

**HM CROWN PROSECUTION SERVICE INSPECTORATE**  
**INSPECTION OF CPS GREATER MANCHESTER (REPORT 2/05)**

**EXECUTIVE SUMMARY**

**Introduction**

1. This is the report of HM Crown Prosecution Service Inspectorate about CPS Greater Manchester. The Crown Prosecution Service is a national service, but operates on a decentralised basis with each of its 42 Areas being led by a Chief Crown Prosecutor (CCP) who enjoys substantial autonomy. This inspection was a full one (as opposed to intermediate), with inspectors considering the quality and timeliness of the Area's casework decision-making and all aspects of management.

**The Area**

2. CPS Greater Manchester serves the area covered by the Greater Manchester Police. It has seven offices, based in Manchester (two), Bolton, Hyde, Oldham, Rochdale and Wigan. The Area Headquarters (Secretariat) is based at the Manchester office.
3. The Area was previously reported on in February 2002. At the time of the current inspection it employed the equivalent of 435.1 full-time staff. In the year ending September 2004, it handled 90,292 cases in the magistrates' courts, 8,892 in the Crown Court, and pre-charge advice was given to the police in a further 17,448 cases.

**Main findings of the Inspectorate**

4. CPS Greater Manchester has maintained the good casework performance that inspectors found during their last inspection. In most key aspects of casework performance is better than that found in the inspection cycle-to-date. However, some aspects of the handling of the disclosure of unused material and the operation of the Area's custody time limit (CTL) systems are not fully secure.
5. The Area implemented successfully the statutory charging scheme - the site at Longsight Police Station being a national Pathfinder (a site that sets the lead for the others to follow). Having regard to the size of the Area and the number of charging centres this is a significant achievement. The move to statutory charging, and the planned co-location with the police at three sites, has now focused the attention of the Area's senior management on its future structure.
6. Relationships with the other criminal justice agencies are satisfactory, although there are some inter-agency performance issues that need to be addressed. The Local Criminal Justice Board (LCJB) is in the process of introducing local criminal justice groups, based on police divisions, which should help to drive up performance.

7. There are a number of issues that need to be addressed by the Area, particularly its overall structure and the development of a cohesive performance management regime.
8. The Greater Manchester criminal justice area is meeting its key performance targets; in particular it comfortably met its Narrowing the Justice Gap target and bettered its targets for reducing the ineffective trial rate in both the magistrates' courts and the Crown Court.
9. Performance in dealing with persistent young offenders (PYOs) is improving across the Area. The latest figures available for the period July - September 2004 indicate that the average period between arrest and sentence in Greater Manchester was 68 days. This was the fourth consecutive three-month rolling quarter in which Greater Manchester had achieved the national target of 71 days, although performance was not as good as the national average (64 days).

## **Specific findings**

### ***Casework***

10. Decision-making at the key stages of initial review, summary trial and committal review is sound. A particular strength of the Area is the ability of prosecutors to spot when additional information is required and to make the appropriate requests to the police.
11. Case preparation is also generally better than the national average found in our file examination, and this applies to both magistrates' and Crown Court cases. The effectiveness of the pre-trial review (PTR) system in the magistrates' courts needs to be improved. The late or non-delivery of police files is preventing effective summary trial review before the date set down for the PTR. In some cases this is leading to multiple adjournments of the PTR, which delays the proceedings and increases the uncertainty for victims and witnesses.
12. The Crown Court at Minshull Street (Manchester) operates the Effective Trial Management Programme (ETMP), an initiative involving all the criminal justice agencies working together, which aims to reduce the number of ineffective trials by improving case preparation and progression from charge to conclusion. Coupled with the development of an intranet-based plea and directions hearing (PDH) procedure, this has resulted in a significant reduction in the ineffective trial rate at that court centre for cases covered by the scheme.
13. The Area has some cases which should be committed for trial, but which are discharged because they are not ready and the court refuses an adjournment. Whilst inspectors' findings suggest that this is not a substantial problem, the Area needs to introduce systems to monitor these case outcomes.

### ***Advocacy and quality of service delivery***

14. The overall standard of advocacy is good, with a significant number of prosecutors - including CPS prosecutors and agents - being above average. However, the quality of case preparation by agents in the magistrates' courts can be affected by the late delivery of their files.

15. At present, Higher Court Advocates (HCAs) are only appearing on a regular basis in the Crown Court at Bolton, due to the commitment of experienced prosecutors to the charging scheme and to advocacy in the magistrates' courts. The Area needs to address this issue as soon as practicable.
16. The late transfer of cases between some Crown Court centres can impact adversely on the overall quality of service delivery at court, and the quality of care afforded to victims and witnesses in particular. This is an issue that needs to be addressed in conjunction with the Courts Service.

#### ***Victims and witnesses***

17. Witness and victim care at court is good. Prosecutors are seen as being receptive to the needs of victims and witnesses, and there is a good relationship at an operational level with the Witness Service, although the timeliness of the provision of information to the Witness Service could be improved in some parts of the Area.
18. The Area has implemented the Direct Communication with Victims (DCV) initiative. The standard of letters sent to victims is variable, and the timeliness and identification of the relevant cases needs to improve. The CCP had instigated robust remedial action before the inspection began.

#### ***Performance management***

19. The Area did not, at the time of our inspection, operate fully the Casework Quality Assurance (CQA) scheme. It was suspended, with the agreement of CPS Headquarters, during the implementation of the statutory charging scheme. The CCP was planning to re-introduce the scheme after a standard-setting exercise had been completed.
20. A detailed monthly performance digest is produced, but this needs to be re-assessed to ensure it reflects current Area priorities. There is also a need to ensure consistency across the Area in how the information is used to drive up performance.

#### ***People management and people results***

21. A more systematic approach to the planning and deployment of staff resources has been recently introduced. The high level structure of the Area was shortly to be reviewed and, while the Area was some distance away from making a decision, it is likely that the existing Branch structure will be altered substantially.
22. There was a lack of knowledge about the Area structure among some senior managers, and some confusion over line management and other responsibilities.

#### ***Management of financial resources***

23. The CPS Service Centre in Greater Manchester carries out many aspects of financial management normally carried out by a CPS Area themselves. The Area does not currently have sufficient staff in-house to manage and control its budget, or to ensure appropriate financial management across the Area. There is a need to ensure arrangements for financial management are addressed as part of the review of the Secretariat structure.

24. Counsel fees are paid promptly, with accurate fee information sheets being sent to the Service Centre for payment, within agreed timescales.

#### ***Partnership and resources***

25. The CCP, who has been in post for under a year, sits on the Local Criminal Justice Board and has responsibility for the Effective Trials Action Delivery Board set up under its auspices. He is also the senior responsible officer for the central LCJB projects: statutory charging, the national Effective Trials Management Programme, and the No Witness No Justice initiative. The LCJB was in the process of setting up smaller criminal justice groups, based on police divisional boundaries.
26. Across the Area there was involvement in a wide range of local groups, although there was a need to develop a consistent policy for involvement with the local Crime and Disorder Reduction Partnerships (CDRPs).
27. The Area has implemented successfully the Compass electronic case management system at all its sites, and also has terminals at all but one of its face-to-face charging centres. Secure e-mail between the CPS and the police is being rolled-out, which should assist communication between the agencies.

#### ***Policy and strategy***

28. The new CCP is aware fully of the needs and expectations of Government and the CPS nationally. Additionally, he has quickly come to understand the local criminal justice system (CJS) environment.
29. The Area worked well with police partners to ensure that the CPS was able to assume statutory responsibility for charging within agreed timescales and it is now fully committed to developing arrangements - with its CJS partners - to implement ETMP, and the No Witness No Justice initiative across the Area.
30. There is a commitment to change which is being tackled both through developing inter-agency activity and by better arrangements for governance within CPS Greater Manchester.

#### ***Public confidence***

31. The Area has undertaken a number of initiatives aimed at increasing both its level of community engagement and visibility in the local community. A detailed Action Plan had been developed, although there was a need to determine local priorities.

#### ***Leadership and governance***

32. Developing a vision for Greater Manchester CPS as a whole presents a significant challenge for the new CCP. Greater Manchester has been perceived as synonymous with the City of Manchester, rather than the Area as a whole, and there is evidence that staff outside that office feel detached from any CPS Greater Manchester identity.

33. The roles and responsibilities of senior staff, and inter-linking relationships, are not operating clearly and effectively within the Area. Some steps have been taken to improve arrangements for governance. However, work on reviewing the structure of the Secretariat has only recently begun, and clarification is needed of the relationships between, and responsibilities of, Branch managers and Secretariat staff, Secretariat staff and the Service Centre, and responsibilities for the organisation of training.

#### ***Bringing offenders to justice***

34. The Area has performed creditably in contributing to increasing the number of offenders brought to justice. As with other criminal justice areas, a target has been set to increase the number of offences brought to justice, on a 2001-02 baseline, by 5%. The LCJB is meeting and exceeding this target by some margin: in the year to June 2004, Home Office data indicates an increase of 11.6%.
35. Conviction rates in street crime cases are very good. The Area has worked well with police in coming close to achieving the overall target for reducing offences under the street crime initiative.

#### ***Reducing ineffective trials***

36. The rate of ineffective trials in the magistrates' courts for 2003-04 was 23.4% against a target of 25%. The most recent data for the rolling quarter ending August 2004 indicates a further improvement in performance to 19.9%. The cracked trial rate is a little higher than the national average, while the ineffective trial rate for robbery offences was good.
37. In the Crown Court the proportion of ineffective trials for 2003-04 was 22.1% against a target of 23%. As with the magistrates' courts, the most recent data for the rolling quarter ending August 2004 indicates a further improvement in performance to 17.4%. The cracked trial rate is, however, significantly higher than the national average.

#### ***Improving public confidence***

38. The LCJB is one of five who are in the process of conducting a Confidence Survey, which will contribute to setting a baseline target nationally and locally. A separate Victim and Witness Survey has also been carried out to help identify where performance can be improved further.

#### ***Value for money***

39. Fees paid to solicitor agents have been re-negotiated since the last inspection to eliminate the different rates paid by various Branches and to ensure the Area obtains value for money. The Area also keeps a tight control on its high cost cases, ensuring that counsel comply with the requirements of the scheme.

#### ***Equality and diversity issues***

40. The national CPS Staff Survey showed that staff in Greater Manchester were, overall, happier with the way they were treated at work than staff nationally. However, amongst administrative staff there was a need to address recognition and respect issues.

41. The profile of staff in some Branches is not representative of the local working population of the community they serve. Whilst the Area's growing community engagement programme may help to improve local knowledge about the CPS and its work, and its potential as an employer, further thought should be given to Area objectives for the recruitment of staff from black and other minority ethnic communities and how Area targets will be met.

## **Recommendations**

42. Inspectors made the following eight recommendations:
1. The CCP liaises with the Chief Constable of Cheshire to ensure that police complaint cases are submitted by the Cheshire Constabulary in time for all potential offences to be considered (paragraph 4.7).
  2. The Area Strategic Board improves compliance with the duties of disclosure of unused material by:
    - \* undertaking a training needs analysis and delivering training where such a need is identified;
    - \* ensuring the Attorney General's Guidelines are applied consistently;
    - \* developing and applying a consistent Area-wide approach to the voluntary disclosure of unused material;
    - \* strengthening procedures for dealing with secondary disclosure; and
    - \* monitoring compliance through the Casework Quality Assurance scheme (paragraph 4.46).
  3. The Area Strategic Board implements a common custody time limit system which complies fully with national guidelines, and that all relevant staff are trained appropriately (paragraph 4.65).
  4. The CCP consults with his counterpart in the Unified Courts Administration to ensure that the transfer of cases between Crown Court centres is managed so that the minimum upset and inconvenience is caused to victims and witnesses (paragraph 5.15).
  5. The Area Strategic Board ensures that the Casework Quality Assurance scheme is re-introduced across the Area (paragraph 7.1).
  6. The Area Strategic Board:
    - \* clarifies the management responsibilities of Level D Team Leaders;
    - \* when reviewing its structures, considers the role of the Unit Business Manager to give wider responsibility for the efficient operation of the unit and for performance monitoring and business improvement;
    - \* sets expectations for lawyer deployment;
    - \* determines arrangements for the deployment of caseworkers and their responsibilities relative to those of lawyers;

- \* takes steps to ensure administrative staff become multi-skilled; and
  - \* reviews the deployment of Special Casework Lawyers (paragraph 8.13).
7. The Area Strategic Board ensures that:
- \* it has the staff and procedures in place to manage and control its expenditure; and
  - \* it considers written reports on spending at its regular meetings (paragraph 9.9).
8. The Area Strategic Board strengthens the governance of the Area and ensures that:
- \* the roles and responsibility of senior staff, inter-linking relationships, and the role of the Area Strategic Board are clearly defined;
  - \* timescales are set for the implementation of the review of the Secretariat and its restructuring, to include responsibilities for performance and financial management, internal communication and the co-ordination of training;
  - \* work is undertaken to develop a Greater Manchester identity, and a corporate ethos within the management team, with a clear understanding of collective responsibility and accountability for the operation of the Area as a whole;
  - \* clear responsibility is established for the efficiency of administration across the Area at senior management level and within local structures; and
  - \* standards for management within local structures are developed to include holding meetings, consideration and analysis of performance information, and arrangements for internal communication (paragraph 13.9).

### **Good practice**

43. Inspectors identified one aspect of good practice, which might warrant adoption nationally:
1. The lawyer at first review establishes whether there is potential for confiscation under the Proceeds of Crime Act 2002 (POCA) to take place. In cases with POCA potential, the CPS return the papers to the force Financial Investigation Unit (FIU) for further investigation (paragraph 4.11).

The full text of the report may be obtained from the Corporate Services Group at HMCPS Inspectorate (telephone 020 7210 1197), and is also available at [www.hmcp.si.gov.uk](http://www.hmcp.si.gov.uk).