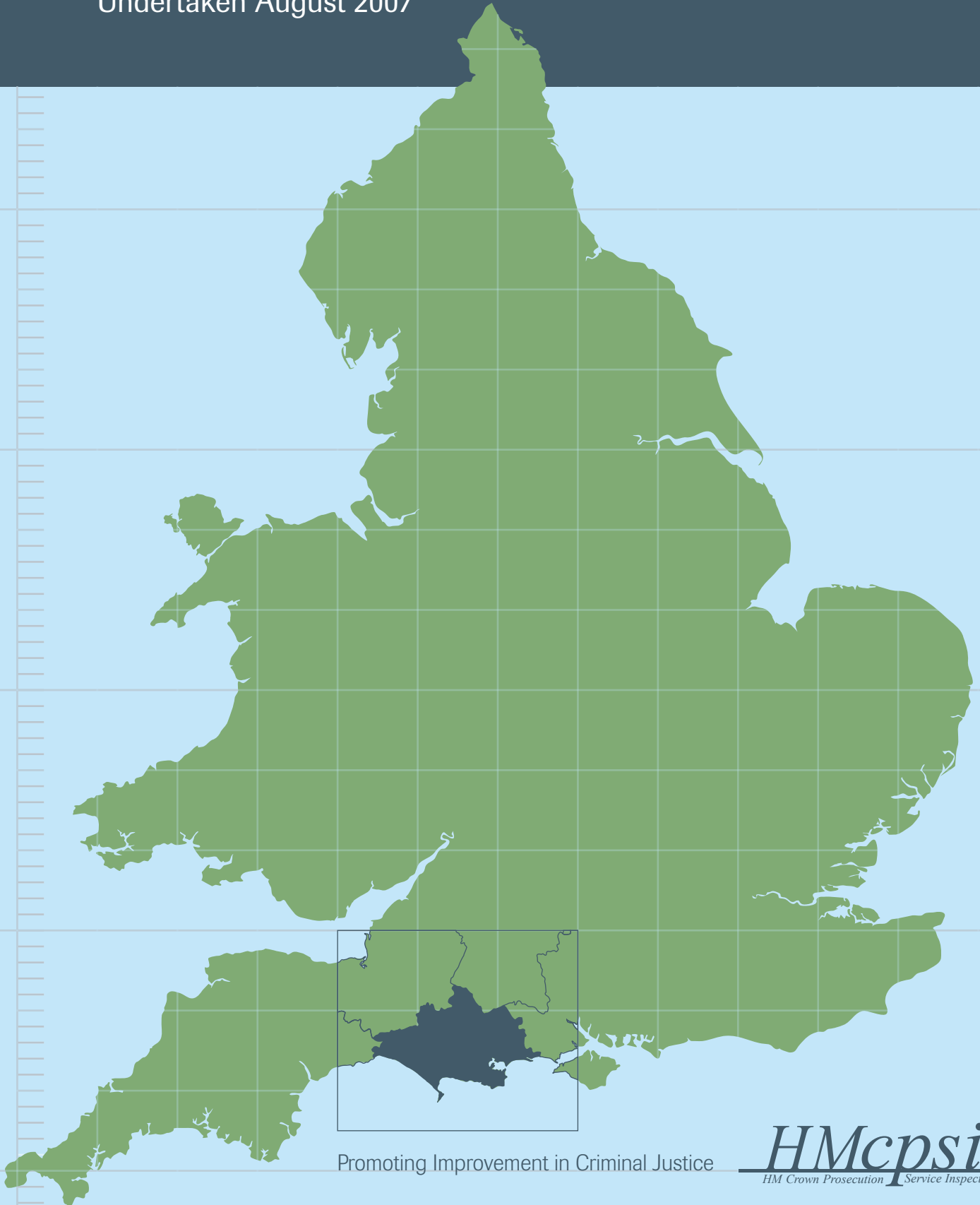


CPS Dorset

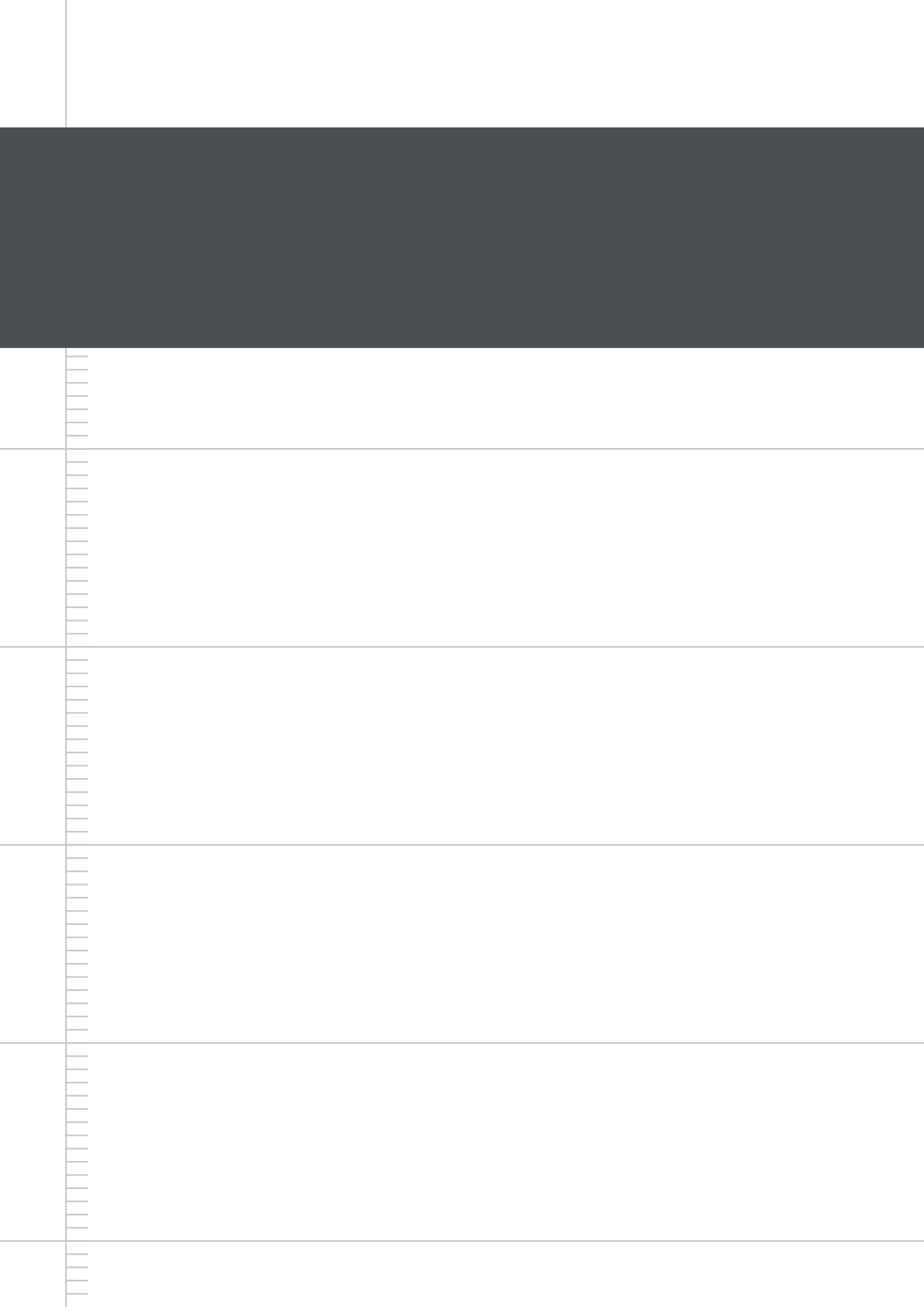
Overall Performance Assessment

Undertaken August 2007



Promoting Improvement in Criminal Justice

HMcp*si*
HM Crown Prosecution Service Inspectorate



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ABBREVIATIONS

Common abbreviations used in this report are set out below.
Local abbreviations are explained in the report.

ABM	Area Business Manager	HMCPSP	Her Majesty's Crown Prosecution Service Inspectorate
ABP	Area Business Plan		
AEI	Area Effectiveness Inspection	JDA	Judge Directed Acquittal
ASBO	Anti-Social Behaviour Order	JOA	Judge Ordered Acquittal
BCU	Basic Command Unit or Borough Command Unit	JPM	Joint Performance Monitoring
BME	Black and Minority Ethnic	LCJB	Local Criminal Justice Board
CCP	Chief Crown Prosecutor	MAPPA	Multi-Agency Public Protection Arrangements
CJA	Criminal Justice Area	MG3	Form on which a record of the charging decision is made
CJS	Criminal Justice System	NCTA	No Case to Answer
CJSSS	Criminal Justice: Simple, Speedy, Summary	NRFAC	Non Ring-Fenced Administrative Costs
CJU	Criminal Justice Unit	NWNJ	No Witness No Justice
CMS	Case Management System	OBTJ	Offences Brought to Justice
CPIA	Criminal Procedure and Investigations Act	OPA	Overall Performance Assessment
CPO	Case Progression Officer	PCD	Pre-Charge Decision
CPS	Crown Prosecution Service	PCMH	Plea and Case Management Hearing
CPSD	CPS Direct	POCA	Proceeds of Crime Act
CQA	Casework Quality Assurance	PTPM	Prosecution Team Performance Management
CTL	Custody Time Limit	PYO	Persistent Young Offender
DCP	District Crown Prosecutor	SMT/G	Senior Management Team or Group
DCV	Direct Communication with Victims	TU	Trial Unit
DCW	Designated Caseworker	UBM	Unit Business Manager
DP	Duty Prosecutor	UH	Unit Head
ECU	Economic Crime Unit	VPS	Victim Personal Statement
ETMP	Effective Trial Management Programme	WCU	Witness Care Unit
HCA	Higher Court Advocate		

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A INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS

This report is the outcome of Her Majesty's Crown Prosecution Service Inspectorate's (HMCPPI) overall assessment of the performance of the Crown Prosecution Service (CPS) in Dorset and represents a further assessment against which improvement from the previous baseline assessment in 2004-05 can be measured.

Assessments

Judgements have been made by HMCPPI based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPPI's findings; and measurement against the criteria and indicators of good performance set out in the overall performance assessment (OPA) framework, which is available to all Areas.

The OPA has been arrived at by rating the Area's performance within each category as either 'Excellent' (level 4), 'Good' (level 3), 'Fair' (level 2) or 'Poor' (level 1) in accordance with the criteria outlined in the framework.

The Inspectorate uses a rule-driven deterministic model for assessment, which is designed to give pre-eminence to the ratings for 'critical' aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings relating to the other defining aspects, in order to arrive at the OPA.

The table at page 7 shows the Area performance in each category, as well as the 'direction of travel' since the previous OPA.

An OPA is not a full inspection and differs from traditional inspection activity. Whilst it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. That sort of detailed examination will, when necessary, be part of the wider programme of inspection activity.

Direction of travel grade

This is a reflection of the Area's change in performance between the current assessment period and the previous OPA, that is between 2004-05 and 2006-07. The potential grades are:

Improved reflects a significant improvement in the performance;

Stable denotes no significant change in performance;

Declined where there has been a significant decline in performance.

B AREA DESCRIPTION AND CASELOAD

CPS Dorset serves the area covered by the Dorset Police. It has one office in Bournemouth which includes the Area Headquarters (Secretariat) and the Witness Care Unit.

Business is divided into a Magistrates' Remand Unit (MRU) and the Crown Court and Summary Trials Unit (CCSTU). The MRU deals with non-contested cases in the magistrates' courts, while the CCSTU covers Crown Court work, contested cases in the magistrates' courts and higher court advocacy.

During the year 2006-07 the Area had an average of 59.4 full-time equivalent staff in post, and a budget of £3,002,327. This represents a 4.8% increase in staff, and a 20.1% increase in budget since 2004-05, the period covered by the previous overall performance assessment.

Details of the Area's caseload in 2004-05, and in the year to March 2007 are as follows:

Pre-charge work¹

2004-05		2006-07	
Written advice	547	Decisions resulting in a charge	3,973
Pre-charge advice (where available)	5,237	Decisions not resulting in a charge ²	3,801

Magistrates' courts proceedings (including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Magistrates' courts prosecutions	12,685	11,706	-7.7%
Other proceedings	49	17	-65%
Total magistrates' courts proceedings	12,734	11,723	-7.9%

Crown Court proceedings

(including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Cases sent or committed to the Crown Court for determination	621	830	+33.7%
Committals for sentence ³	143	244	+70.6%
Appeals from the magistrates' courts ³	95	130	+36.8%
Total Crown Court proceedings	859	1,204	+40.2%

In 2006-07, 51% of offences brought to justice were the result of convictions.

1 No valid comparison with 2004-05 pre-charge caseload is possible as statutory charging was only fully in place in all CPS Areas from April 2006 onwards.

2 Including decisions resulting in no further action, taken into considerations (TICs), cautions and other disposals.

3 Also included in the magistrates' courts figures, where the substantive hearing occurred.

C SUMMARY OF JUDGEMENTS

Contextual factors and background

The Area has undergone a period of uncertainty over the last year. There was a very short notice change of Chief Crown Prosecutor (CCP), with the long term post holder leaving at the end of 2006. A temporary CCP was appointed in November 2006, but at the time of the OPA and up until 7 September 2007 the position had not been confirmed. This came at a time when it was already apparent that the structure for handling casework had resulted in an imbalance in the work of the two units, but changes were delayed to await the arrival of the new CCP. The problem was first identified in August 2006 and an external review, requested by the acting CCP, reported in March 2007. At the time of the OPA the Area had just moved to a temporary structure, pending a full appraisal of the review.

The magistrates' courts caseload has fallen since the last OPA by 7.9% but, unlike other CPS Areas, the Crown Court caseload has risen by 22.9%. Over the same period there has been an increase in budget, and Dorset has therefore been able to increase staffing levels by 4.8%.

Summary

The arrangements for the provision of face-to-face pre-charge advice are good but, overall, the operation of the statutory charging scheme has some significant weaknesses. On the one hand, a number of cases continue to be missed by the scheme and, on the other, there are still cases being advised upon inappropriately (although the numbers are reducing). Partly as a consequence, the benefits of the scheme are not being fully realised.

The quality of decision-making is variable. There are weaknesses at the pre-charge stage, with duty prosecutors advising charge in cases where there is no realistic prospect of conviction, or where the police need to undertake further work. This has led to a high rate of cases being discontinued in the magistrates' courts. Decision-making is generally satisfactory after charge, although the overall successful outcomes rate in both the magistrates' courts and the Crown Court has deteriorated since 2005-06, and was below the national average in 2006-07. A contributing factor for the figures in the magistrates' courts is the high incidence of discontinuance, while there is a high rate of acquittals after trial in the Crown Court. The recent decision that Unit Heads will examine all cases adjourned for summary trial or committal to the Crown Court should identify those inappropriately charged and enable swifter notification to the police of further work required.

The ability to progress summary trials has been hampered by a combination of late delivery of files by the police and backlogs of cases to be prepared, which has meant that the courts have been unable to reduce the number of case management hearings required, as envisaged in the agreement with the Area. There have been a high number of wasted costs orders. The progress of cases in the Crown Court is better, with timely preparation for plea and case management hearings, although compliance with court orders is not always prompt. The overall effective trials rate in the courts is higher than the national average, with performance in the Crown Court being excellent.

Performance in relation to the duties of disclosure has declined and there is limited recording of decisions and actions. There is an experienced Disclosure Champion in post and relevant training has been delivered to all prosecutors and caseworkers, including advanced training.

There is a well written custody time limit (CTL) system, although this has not been kept up-to-date. The Area works with the courts to ensure timely extensions but more work is required to bring to fruition agreed protocols. There had been no CTL failures between May 2002 and the time of the inspection.

Sensitive cases are well handled, and the Area ensures that they are allocated to lawyers with the appropriate skills by its appointment of champions and specialists and use of the lawyers' skills matrix. The combined hate crimes unsuccessful outcomes are reducing; and there is effective collation and analysis of data, which is published annually.

The Area has taken steps to ensure that its advocates comply with the Prosecutors' Pledge and a witness satisfaction survey undertaken by the courts in February 2007 confirmed that there was a high level of compliance. The Victims' Code is not yet fully complied with, as letters are not always being sent in accordance with the Direct Communication with Victims scheme. Although the Area was at the forefront in establishing an Dorset-wide Witness Care Unit as part of the No Witness No Justice initiative, it is not yet meeting the minimum requirements of the scheme.

Senior managers are committed to engaging with the whole community and community engagement is integral to core business. Emphasis is placed on seeking to gain the confidence of those at greatest risk of exclusion and discrimination, and case learning points are explored through discussion with minority group representatives.

The Area is led corporately through the Area Management Team (AMT), but Unit Head responsibilities are only partially defined and accountability for performance needs to be strengthened. The Area structure is no longer appropriate, and has not been for some time, resulting in insufficient management capacity for the CPS to lead within the criminal justice system. The 2006-07 Business Plan was not fully aligned to CPS requirements and corrective action had to be taken, especially in relation to delivery of the advocacy strategy. However, the 2007-08 plan links to the majority of national and Public Service Agreements. There is joint planning with other criminal justice agencies to achieve long and medium term objectives and there has been some success with change projects.

There is timely consideration of well presented performance information by the AMT, with issues being highlighted at unit meetings, but persistent young offender (PYO) performance was not routinely tracked last year. Little use is made of benchmarking internally, or with other similar Areas. The casework quality assurance checks have been reasonably sustained but the Area needs to ensure that the sample includes cases with victim and witness issues.

There is some understanding of value for money; responsibilities for achievement are allocated to managers, and Dorset remained within its non ring-fenced administrative budget during 2006-07. Agent usage in the magistrates' courts is high, with corresponding low in-house advocacy both for lawyers and designated caseworkers. Efforts were made to redress these issues which have only been partially successful. Higher court advocacy has been advanced during the year, and the Area exceeded its target by a significant margin, but the complexity of work undertaken has been slow to develop.

Performance in relation to the Public Service Agreement targets is variable. The Dorset criminal justice area has exceeded its target for offences brought to justice, with the CPS contributing 51% convictions. Confidence in the criminal justice system (CJS) in bringing offenders to justice exceeded the national average at 44.6% compared to 42%. Performance against the timeliness target of 71 days from arrest to sentence for PYOs has declined since the OPA, with the 12 months to December 2006 being 74 days overall.

Direction of travel

The Area has failed to make progress since the last OPA, when it was assessed as 'Good'. Performance has remained stable in seven aspects and declined in six. The problematic aspects mainly relate to casework weaknesses and some of the supporting systems and processes, for example disclosure and case progression, may be tied into weaknesses in the structure. A combination of restructuring and greater emphasis on early monitoring of casework ought to enable the Area to improve its performance.

In the light of our findings, Dorset's overall performance is **FAIR**.

OVERALL ASSESSMENT	FAIR
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Critical aspects	Assessment level		
	OPA 2005	OPA 2007	Direction of travel
Pre-charge decision-making	Fair	Fair	Stable
Ensuring successful outcomes in the magistrates' courts	Fair	Fair	Stable
Ensuring successful outcomes in the Crown Court	Good	Fair	Declined
The service to victims and witnesses	Good	Fair	Declined
Leadership	Good	Fair	Declined
Overall critical assessment level		Fair	
Progressing cases at court	Good	Fair	Declined
Sensitive cases and hate crime	Good	Good	Stable
Disclosure	Good	Fair	Declined
Custody time limits	Good	Good	Stable
Delivering change	Good	Fair	Declined
Managing resources	Good	Good	Stable
Managing performance to improve	Fair	Fair	Stable
Securing community confidence	Excellent	Excellent	Stable
OVERALL ASSESSMENT	Good	FAIR	

D DEFINING ASPECTS

1	PRE-CHARGE DECISION-MAKING: MANAGEMENT AND REALISING THE BENEFITS	OPA 2005	OPA 2007	Direction of travel
		Fair	Fair	Stable

1A The Area ensures pre-charge decision-making operates effectively at police charging centres, and is accurately documented and recorded

- Pre-charge advice is provided at the three main charging centres, where 90% of the work is undertaken, using an appointments system (allowing 45 minutes per case). The outlying stations rely on telephone advice. Cover is provided between 9am and 5pm every day at one charging centre and on four and two days (with an hour's break) in the other locations. The Area encourages face-to-face provision of advice; management information showed that approximately 57% of consultations in 2006-07 were face-to-face. However, the Area believed that recordings by its lawyers may be inaccurate.
- There are satisfactory arrangements for the provision of pre-charge advice in complex or serious cases, with officers making appointments to see specialists or by the submission of evidential files to the office. If a duty prosecutor considers that a case is too complex or sensitive to be considered at a charging centre they will request an evidential file and set a time scale for its submission. The Area keeps an advice log to monitor the submission of files by the police and the provision of advice by prosecutors, but this is not maintained sufficiently to ensure timeliness.
- There are approximately two cases each week which are charged by the police without having been referred to a duty prosecutor as required. Unit Heads are notified by prosecutors of such instances and they raise it with the police. Non-compliance is usually as a result of a misinterpretation of the Director of Public Prosecutions' Guidance. This is an ongoing issue.
- The police deploy case directors who act as 'gatekeepers', part of whose role is to screen cases to ensure that requests for advice are made in accordance with the Director's Guidance. Inappropriate requests for advice continue to occur, which has led to the Area having a high rate of no further action (NFA) cases (36.21% compared with the national average of 31.87%). The police have been monitoring all NFAs, identifying and analysing those which should not have been referred to a duty prosecutor. The NFA rate is discussed at the Prosecution Team Performance Management (PTPM) meetings, and action taken by the police to reduce numbers. The rate is now reducing steadily.
- There is an established procedure to allow the police to appeal against the decision of a duty prosecutor. If it cannot be resolved between the duty prosecutor, the officer in the case and the police supervisor, it is escalated to line managers. No formal monitoring of numbers of appeals is undertaken but there are said to be one or two referrals to Unit Heads each month.

- The Area has not been monitoring effectively police compliance with pre-charge advice. Where the duty prosecutor has asked the police to obtain further evidence (around 21% in a typical month), monitoring of compliance and of bail dates has been left to the police, and has not been consistent. We found that where defendants have been charged after the Code for Crown Prosecutors' (Code) threshold test has been applied, additional work by the police identified as necessary in action plans was frequently not undertaken. This has not been monitored and the position can be exacerbated by prosecutors not subsequently undertaking a full Code test review; 'reality' checks showed that this was not done in two relevant cases. Steps have now been taken to monitor all cases which have been charged following the application of the threshold test. Additionally, the examination of cases that have been adjourned for committal to the Crown Court or trial in the magistrates' courts will include consideration of police compliance with action plans.
- 90.2% of pre-charge decision (PCD) consultations were recorded on the case management system (CMS), against a target of 90%, which is a much improved performance since the last OPA. Reality checks showed that MG3 forms (used to record pre-charge advice and decisions) are being created in virtually all consultations, but that ethnicity and gender is not always being recorded by the police. Prosecutors have an objective in their forward job plans to record PCDs on CMS and compliance is monitored through casework quality assurance (CQA) checks. CMS is not being used to monitor the progress of cases, and a reality check showed that there are a significant number of pre-charge cases which had not been properly updated.
- The charging project manager is the contact point for issues relating to CPS Direct (CPSD) decisions. The CPSD liaison officer has assisted the Area in its training and has also attended a meeting of the Charging Board. CPSD advices are emailed to the Area daily and inputted on CMS, with a copy of the advices kept for monitoring purposes.
- Conditional cautioning was introduced across Dorset in January 2007. It is operating well, with an average of 18 cautions being administered each month and 99 in the six months to 30 June 2007. The numbers of cautions issued is amongst the highest in the country. It is overseen by an inter-agency board, and the police have a small team collating and monitoring all cases.

1B The Area ensures that pre-charge advice and decisions are in accordance with the Director of Public Prosecutions' guidance, the Code for Crown Prosecutors, charging standards and policy guidelines

- The majority of lawyers are experienced and act as duty prosecutors, and they have all attended the Proactive Prosecutor Programme training. Copies of the Director's Guidance have been circulated and laminated copies of the main points are available in the charging centres. Training on the guidance took place before statutory charging was introduced and has been updated twice.
- Prosecutors have been instructed not to authorise charge unless the case is effectively trial ready and have been reminded about the need to consider special measures and the possibility of restraint proceedings in all relevant cases. Specific monitoring undertaken in April 2007 to check compliance with the Victims' Code revealed that special measures were not always being considered and further instructions to do so have been issued to prosecutors. Reality checks showed that appropriate charging decisions were being made and evidential defects identified and remedied where necessary.

- The Area has been monitoring the quality of pre-charge advice through CQA checks and examination of unsuccessful cases. The unsuccessful outcomes analysis has revealed that a proportion of those cases have been charged inappropriately, or too early, which is consistent with the high discontinuance rate. The Unit Heads are now examining all pre-charge cases that have been adjourned for committal to the Crown Court or where a not guilty plea has been entered in the magistrates' courts. CQA analysis did not of itself identify these problems. In the last quarter of 2006-07 the CQA assessment was that 99.6% of files examined met the quality standard for decision-making, which is not consistent with the unsuccessful outcomes analysis. Other assessments suggest that Unit Heads are reviewing files objectively, but there is insufficient information to tell.
- When charging was first introduced the project manager was examining 10% of NFAs. This is no longer taking place, primarily because a significant number of them were cases that had been referred to the CPS inappropriately. The police now analyse all NFA cases, but have not referred any to the CPS where the duty prosecutor's decision not to charge was considered inappropriate. The project manager monitors all cases involving allegations of violence which have resulted in a conditional caution. The police monitor all conditional cautions and the figures are discussed at bi-monthly meetings.

1c The Area is able to demonstrate the benefits of their involvement in pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	16.3%	18.1%	11.0%	13.1%	7.8%	10.7%
Guilty plea rate	52.0%	69.2%	72.1%	69.8%	68.0%	66.5%	56.8%	58.2%
Attrition rate	31.0%	22.0%	20.7%	23.7%	23.0%	22.2%	23.4%	24.8%

- The Area is not yet seeing all of the benefits of pre-charge decision-making being realised (see Annex A). It achieved three out of six national targets (and the local target in four).
- In the magistrates' courts, the guilty plea and attrition rates are excellent, both being better than the national average. The discontinuance rate is poor, at 18.11% compared with the national average of 15.66%. The rate was variable from month-to-month, with performance declining in January and March 2007 when it was the poorest out of all 42 Areas.
- The guilty plea and attrition rates in the Crown Court are fair, with both being worse than the national average. The guilty plea rate was, however, better than the Area target. The discontinuance rate is good overall, but performance declined in the latter part of the year.
- Overall, the number of PCD cases that resulted in conviction in 2006-07 was lower than the national average, at 76.11% compared with 77.95%.

- The Area Business Manager (ABM) meets with the police Business Manager every month to discuss PTPM data, and to produce a performance pack and summary. The Area makes appropriate use of PTPM data and also considers information comparing NFA decisions. Unit Heads have been examining all unsuccessful PCD cases and inputting the details on a spreadsheet. This has been shared with the police and is considered at PTPM meetings, where trends are identified and discussed. Issues such as the high rate of NFAs have been discussed, as a result of which they have been monitored and numbers are starting to reduce.
- The operation of the charging scheme is discussed with the police at the monthly meetings of the Charging Board, which is immediately followed by the PTPM meeting. Any necessary action is agreed at the meeting and communicated across the Area by email and at meetings, or training is arranged. As a result of issues being identified at a Charging Board meeting, such as domestic violence cases being referred to lawyers inappropriately, training has been given to police custody sergeants.

2 ENSURING SUCCESSFUL OUTCOMES IN THE MAGISTRATES' COURTS	OPA 2005	OPA 2007	Direction of travel
	Fair	Fair	Stable

2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	12%
No case to answer	0.2%	0.2%
Dismissed after trial	1.9%	1.5%
Discharged committals	0.2%	0.1%
Warrants	2.6%	2.1%
Overall conviction rate	84.3%	84.1%

- The overall successful outcomes rate was 84.1% compared to the slightly higher national average of 84.3%. This is a decline on performance in 2005-06, which was above the national average, and the rate in the last quarter of 2006-07 was only 82.4%.
- There has been a deterioration in the discharged committals rate since 2004-05. The Area has moved from five cases in 2004-05 to one in 2005-06, but up to ten instances in 2006-07. This represents 0.1% of caseload (compared with the national average of 0.2%) but this is significant in an Area the size of Dorset. Discharged committals have been included in the monthly analysis of unsuccessful pre-charge cases, but hitherto it has not been thought necessary to undertake a separate analysis to draw out any trends and to see if there are any lessons to learn. The Area now needs to address the negative trend.
- There has been an improvement in the no case to answer rate from 0.3% in 2004-05 to 0.2% in 2006-07, which is the same as the national average. The rate of acquittals after trial has deteriorated over the last three years, although it has remained below the national average. The Area's view is that this is partly due to the delays in the listing of trials and the likelihood of witnesses no longer supporting the case.
- Cases are now looked at as soon as they are adjourned for committal to the Crown Court in order to ensure that they have been charged appropriately and that all necessary work is completed on time.

- The discontinuance rate in the magistrates' courts is higher than the national average, and has risen since 2005-06 when it was below the national average. Performance in the last quarter of 2006-07 shows an even higher rate than the year end at 13.6%. When the charging procedure was first introduced Unit Heads authorised all proposed discontinuances of cases which had been the subject of pre-charge advice. This was considered to be too onerous in view of the numbers of discontinuances and now the duty prosecutor who made the decision to charge has to agree to the proposed discontinuance; only in the event of a disagreement is the Unit Head involved. Discontinuances have been included in the monthly CQA checks and analysed in the context of the monthly unsuccessful PCD cases. Unit Heads are satisfied that appropriate decisions to discontinue are being made. This is consistent with the findings referred to below that too many cases are being charged inappropriately. Even so, the lack of Unit Head involvement in decisions weakens their overall position.
- The Area has been undertaking an analysis of unsuccessful cases and has concluded that in a proportion of those that have resulted in an acquittal or a discontinuance prosecutors should not have authorised charge because there was insufficient evidence to provide a realistic prospect of conviction. The analysis of cases is disseminated to the police prior to the PTPM meetings and used as a basis for discussion and identification of any trends.
- The Dorset criminal justice area has met its target for offences brought to justice in 2006-07, with 16,533 offences against a target of 14,906. The target is a shared one with criminal justice partners, with the CPS contribution coming through managing to keep unsuccessful outcomes low. The proportion of convictions was above the national average (51% compared to 48.8%), although the numbers of unsuccessful outcomes and discontinuances have increased.
- Performance against the timeliness target of 71 days from arrest to sentence for persistent young offenders was excellent in 2004-05 but had declined by the time of the last OPA. It varied over the 12 months to December 2006, with the average period for arrest to sentence 74 days. Performance in the rolling three months to May 2007 has declined still further to 79 days.
- The Government's Office for Criminal Justice Reform has undertaken a review of the Dorset criminal justice area's PYO performance, as a result of which the Local Criminal Justice Board (LCJB) has agreed an action plan. The plan and performance are discussed at monthly inter-agency monitoring meetings, which are attended by the Area PYO Champion. The LCJB Performance Officer is undertaking an analysis of recently concluded cases to identify any specific problems.
- General learning points are discussed at the unit meeting and disseminated by email. Individual lessons should be discussed on a one-to-one basis. A reality check of one month's CQA forms revealed that learning points were not identified and dealt with in two out of four instances.

2B Effective case management and decision-making enables cases to progress at each court appearance

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	45.8%
Cracked trial rate	37.3%	30.6%
Ineffective trial rate	18.9%	23.6%
Vacated trial rate	22.5%	34.8%

- The police and CPS are co-located, and there is a single file system, but there has been an issue over the timely submission of full files by the police. The Area was monitoring receipt of files but no longer does so as the police have acknowledged they were being provided late and that action was required. Timeliness improved when the police streamlined their processes, but this has fallen back since the introduction of a new police computer system. Full files are looked at by the CPS case progression team and any missing items are requested from the police.
- Pre-charge decisions are recorded on CMS and lawyers all have an objective in their forward job plans to record summary trial reviews on the system. CQA checks are used to monitor timely review and preparation of casework. Our reality checks showed that whilst initial review was timely and properly recorded, three out of five files did not have an appropriate and timely summary trial review recorded.
- The Area now has two dedicated case progression officers. One of them is the focal point of contact for the magistrates' courts and Witness Care Unit, while the other concentrates on cases being heard in the specialist domestic violence courts. Since the beginning of the year two caseworkers have been deployed in preparing cases for summary trial once the full file has been received, before passing them to the lawyer to undertake a summary trial review and consider unused material. There has been a continuing problem with backlogs of files to prepare for trial and this has meant that the Area has not been able to fulfil the agreement with the magistrates' courts that most case management hearings (CMHs) would be vacated provided a case is trial ready. Reality checks showed that cases are not ready for CMHs, and that correspondence from defence solicitors is not always dealt with promptly or appropriately.
- The Area is working well with the courts and the police to deliver the Criminal Justice: Simple, Speedy, Summary (CJSSS) initiative. Additional funding has been provided to run extra courts to reduce the 27 week backlog in listing trials, but the Courts Service is concerned that unless the CPS fulfils its obligations under agreements the necessary improvement will not be achieved.

- Youth cases are kept in distinctive file jackets to aid identification and fast-tracking and the initials "PYO" are endorsed on appropriate cases. They are considered to be priority cases and have to be updated within 24 hours each time they return from a court hearing. PYO cases are registered before they go to court and are monitored by the PYO Champion and the unit business manager. Youth courts are prosecuted by specialists in order to ensure that progress is made and decisions can be taken in court. The Area has agreed with the magistrates' courts an increase in the number of youth cases that can be dealt with each week in first appearance courts. The rate of youth cases with timely initial guilty pleas in March 2007 was 93% compared to 88% nationally, and for timely trials was 71% compared with the national average of 89%.
- The effective trial rate in 2006-07 was better than the national average at 45.81% compared to 43.84%. The proportion of ineffective trials is higher than the national average, 23.62% compared to 18.87%, but the percentage of these attributable to the prosecution was much lower than the national average (21.35% against 35.51%). The proportion of cracked trials remains lower than the national average at 30.57% compared with 37.29%.
- There was a high proportion of vacated trials in 2006-07, 34.81% compared to the national average of 22.46%. However, there was a higher proportion vacated because of lack of court time than the national average at 14.1% compared to 6.1%.
- The magistrates' courts provide a detailed breakdown of figures for cracked and ineffective trials and the reasons for them. These are considered by the Unit Head and discussed at the Cracked and Ineffective Trials Monitoring meeting. The data is also discussed at the Area Criminal Case Management Performance Group, which has noted that the policy of listing more than one trial in a court room can lead to a high number of ineffective trials because of lack of court time if more than one is ready to proceed.
- Any lessons to be learnt from analysis of cracked and ineffective trials are discussed with individuals and/or at unit meetings.
- The Area has started to make better use of CMS to record key events. As at April 2006 only 19.5% of magistrates' courts cases had a review recorded on CMS, but this had risen to 76.7% by March 2007. Finalisations and hearing outcomes are still not being recording promptly, with performance for 2006-07 at 27.5% and 20.8%. Reality checks show that use is not being made of the task functions on CMS and there are a significant number of outstanding and escalated tasks for magistrates' courts cases.

3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

3A Successful outcomes are increasing

Case outcomes in the Crown Court	National performance 2006-07	Area performance 2006-07
Judge ordered acquittals	13.1%	10.6%
Judge directed acquittals	1.4%	2.5%
Acquittals after trial	6.5%	10.0%
Warrants	1.3%	1.3%
Overall conviction rate	77.7%	75.5%

- The overall successful outcomes rate in the Crown Court was above the national average in both 2004-05 and 2005-06. There has been a decline in performance to below the national average in 2006-07. The rate in the second and third quarters was low, but there was an upturn in the final quarter to 77.1%.
- The level of judge ordered acquittals is lower (better) than the national average, but has increased since 2005-06 when it was 8.1%. The rate of judge directed acquittals is higher than the national average, although there has been a slight decrease since 2005-06. The rate of acquittals after trial has increased since 2004-05 and 2005-06 and is significantly higher than the national average at 10% compared to 6.5%. The Unit Head is satisfied that decision-making in most cases is appropriate, although the Area has strengthened the calibre of advocates to ensure more consistently reliable advocacy.
- As in the magistrates' courts, decisions to discontinue cases that have been the subject of pre-charge decision-making have to be agreed to by the duty prosecutor who made the decision to charge. The CCST Unit Head has been monitoring the appropriateness of discontinuance decisions through his analysis of unsuccessful cases and by including one discontinued case per lawyer per year in his CQA checks. The decision to concentrate on examining cases when they have been adjourned for committal could mean that any weaknesses in judgement in discontinuances are not identified.
- Analysis of unsuccessful cases has included those in the Crown Court and, as in the magistrates' courts, charges should not have been authorised in a proportion of them. The Area's analysis was being provided to the police and used in joint meetings to identify any trends.

- The Area did not reach its Proceeds of crime Act (POCA) target of 42 confiscation orders, achieving 30. The combined value of the orders was £1,943,892, which was well above the target of £777,218, with nearly 25% produced by one order. To date, the Area has concentrated on the high value cases, but is now beginning to devote resources to achieve its volume target as well as the one for value.
- The Area POCA Champion is allocated time each week for this work, which currently includes handling all applications. He works effectively with the police in order to identify appropriate cases at an early stage and to monitor the progress of ongoing cases.
- General learning points are discussed at the unit meetings and disseminated by email. Discussions take place on a one-to-one basis where there are individual lessons to learn.

3B Effective case management and decision-making enables cases to progress at each court appearance

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	70.2%
Cracked trial rate	39.5%	25.2%
Ineffective trial rate	12.4%	4.6%

- Crown Court cases are allocated to lawyers when the committal papers are received and time is allowed in the office for case preparation. Timeliness of receipt of papers from the police is monitored using a file action form. CQA checks are used to monitor timely review and preparation of casework. Our reality checks showed that whilst cases are being reviewed properly on receipt of the full file, this is not always being recorded. They showed that cases were being prepared promptly on receipt of papers from the police and were ready for plea and case management hearings (PCMHs), but that correspondence from the defence is not always dealt with in an appropriate and timely way.
- Weekly case progression meetings take place between the Crown Court, Witness Care Unit and the CCSTU business manager. A designated case progression officer has not been appointed but instead caseworkers progress the cases allocated to them. This has caused the Crown Court some concerns, and so the CPS had just agreed at the time of the OPA to designate a member of staff to monitor compliance with court orders and act as a single point of contact for court staff.
- Youth cases are kept in distinctive file jackets to aid identification and fast-tracking, and the initials "PYO" are endorsed on appropriate cases. They are considered to be priority cases and have to be updated within 24 hours each time they return from a court hearing. A new procedure has been agreed in an attempt to speed up the progress of these cases in the Crown Court: the PCMH is now fixed for a week after committal. There was no evidence available as to how effectively the system was working.

- The Area performs well in relation to cracked and ineffective trials. The effective trial rate of 70.2% is significantly better than the national average of 48.2%, and the ineffective trial rate is excellent at 4.6% (compared to a national average of 12.4%). The cracked trial rate of 25.2% is also lower than the national average, which was 39.5%. This is being achieved in the context of local circumstances with cases being listed for trial swiftly.
- There are so few ineffective trials that the agencies have agreed that there is no purpose in meeting to discuss them. The forms completed in court when a trial becomes ineffective or cracks are provided to the Unit Head who considers them and analyses those where the prosecution were the cause. Although some ineffective or cracked trials have been identified as being caused by the prosecution, the Area considers that there were no lessons to be learnt.
- The Area has started to make better use of CMS to record key events. As at April 2006 only 19.4% of Crown Courts case had a review recorded on CMS, but this had risen to 87.3% by March 2007. The unit business manager looked at all cases without a review when there was a dip in performance earlier in the year, and the Unit Head spoke to all lawyers who had cases with no review recorded. Reality checks show that use is not being made of the task functions on CMS: there are a significant number of outstanding and escalated tasks for Crown Court cases.

4 PROGRESSING CASES AT COURT	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

4A The Area ensures that cases progress at each court appearance

- The system provides for magistrates' courts cases to be ready to progress at the first appearance. The agreement with the police provides for papers to be sent to the CPS two days before the hearing, together with two additional copies of the papers for service as advance information and Probation Service pre-sentence packages. Overnight cases are collected from the police station or sent to court.
- Magistrates' courts lists are usually ready by midday the day before the hearing and advocates are rostered in a way that should provide them with enough time to prepare for court. Files are sent to agents the day before the hearing, with more complex cases being sent at least two days in advance. Even so, other court users considered that advocates, both in-house and agents, did not always appear to be familiar with their cases.
- The number of adjournments is higher in the magistrates' courts than the national average. Witness availability dates are not always provided in all relevant cases with the papers, which leads to some unnecessary adjournments. In addition, the continuing need for case management hearings in contested cases will not improve performance. There are also concerns on the part of criminal justice partners that unmeritorious applications for adjournments in the magistrates' courts are not always challenged by CPS advocates, and that where work has not been undertaken efforts are not made nevertheless to progress the case.
- The rate of timely initial guilty pleas in March 2007 was below the national average, with 73% taking place within 59 days compared with 85% nationally. Overall timeliness in the magistrates' courts in March 2007 (for adults and youths) was lower than the national average at 75% compared with 84%. The delays in listing trials in the magistrates' courts will be a contributing factor.
- In the Crown Court, briefs were delivered to counsel within time scales in 75.1% of cases in 2006-07 compared the national average of 78.7%. There is some concern on the part of criminal justice partners that directions made at PCMHs in the Crown Court are not always complied with in a timely way, leading to delay or vacated hearings. The number of adjournments in the Crown Court is very low and better than the national average, and trials are being listed swiftly.
- The standard brief to counsel is regularly updated, the last change being in November 2006. The quality of briefs is good: our reality checks found that in all five cases the instructions included a case summary and dealt with all the issues. Agents are provided with an instruction pack which details timescales and includes examples of file endorsements. Formal instructions are not routinely required in magistrates' courts cases, but they were not properly provided in the two cases where they were required.

- In order to ensure that appropriately experienced advocates handle cases in court, Crown Court cases are allocated on the basis of expertise, experience and ability, while in the magistrates' courts they are, if possible, allocated to the file 'owner'. New agents are invited into the office to see how the system works and are initially instructed to appear in designated caseworker courts.
- There is a programme of monitoring in-house advocates and feedback is given. Agents in the magistrates' courts are not monitored and the Area relies on the courts reporting any concerns. Feedback from criminal justice partners indicated that there were some very good in-house advocates, but that the performance of agents was variable. Monitoring of counsel is undertaken on an exception basis with caseworkers completing an evaluation form to report on good or poor performance. The form is used by the Unit Head at quarterly counsel regrading meetings.
- Prosecutors should be at court at least 30 minutes before the hearing, but there is some concern about the timeliness of arrival of some agents in the magistrates' courts.
- The CPS works with the courts to agree listing patterns. The MR Unit Head is a member of the Listings and Hearings Working Group, which meets annually to discuss the listing pattern for the following year. The CCST Unit Head is a member of the multi-agency Criminal Case Management Team which meets bi-monthly. The team was responsible for drawing up a magistrates' courts trials procedure, as a result of which flow charts were devised and circulated by the courts. Court legal advisers have been made aware that prosecutors will require time to prepare cases transferred into their court.
- There have been no wasted costs orders in the Crown Court in the last two years. There has been an increase in the number of wasted costs orders in the magistrates' courts, five in 2005-06 and 13 in 2006-07.

5 SENSITIVE CASES AND HATE CRIMES	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

5A The Area identifies and manages sensitive cases (including hate crime⁴) effectively

- There are systems in place to enable the police to seek advice in sensitive cases, with appointments being made with specialists or by written files submitted and considered by them. In custody cases specialists are consulted by telephone and duty prosecutors can request an evidential file if they consider a case to be too sensitive to be considered properly in a charging centre. Some cases, such as those involving allegations of child abuse, have to be handled by a specialist at every stage throughout. Others, such as hate crimes, can be handled by all lawyers as they have all received appropriate training.
- The Area has taken steps to ensure that sensitive cases are flagged on CMS, including the production of a laminated form containing CMS monitoring categories and the circulation of minutes setting out requirements in relation to, for example, rape cases. In addition, the monthly CQA checks include consideration of the accuracy of CMS codes and flagging. Reality checks show that cases are being appropriately flagged.
- Sensitive cases are allocated using the list of champions and specialists, and the lawyers' skills matrix, to ensure that they are handled by suitably experienced prosecutors. Relevant training has been provided including on race and religious crime, domestic violence and rape offences.
- Champions and specialists have been appointed for all categories of sensitive cases and a list of them has been circulated to all staff. This is updated and was last re-issued in March 2007. The list sets out the requirements for consulting with specialists in appropriate instances, such as when consideration is being given to discontinuing a racially or religiously aggravated crime, or advising that no further action should be taken. However, the list is not all inclusive and does not, for example, spell out that there are similar restrictions in relation to offences of rape. Champions do not have objectives relating to their specialisms in their forward job plans, but expectations are set out in the Area business plan.
- The Area ensures that the CCP and Communications Manager are aware of cases that are high profile or of local concern by providing them with an outline of the allegations and issues in every Crown Court case, and by making prosecutors responsible for completing a media form in relevant cases. Specialists review particularly sensitive cases and in-house advocates, including the CCP, will appear to prosecute them in court. There is an effective system to pass information in appropriate cases to the LCJB Communications Officer.

⁴ For the avoidance of doubt all references in this aspect to sensitive cases includes all those involving hate crime (disability hate crime, domestic violence, homophobic, racist and religious crime) child abuse/child witnesses, rape, fatal road traffic offences and anti-social behaviour orders (ASBOs).

- Compliance with CPS policies and good practice is discussed at hate crime meetings. CQA checks are used to monitor performance and issues discussed with individuals. The Area takes HMCPSI thematic reviews into account and has included objectives in relation to the three most recent reviews in the business plan. It has completed an action plan to implement the recommendations of the report on the investigation and prosecution of rape cases.
- The Area has issued instructions that champions need to be consulted where there is a proposed reduction or change of charge in hate crime cases, or before the removal or reduction of the hate crime element in an aggravated offence. The champions analyse all finalised hate crime cases and include their findings in the annual report about such cases. Findings are discussed at the LCJB Hate Issues Group.
- The combined magistrates' courts and Crown Court hate crimes unsuccessful outcomes are reducing and the rate for 2006-07 was good: 32.7% compared to the national average of 32.8%. The Area is particularly effective in its systems for collecting and analysing hate crime data. Specialists analyse all unsuccessful cases and produce detailed logs, and performance is discussed at the quarterly internal hate crimes meetings. In addition, the Area compiles and publishes an annual report for racially and religiously aggravated and homophobic prosecutions.
- The child abuse co-ordinator has been proactive in liaising with other agencies and groups. She meets with the child protection teams to discuss general and specific issues and was been involved in their refresher day last year. She provides regular training on child-related issues for the police, Witness Service and Social Services and gives presentations to other groups, including nurse practitioners. The co-ordinator has not yet engaged with the Local Safeguarding Children Board but has taken steps to ensure that the CPS becomes involved in the future.

6 DISCLOSURE	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

6A There is compliance with the prosecution's duties of disclosure

- Historically, prosecutors have been very good in their compliance with the provisions of the Criminal Procedure and Investigations Act 1996 and the Attorney General's Guidelines on disclosure. Our reality checks, however, showed that there has been a decline in performance since the last inspection in 2003 and the last OPA in 2005. In the Crown Court initial disclosure was handled properly in three out of five files, while in the magistrates' courts in only two out of five. Continuing disclosure was not handled properly in any of the four relevant Crown Court cases.
- Performance in relation to sensitive unused material was poor, with it being properly handled in only two out of eight relevant cases.
- The handling of unused material is monitored through CQA. In the last quarter of 2006-07 the CQA assessment was that 83.3% of files examined met the quality standard for disclosure. This assessment is more generous than our reality checks would suggest is appropriate. The review of files undertaken in anticipation of the CJSSS initiative highlighted a lack of disclosure record sheets in contested magistrates' courts files. Our reality checks showed that the sheet was not being completed properly in either the magistrates' courts or the Crown Court.
- Unused material is kept in an envelope at the back of the file and the schedules submitted for initial disclosure are kept in an accompanying folder. Additional schedules are frequently not filed separately and disclosure letters are filed with other trial correspondence within the file. This, coupled with the lack of a disclosure record sheet, makes it difficult to ascertain what action has been taken and when.
- There are appropriate facilities for the storage of sensitive material and, where necessary, the relevant schedules and documentation are kept separate from the main file and stored securely.
- There has been a Disclosure Champion since before the last OPA. He has provided training and guidance to prosecutors and caseworkers and has been involved in joint training with the police. There has recently been a change of champion due to the post holder transferring out of the Area.
- Training has been delivered to all prosecutors and caseworkers on the disclosure provisions of the Criminal Justice Act 2003 and the CPS/ACPO (Association of Chief Police Officers) Disclosure Manual. Advanced disclosure training has also been provided to prosecutors and caseworkers.
- Historically, there has been effective joint training with the police. In particular, the training on the Act and Manual was provided to both police and the CPS. It is anticipated that more joint training will take place in the future.
- The Area has circulated the Crown Court protocol on the handling of unused material to all lawyers and considers that it is working effectively.

7 CUSTODY TIME LIMITS	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

7A Area custody time limit systems comply with current CPS guidance and case law

- The Area has its own custody time limit (CTL) system, with separate instructions for the Crown Court and magistrates' courts. These were written some time ago and last updated in 2003. The document is well structured and easy to understand, and responsibilities are set out for each staff discipline. However, the written system is not up-to-date and does not reflect fully current Area procedures. For example, reference is made to a tracking system which was withdrawn 18 months ago when CMS was introduced, and the written system has not been updated to reflect CMS use. Other changes, such as the use of the stamp (see below), have not been incorporated.
- A diary system is used to monitor and track actions and this is checked each week by the administrative managers. Unit business managers undertake monthly checks to confirm satisfactory operation of the system. Certificates of assurance are no longer used as required by the written system; instead the business managers endorse the diary on completion of the relevant checks. Unit Heads check on a quarterly basis that the working arrangements are satisfactory.
- The Area has supplied the courts with the CPS Headquarters-provided 'ready reckoner'. Prosecutors use it at court to calculate CTL expiry dates and agree them with legal advisors. Reality checks showed that bail conditions are clearly endorsed on the files by prosecutors.
- One of the Unit Heads is the CTL Champion. Since the last OPA, Area working procedures have evolved: these now stipulate the use of a stamp on file jackets to indicate that CTLs apply, use of separate entries for each defendant and the manual diary replicating CMS. However, our reality check of files showed consistent use only of the stamp. In addition, guidance indicates that CTLs are to be applied to individual charges rather than to defendants.
- Our file check showed that CTL dates are correctly calculated and entered on the file jacket. Review dates are also endorsed on the file, but there is some inconsistency in the calculation of the 40 day review date which was out by one day on two of the six files examined. For one multi-defendant case it was not possible to determine the bail status of the defendants from the file as one set of CTL dates were being used to track all six defendants. A check on CMS confirmed that three of the defendants had been released on bail. Files are not routinely endorsed with time spent in custody and the date when a defendant is later released on bail.
- There have been no recorded failures, either actual or technical breaches, in each of the last two financial years and the current year to the time of the inspection. The last known failure was in May 2002.
- There are no formal protocols with the courts but the agencies work together to ensure timely extension of CTLs. The CPS and Courts Service are keen to achieve better collaboration and more effort is required by both parties to translate these expectations into formal agreements.
- Expiry dates are flagged on CMS and staff use its task lists to different degrees. The Area is not fully confident in the accuracy of CMS CTL information and instructions have been given to administrative staff to update hearing outcomes within 24 hours.

8 THE SERVICE TO VICTIMS AND WITNESSES	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

8A The Area ensures timely and effective consideration and progression of victim and witness needs

- At the time of the last OPA, performance in respect of the Direct Communication with Victims (DCV) scheme needed improving. Although there has been some improvement, letters are not being sent in all relevant cases. The Area's assessments of its compliance with the Victims' Code of Practice during the latter part of 2006-07, and in the first quarter of 2007-08, have identified compliance with the DCV initiative as an issue.
- Cases where there is an identifiable victim are being flagged on the computer system at an early stage and prosecutors are instructed to write letters at the same time as making the decision to discontinue a case or to reduce the charge(s). All prosecutors also have an objective in their forward job plan to comply with DCV, but it was not clear how managers would measure compliance in relation to individuals.
- The proxy target for sending DCV letters in 2005-06 was to send 55 per month. This was increased in 2006-07 to 57 letters and was increased further to 62, then reduced to 59. Performance in relation to the proxy target is not good: the rolling quarter for January-March 2007 showed 49.3% compliance, with a reducing trend. In addition to CQA checks, which consider the quality of the letters, the Area has undertaken monitoring of all finalised cases to ascertain if letters are being sent in all appropriate cases. It has concluded that they are being sent in most cases, but that this are not always being properly recorded. However, our reality checks suggest that compliance is problematic: letters were sent in only four out of seven cases.
- CPS Headquarters data records that the Area is sending DCV letters within five days in a higher proportion of cases than the national average: 86% compared with 73%. However, the validity of this is dependent on the proportion of cases in which letters are actually sent and all such letters being recorded on the tracker system.
- The Area is aware that witness needs have not been routinely considered at an early stage. Appointments for giving pre-charge advice have now been extended in order to provide prosecutors with time to consider witness needs (including the need for special measures to give evidence) when they are making the charging decision. Prosecutors have been given instructions to endorse their considerations on the relevant form. Witness issues in cases that have not been the subject of pre-charge advice should be considered at initial review and when the case is adjourned for trial or committal to the Crown Court.
- The Witness Care Unit (WCU) consists mainly of police staff but there are two CPS representatives, one of whom supervises the day-to-day running of the unit. The witness care officers contact victims and witnesses as soon as they receive the witness warning form and undertake an initial needs assessment. Both CPS and WCU staff have received training on special measures to give evidence and there is a protocol with the courts in relation to the use of the remote site for witnesses to give evidence by way of a video link.

- The WCU is responsible for warning witnesses and keeping them informed of the progress of their case. The aim is for witnesses to be warned within 24 hours of the unit receiving the form. There have been backlogs of witness warnings throughout 2006-07, both in their preparation by the units and in their being processed by the WCU. The Area has arranged for the CPS typist to assist with the preparation of letters in periods of sickness or leave within the WCU. It also obtained fixed term funding for an administrator to help with the backlogs. Currently, there is no backlog either in the units or the WCU.
- All prosecutors have received a copy of the Prosecutors' Pledge and have been set an objective to comply with it in their forward job plans. Line managers monitor compliance while undertaking advocacy assessments, and the witness care officers ask all victims and witnesses about their experience in court. A witness satisfaction survey undertaken by the courts in February 2007 confirmed that there was a high level of compliance.
- The guidance for agents instructed in the magistrates' courts outlines the expectations for treatment of witnesses at court and some feedback on the approach taken by counsel in the Crown Court is provided by caseworkers. The Area aims to have one caseworker per court room in the Crown Court, in order to provide a good level of service to victims and witnesses. It has also produced a leaflet to hand out to witnesses at court, explaining the role of caseworkers and the CPS.

8B The Area, with its criminal justice partners, has implemented the No Witness No Justice scheme (NWNJ) effectively

- Historically, the CPS have taken the lead in progressing victim and witness issues, with the previous CCP chairing the Victims and Witnesses Issues Group (VWIG), which is a sub-group of the LCJB. With only a short break in continuity, the current CCP became chair once her position was confirmed. Even so, we noted some lack of knowledge of its performance in relation to victim and witness issues.
- The VWIG meets regularly and discusses the operation of NWNJ, with issues arising communicated through the quarterly LCJB newsletter. There is a two-way communication between the CPS and the WCU, with one of the unit business managers attending the WCU meetings. Issues are discussed at unit meetings, as well as being disseminated through Area bulletins and internal minutes.
- There is one centralised Witness Care Unit, which was launched well before the first national implementation deadline and achieved full coverage of witness care for all cases in October 2004. The project was signed off in October 2006. Although the Area believed that it had achieved full compliance with the requirements of the scheme, only two of the 14 minimum requirements were being fully met, and there was partial compliance in a further ten. The action plan from the NWNJ sign off is being managed and updated by the WCU manager and is discussed at the VWIG meetings.
- The Area undertakes joint analysis of performance trends through the monthly meetings of the NWNJ Performance Measures and Ineffective Trials Group (a sub-group of VWIG). In the magistrates' courts 2.0% of cases were ineffective due to witness issues against a baseline of 2.3%, and 2.4% were cracked against a baseline of 2.4%. In the Crown Court no cases were ineffective due to witness issues against a baseline of 2.9%, and 1.3% were cracked against a baseline of 2.9%. (The baselining was undertaken on Area performance between November 2003 and October 2004.)

9 DELIVERING CHANGE	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

9A The Area has a clear sense of purpose supported by relevant plans

- The Area set out what it wanted to achieve and how it was to do this in the 2006-07 Business Plan. The plan was linked to the 15 national and Public Service Agreement targets with the exception of attrition, which was only addressed within the context of PCD work. Within the plan, responsibilities were allocated to AMT members. It shows objectives with distinct activities, milestone dates and assessment criteria to explain how success will be measured.
- However, the targets within the plan were not demanding in relation to some CPS objectives. Perhaps the best example of this was that coverage of magistrates' courts sessions by in-house prosecutors was low and the target use of Higher Court Advocates (HCAs) in the Crown Court was insufficient. For the latter, the Area was asked during the course of the year to adopt more stretching targets.
- For 2007-08 the acting CCP organised an AMT business planning day and the group identified the top five key strategic themes for Dorset, these being:
 - benefit realisation of investment in the PCD scheme;
 - advocacy: where a greater volume of court work will be prosecuted directly by in-house advocates, rather than relying on external agents and counsel;
 - community confidence: where the Area will work more closely with priority groups;
 - people and performance management: with support to staff, and training and action to address issues affecting performance; and
 - victims and witnesses: to ensure they are able to give their best evidence and are kept informed of events.
- The 2007-08 Business Plan was drafted by the Area Business Manager for the approval of the AMT. The draft was circulated to all staff via an ABM newsletter highlighting the key issues and inviting feedback on the draft. Account has been taken of national and local inter-agency strategies. Once agreed and finalised a laminated summary of targets was provided to Area and co-located police staff.
- Progress is assessed every quarter and the business plan is a standing agenda item for the monthly AMT meeting.

- As one of the smaller Areas, the AMT sees no purpose in having separate unit plans and takes a corporate approach to implementing the business plan across all units. Generic staff objectives have been produced which are tailored to some extent for individual staff, but there is a big gap between the general and the specific. Whilst there is no requirement for individual units to maintain separate plans, it is essential that there are clear accountabilities for delivery of the Area's objectives and targets at unit level. That need is particularly acute in Dorset where the organisational structure means that achieving targets is dependent on composite performance. We comment later (Aspect 12) about the weakness of arrangements for ensuring accountability of Unit Heads. It is important that those arrangements are strengthened.
- Area targets form part of individual job plans and are considered in annual staff appraisals.
- During 2006-07 protocols have been agreed with other CJS agencies to support joint work, for example, in regards to anti-social behaviour, special domestic violence courts and designated caseworker (DCW) courts.

9B A coherent and co-ordinated change management strategy exists

- Change projects are allocated principally to members of the AMT. The ABM, Unit Heads and business managers have been trained in project management techniques on a two day course.
- The Area is actively working with CJS partners to implement change initiatives and when new ones are started they are set up under the auspices of the LCJB with a joint agency steering group in which the CPS participate.
- The 2003 Area restructuring was well planned and executed at the time, but it became apparent in 2006-07 that the structure was inflexible and no longer suitable to meet the current challenges. The issue was considered in August 2006 but it was decided not to make any substantial changes pending the appointment of an acting CCP.
- When planning change the Area is competent in producing accurate and well thought out business analysis.
- There have been varying degrees of success in implementing initiatives but arrangements are not completely systematic. The PCD scheme was successfully introduced through joint work with the police, and work has continued to improve performance by taking advantage of PTPM information, with conditional cautioning successfully introduced recently with the police. The No Witness No Justice project was implemented with the police but with less success; improvement plans have been put in place and process mapping revisited. The Area agreed a protocol with the courts to implement new case progression arrangements to speed up trials in the magistrates' courts. This relied on the CPS being ready earlier with trial files which would then enable pre-trial hearings to be dispensed with. Unfortunately the CPS and the police were not able to meet the protocol requirements. This has given rise to some concern regarding the viability of the CJSSS initiative, however, work on this is progressing well and partners have been successful in negotiating additional monies to prepare, with the CPS allocated over 50% of these funds (£50,000 plus).

- The business plan has an associated risk register which sets out main Area risks, impacts, counter-measures and risk status.
- Main initiatives have been subject to CPS Headquarters reviews and sign off achieved. To sustain change the Area schedules in the business plan their own initiative reviews and for the development of subsequent action plans.

9c The Area ensures staff have the skills, knowledge and competences to meet the business need

- A plan is produced each year which sets out necessary training to support Headquarters' priorities and local issues to meet the needs of the business plan and individual staff development issues. A training/competency matrix for each staff discipline is maintained for each unit. This shows what processes staff have been trained in, for example custody time limit diary updating, booking in files and graduated fees processing, and for prosecutors mandatory and desirable legal training completed.
- The Area has a high percentage of part-time staff and training plans make provisions to ensure they are not disadvantaged, typically by running identical training sessions in the morning and afternoon. Similar arrangements apply for staff away days.
- Mandatory legal training has either taken place or is scheduled in the current training plan, and CJSSS training will be scheduled later in the year when the requirements are known. The Area also supports administrative staff in gaining vocational qualifications such as Law Society scholarships, criminology degrees and training leading to a certificate in professional and personal development. One DCW has now progressed and has legal trainee contract within the Area.
- Internal training is evaluated using forms returned by attendees and information is considered by the AMT.

10 MANAGING RESOURCES	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

10A The Area seeks to achieve value for money and operates within budget

- The Area has some understanding of value for money and related objectives form part of managers' forward job plans. Significant gains have been made through co-location, in particular the use of an integrated administrative team. This minimises file movements and staff have access to both the police and CPS electronic case management systems. The police also link the majority of post to files and manage the archive system. The Area takes advantage of centralised purchasing arrangements and makes use of the Government procurement card.
- Budgets are systematically controlled and held centrally by the Secretariat. Each year, following a briefing from the ABM, the AMT agrees budgetary allocations guided by priorities set out in the business plan. Spend is monitored and reports are produced monthly. Arrangements are generally effective although there have been instances where spend levels have been unexpected, for example, in March 2007 there was unplanned expenditure on agents in excess of £20,000.
- The Area overspent its non ring-fenced running budget in 2005-06 at 100.13% and was slightly underspent in 2006-07 at 99.8%.
- In 2005-06 the prosecution cost budget was underspent at 91% and in 2006-07 there was an overspend at 101%. For some quarters the payments for graduated fees (a scheme for paying for counsel prosecuting in the Crown Court) was timely, but the performance has been variable. Overall, timeliness was worse than the national average for both financial years. The timeliness of payment for March 2007 was particularly low at 38% - had it been at the same level as previous quarters there would have been a corresponding increase in the overspend of the prosecution cost budget.
- There is a major cases spreadsheet setting out the status of each case. Case plans are produced for very high cost cases; in 2006-07 there was only one such case, with a value of £165,000.
- The Area received £41,800 for the NWNJ initiative in 2006-07 and this was used to fund CPS staff in the county-wide Witness Care Unit. There are funding issues for the police who supply the majority of staff and the CPS has been supplying additional support. As at July 2007, it was supplying a supervisor, administrator and a temporary member of staff.

10B The Area has ensured that all staff are deployed efficiently

- Staffing is a standing item on the AMT agenda and issues are discussed each month, particularly where changes are required. There was a restructure in 2003 to create co-located units, so that both units and relevant police staff share one CPS building. In 2004 work was divided into a contested cases unit (CCSTU) and non-contested casework unit (MRU). In 2005, an HCA Unit was added to the CCSTU. Although it was identified as an issue in August 2006, in March 2007 an external review confirmed that the structure was not fit for purpose as it led to inflexibility and an imbalance in the work load of the units. The Area is now considering a further restructure.

- During 2006-07 deployment of lawyers and DCWs has been low, resulting in high agent use of 44.7% in the magistrates' courts. Agent use in Dorset has been consistently high, with the expectation being that prosecutors would have five days in the office every two weeks.
- With the arrival of the acting CCP in November 2006, advocacy targets were increased with an expectation that 80% of magistrates' courts coverage would be achieved in-house. This equates to magistrates' courts lawyers covering eight half days sessions per week in court/providing pre-charge advice, and DCWs undertaking six sessions per week. Performance for the first quarter of 2007-08 shows overall in-house advocacy coverage at 63.5% with the DCW contribution being 21.7%. Despite some improvement, the Area remains behind target.
- There were 2.9 full-time equivalent DCWs during 2006-07 who covered 11.2% of magistrates' courts sessions compared with the national average of 14.7%. This is, however, a significant increase on the 6.2% recorded for the previous year. This represents a deployment rate of 4.8 sessions per DCW per week during 2006-07.
- For 2007-08, DCW staffing has been increased to over four full-time equivalent staff increasing theoretical capacity to 39 half sessions per week, but as the magistrates' courts are only providing 28 sessions per week there is limited scope for further deployment without changes to listing practices.
- Crown Court lawyers are scheduled for two days at court and three days in the office preparing cases per week. For 2006-07 the Area received additional funds of £29,600 for HCA work. The CSSTU employed 7.8 qualified staff during 2006-07, and they achieved counsel fee savings of £85,486, 196.4% of target against a national average of 138.4%. The HCAs undertook 344 sessions during 2006-07. Plea and directions hearings made up 50% of this, but there were 15 contested trials completed during the fourth quarter, some running over three to four days, for example burglary and assaults. The average savings per session was £248 against the national average of £338. An HCA has been recruited from the independent Bar and the intention is to have two full-time HCAs supported by a clerk. In the current year, an HCA is acting as junior counsel on a murder case.
- Monies generated from HCA activities will be used to recruit more lawyers to reduce agent use in the magistrates' courts and further use will be made of DCWs, subject to increased powers being granted.
- Managers were trained in sickness handling in 2005-06 and in 2006-07 the Area set a reduced sickness absence target of seven days per person per year and related objectives in the business plan. All long term sickness absence is discussed with the ABM to ensure a consistent approach, and there have been appropriate medical referrals. Sickness absence data is recorded, which ensures that back-to-work interviews take place and any trends can be identified. Absence is discussed at the monthly business managers meetings and at the AMT to assess business impact.
- The sickness figures to the year ending December 2006 show 6.7 days per person were lost, compared with a national average of 8.5 days and an Area figure of 10.7 days for 2005-06.
- There are defined policies for flexible working arrangements which seek to ensure that work patterns match business requirements; 21.4% of staff work part-time.

11 MANAGING PERFORMANCE TO IMPROVE	OPA 2005	OPA 2007	Direction of travel
	Fair	Fair	Stable

11A Managers are accountable for performance and performance information is accurate and timely

- Since the last OPA the Area performance pack has been redesigned. This is produced each month by the Secretariat and covers a wide range of measures related to performance outcomes, process effectiveness and workload. However, for 2006-07 persistent young offender performance against the Government's pledge was not routinely monitored by the senior management team.
- The ABM holds monthly operational meetings with unit business managers and police managers. The meeting precedes the AMT meetings. Inspectors were advised that performance and resources are considered but no minutes are taken.
- The AMT meets each month and are joined by a police chief inspector and the police Witness Care Unit manager. Performance is a standing agenda item and the ABM takes the meeting through the performance pack. Unit team meetings are regular and issues affecting performance are highlighted.
- The ABM produces an annual newsletter which gives a good pictorial overview of performance for the previous year. The graphs are also displayed on notice boards.
- Performance measures are tracked each month and presented on a summary status sheet. Quarterly and year-to-date outturns are shown and compared to the Area's monthly figure and target. Measures are assigned a status indicator, red, amber or green as appropriate. The document could usefully show last year's outturn as a helpful comparator.
- Apart from PCD measures, Dorset do not routinely benchmark aspects of performance with other similar CPS Areas to inform decision-making.
- As the Area has a unique business model with distinct Magistrates' Remand Unit and a combined Crown Court and Summary Trial Unit, there is limited scope for comparing unit performance.
- There are two licence holders who access the CPS Management Information System and the Corporate Information System. More use has been made of these systems during 2006-07 to manage performance and ensure data quality. Monthly flagging reports are run on rape cases, communications with victims and persistent and prolific offenders to check Area compliance. Other monthly checks are run in line with CPS Headquarters requirements to verify data accuracy before the 'freeze' date.

- In 2006-07 there was a gap between the Area's deployment policy for legal staff and the CPS Headquarters advocacy vision. The policy was changed in November 2006 with the arrival of the acting CCP, which brought about significant change. For example, in the first half of the year there was 46% in-house coverage of the magistrates' courts sessions and in the second half 65%. However, as the number of sessions covered by DCWs increased there has been a corresponding reduction in lawyer sessions. Lawyer coverage for the first quarter 2007-08 is now similar to the first half of 2006-07. However, some effort would have been diverted into HCA coverage.
- Managers have taken action to improve performance; examples during the last three months include reducing the number of undefined PCD outcomes (incorrect or incomplete entries on CMS) from 100 to 16, and increasing the number of letters to victims under the Victims' Code from 15 to 44 against a proxy target for 2007-08 of 67.
- Responsibilities for operational effectiveness and quality assurance are specified in staff objectives linked to the business plan. All staff have annual appraisals and are assessed against those objectives. Whilst it is clear that actions to improve are taken, present arrangements for holding Unit Heads accountable do not seem robust. The Area needs to consider its performance governance arrangements as it plans the restructure and give thought to demonstrating a stronger accountability line between the CCP and Unit Heads.
- The role of champions needs to be fully defined, particularly responsibilities for monitoring performance related to their subject and for undertaking audits and analysis.

11B The Area is committed to managing performance jointly with CJS partners

- CPS managers and other staff attend the LCJB and its performance sub-groups and meetings regularly. There are steering groups for joint initiatives such as conditional cautioning and specialist domestic violence courts in which CPS managers participate.
- Monthly cracked and ineffective trial meetings are held involving the CPS, Courts Service and police to consider data provided by the magistrates' courts. The Area provides PTPM information to the police to assist in progressing jointly the PCD scheme. The Area also analyses adverse cases and the PCD Champion meets with the police to review unsuccessful outcomes. However, the information tends to be considered case-by-case and more may be gained by addressing trends and root causes.
- Persistent young offender performance has been variable with some substantial swings. A joint agency action plan has been produced and work is ongoing to provide a revised joint agency protocol. However, figures continue to rise with a 14 day swing in the rolling average to April 2007 taking the figure to 77 days against the pledge of 71 days.
- There has been some resource dislocation within the Witness Care Unit which has affected performance and the Area has been active in deploying its own resources to relieve pressure.

11c Internal systems for ensuring the quality of casework and its prosecution at court are robust and founded on reliable and accurate monitoring and analysis

- The Area has sustained the CQA scheme for 2006-07. Return rates have been increased during the period from 43% in the first quarter to over 100% for each of the remaining quarters. The overall return rate for the year was 93% compared with the national average of 80%. MG3 forms are examined a part of the CQA arrangements.
- The CCP checks one case per Unit Head per month under the CQA scheme, but does not sample Unit Head judgements on legal staff.
- An additional CQA scheme was introduced in February 2007 to monitor administrative casework actions, with a sample rate of one case per administrative staff member per month. The acting CCP also reaffirmed the importance of the CQA function when appointed in 2006-07.
- Overall, the Unit Heads' CQA checks are reasonably robust but their assessments tend to be towards the high end of the scale which, in some instances, was not borne out by our reality checks (for example, in relation to disclosure) and some forms were completed simply by ticking the boxes (see below). However, the selection of cases is not always evenly spread: for example, for the second and third quarters of 2006-07 there were no victim and witness file assessments as no cases in this category were selected. In the fourth quarter the Area detected there were victim and witness issues and initiated a review. This led to a reappraisal of process flows, which has resulted in some improvement in performance, albeit that there is still some way to go.
- The Unit Heads give prosecutors a copy of the completed CQA forms for their cases and results are considered as part of individual performance development reviews. Forms examined showed accurate analysis and information was fed back to staff in the MRU satisfactorily, but two forms from the CCSTU had failures at readiness for pre-trial reviews but no action noted.
- The AMT has discussed CQA issues relating to victims and witnesses and the use of disclosure logs, but there is no obvious discussion about trends and lessons to learn in unit meetings.
- Advocacy assessments are carried out on in-house advocates by Unit Heads and the CCP against seven criteria and scored using a five point scale. The assessments are credible and performance is fed back to individuals, with any training needs identified. DCWs are monitored and supported until they are proficient and can operate unaided. Performance of counsel in the Crown Court is by way of exception monitoring by CPS caseworkers. In practice this is quite limited, with caseworkers completing a form to flag up particularly good or poor performance. Any completed forms are passed to the CCST Unit Head, who uses the results at the quarterly counsel regrading meetings for the South West Circuit.
- Agents are not monitored and the Area relies on anecdotal feedback from the courts.

12 LEADERSHIP	OPA 2005	OPA 2007	Direction of travel
	Good	Fair	Declined

12A The management team communicates the vision, values and direction of the Area well

- Dorset has not published its own vision and values but does set out in the business plan the six strategic themes that support the national vision for the CPS. The annual training event is used to communicate the vision, values and direction of the Area. Area objectives are reflected in staff objectives but the Area may benefit from work on shared values which would strengthen culture.
- For 2007-08 a business planning event for all managers was held during which the top five priorities for the Area were agreed and this has provided the focus for the direction. The ABM also attended team meetings seeking staff views on the business plan.
- The Area is managed corporately through the auspices of the AMT and there are terms of reference for most fora. The management responsibilities of the Unit Heads are defined partially in forward job plans, but this needs to be complemented by arrangements which demonstrate stronger accountability for the work of the units through to the CCP. Performance analysis is specified as an activity for Unit Heads but in some cases this work has been delegated owing to the volume of adverse issues to consider, rather than identifying and solving the root problem. Minutes of AMT meetings suggest that whilst performance is reported and noted there is little exploration of ways for addressing and improving any weaknesses.
- The AMT is a small close-knit team that works together, and corporacy is monitored through it.
- There are regular team meetings which are scheduled so that all staff can attend. In the 2006 staff survey 67% of staff confirmed that their team had regular meetings against a national average of 59%, and 50% thought meetings were effective compared with a national average of 55%. Some minutes are somewhat brief and it is not always clear who has attended, which makes the record of little value when circulated to those not in attendance.
- The CPS is active within the LCJB and managers sit on improvement and change groups. Training has been provided to other agencies, for example, to the police on child abuse issues. During the past two years the Area has delivered a number of change programmes with criminal justice stakeholders. There have been some difficulties with the Courts Service as their expectations have not been fully met by the Area.
- The current structure was developed in 2003 and, whilst it may have been appropriate at the time, CPS business has moved on significantly. Senior managers were aware in August 2006 that the structure was insufficient for the needs of the business but were reluctant to make changes in advance of a new CCP taking up post, and the decision was deferred. This may have been pragmatic but perpetuated the problem. The acting CCP is now advancing restructuring proposals.

- Owing to the nature of the Area's organisational structure there is limited management capacity for leading inter-agency work. In 2006-07 the then CCP chaired the LCJB Victims and Witnesses Issues Group but the police took over this role pending the appointment of a permanent CCP, who became chair once her position was confirmed. Two further sub-groups of the LCJB were set up in April 2007 and these are led by other agencies. The acting CCP attends the Public Service Forum which is a strategy group composed of statutory body chief officers. More needs to be done by Area managers to lead work over and above participating in initiatives and this needs to form part of the restructuring considerations.

12B Senior managers act as role models for the ethics, values and aims of the Area and the CPS and demonstrate a commitment to equality and diversity policies

- Managers recognise meritorious work by staff by nominating them for LCJB awards for outstanding contributions to criminal justice work. Other staff have received some financial remuneration for good work.
- The Area Advisory Group acts as a forum for staff concerns. Dorset scored well in the 2006 staff survey with 71% of staff feeling the Area promoted dignity at work, fairness and respect against a national average of 63%; and 58% feeling confident to speak up and challenge the way things were done compared with 35% nationally. The Equality, Diversity and Communications Manager promotes dignity at work with all new joiners during induction.
- There have been no substantiated complaints by staff about their treatment by managers during 2006-07 and the year-to-date. Where necessary staff are warned of inappropriate behaviour. The Area is inclusive in its approach to business.
- Staff gender and ethnicity representation approximates to that of the area served. There is some gender imbalance as 49% of staff are female but at the Unit Head and lawyer level less than 29% are female. The pending restructure and further recruitment offers the opportunity to redress imbalances. There is under-representation of disabled citizens and Area has set gender and disability representation targets for 2008.
- The CCP and ABM champion equality issues, with the Equality, Diversity and Communications Manager taking the work forward on a day-to-day basis. The Business Plan for 2007-08 schedules work to produce a local Single Equality Scheme action plan on issues related to age, disability, gender and gender identity, religious belief, race and sexual equality.

13 SECURING COMMUNITY CONFIDENCE	OPA 2005	OPA 2007	Direction of travel
	Excellent	Excellent	Stable

13A The Area is working proactively to secure the confidence of the community

- Senior managers are committed to engaging with the community and have business plans which set out key objectives, responsibilities and measurable objectives. A specific community engagement strategy was produced in 2006-07.
- The Area is a member of various groups linked to the community and a wide range of staff have been active in building confidence, including with representatives of those at most risk. For 2006-07 there was a specific focus on those with learning difficulties and the lesbian, gay, bisexual and transgender (LGBT) community. There has also been engagement with the broader community through work with schools, neighbourhood watch and the Rotary Club.
- Work is ongoing with the LCJB to set up a criminal justice information network to raise public confidence. Information provided by the network has been taken up by the Landlord Service Department of Bournemouth Borough Council for continuous display on plasma television screens in drop-in community centres.
- The CPS and police meet quarterly with members of the LGBT community and consider how homophobic incidents and prosecutions have been handled in order to improve systems and increase confidence in reporting incidents. Deliverables of the group include the production of a joint CPS and police leaflet, with 10,000 copies being distributed throughout the community using community events.
- The Area has attended the local Islamic Centre and Mosque to explain the work of the CPS and the relationship of the criminal justice agencies. Further work is planned, including a talk to the women at the mosque.
- Local black and minority ethnic taxi drivers have been subjected to a high level of racist abuse and the CCP met with representatives to explain CPS policies and the high success rate of such prosecutions. The Area has since funded a distinctive sticker for use in taxi cabs which puts across a strong CPS message and the 78% hate crime success rate.
- The Area's domestic violence specialists have been working with criminal justice agencies, local authorities and domestic violence support groups to implement specialist domestic violence courts in Dorset. The courts were launched in April 2007 following meetings with support groups to explain the benefits.
- There is an extensive list of voluntary groups drawn from a variety of sources and used appropriately to communicate CPS messages. The main source of demographic data is the 2001 census which is somewhat out-of-date given migratory trends in recent years. The Area is aware of a Polish community in the east of the county following the publication of a Polish newspaper and inspectors noted reference to an Albanian community in case papers while on-site. Where feasible the Area needs to fill possible knowledge gaps by comparing information with the local authorities.

- The Area seeks to evaluate the success of events and uses a feedback form for these purposes, noting learning points in the communications log.
- Since 2004-05 the Area has been publishing externally details of racially aggravated prosecutions. During this time the number has doubled from 56 in 2004-05 to 116 in 2006-07. Publicising the issues and increased community engagement generally has encouraged more victims and witnesses to come forward to report racist incidents.
- Public confidence in bringing offenders to justice has increased from 37.1% (the March 2003 baseline figure) to 44.6% in December 2006. The December figure represents a decline from March 2005 when confidence was at 46.7%, however these figures are subject to an accuracy of +/-3.6%, and the March 2008 target is 47%.
- The Area has established a positive relationship with the media and several staff have received media training. Interviews have taken place, including with local radio, to give background to cases and salient legal issues. A reporter from a local newspaper covered a day in the life of the CCP, which demonstrated HCA advocacy in Bournemouth Crown Court, meeting with a lawyer to discuss an advice case, a meeting with the police head in charge of criminal justice matters and a community engagement event.
- A media log is maintained which gives a synopsis of media coverage. It shows regular sourcing of CPS Dorset information in both local and regional press and radio and also some national coverage. This includes prominent coverage of a proceeds of crime case where a “shop lifter” had £450,000 of property confiscated, including their house.
- The Area publicises racist and homophobic prosecutions annually to demonstrate to the public how seriously the CPS takes these incidents. Last year the press release for racist incidents resulted in media coverage in the Bournemouth Echo and the Dorset Echo.

ANNEX A: PERFORMANCE DATA

Aspect 1: Pre-charge decision-making

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance 2005-06 2006-07		National target March 2007	National performance 2006-07	Area performance 2005-06 2006-07	
Discontinuance rate	11.0%	15.7%	16.3%	18.1%	11.0%	13.1%	7.8%	10.7%
Guilty plea rate	52.0%	69.2%	72.1%	69.8%	68.0%	66.5%	56.8%	58.2%
Attrition rate	31.0%	22.0%	20.7%	23.7%	23.0%	22.2%	23.4%	24.8%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	76.1%

Aspect 2: Ensuring successful outcomes in the magistrates' courts

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed magistrates' courts cases	84.3%	84.1%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	45.8%
Cracked trial rate	37.3%	30.6%
Ineffective trial rate	18.9%	23.6%
Vacated trial rate	22.5%	34.8%

Overall persistent young offender (PYO) performance (arrest to sentence)

National target	National performance 2006	Area performance 2006
71 days	72 days	74 days

Offences Brought to Justice

	CJS area target 2006-07	CJS area performance 2006-07
Number of offences brought to justice	14,906	16,533

Percentage make up of Offences Brought to Justice	National 2006-07 ⁵	Criminal justice area 2006-07
Offences taken into consideration (TICs)	8.5%	7.8%
Penalty notices for disorder (PNDs)	10.3%	11.2%
Formal warnings	5.8%	2.2%
Cautions	26.5%	27.8%
Convictions	48.8%	51%

Aspect 3: Ensuring successful outcomes in the Crown Court

	National performance 2006-07	Area performance 2006-07
Successful outcomes (convictions) as a percentage of completed Crown Court cases	77.7%	75.5%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	70.2%
Cracked trial rate	39.5%	25.2%
Ineffective trial rate	12.4%	4.6%

5 Final figures awaited.

Proceeds of Crime Act orders	Area target 2006-07	Area performance 2006-07
Value	£777,218	£1,943,892
Number	42	30

Aspect 10: Managing resources

	2005-06	2006-07
Non ring-fenced administration costs budget outturn	100.13%	99.8%

Staff deployment	National target 2006-07	National performance 2006-07	Area performance 2006-07
DCW deployment (as % of magistrates' courts sessions)	17.2%	14.7%	11.2%
HCA savings against Area target	100%	138.4%	196.4%
Sickness absence (per employee per year)	7.5 days	8.5 days	6.7 days

Aspect 13: Securing community confidence

Public confidence in effectiveness of criminal justice agencies in bringing offenders to justice (British Crime Survey)

CJS area baseline 2002-03	2004-05 (last OPA)	Performance in 2006-07
37.1%	46.7%	44.6%

ANNEX B: CRIMINAL JUSTICE AGENCIES AND ORGANISATIONS WHO ASSISTED WITH THIS OVERALL PERFORMANCE ASSESSMENT

Police

Dorset Police

HM Courts Service

Bournemouth Crown Court

Dorset magistrates' courts

Community Groups

Bournemouth Islamic Centre and Central Mosque

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