors highlighted a number of issues to address, where CPS managers need to consider how they engage with staff over numerous locations and those who are not regularly in the office.

2.15. Inspection findings also highlighted that a large number of CPS Areas had recently been subject to changes in their senior management teams (at CCP and Deputy CCP levels). These changes resulted mainly from a review of management structures and from development moves made by CPS Headquarters. Inspectors noted that a number of posts were being covered on a temporary basis, pending permanent recruitment; that there had been a substantial movement of senior staff; and that a period of sustained stability in some Areas would be helpful.

2.16. In some Areas, staff reported that changes in senior management resulted in a lack of stability in approaches to management, and that there was sometimes a tendency for issues to drift as these approaches changed. In some Areas, staff also commented that changes in senior management had resulted in improved visibility of senior staff and commitment to improving the service delivered. This is especially true of the post-split London Areas, London North and London South. Both Areas have improved their level of engagement following the split, and inspectors acknowledged the increased visibility of senior staff in both Areas, which staff also appreciated.

2.17. Without exception, at a strategic level, Areas' relationships with stakeholders were reported as positive. In all the AAP reports, inspectors

highlight significant interaction and work with partners. Recent cross-agency initiatives, such as Transforming Summary Justice (TSJ) and Better Case Management (BCM), have resulted in improved joint working with criminal justice partners. Inspectors also noted that the CPS's engagement with partners included providing resources to help with joint training with the police, and supporting joint initiatives with project management resources.

2.18. In many Areas, inspectors noted that there was a good level of support, from all agencies, for implementing and managing joint improvement activity. The split of the London Area has been well managed in both London North and London South, with good joint working with stakeholders. The joint London Criminal Justice Board, which covers all police boroughs and courts in the Area, is a good example of where both London Areas attend and deal with the individual Areas' issues in a cohesive way. Whilst generally, there was extensive positive interaction between partners and Areas, inspectors noted in a number of reports that some of this work has yet to realise positive benefits.

2.19. Inspectors noted improvement in the management of sickness absence, with most Areas applying national CPS sickness absence policies more strongly. CPS national data continues to show improvement: the numbers of average working days lost decreased to 7.0 in 2018–19, compared to 7.2 in 2017–18 and 7.7 in 2016–17 (when we commenced the AAP inspections).

2.20. Inspectors highlighted six examples of good practice and 23 strengths across the AAP reports for The success of CPS people. Inspectors noted 16 issues to be addressed. As highlighted throughout Part A, a number of these focused on the need for improved communication and staff engagement, along with better delivery of a whole Area vision.

3. Part B: Continuous improvement

3.1. We assessed how well each CPS Area continuously improves the way it works, deploying resources to work effectively and using efficient processes. Additionally, we reviewed how CPS Areas use performance data, manage resources and work with partner agencies at an operational level.

3.2. Our assessment highlighted a wide range of performance across the elements of inspection. Three Areas were rated as excellent overall, but four out of 12 Areas were assessed as fair, and two Areas rated as poor for their use of performance data.

Part B: Continuous improvement	B1: Use of performance data	B2: Resource management	B3: Joined up working	Overall score for Part B
East Midlands	Fair	Fair	Fair	Fair
East of England	Good	Good	Good	Good
London North	Good	Good	Fair	Good
London South	Good	Good	Fair	Good
Merseyside & Cheshire	Good	Excellent	Good	Excellent
North East	Poor	Good	Fair	Fair
North West	Good	Excellent	Fair	Good
South East	Fair	Fair	Fair	Fair
Thames & Chiltern	Poor	Fair	Fair	Fair
Wessex	Good	Excellent	Good	Excellent
West Midlands	Good	Fair	Good	Good
Yorkshire & Humberside	Good	Excellent	Good	Excellent

Table 3: Scores for CPS Areas' performance against Part B of the AAP inspection framework⁵

3.3. Inspectors noted that, in most cases, comprehensive performance data was produced. Many Areas used the CPS's national performance reports to develop local packs, which all Areas shared with managers. We found that performance information was not always shared more widely with staff. However, inspectors noted that generally, there was better dissemination and regular sharing of headline information, particularly amongst operational staff. This would enable them to identify where performance may need to be improved, and to suggest possible solutions to performance challenges.

⁵ Excludes the pilot Areas, which were inspected under a different framework.

3.4. Inspectors noted that the London Areas produced a range of high level performance data which was accessible to staff, and available in a range of other ways including newsletters and posters. Staff were very clear about performance and inspectors thought that this approach helped change the culture and drive improvement.

3.5. In some Areas, inspectors noted examples of performance benchmarking between Areas, used to identify aspects of good practice and better ways of working. Not all Areas routinely benchmarked performance or identified best practice. Inspectors commented that this could be better used as a tool to assess and drive up local performance.

3.6. In a number of Areas, we identified a focus on performance improvement, which was a strength. In several reports, we highlighted that teams were held to account and, in some cases, a drive for continuous improvement was well embedded in an Area's performance culture. Inspectors found that, in a number of Areas, the senior management team challenged performance in a suitable way, which engendered a culture of accountability and ambition. When poor performance was raised as an issue, managers carried out appropriate analysis to identify the causes and inform actions.

3.7. However, our findings highlight a lack of consistency across the CPS as to how robustly performance is managed. A number of reports highlight issues for Areas to address, including using performance information better and ensuring that operational managers are regularly included and engaged in performance analysis and improvement activity.

3.8. Inspectors noted that generally, most Areas needed to improve the completion rates and effectiveness of individual quality assessments (IQAs) and subsequent learning. Too often, there was a lack of effective feedback and limited evidence that IQAs were resulting in performance improvement. Since we commenced the AAP inspections, the CPS has made a concerted effort to increase completion of IQAs. Rates of completion have significantly increased, although a number of Areas have yet to achieve the 10% dip sampling requirement in all aspects of assessment. This featured as a specific issue to be addressed in three of the reports.

3.9. In both London Areas, there was an emphasis on ensuring that IQAs of prosecutors' work are completed and that learning results from this, supported by the use of Casework Quality Boards. This emphasis was linked to an improvement plan for the performance of London North and South, and had been accompanied by an increase in resource for the Areas. Inspectors noted that the increase in the number of legal managers across the Areas (reducing

the spans of control) had resulted in a focus on quality. This showed in casework results and our assessment of the quality of legal decision making.

3.10. All inspections noted that there was effective budgetary control in the Area and that assurance and budgetary governance processes worked well. The majority of Areas have grip over their budgets, with regular monitoring and forecasting in place. In four Areas, inspectors rated resource management as excellent. Inspectors did note an over-reliance on agents in some Areas, mainly as a result of a shortfall in prosecutors; this impacted efficiency in these Areas and caused some problems in case updating and casework management.

An open and proactive approach to sharing information is apparent from the majority of reports

3.11. While there was generally effective financial control in place, inspectors highlighted that a number of Areas would benefit from reviewing their resource allocation. In some cases, inspectors highlighted issues about the distribution of resources and, in one Area, there was evidence that suggested resource

imbalances may be having an adverse impact on the work–life balance of some staff. The effective use of external counsel and agents features in a number of the issues to address. One report highlights a need to work with Her Majesty’s Courts and Tribunals Service to reduce the number of court sessions and thus reduce reliance on prosecutor agents.

3.12. We found that recruitment and retention of staff were particular challenges in a number of Areas. In one report, we suggested that the Area develops a strategy to improve local recruitment processes. Inspectors noted that, where Areas were given the flexibility to recruit legal resources to a level above that indicated by the National Resourcing Model, this had helped deliver results. This was noted by inspectors in both of the London Areas.

3.13. In line with the strategic relationships noted in Part A, all reports highlight that there were effective and good working relationships with criminal justice partners at an operational level. In many instances, there were examples where the CPS took a lead on initiatives such as TSJ and BCM. An open and proactive approach to sharing information is apparent from the majority of reports. However, whilst there are a number of examples of joint working leading to improved outcomes, inspectors found that good relationships were not always leading to improvement, including improvement of poor quality products from partners, as set out in Part C. Some Areas need to keep working with partners to maximise the benefits that joint work has produced elsewhere.

3.14. A number of reports include issues to address which relate to the impact that the quality of the police file has on the resourcing and efficiency of the Area. Working with the police to improve the quality of the police file features in some reports as an issue to address, as does the need for appropriate and effective feedback from managers to the police.

3.15. Inspectors found 13 examples of good practice in the Areas inspected, and 14 strengths which highlight consistently good work in a number of Areas. Inspectors noted 23 issues to be addressed. These include a need for improved performance data sharing, analysis and use of performance tools such as IQAs to deliver results in some areas. Inspectors also identified a strong focus on maximising the use of resources within some Areas.

4. Part C: Delivering high quality casework

4.1. Our AAP inspection work considered whether CPS Areas were delivering high quality casework. We assessed whether the CPS was delivering justice through excellent, timely legal decision making and casework presentation, and whether this was leading to improved outcomes. As stated in paragraph 1.4, we extended the coverage of our AAP inspections to the two Areas which were subject to the initial 2016 pilot stage of the AAP: CPS Cymru-Wales and CPS South West.

4.2. In every CPS Area, our findings highlight some clear themes. In most Areas, there was a weakness with the CPS's handling of disclosure, although as we have acknowledged in paragraph 1.15, significant resources have been invested to improve disclosure performance. Early signs of this change were evident in the more recent CPS Cymru-Wales inspection. Inspectors noted that the quality of the Area's handling of a number of aspects of the disclosure regime was effective. However – as with most Areas reported on in the August 2018 composite report – CPS London North, CPS London South and CPS South West have challenges with how they manage disclosure. All three Areas have developed a local and joint improvement plan.

4.3. Across all our AAP inspections, inspectors had concerns about the late review of cases in both the magistrates' courts and the Crown Court. Our more recent inspections found little difference since our inspections in 2017. A late review can cause unnecessary work for stakeholders, particularly in court, with time lost to address problems that should have been resolved much earlier in the process.

4.4. There were late review issues in both London Areas, where a significant proportion of the magistrates' court and Crown Court cases we reviewed had an inadequate review or no review at all. In the CPS South West report we noted that, after the first hearing, the Area's grip on cases tended to fall away, which can cause delays and unnecessary work.

4.5. In a large number of Areas, there was a need to improve case progression. Areas need to do more to improve this over the life of cases. Inspectors were impressed with the work in CPS Cymru-Wales, which was the only Area throughout the whole programme to be rated as good in each aspect of delivering high quality casework.

4.6. Inspectors also thought that there needed to be better casework quality assurance, with more effective use of the CPS quality assurance system. Across all 14 reports, inspectors set out 75 issues to address, more than twice as many as in any other part of the AAP inspection framework. Inspectors rated one Area as poor, one Area as good and the remaining eight as fair.

Part C: High quality casework	C1: Reviews and decisions in magistrates' courts	C2: Case progression in magistrates' courts	C1: Reviews and decisions in Crown Court	C2: Case progression in Crown Court	Overall score for Part C
Cymru-Wales	Fair	Good	Good	Good	Good
East Midlands	Fair	Fair	Good	Good	Fair
East of England	Good	Fair	Good	Good	Fair
London North	Fair	Fair	Fair	Fair	Fair
London South	Fair	Fair	Fair	Fair	Fair
Merseyside & Cheshire	Good	Fair	Fair	Fair	Fair
North East	Fair	Poor	Poor	Poor	Poor
North West	Fair	Fair	Fair	Fair	Fair
South East	Poor	Fair	Poor	Fair	Fair
South West	Good	Fair	Poor	Fair	Fair
Thames & Chiltern	Poor	Fair	Fair	Fair	Fair
Wessex	Poor	Fair	Fair	Good	Fair
West Midlands	Good	Fair	Fair	Fair	Fair
Yorkshire & Humberside	Fair	Fair	Fair	Fair	Fair

Table 4: Scores for CPS Areas' performance against Part C of the AAP inspection framework

4.7. As noted in paragraph 4.2, a substantial number of the reports highlight a need to improve how the CPS discharges its obligations around disclosure, in both magistrates' court and Crown Court casework. The issues to address include general recommendations designed to encourage improvement in the handling of disclosure, specific training requirements, a need to work with the police to rectify defects and provide guidance around defence statements, and the necessity of ensuring that disclosure record sheets are completed appropriately. Recommendations around the adequate completion of disclosure record sheets are particularly common, and relate to the importance of keeping an adequate audit trail of actions and rationales for decisions. Our report *Disclosure in the Crown Court* is the result of a focused inspection of disclosure.⁶

⁶ [add link to Disclosure report]

4.8. In light of concerns about the general handling of disclosure, the CPS has instituted a number of measures designed to improve performance. These include the National Disclosure Improvement Plan (NDIP),⁷ published in January 2018, and the establishment of the NDIP Board with police partners. Other internal measures include an extensive training programme and more rigorous internal quality assurance of how well prosecutors deal with the disclosure of unused material.

4.9. Proposals designed to improve the timeliness of casework review also feature for both the magistrates' court and Crown Court teams. These proposals seek to address non-compliance with the principles of BCM and TSJ (now rated as business as usual within the CPS), among other aspects.

4.10. Our file examinations in the 2018–19 AAP inspections showed that effective and timely reviews were still not being carried out in either the magistrates' courts or the Crown Court. In both CPS London North and CPS London South, a quarter of the cases we examined either had not been subject to an effective review or had not been reviewed at all. In CPS Cymru-Wales, one of the top performing Areas as measured by the CPS, our file examination identified issues with the timeliness of decision making, and in too many cases reviews were late or missing. Whilst a number of the issues to address specifically refer to a need for improvements around the initial review, others outline relate to how cases need to be better progressed after the first hearing.

4.11. Although less commonplace than these matters, our reports included a large number of issues to address that focused on the need to improve the effectiveness of quality assurance. These reinforce similar findings in our assessment of the drive for continuous improvement (see Part B). In general, we found that CPS Areas needed to embed IQAs to improve casework quality. Since we began the AAP inspections, the CPS has made a concerted effort to increase IQAs. Rates of completion have significantly increased, although a number of Areas have yet to achieve the 10% dip sampling requirement in all aspects of assessment.

4.12. Inspectors were encouraged that in both London Areas, there was more robust use of IQAs. The use of Casework Quality Boards to help improve casework quality through learning was identified as good practice in both reports.

4.13. Many of the AAP reports also refer to proposals designed to encourage improvement in the quality of police files. The quality of police files has been a longstanding issue in London, and both CPS London North and CPS London

⁷ cps.gov.uk/publication/national-disclosure-improvement-plan and cps.gov.uk/disclosure

South have been working with the police to help improve this. Recently, the Metropolitan Police Service has agreed to increase police supervision of files being sent to the CPS.

4.14. Inspectors highlighted five strengths and seven aspects of good practice. Strengths include the extended use of case management panels to identify learning in one Area and, in another, joint training with the police to improve file quality in rape and serious sexual offences (RASSO) cases.

4.15. Annex C sets out, in more detail, some findings from the 1,830 files that we examined as part of the AAP inspection process.

5. Part D: Ensuring public confidence

5.1. Public confidence, and the service delivered to victims and witnesses by the CPS, are key elements of our assessment. Inspections considered whether CPS case decisions were appropriately explained to victims and whether the CPS's interaction with victims and witnesses takes account of their needs. It is also important that CPS Areas work with and learn from local communities to build confidence in the criminal justice system. Within this part of the inspection framework, we assess engagement and the impact it has on public confidence.

5.2. Our overall assessment of CPS Areas' communication with victims and witnesses was that more could be done to communicate in a timely and effective manner. The CPS is generally effective at representing victims' and witnesses' interests within the court process, making timely and effective representations in court. We found that most Areas had good levels of community engagement and worked effectively to use feedback to improve local practices and processes.

Part D: Public confidence	D1: Communication with victims	D2: Interests of victims, witnesses and the public	D3: Community engagement	Overall score for Part D
East Midlands	Poor	Fair	Good	Fair
East of England	Fair	Good	Good	Good
London North	Fair	Fair	Fair	Fair
London South	Fair	Fair	Fair	Fair
Merseyside & Cheshire	Fair	Good	Good	Good
North East	Fair	Fair	Good	Good
North West	Fair	Fair	Good	Fair
South East	Fair	Fair	Fair	Fair
Thames & Chiltern	Poor	Fair	Poor	Poor
Wessex	Poor	Fair	Good	Fair
West Midlands	Fair	Good	Good	Good
Yorkshire & Humberside	Good	Good	Good	Good

Table 5: Scores for CPS Areas' performance against Part D of the AAP inspection framework⁸

⁸ Excludes the pilot Areas, which were inspected under a different framework.

5.3. Our overall inspection findings show that Areas can struggle to identify where letters need to be sent. When the need is identified, Areas can struggle to send them in a timely manner, or in some instances at all. Of the 1,830 files we examined, 311 required the CPS to send the victim a letter. In nearly three quarters (74.6%) of cases where a letter was required, one was sent; but 14.7% were sent late. In 25.4% of cases where a letter was required, no letter was sent.

5.4. Inspectors also assessed the quality of the letters that were sent. Just over two in five letters (40.9%) were assessed as fully meeting the expected standard; that is, clear, containing the correct information, and having the correct balance of empathy and explanation. Another 38.4% of letters were assessed as partially meeting the required standard. Some of these letters were complex and/or used legal phrases, and they did not always read as empathetic. The remaining 20.7% of letters were assessed as failing to meet the standard. Some of these letters contained incorrect information and/or confusing detail, or were not addressed correctly.

5.5. The reports highlight good work taking place in most Areas' Victim Liaison Units (VLUs).⁹ In two Areas, the VLU was noted as a strength. However, in the majority of Areas, inspectors found that there was a problem with lawyers notifying the VLU of the need for a letter and providing a form of words for the VLU to include in the letter. This lack of adherence to established process puts pressure on VLU staff to get letters out in a timely way and also can impact the quality of the letters.

5.6. Our inspection work also noted how well victims' interests were dealt with and how well victims' views were represented in the court process. Inspectors praised both London Areas for making sure that prosecutors sought the appropriate hate crime uplift in sentencing in a number of cases. However, in a number of reports, it was noted that victim and witness issues arising during the progress of the case were not being prioritised. This resulted in cases where victims' issues were not being addressed. In some reports, inspectors highlight delays in responses to witnesses' queries, and this lack of proactive handling may be one reason why cases fail due to victim issues.

5.7. In four Areas, inspectors noted many instances where witness statements sent digitally to the CPS by the police included the personal details of the victim. Whilst we note the good work with police partners in Part B, inspectors were concerned that in some Areas not enough was being done to remind the police of their obligations with respect to handling victims' personal

⁹ Victim Liaison Units produce and send letters to victims using information provided by prosecutors.

data. In these four reports, inspectors included this among the issues to address, because the release of sensitive information causes security breaches, and inspectors noted that there has been a large increase in the number of breaches reported. More recently, the CPS has established a process where Area Business Managers collate information and write to the police on every occasion of a police data quality breach, inviting the police to self-report to the Information Commissioner's Office where appropriate.

5.8. Generally, we found that there were good relationships between witness care units and CPS Areas. But in some Areas, witness care units raised concerns about delays in dealing with witnesses' queries. A common theme identified in a number of reports was the need for the CPS to ensure that communications with witnesses are actioned promptly and prioritised during the trial process; this features as an issue to be addressed in a number of reports.

5.9. It is important for Areas to have an effective and proactive community engagement strategy, and for regular dialogue to take place. This helps to increase public confidence and to ensure that Areas represent their local communities. In some Areas, we found that this was high on the local agenda, with real commitment from senior teams to engage with community representatives, raise the CPS's profile within the local community through effective engagement with the local press, and use learning from engagement to improve internal processes and staff awareness. In a number of Areas, inspectors found that the absence of an Inclusion and Community Engagement Manager (ICEM) created gaps which had the potential to impact on local engagement, although in some cases, local managers had tried to mitigate the impact. Where there was an ICEM in place, this had given some Areas the ability to work closely with community groups.

5.10. Inspectors found that, in most Areas, Local Scrutiny and Involvement Panels (LSIPs) were being used effectively to engage with community representatives. In a number of Areas, there had been an increase in community representation on the LSIPs and more effective sharing of feedback from community groups to enable lessons to be learnt. However, in most Areas, inspectors found that much more could be done to share the LSIPs' views and findings with staff to improve casework handling.

5.11. In some of the better performing Areas, inspectors identified that a clearer, more focused approach to community engagement was leading to improved outcomes for victims and witnesses and/or better casework decisions.

5.12. Inspectors identified four examples of good practice, nine strengths and 26 issues to address across the 12 reports.

6. Part E: Efficiency and value for money

6.1. Each AAP report contains a section that pulls together evidence from the first four sections of the framework to assess whether the Area is ensuring the maximum benefit for users and stakeholders with the resources available. We do not produce a scored assessment in these sections, but the narrative sets out how well we think the Area is using the right people to do the right things at the right time for the right cost, and delivering the right outcome.

6.2. As the AAP programme has developed, it has become clear that there is not necessarily a correlation between some of the high level outcomes and the quality of the value added by the CPS. There are a number of factors which can have both a positive and negative impact on outcomes outside the CPS's direct control. These factors can include, but are in no way limited to:

- the service provided by the local police force(s)
- the attitudes and actions of the local defence community
- Her Majesty's Courts and Tribunals Service's listing practices
- the robustness of the magistrates and the judiciary.

6.3. The CPS Areas that were assessed as delivering good value for money were those which were improving outcomes whilst working within budget. They demonstrate that performance can be improved by weeding out inefficiencies and working with partners to streamline processes. Whilst inspectors recognise and commend a focus on successful outcomes, a number of reports also highlight the importance of the CPS's duty to deliver a quality service to the public.

6.4. All the reports make some reference to aspects of casework which require improvement to increase the value the Area can add. Whilst there are some references to a need for better quality charging and review decisions, a consistent theme across all Areas is the need to improve practices around the timeliness of review and case progression. A lack of grip causes unnecessary work for stakeholders; for example, it affects the court, with time being lost to address problems that should have been resolved much earlier in the process. Most importantly, it can have a direct effect on the victim's and witnesses' experiences, which can ultimately affect public confidence in the criminal justice system as a whole.

6.5. Having the right staff covering the right role is critical to ensuring that the Area can deliver value for money. There is no doubt that recruitment is a particular problem in some Areas; currently, the CPS is up to 200 prosecutors short against its own resourcing model. In one Area, which was struggling to

recruit because of geographical issues, we found there were not enough prosecutors. This led to inefficiencies which, in turn, contributed to a higher number of hearings per case than the national average: something the Area could not afford.

6.6. The AAP reports refer to different Areas' differing approaches to the lack of staff or imbalance within particular grades. Improved digital working has enabled staff in some Areas to work in teams which provide services remotely to other Areas, and it is good to note how well this can work. We also found that smarter working has been broadly welcomed and is having a positive effect, not only on staff engagement, but also on productivity.

6.7. In early AAP inspections, inspectors came across several examples of external counsel being instructed to provide charging advice. This practice often fails to provide value for money. Not only is it expensive, it is also inefficient, because any charging decision requires authorisation by a crown prosecutor, resulting in duplication of work.

6.8. We found that effective deployment of crown advocates was inconsistent. Some Areas maintain high utilisation figures for their crown advocates to achieve savings, whilst others are not maximising their potential and are still seeking solutions to this challenge. There is also inconsistency in the extent of agent usage in the magistrates' courts, mainly as a result of the shortfall of lawyer numbers; this can impact value for money, not only because of the costs incurred, but also the restrictions on their ability to progress cases. However, the CPS London North and CPS London South reports highlight that, with the additional commitment of resources, some of the concerns raised in inspections earlier in the AAP were not as obvious. In CPS South West, there were some concerns about delays in charging cases, which adversely impacted the efficiency of the criminal justice system.

Annex A

Inspection framework

Area Assurance Programme inspection framework

Introduction

The framework is split into five sections: The success of CPS people; Continuous improvement; High quality casework; 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. It takes account of, and considers, other key initiatives such as Standard Operating Practice, Transforming Summary Justice and Better Case Management.

Overall, inspectors are looking to see that the CPS delivers the maximum benefit for users and stakeholders with the resources available. This means the right people doing the right things at the right time for the right cost – and delivering the right outcome. The focus throughout the Area Assurance Programme is on ensuring that the CPS achieves successful outcomes and quality service delivery through proper governance, casework quality, 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 service.
 - a. Senior managers act as role models, demonstrating commitment to CPS values and equality and diversity policies.
 - b. Senior managers have effective engagement with staff on strategic and operational matters.
 - c. Senior managers effectively communicate the vision, values and direction of the CPS.
 - d. All managers motivate staff, build effective teams, and challenge inappropriate behaviour.
 - e. All managers understand and take responsibility for implementing senior management decisions.
 - f. Regular and open dialogue occurs through team meetings, with feedback to senior managers of relevant information.
 - g. 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.
 - a. Senior managers promote an open and constructive approach with criminal justice colleagues.
 - b. 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.
 - a. The Area has integrated equality into all relevant strategies and plans, including the Area training plan, and there is equality of access to training.
 - b. The Area is implementing a plan to improve staff engagement levels, which is delivering results.
 - c. Sickness absence reduction targets have been set and actions taken to meet them.
 - d. Good performance is identified and rewarded, and poor performance tackled appropriately.

Part B: Continuous improvement

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.
 - a. 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.
 - b. Analysis of performance informs decision-making and resource allocation, leads to remedial action being taken where appropriate, and contributes to improving performance.
 - c. There is effective benchmarking of performance across the Area against other Areas, national performance and CPS levels of ambition, which informs decision making and resource allocation.
 - d. Performance information is disseminated in a readily understood format to staff.

- e. 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.
 - f. Teams are held to account for their performance.
 - g. 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.
 - h. The Area Performance Review process is applied robustly and openly and used to improve performance.
2. Resources are systematically managed and deployed effectively.
- a. The Area's budget is systematically controlled through appropriate delegation, proper monitoring, and accurate knowledge of committed expenditure.
 - b. The Area's budgetary allocation and planning support strategic and operational delivery.
 - c. 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.
 - d. Area managers are effective in negotiating financial matters with CPS Headquarters and partners.
 - e. The Area has effective systems for assessing the most appropriate staffing structure and staffing levels across the Area. These are used to ensure that work is conducted by staff at the right level.
 - f. The balance between usage of in-house prosecutors and agents represents a good use of resources.

3. Joined up working is effective and delivers improvements in outcomes for users.
 - a. There are effective arrangements for joint performance management with criminal justice partners. These include robust quality assurance processes.
 - b. Relevant performance information, areas for improvement and good practice are shared between criminal justice partners and used to identify strengths and weaknesses.
 - c. 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 decision making, casework preparation and presentation, leading to improved outcomes.

Criteria

Magistrates' court casework

1. Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; are 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.
 - a. The Area checks that all files received from the police comply with the National File Standard and the principles of Transforming Summary Justice (TSJ). Unresolved issues are escalated when appropriate.
 - b. The Area feeds back effectively to the police where they do not comply with the Code for Crown Prosecutors or the Director's Guidance on Charging.
 - c. The Area ensures that there is a timely and proportionate review in all cases requiring one, and that it is appropriately recorded.

- d. Reviews and decisions: comply with the Code for Crown Prosecutors 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.
 - e. The Area complies with its duties of disclosure in relation to unused material.
2. Case preparation and progression is effective and timely.
- a. Area systems support the effective progression of cases, including compliance with Criminal Procedure Rules and Standard Operating Practice.
 - b. The Area ensures that cases progress at the first magistrates' court hearing in accordance with Transforming Summary Justice principles.
 - c. The Area ensures that the numbers of effective trials and successful outcomes are increasing through effective case preparation and progression.
 - d. The Area has an effective system for the management and monitoring of custody time limits.

Crown Court casework

3. Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; are 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.
- a. The Area checks that all files received from the police comply with the National File Standard and the principles of Better Case Management (BCM). Unresolved issues are escalated when appropriate.
 - b. The Area feeds back effectively to the police where they do not comply with the Code for Crown Prosecutors or the Director's Guidance.
 - c. The Area ensures that there is a timely and proportionate review in all cases requiring one, and that it is appropriately recorded.

- d. Reviews and decisions: comply with the Code for Crown Prosecutors 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.
 - e. The Area complies with its duties of disclosure in relation to unused material.
4. Case preparation and progression is effective and timely.
- a. Area systems support the effective progression of cases, including compliance with Criminal Procedure Rules and Standard Operating Practice.
 - b. The Area ensures that cases progress in the Crown Court in accordance with Better Case Management principles.
 - c. The Area ensures that the numbers of effective trials and successful outcomes are increasing through effective case preparation and progression.
 - d. The Area has an effective system for the management and monitoring of custody time limits.

Part D: Public confidence

Performance expectation

The service provided to victims and witnesses is central to the work of the Area. It ensures that decisions are appropriately explained and that its interaction with victims and witnesses takes account of their needs, is open and direct, and shows empathy.

Criteria

- 1. Communications with victims under all applicable initiatives, Codes 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 scheme) occur where required, and are timely and of a high standard.
 - a. The needs of victims and witnesses are fully considered and there is timely and appropriate liaison and support throughout the prosecution process.

- b. The Area ensures compliance with the requirement to consult victims in appropriate cases, including discontinuance and acceptance of pleas.
 - c. 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 scheme) where appropriate.
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.
- a. The Area ensures that victim and witness issues are considered at the pre-charge stage, and clear instructions are provided to advocates for all hearings.
 - b. The Area ensures that applications to refuse bail, seek bail conditions or appeal the grant of bail are appropriate and proportionate, and are effective in protecting the victim and the public.
 - c. The Area ensures that the opportunity to make a Victim Personal Statement has been provided in applicable cases, and that prosecutors take the necessary steps to present it to the court in the way that the victim chooses, as far as possible.
 - d. Area processes ensure that the right ancillary orders are sought at sentencing or other disposal to protect the victim, witnesses or public.

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 focused on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

Criteria

1. Area managers actively promote the concept of value for money throughout the Area.
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.
3. High quality casework is maximising the likelihood of a successful result.
4. Partnership working is delivering positive results in outcomes for users.
5. Through effective management, the Area makes best uses of its resources to optimise their effectiveness and deliver successful outcomes.

Annex B
**Issues to address,
good practice
and strengths**

Issues to address

Part A: The success of CPS people

East Midlands	1	The Area should evaluate the effectiveness of, and the benefits gained from, its internal staff communication and engagement processes.
London North	1	The Area needs to address issues relating to inclusion and fair treatment, and bullying, developing an effective measurable plan to reduce these levels before the 2018 Civil Service People Survey.
London North	2	The Area needs to address the rising trend in sickness absence, with a particular focus on long-term absence.
London South	1	The Area needs to ensure the members of staff based in Leicester feel they are an integral part of London South.
London South	2	The Area should ensure that the operational delivery profession benefits from regular formal team meetings to discuss specific matters related to their work.
Mersey-Cheshire	1	The Area needs to focus on creating a more effective training programme for staff which is ambitious and sets out a clear programme of training.
North East	1	Senior managers must develop a strategy to ensure that they have constructive visibility with staff across each office.
North East	2	Senior managers must develop an effective communication policy which delivers an Area wide understanding of the local and national vision and priorities.
North East	3	Managers must ensure that all staff have Personal Development Plans.
North West	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.
South East	1	Senior managers need to develop a programme of training and support to ensure that all staff are fully digitally proficient and effectively manage cases in accordance with the Standard Operating Practices.
Thames and Chiltern	1	The Area needs to instil a one Area ethos.

Thames and Chiltern	2	The Area needs to review the level of managers attending stakeholder meetings to ensure operational managers can contribute effectively to improving casework performance.
West Midlands	1	Increase awareness of the vision of the Area within the administrative cadre.
West Midlands	2	The Area needs to focus on creating a more effective training programme for non-legal staff, which improves the focus on the professionalisation of the administrative cadre
Yorkshire and Humberside	1	The Area needs to ensure greater senior management engagement with administrative staff.

Part B: Continuous improvement

East of England	1	The Area should review the numbers, composition and focus of the various performance meetings held across the Area to ensure that all are delivering the required value and benefits relative to the management time committed to them.
East of England	2	The Area needs to ensure that headline performance information is disseminated to staff so that they are aware of the Area's performance trends and how it compares to other Areas' performance, and in a way that improves the CPS East of England Area identity.
London North	3	The Area needs to review the functions of the pan-London Business Centre and those of dedicated Area staff to identify any duplication in order to streamline the operation of both.
London South	3	The Area needs to review the functions of the pan-London Business Centre and those of dedicated Area staff to identify any duplication.
Mersey-Cheshire	2	The Area should ensure that all staff are notified when an Individual Quality Assessment has been recorded and that face to face feedback is given in a timely manner.
North East	4	All legal managers should comply fully with the requirement to carry out Individual Quality Assessment of lawyers' work and use the findings to provide feedback and secure performance improvement where required.
North East	5	The Area Business Manager should review spend on pre-charge advice by counsel, including the levels of financial delegation, to ensure effective use of the Area's budget.

North East	6	The senior management team should review the resource allocation across units and offices to assure themselves that it is distributed equitably.
North East	7	Legal managers should ensure prosecutors comply with the requirements of the police file quality assessment process so that the returns are an accurate assessment of quality.
North West	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.
South East	2	The Area must ensure that casework performance is appropriately analysed, compared and challenged and improvement driven consistently across all teams.
South East	3	The Area needs to ensure that all operational managers are included in performance analysis and improvement delivery.
South East	4	All legal managers should comply fully with the requirement to carry out Individual Quality Assessment of lawyers' work and use the findings to provide feedback and secure performance improvement where required.
South East	5	Senior managers must develop a systematic plan to deliver an Area-wide structure that allows it to manage its workload efficiently.
South East	6	The Area must work with its police forces to ensure that the quality of files submitted meet the National File Standard.
Thames and Chiltern	3	The Area should evaluate whether there is sufficient oversight and sharing of information across the business and legal teams at a strategic and operational level.
Thames and Chiltern	4	The Area should develop a strategy for improving recruitment.
Thames and Chiltern	5	The Area needs to address the resourcing issues which are impacting adversely on the work-life balance currently experienced by some staff.
Wessex	1	The Area should reconsider local Prosecution Team Performance Management meetings as an effective means by which to drive forward improvement strategies at an operational level.
West Midlands	3	The Area needs to raise awareness of value for money principles amongst its operational managers, especially

		with regard to the impact of agent spend and use of external counsel.
West Midlands	4	The Area needs to work with Her Majesty’s Courts and Tribunals Service to address the current listing practices and to work systematically to reduce the number of court sessions which would allow it to reduce its reliance on prosecutor agents.
Yorkshire and Humberside	2	The Area needs to consider maximising the resources available in-house to cover magistrates’ courts in order to minimise agent spend.
Yorkshire and Humberside	3	The Area needs to further engage with police partners to raise the level of police file quality to the required standard.

Part C: Delivering high quality casework

East Midlands	2	The importance of constructive defence engagement should be emphasised, with clear instruction given that reviews must include engagement with the defence where these details are known.
East Midlands	3	Training should be delivered to ensure that all prosecutors are properly equipped to deal with disclosure.
East Midlands	4	A review should be undertaken to assess the effectiveness of current arrangements for the provision of non-electronic material for review before court and at court for the use of all parties.
East Midlands	5	The Area should review the process for bundling cases in the magistrates’ courts and, in particular, the stage at which the work is done to ensure that the documents bundled reflect the work of the reviewing lawyer.
East Midlands	6	Area legal managers need to ensure that, in all cases charged under the threshold test, there is a full Code for Crown Prosecutors test review recorded on the file.
East Midlands	7	Managers must ensure that hearing record sheets are entered promptly and accurately onto the case management system to enable hearing outcomes to be updated on time.
East of England	3	The Area must work with partners to ensure that witness availability is complete and provided in good time for the first hearing.
East of England	4	The Area must ensure that, in the magistrates’ courts, case progression activity after the first hearing is prompt, addresses witness issues and facilitates effective trials and fewer unsuccessful outcomes due to witness issues.

East of England	5	The Area must ensure that effective task management is embedded.
East of England	6	The Area must ensure that reviews in Crown Court cases are timely, set out a clear trial strategy and facilitate effective grip.
East of England	7	The Area must ensure that lawyers are consistently identifying and raising file quality issues appropriately with the police, both through formal file monitoring and through use of the escalation process.
East of England	8	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.
Cymru-Wales	1	The Area needs to ensure that the timeliness of both allocation and completion of file preparation improves, to ensure that cases are prepared properly and decisions recorded appropriately.
Cymru-Wales	2	The Area must ensure that, once a case is accepted at the triage stage, charging advice to the police is provided in accordance within the appropriate target timescale.
Cymru-Wales	3	In every case where the defendant is charged under the threshold test, the prosecutor must indicate clearly at what subsequent stage the Full Code Test is applied.
Cymru-Wales	4	When considering sensitive unused material schedules, prosecutors must ensure that: the items listed thereon meet the criteria for inclusion; where they do not, they request that the police submit correctly amended non-sensitive and sensitive unused material schedules; and the police are challenged when the evidence suggests there should be items on the sensitive unused material schedule.
Cymru-Wales	5	The Area should ensure that applications to adduce the bad character of the defendant are made in accordance with the requisite timescales; and that there is a full audit trail of the decision making process.
London North	4	The Area should continue to influence the police to improve the quality of police files by having an effective mechanism to hold the police to account, monitor file quality, share data and escalate issues.
London North	5	The Area should continue to influence the police to ensure that the identification of the anticipated plea is improved, to facilitate the timely review of cases and effective case progression.

London North	6	The importance of constructive defence engagement should be emphasised and clear instructions given that reviews must include engagement with the defence when details are known.
London North	7	The Area must ensure that quality reviews in Crown Court cases are undertaken in a timely manner, set out a clear case analysis and trial strategy, and facilitate effective grip.
London North	8	The Area should continue to influence partners to ensure that case progression in the Crown Court adheres to the expectations of Better Case Management (BCM).
London South	4	The Area should continue to influence the police to improve the quality of police files by having an effective mechanism to hold the police to account, monitor file quality, share data and escalate issues.
London South	5	The Area needs to ensure that cases are reviewed in accordance with Transforming Summary Justice timeliness, so the Area can alert the police about file quality issues in a timely manner and ensure that there is effective progression at the first hearing.
London South	6	The importance of constructive defence engagement should be emphasised and clear instructions given that reviews must include engagement with the defence when details are known.
London South	7	The Area must ensure that quality reviews in Crown Court cases are undertaken in a timely manner, set out a clear case analysis and trial strategy, and facilitate effective grip.
Mersey-Cheshire	3	The Area must ensure that there is adequate training provided to lawyers on case analysis and strategy to improve quality of charging decisions.
Mersey-Cheshire	4	The Area should make sure that cases are progressed to ensure trials are effective in the magistrates' court.
Mersey-Cheshire	5	The Area needs to ensure that legal managers quality assure charging advices in Crown Court cases so that they meet the required standard.
Mersey-Cheshire	6	The Area needs to continue to work with police partners and ensure that prosecutors improve their handling of disclosure and that decisions are recorded on the disclosure record sheet.

North East	11	<p>Legal managers should:</p> <ul style="list-style-type: none"> analyse the reasons for magistrates’ courts and Crown Court cracked and ineffective trials due to prosecution reasons analyse the reasons for unsuccessful outcomes due to prosecution witness issues set out what needs to be done to improve performance.
North East	12	<p>Legal managers must quality assure charging advices in Crown Court cases and ensure they meet the required standard.</p>
North East	13	<p>Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every Crown Court case.</p>
North East	14	<p>In Crown Court cases, legal managers must:</p> <ul style="list-style-type: none"> ensure the police are asked to rectify defective unused material schedules provide guidance to the police where required on what further work needs to be done in light of the defence statement quality assure disclosure record sheets, and ensure that they reflect accurately the complete disclosure audit trial and decision-making process.
North West	3	<p>Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every case.</p>
North West	4	<p>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.</p>
North West	5	<p>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.</p>
North West	6	<p>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.</p>

South East	7	Legal managers must ensure lawyers comply with the Standard Operating Practice to ensure a timely and qualitative review takes place in every case.
South East	8	Legal managers must ensure hearing record sheets are completed correctly and submitted within one day of the hearing in accordance with the Standard Operating Practice.
South East	9	<p>Legal managers must ensure:</p> <ul style="list-style-type: none"> • police are asked to rectify defective unused material schedules • there is quality assurance of disclosure record sheets • full compliance with the prosecution’s disclosure obligations.
South West	1	The Area needs to improve the quality of charging decisions made by Area prosecutors.
South West	2	The Area needs to ensure that it identifies and gives feedback to the police on non-compliance with file quality requirements in magistrates’ court cases.
South West	3	The Area needs to improve its recording of disclosure activity, ensuring that a full and complete record of all disclosure decisions and actions is maintained on the case management system on all relevant cases.
South West	4	The Area needs to work with agents to ensure that timely and complete hearing record sheets are submitted in all cases.
South West	5	The Area needs to work with police forces to ensure police correctly identify the likely plea.
South West	6	The Area needs to ensure that, once a case is accepted at the triage stage, charging advice to the police is provided in a timely way. In any cases where an action plan is set for the police, it should be effectively monitored.
South West	7	The Area needs to ensure that prosecutors record consideration of applications and ancillary matters on the Manual of Guidance Form 3.
South West	8	The Area needs to ensure that it identifies and provides feedback on non-compliance with file quality requirements to the police in Crown Court cases.

South West	9	The Area needs to review its systems for the identification and timeliness of victim letters in order to improve performance.
Thames and Chiltern	6	The Area needs to work with, and challenge where necessary, the police forces to improve the quality of police files submitted.
Thames and Chiltern	7	The Area needs to ensure cases are being reviewed and progressed in a timely manner in the Crown Court and magistrates' court.
Thames and Chiltern	8	The Area needs to improve the handling of unused material and ensure that decisions are recorded on the disclosure record sheet where appropriate.
Thames and Chiltern	9	The Area must ensure case management system hearing record sheets are being used to record all court hearings accurately.
Wessex	2	The Area needs to work with, and challenge where necessary, the police forces to improve the quality of police files submitted.
Wessex	3	The Area needs to put a mechanism in place to enable managers to effectively quality assure the initial reviews of their teams in order to improve quality.
Wessex	4	The Area needs to ensure that prosecutors undertake a full review of unused material and record their decisions on the disclosure record sheet.
Wessex	5	The Area needs to ensure that hearing record sheets are entered promptly and accurately onto the case management system.
Wessex	6	The Area needs to improve its case preparation work and comply fully with the requirements of the Transforming Summary Justice initiative.
Wessex	7	The Area should reconsider its arrangements with the police forces for dealing with disclosure in volume crime cases in the Crown Court.
West Midlands	5	The Area needs to ensure that cases are reviewed in accordance with Transforming Summary Justice timescales.
West Midlands	6	The Area needs to improve the handling of unused material and ensure that decisions are recorded on the disclosure record sheet where appropriate.
West Midlands	7	The Area needs to ensure that all staff manage their task lists effectively.

Yorkshire and Humberside	4	The Area must embed the Individual Quality Assessment process to ensure it improves casework quality.
Yorkshire and Humberside	5	Disclosure record sheet guidance in magistrates' court cases should be disseminated across the Area to ensure consistency and ensure disclosure audit trails are kept where necessary.
Yorkshire and Humberside	6	Prosecutors should feed back poor quality disclosure documents to the police to raise standards.
Yorkshire and Humberside	7	The Area must improve compliance with court directions and case progression tasks in order to increase the effective trial rate.
Yorkshire and Humberside	8	The Area needs to ensure that cases are reviewed in accordance with Better Case Management and national Standard Operating Practices.
Yorkshire and Humberside	9	Compliance with the requirements for the disclosure of unused material must improve.
Yorkshire and Humberside	10	The Area should ensure robust case progression of Crown Court cases.

Part D: Ensuring public confidence

East Midlands	8	Training is required on the Victim Communication and Liaison scheme process for all relevant staff.
East Midlands	9	An effective mechanism should be put in place to ensure that Victim Communication and Liaison scheme communications are timely, of a high standard and sent in all appropriate cases.
East Midlands	10	The community engagement strategy should include details of how the benefits of the community engagement can be measured with respect to casework quality.
East of England	9	The Area should liaise with its police partners to ensure that personal details of victims and witnesses are only endorsed on the correct part of the witness statement form.
East of England	10	The Area should ensure it continues its work to improve the quality of Victim Liaison Unit letters, including making sure that feedback on communications with victims is focused and clear, and drives improvement.
London North	9	The Area should ensure that the work to identify the letters that should be sent to victims drives measurable improvement in both the number and quality of letters.

London South	8	The Area should ensure that the work to identify the letters that should be sent to victims drives measurable improvement in both the number and quality of letters.
Mersey-Cheshire	9	The Area needs to implement steps to improve the timeliness and quality of letters sent under the Victim Communication and Liaison scheme.
Mersey-Cheshire	10	The Area needs to ensure that the community engagement strategy is finalised and Local Scrutiny Involvement Panels reinstated.
North East	15	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.
North East	16	Legal managers should ensure all lawyers are aware of when a bespoke paragraph in communications with victims is required.
North West	7	Managers should ensure that all communications with witnesses under the Speaking to Witnesses at Court initiative are properly recorded on the appropriate form.
North West	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.
North West	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.
North West	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.
North West	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.
North West	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.

South East	10	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.
South East	11	The Area needs to improve its interaction with the Victim Liaison Unit (VLU) and set up an effective quality assurance system to feed back issues and learning to the joint VLU.
South East	12	The Area needs to increase the extent of community representation at the Local Scrutiny and Involvement Panel (LSIP) and also ensure that there are effective mechanisms developed to share views and findings from the LSIP.
South East	13	The Area needs to develop an effective engagement plan with its witness care units to improve the provision of victim and witness care.
Thames and Chiltern	10	The Area must improve the timeliness of its communications with victims and ensure a letter is sent to the victim in every case in which it is required.
Thames and Chiltern	11	The Area should review its engagement strategy and identify further avenues in order to address community issues and demonstrate how this leads to improvements in casework quality.
Wessex	8	An effective mechanism should be put in place to ensure that Victim Communication and Liaison communications are of a high standard and sent in all appropriate cases. This should include re-visiting training for all relevant staff and ensuring the prosecutor drafts the appropriate paragraph.
West Midlands	8	The Area needs to ensure adherence to Victim Communication and Liaison processes, that they are fully understood by all legal staff in the Area and that steps are implemented to improve the quality of the letters sent.
Yorkshire and Humberside	11	Victim and witness issues arising during the trial process should be prioritised consistently across the Area.

Good practice

Part A: The success of CPS people

East of England	1	The Area produces a weekly newsletter for advocates who are in the office infrequently to keep them informed about important information and developments.
London North	1	The Chief Crown Prosecutor meets with all new and newly promoted staff to set out the vision for the Area and personally engage staff.
London North	2	The Area has appointed two legal managers in the magistrates' teams and a new starter team to manage the induction process.
London South	1	The Chief Crown Prosecutor meets with all new members of staff and newly promoted staff.
London South	2	The Area has dedicated District Crown Prosecutors in the magistrates' courts unit to induct and develop new starters.
Thames and Chiltern	1	The Area's Rape and Serious Sexual Offences (RASSO) analyses the results of Individual Quality Assessments and uses them as a holistic tool to improve their team's overall performance and the effectiveness of the unit.

Part B: Continuous improvement

London North	3	Weekly crown advocate liaison reports for unit managers capture the quality of preparation of cases and any issues raised by the court or counsel.
London North	4	Performance posters, which are displayed in the office, set out clearly how the unit is performing against the Crown Prosecution Service high weighted measures, the priorities for the next three months and how close the unit is to achieving a better rating.
London North	5	Staff high weighted measures champions raise awareness of the measures through a variety of media and engage a wider range of staff in the performance of the Area.
London North	6	Recruiting members of the Bar to work on short-term secondments allows the Crown Prosecution Service to adjust staffing levels and improve the experience for the Crown Prosecution Service and the Bar.
London South	3	There is effective use of performance information, which is linked to staff tasks, to drive improvements in the Area's key performance indicators.

London South	4	The weekly crown advocate liaison reports for unit managers capture the quality of preparation of cases and any issues raised by the court or counsel.
London South	5	Key performance information is emailed to staff in some teams and presented on office walls in the form of charts and figures.
London South	6	Recruiting members of the Bar to work on short-term secondments allows the Crown Prosecution Service to adjust staffing levels and improve the experience for the Crown Prosecution Service and the Bar.
North West	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.
North West	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.
North West	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.
North West	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.
North West	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.

Part C: Delivering high quality casework

East of England	2	The Area has developed a template for initial reviews in cases where a not guilty plea is anticipated, to ensure that the reviewing lawyer develops a strong case strategy and addresses everything that is required for effective case progression.
East of England	3	The preparation for effective trial form is included in the initial details of the prosecution case in Word format so that the defence can complete it electronically and send it to the court legal advisor.

East of England	4	The extended use of case management panels identifies learning and good practice.
London North	7	Desk top guidance supplements the national legal guidance and offers some practical ideas to assist prosecutors.
London North	8	The extended use of case management panels helps identify learning.
London South	7	The extended use of case management panels helps identify learning.
Thames and Chiltern	2	RASSO unit managers provided training to the police on file submission quality.

Part D: Ensuring public confidence

London North	9	The Victim Communication Letter panel of administrative staff meets monthly and provides feedback to deliver improvement.
Mersey-Cheshire	1	Easy read versions of community related documents.
Mersey-Cheshire	2	Service Level Agreement agreed with the Witness Service to ensure effective support for witnesses and victims at court throughout the duration of the court hearing.
North West	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.

Strengths

Part A: The success of CPS people

East Midlands	1	The Area has invested a lot of effort into staff engagement and as a result has scored consistently high figures in the Civil Service staff survey for the past two years.
East Midlands	2	There is a comprehensive internal communications strategy and all staff have the opportunity to contribute in appropriate forums.

East Midlands	3	The Area has developed strong working relationships with partner agencies and ensures effective representation at strategic meetings.
East Midlands	4	The Area has implemented a People Survey Staff Action Plan following the Civil Service staff survey 2015 results, broken down by team, with owners for specific actions to drive progress.
East Midlands	5	East Midlands demonstrates good levels of leadership by senior managers and there is evidence that CPS values are modelled in the Area.
London North	1	The Area has strong working relationships with key criminal justice partners and there is effective representation at meetings.
London South	1	The Area has strong working relationships with key criminal justice partners and there is effective representation at meetings.
London South	2	The Area is dealing with sickness effectively and has reduced average working days lost so that it is now the best performing CPS Area.
Mersey-Cheshire	1	The completion of effective equality impact assessments supporting the Area approach for implementing lawyer and paralegal rotation.
Mersey-Cheshire	2	The Area approach to recognising and supporting the operational delivery profession.
North West	1	The NW Weekly Brief that brings together the headlines for the Area and is sent to staff by email.
South East	1	Senior managers have continuously improved the Area's staff engagement.
South East	2	Senior managers are clearly visible and have set out and communicated their vision and priorities to the Area.
Thames and Chiltern	1	The Area ensures staff have access to training by consistently encouraging them to use their Individual Learning Accounts, which has resulted in a high uptake amongst staff.
Wessex	1	There is a high level of staff engagement which the Area actively seeks to promote and maintain.
Wessex	2	Senior managers provide effective leadership and act as role models, demonstrating CPS values.
Wessex	3	Senior managers have regular and open dialogue with staff.

Wessex	4	The Area has established strong relationships with its criminal justice partners and is routinely and consistently represented at key external meetings.
West Midlands	1	The Area has established excellent relationships with stakeholders and takes a significant lead in criminal justice partnerships to drive up performance.
Yorkshire and Humberside	1	The Senior Management Team communicate well and lead by example.
Yorkshire and Humberside	2	The Area develops and plans for succession management well by involving junior legal and administrative managers in joint strategic meetings.
Yorkshire and Humberside	3	The Area engages well with stakeholders and has built upon relationships that were struggling in the past.
Yorkshire and Humberside	4	The Personal Development Review process is well embedded in the Area and is monitored regularly for both quality and timeliness.

Part B: Continuous improvement

East Midlands	6	The Area has taken a leading role in cross-agency initiatives aimed at improving performance outcomes.
East Midlands	7	There is evidence that performance is the focus of discussion and the Area actively seeks to improve its level of performance.
East of England	1	The Area makes good use of specific task and finish groups for defined improvement projects.
North West	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.
South East	3	The Area has successfully utilised a peer review approach in its Rape and Serious Sexual Offences team to improve performance.
South East	4	The Area's commitment to ensuring that sentencing uplifts are applied in relevant hate crime cases.
Thames and Chiltern	2	The Area's highly effective utilisation of its Crown Advocates.
Wessex	5	The Area has a clear focus on performance and actively seeks to improve it.
Wessex	6	The Area takes a proactive attitude to the sharing of performance data with staff and partners, and performance information is shared in an understandable format.

Wessex	7	The Area has an effective system for monitoring resources which allows senior managers to make prompt adjustments in spending in order to operate within budget.
West Midlands	2	There is an effective performance management regime across the Area designed to engender accountability, enable constructive challenge to the wider management team and produce improved outcomes.
West Midlands	3	The Area Data Integrity Group, which has resulted in a focus at all levels of data integrity and has improved its accuracy.
Yorkshire and Humberside	5	There is an effective performance management regime across a number of themes designed to engender accountability and enable constructive challenge to the wider management team.
Yorkshire and Humberside	6	There is suitable challenge within the Area by the Senior Management Team which has engendered a culture of accountability and ambition.

Part C: Delivering high quality casework

East Midlands	8	Cases are generally well prepared in the Crown Court and successful results are above the national average.
East of England	2	The CPS Crown Court manager's work with prosecution advocates and stakeholders at Basildon Crown Court to ensure that plea and trial preparation hearings are effective.
Mersey-Cheshire	3	The Area systems and processes for updating Crown Court cases using the case management system hearing record sheet.
South West	1	The Area's handling of rape and serious sexual offences cases.
Wessex	8	The Area has achieved a high level of successful outcomes in the magistrates' courts.

Part D: Ensuring public confidence

East of England	3	The Area's commitment to ensuring that sentencing uplifts are applied in relevant hate crime cases.
East of England	4	The Area's commitment to engaging with local community groups.
London North	2	The Area has worked to increase the number of cases where the appropriate hate crime uplift in sentencing is sought by prosecutors.

Annexes – Area Assurance Programme composite report

London South	3	The Area has worked to increase the number of cases where the appropriate hate crime uplift in sentencing is sought by prosecutors.
Mersey-Cheshire	4	The Area's regular dip sampling and monitoring of its duties under the bereaved family scheme.
North East	1	The performance management approach of the Victim Liaison Unit.
North East	2	The Area's commitment to engaging with local community groups.
West Midlands	4	The Area's prioritisation of hate crime cases has led to an improvement in the conviction rates.
Yorkshire and Humberside	7	The Area's Victim Liaison Unit is effective.

Annex C

Casework findings

Charging and review decisions

Code compliance

There were 1,830 cases in our file sample, of which 932 were charged by CPS Direct, 277 by CPS Areas, and 621 by the police. CPS Direct's decisions to charge were compliant with the Code for Crown Prosecutors in 95.0% of cases (885/932) and decisions by CPS Areas were compliant in 95.7% of cases (265/277).

The police complied with the Code in 93.1% of cases (578/621), and with the Director's Guidance on Charging in 83.9% of cases. There were 100 cases which the police charged but which should have been referred to the CPS for a charging decision. These included 24 sensitive cases: 11 domestic abuse allegations, one rape, three sexual offences other than rape, one child abuse case and eight hate crimes. In some of these 100 cases, there was no record on the file of feedback to the police about the failure to refer the charging decision to the CPS.

Rate of compliance with the Code for Crown Prosecutors	Magistrates' court cases	Crown Court cases	All cases
CPS Direct charging decisions	94.6%	95.1%	95.0%
Area charging decisions	93.9%	96.2%	95.1%
Police charges	93.8%	88.6%	93.1%
Area post-charge reviews	94.9%	96.1%	95.5%

Nineteen police forces and seven CPS Areas recorded 100% on Code compliance of their charging decisions; the worst police force reached only 66.7% compliance, and the worst CPS Area 83.3%.

There were 81 cases where the Area's post-charge decisions did not comply with the Code. Of these, 56 (69.1%) were cases where the CPS or police had already failed to comply with the Code at charging, and the Area had not rectified the error. The remaining 25 cases failed for the first time post-charge. In total, 127 cases featured a breach of the Code at one or more stages. Acquisitive offences accounted for nearly a third of these (29.1%), with offences against the person making up 17.3% and sexual offences 7.1%.

Most of the cases featuring a breach of the Code were not sensitive; however, 29 cases were sensitive, including 20 that featured allegations of rape, child abuse or other violence towards women and girls; and six of racially or religiously aggravated offending.

The quality of charging advice

The file examination highlighted a need to improve the quality of the charging decision, as recorded on Manual of Guidance Form 3 (MG3). Case analysis and strategy fully met the standard expected in only 40.9% of cases, and action plans were fully satisfactory in 46.4% of instances. Instructions for the court prosecutor and those dealing with applications and ancillary matters were rated slightly higher (54.9% and 56.6%, respectively, fully met the expected standard).

Areas' advices were rated worse than those delivered by CPS Direct for all aspects apart from case analysis and strategy. Areas' advices were particularly weak in dealing with applications and ancillary matters. Cases that ended in unsuccessful outcomes had much weaker case analysis and strategy compared to successful outcomes, especially in magistrates' court cases.

Overall, inspectors scored 1.2% of MG3s as excellent (15 cases in total, the majority of which were rape or child abuse cases finalised in the Crown Court), 40.3% as good, 40.5% as fair, and 17.9% as poor. Advices were rated as better quality in sensitive cases, and in those resulting in successful outcomes.

Initial reviews

Nearly a quarter of cases requiring an initial review (21.3%, or 352 cases) had no initial review. There was little difference between magistrates' court and Crown Court cases. It is not uncommon for court prosecutors to have to prepare their cases the night before court, or on the hearing date, because they are doing back to back courts, so cases which have not been reviewed add unnecessarily to this work. When an initial review had been carried out, we found that this was done in a timely manner in 69.7% of cases.

Decisions on plea

Decisions to take pleas or a basis of plea were correct in over four out of five applicable cases (82.3%). There is, however, considerable scope to improve the recording of bases of plea: only 21.1% of these were properly recorded and signed by prosecution and defence.

Police file quality

As discussed in paragraph #, the quality of the police file can have a significant impact on the way the case is prepared by the prosecution and progressed at the first hearing and beyond. In 39.3% of the cases in our file sample, there was full compliance with the National File Standard (NFS), with another 46.4% partially meeting the NFS requirements. There were significant geographical variations in our file sample between the police force areas, from only 17.9% full compliance in the worst police force to 65.4% in the best.

In the sample as a whole, there were differences in the quality of police files between cases which resulted in successful outcomes (42.6% fully met the expected standard) and those with unsuccessful outcomes (34.8% fully met). The difference was more marked in Crown Court cases (44.1% fully met in successful cases, 30.9% in unsuccessful). File submissions were better in sensitive cases (43.0% fully met) than in non-sensitive cases (37.8%). The police file was weaker when the police or CPS Direct charged, and strongest when Areas delivered charging decisions, which may indicate that Areas are better at setting out in their MG3 what needs to be included in the file submission.

The main failings in police file standards were overbuild (27.1% of those cases that did not fully meet the standard), the lack of a victim personal statement (18.9%), missing or poor quality key statements (17.8%), or other reasons (30.4%), which often meant not providing evidential hard copy media.

In nearly half the cases in our file sample (44.8%), the prosecutor identified a lack of compliance and raised it with the police. There was a significant difference between the best performing Area (80.9%) and the worst (22.6%). Many of the cases in our sample dated from before mandatory feedback was incorporated into the case management system as part of the initial review of a case.

Police files were submitted in a timely manner in 79.5% of relevant cases. The police delivered files on time more often in magistrates' court cases, in sensitive allegations and where the defendant was a youth.

Likely plea

The police correctly identified the anticipated plea from the defendant in 77.1% of applicable cases; the CPS was better in this respect, with 86.3% of MG3s being correct about the likely plea.

That leaves between 13.7% and 22.9% of cases where the file was built to the wrong standard. Where the police or CPS incorrectly anticipate a guilty plea, fewer details are provided in the case file and the initial details of the prosecution case, which adversely affects the ability of the defence, the prosecution and the court to prepare the case to the required standard for a not guilty plea. Conversely, incorrectly anticipating a not guilty plea may involve the police in more work on file building than is necessary, wasting scarce resources.

Case progression

Prosecutors prepared cases for the first hearing effectively in 74.3% of cases, with little difference between magistrates' court cases and Crown Court cases, and the first hearing was effective over three quarters (76.6%) of the time.

Of the 397 cases where the first hearing was not effective, the defence were responsible in 178 cases (44.8%). Often this was because the defendant had failed to attend. The second most common cause was the police (106 cases or 26.7%) followed by the CPS (93 cases or 23.4%). The court (17 cases, 4.3%) and probation service (3 cases, 0.8%) accounted for the remainder.

After the first hearing, cases did not progress as efficiently. There was no or only partial grip in the majority of cases (58.8%) and court orders and directions were complied with in a timely manner in under half (47.5%) of the applicable cases. Almost a third (30.0%) of decisions to discontinue were neither taken nor put into effect in a timely manner. Grip and compliance with directions were slightly better in Crown Court cases and sensitive cases, but this was reversed for timely discontinuances.

Disclosure

The police fully complied with their disclosure obligations in relation to unused material in 53.9% of cases in our file examinations. There was partial compliance in another 36.5% of cases. Successful cases and those which concluded in the magistrates' courts showed higher compliance rates.

Poor descriptions of items on the unused material schedules were the main reason for marking down nearly half the cases (40.3%) that did not fully meet the standard expected. Not supplying any schedules accounted for another 19.5% of applicable cases, and listing items wrongly for 9.7%. The final third of cases (30.5%) were marked down for other reasons, which included sending the wrong schedules, not dealing properly with witnesses' previous convictions, or not signing the required declaration regarding unused material in the summary of evidence (the MG5 form). We saw limited evidence of prosecutors identifying the police's lack of compliance in reviews or other notes on files, or of them feeding that back to the police.

Prosecutors' compliance on initial disclosure was not much better than that of the police, with 60.2% fully meeting the requirements. We found that disclosure record sheets were properly completed, with actions and decisions fully noted, in 35.7% of cases. Continuing disclosure was better handled, with 65.0% of applicable cases fully meeting the expected standard. Of the 599 cases that failed at initial and/or continuing stages, eight (across five Areas) featured a failure throughout the life of the proceedings to disclose material that undermined the prosecution case or assisted the defence. We did not find any miscarriage of justice as a result of these eight complete failures.

Annex D

Links to Area Assurance Programme reports

Area Assurance Inspection of CPS Cymru-Wales; May 2019

justiceinspectorates.gov.uk/hmcpsi/inspections/cymru-wales-aap-report-may-19

Area Assurance Inspection of CPS East Midlands; November 2016

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-east-midlands

Area Assurance Inspection of CPS East of England; October 2017

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-east-of-england

Area Assurance Inspection of CPS London North; October 2018

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-london-north-oct-18

Area Assurance Inspection of CPS London South; October 2018

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-london-south-oct-18

Area Assurance Inspection of CPS Mersey-Cheshire; April 2018

justiceinspectorates.gov.uk/hmcpsi/inspections/cps-mersey-cheshire-area-assurance-inspection-apr-18

Area Assurance Inspection of CPS North East; August 2017

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-north-east

Area Assurance Inspection of CPS North West; February 2018

justiceinspectorates.gov.uk/hmcpsi/inspections/cps-north-west-area-assurance-inspection-feb-18

Area Assurance Inspection of CPS South East; January 2018

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-south-east

Area Assurance Inspection of CPS South West; May 2019

justiceinspectorates.gov.uk/hmcpsi/inspections/south-west-aap-report-may-19

Area Assurance Inspection of CPS Thames and Chiltern; July 2017

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-thames-and-chiltern

Area Assurance Programme composite report

Area Assurance Inspection of CPS Wessex; December 2016

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-wessex

Area Assurance Inspection of CPS West Midlands; October 2017

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-west-midlands

Area Assurance Inspection of CPS Yorkshire and Humberside; February 2017

justiceinspectorates.gov.uk/hmcpsi/inspections/area-assurance-inspection-of-cps-yorkshire-and-humberside

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