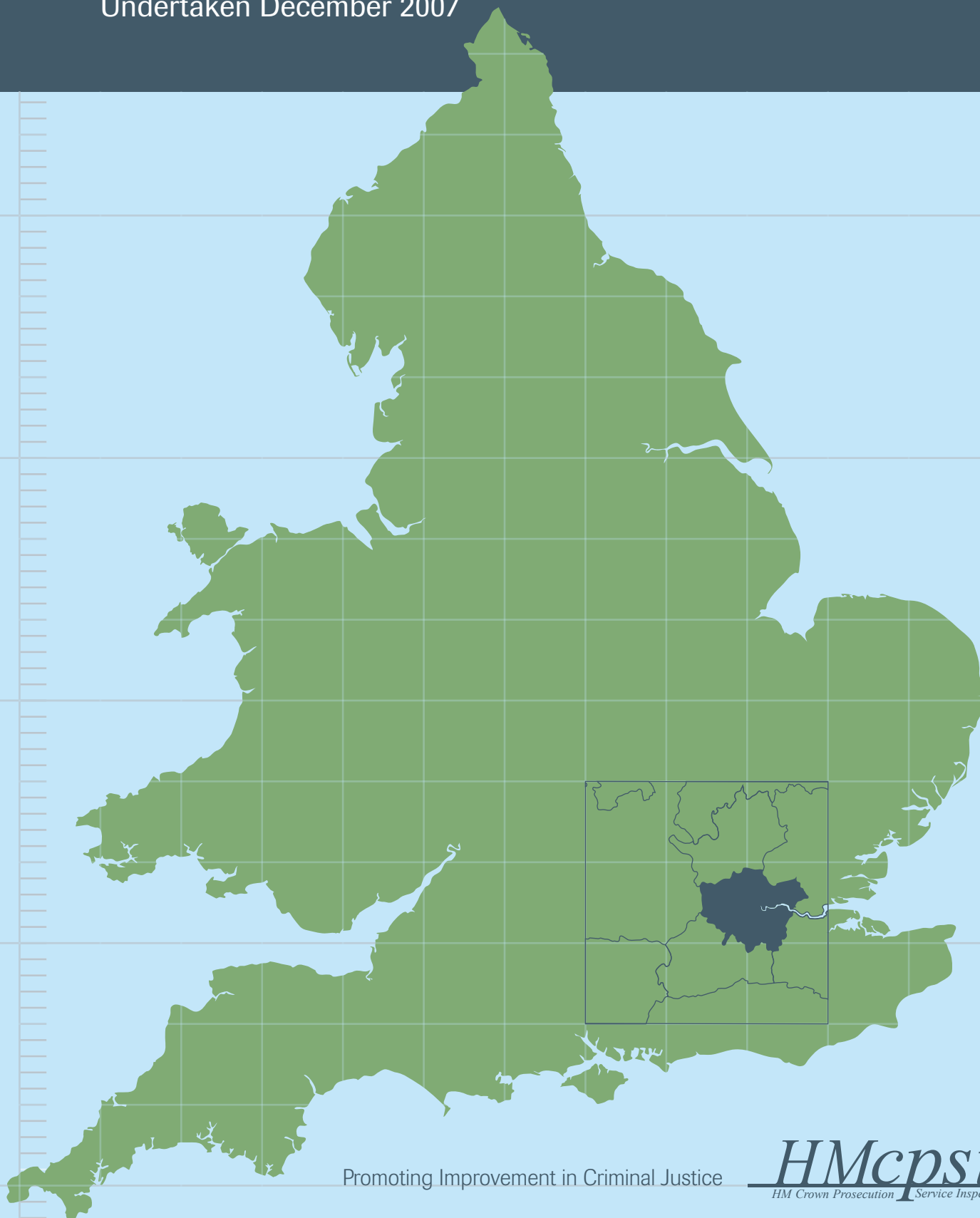


CPS London

Overall Performance Assessment

Undertaken December 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 (HMCPSI) overall assessment of the performance of the Crown Prosecution Service (CPS) in London 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 HMCPSI based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCPSI'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 12 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 London serves all 31 London Boroughs, the City of Westminster, and the City of London. The Area deals with cases from the Metropolitan, City of London and British Transport Police. It is the largest of the 42 CPS Areas, and accounts for approximately 18.3% of Crown Court and 13.3% of magistrates' courts caseload nationally.

The Area is divided into three geographical sectors: North & East Sector, South Sector and West Sector. It has two non-geographical sectors: the Serious Casework Sector, which takes serious and high profile cases from specialist police squads and all homicide cases heard at the Central Criminal Court, and the Fraud Prosecution Service, which deals with fraud cases from all 42 Areas and has offices in London and York. The caseload of the geographical Sectors is equivalent to that of a single large CPS Area elsewhere in the country. CPS London serves 33 magistrates' courts, 11 Crown Court centres including the Central Criminal Court, and youth courts. The Serious Casework Sector also prosecutes cases in some Crown Court centres in the home counties and the Fraud Prosecution Service (FPS) is a national service for cases falling within set criteria. The FPS has not been included for the purposes of this overall performance assessment.

The three geographical sectors are divided into districts headed by District Crown Prosecutors, who are responsible for clusters of teams organised on a borough level and each headed by a Borough Crown Prosecutor. The West Sector has two districts, the North West and the South West London Prosecution Service. The North & East Sector has three districts, namely the North, the East and the East Central Prosecution Service. The South Sector has four districts: Central, South Central, South East, and South London Prosecution Service.

Area business is divided on geographical lines with combined borough units handling cases from pre-charge decision-making to disposal in either the magistrates' courts or Crown Court. In addition, the South Sector has a functional unit, the pan-London Traffic Prosecution Service.

During the year 2006-07 the Area had an average of 1,279.2 full time equivalent staff in post, and a budget of £61,651,088. This represents a 12.2% increase in staff, and a 15.2% increase in budget since 2004-05, the period covered by the Area's last overall performance assessment. The Crown Court caseload for the same period has increased from 17,643 to 18,213 defendants and in contrast the magistrates' courts caseload has decreased from 163,626 to 132,681 defendants.

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

Pre-charge work¹

2004-05		2006-07	
Written advice	15,603	Decisions resulting in a charge	53,186
Pre-charge advice (where available)	39,789	Decisions not resulting in a charge ²	33,323

Magistrates' courts proceedings	2004-05	2006-07	Percentage change
(including cases previously subject to a pre-charge decision)			
Magistrates' courts prosecutions	163,626	132,681	-18.9%
Other proceedings	1,664	199	-88.0%
Total magistrates' courts proceedings	165,290	132,880	-19.6%
Crown Court proceedings			
(including cases previously subject to a pre-charge decision)			
Cases sent or committed to the Crown Court for determination	17,643	18,213	+3.2%
Committals for sentence ³	2,845	3,212	+12.9%
Appeals from the magistrates' courts ³	1,431	1,700	+18.8%
Total Crown Court proceedings	21,919	23,125	+5.5%

In 2006-07, 46.8% of offences brought to justice were the result of convictions.

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- 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

CPS London is the largest CPS Area with a large number of units reporting through a sector structure to Area headquarters. It has a number of deprived inner city boroughs with significant social problems and levels of crime, and diverse minority ethnic communities speaking a range of different languages as well as suburban areas with more settled communities. The City of London is a major financial centre which brings with it a number of serious fraud cases, some with a national dimension; these are investigated by the specialist fraud squads of the City of London Police. The Metropolitan Police Service also has a number of specialist squads, dealing with serious and complex crime, both across London and nationally. The profile of cases and close media scrutiny of all that happens in London provides an additional pressure. The performance of the criminal justice system as a whole across London inevitably attracts Ministerial interest and the London Criminal Justice Area has been the subject of reviews by the Prime Minister's Delivery Unit.

Over a long period of time case outcomes in London have been less successful than nationally. Conversely the level of public confidence in the effectiveness of the criminal justice agencies in bringing offenders to justice in London, as measured by the British Crime Survey, is the highest in the country. This may reflect the secure handling of the top level of serious offences including homicide. However, the reports we have issued, ministerial support and the Area's own initiatives have led to only incremental improvements in successful prosecution outcomes.

One of the Government's public service agreement targets for the criminal justice system is to increase the numbers of offences brought to justice⁴. These are defined as recorded crimes which are generally more serious (notifiable) crimes but which also include some lower level acquisitive crime (e.g. shoplifting) and disorder. Since our last OPA, the level of offences brought to justice in London as a proportion of recorded offences has risen from 14.8% in 2004-05 to 22.2% in 2006-07, although this is still one of the lowest rates nationally. Offences brought to justice are made up of convictions together with cautions, fixed penalty notices/penalty notices for disorder, formal warnings for possession of cannabis and offences taken into consideration by the court. The proportion of offences brought to justice in London that are made up of convictions has fallen from 57.8% in 2004-05 to 46.8% in 2006-07 (national average 48.8%), but the actual numbers of convictions has risen from 87,368 to 96,451 over the same period. This constitutes an increase of 10.4% on the actual number of convictions over the two year period. The national increase over the same period was 0.7%.

There has been something of a step change in the relationships and joint approach to addressing criminal justice issues in London on the part of the agencies who work together in the London Criminal Justice Board. This has developed into the London Reform programme. This has been approved by ministers and the treasury and was embarked upon in January 2007. There are four strands to this work.

- Criminal Justice: Simple Speedy Summary (CJSSS) - part of a national initiative to speed up justice in the magistrates' courts.
- Integrated Prosecution Teams (IPT) - CPS prosecutors and staff working with police inside police stations where the charging centre is based.

⁴ It must be noted that these are a restricted type of offences, and the convictions relate to numbers of offences. The CPS data at section B includes the full range of lower level crime including all motoring offences, and the numbers are of defendants rather than individual offences.

- “Virtual Courts” – a video link between the defendant in the charging centre and the court with a view to an immediate first hearing and sometimes final disposal.
- Community Justice – a scheme designed to increase local community confidence through engagement in a number of criminal justice initiatives.

These strands are not all new to the system, but the intention of implementing them together as part of a radical and all-embracing programme of reform is innovative and ambitious.

At the same time as this programme is being implemented, the City of Westminster has been identified as one of ten ‘beacon’ sites nationally by the Office for Criminal Justice Reform. This ‘beacon’ status is a vehicle for local criminal justice boards to drive change and reform in their Area to deliver improved local services through a core programme of national reform projects.

The process of change is partially founded on the simplification of the file requirement for cases with anticipated pleas of guilty in less serious offences (provided for by the Director’s Guidance: Streamlined Process), a system of single files shared by police and CPS and the Optimum Business Model for the handling of volume cases within the CPS. The piloting of the IPT in Waltham Forest and the high crime boroughs of Hackney and Tower Hamlets have provided challenges in relation to morale of the staff and to systems and processes leading to a number of missing files at court. It is anticipated that the lessons that have been learned can be taken fully into account in the continuing roll out of the programme.

The use of virtual courts has been shown by the prototype at Camberwell Green Magistrates’ Court to have benefits in terms of the immediacy of bringing a defendant before the court, but it needs the removal of the requirement for the consent of the defendant before it can be universally adopted.

Another significant feature of the reform programme includes the removal of a substantial number of less serious offences from the judicial process, leaving proportionately more difficult cases which require added attention within the criminal justice system. Cases diverted from the system can include the use of police cautions for domestic violence cases, the issuing of fixed penalty notices for public disorder and shoplifting, and the use of conditional cautioning for assaults upon individuals or police officers which normally involve the consideration of custodial sentences. This may merit a higher level of debate.

Whilst implementing the London Reform Programme, the CPS London Board has agreed with the Chief Executive of the CPS to a management review of the structural arrangements in CPS London. Since the last assessment, the Area has moved to a full structure of borough based units each headed by a Borough Crown Prosecutor which are clustered together into districts. The boroughs are co-terminous with police borough command units, but the districts are not necessarily co-terminous with police or court structures and neither are the sectors. The review will consider higher level structural arrangements and seek to provide greater control of resources and operational processes.

For the purposes of this overall performance assessment, the Area has been assessed against each of the aspects in the framework. There are individual reports on the three geographical sectors, the West, South, and North & East, and the Serious Casework Sector. The Area also has a fifth sector, the Fraud Prosecution Service which is located within CPS London and provides a national service. This has not been examined as part of this assessment.

Summary

This assessment largely reflects the position in 2006-07 but takes into account where measurable improvement has occurred since then. Much of the work undertaken during the calendar year of 2006 was to address backlogs and preparatory planning for the improvement measures implemented at the end of the financial year and throughout 07-08, in addition to the joint planning necessary to embark on the London Reform Programme. A major driver behind that programme is improvements to criminal justice within the resource constraints on all criminal justice agencies across London; this is also driving much of the internal change which is seeking significant performance improvements and efficiencies.

In this report we draw together our findings and assessments made of the four CPS London Sectors – North & East, South, West and Serious Casework. Individual reports have been published at the same time as this one. Our assessments were as follows:

- North & East Sector – overall performance was assessed as Poor. Disclosure was assessed as Good, but ensuring successful outcomes in the magistrates' courts, ensuring successful outcomes in the Crown Court, custody time limits, and managing resources were assessed as Poor. The other aspects were assessed as Fair.
- South Sector – overall performance was assessed as Fair. Ensuring successful outcomes in the Crown Court, custody time limits, and managing resources were assessed as Poor. All other aspects were assessed as Fair.
- West Sector – overall performance was assessed as Fair. Leadership and securing community confidence were assessed as Good, but ensuring successful outcomes in the Crown Court, custody time limits, and managing resources were assessed as Poor. The remaining aspects were assessed as Fair.
- Serious Casework Sector – overall performance was assessed as Good. The handling of sensitive cases and hate crime was assessed as Excellent. Disclosure, managing resources, managing performance to improve, and securing community confidence were assessed as Fair, and all other aspects were assessed as Good.

It is inevitable that the weaknesses in performance across all three geographical Sectors in relation to ensuring successful outcomes in the Crown Court, custody time limits and managing resources will be reflected in a similar assessment for CPS London as a whole. The assessment of other aspects required a careful balancing of the performance across the Area and also consideration of the role of the Area in relation to the degree of autonomy of the Sectors.

The assessment of the Serious Casework Sector is important in that it handles cases which are almost invariably complex, sensitive, or high profile; these include cases of homicide at the Central Criminal Court (the Old Bailey), complex frauds, serious public disorder, gang related offences, gun crime, and allegations against people in the public eye or with public responsibilities such as police officers. However, the low volume of the casework (50 cases in the magistrates' courts, and 671 cases in the Crown Court) means that the outcomes have little impact on the figures for CPS London as a whole.

Conversely the case outcomes in the three geographical Sectors are affected by a relatively small number of large high crime boroughs in which the performance of the prosecution team as a whole appears not to be strong enough to deal with the volume and relative seriousness of the caseload; this

impacts adversely on overall Area case outcomes. Furthermore the impact will be felt much more strongly in a few magistrates' courts serving those boroughs, rather than elsewhere in the Sectors. This context is important to be borne in mind by those reading this and the individual Sector reports, particularly those who have dealings with the criminal justice service in London as a whole or in particular boroughs or courts.

Statutory charging, under which the CPS has taken over the responsibility from police for deciding whether to charge in the more serious and contested cases, was implemented with mixed success. Since the last OPA, police evidential review officers have been deployed in each charging station and extensive training of police undertaken by the Area, and CPS charging centre managers are in place. These measures have resulted in increased supervision within both police and CPS, a standardised system for appointments and better monitoring of cases where individuals are bailed to return to the police station pending a decision and/or further inquiries. This has helped to address the considerable variations in processes and outcomes across the boroughs. There is still an issue of premature charging (i.e. where the evidence is not complete) which is leading to adjournments, discontinuance and discharged committals. These are either way offences that are set for committal to the Crown Court, but are not ready and are discharged by the court. It is unclear how many are reinstated. They have been a long-standing problem in London, although this is being addressed at borough level with action plans for improvement.

Timeliness of charging decisions by the CPS is better than the national average but the Area is only achieving two of the six nationally expected benefits of charging. In the remaining measures there has been an improvement on the previous year. There has been a concerted joint effort to improve benefits realisation across the board but it was only in late 2006 that borough based performance data became available, when CPS London made its own arrangements to disaggregate borough data and only recently that prosecution team performance management meetings are being held regularly and attended by the right CPS personnel.

The Area's casework outcomes still fall well behind national averages and targets. The volume of cases in the most difficult boroughs is high and impacts on Area performance, overshadowing improvements in an increasing number of better performing boroughs. The conviction rate in the magistrates' courts is worse than the national average, although there has been a trend of improvement from the previous year. The conviction rate in the Crown Court continued to be the worst nationally throughout 2006-07 although again there was gradual improvement. This trend has continued during the first two quarters of 2007-08. The Area acknowledges the need to refocus its efforts on the Crown Court. It anticipates that the greater efficiencies in the magistrates' courts arising from the reform programme and related initiatives will free up resource to drive performance improvements in the Crown Court. However, it is likely that this will take some time.

The rate of discharged committals is significantly above national average, a weakness which has needed addressing for a considerable period. There are a few very poor performing boroughs, usually those with the most demanding caseload; this can impact significantly on the overall sector and Area figures due to their high caseloads. The Area expectation is that action will be taken at a local level to address the individual causes in the worst performing boroughs. Various causes have been identified including premature charging. The number of discharged committals at 1,140 during 2004-05, at the time of the last Overall Performance Assessment (OPA), has reduced to 856 during 2006-07.

Performance in relation to persistent young offenders (PYOs) has been poor for a significant period of time and it is welcome that the Area has recently achieved the 71 day target from arrest to sentence for the first time since the target was introduced. Although average performance for 2006 was outside the target at 85 days, performance improved across the year and has continued to improve during 2007 and stood at 70 days in the rolling three months to August 2007. The Youth Devolution Project which devolved youth cases back to the Inner London Boroughs from the specialist unit in South Sector has been responsible for some improvements in terms of overall PYO performance and timeliness of youth cases, although the loss of speciality has been apparent in the Inner London Youth Courts. The inter-agency 'Phoenix' initiative was the catalyst for performance improvement across the board. There is now a borough focus on youths from the point of charge.

There are case progression officers in the Area who work with their court counterparts and timeliness of cases is as good as or better than nationally, and the Area has not suffered the significant time delays of 26 weeks or more between fixing trials in the magistrates' courts and the trial itself which we observed in other Areas in the course of our Area Effectiveness Inspections. Nevertheless, feedback from other criminal justice agencies and our scrutiny of files show there was significant drift on cases and out of court work was not timely in both the Crown Court and magistrates' courts. The Area covers more court sessions in-house than the national average (80.4%); however, this has exacerbated the impact on the preparation time out of court. Again the Area hopes the various pilots will help address these deficiencies. The impact of the pilots has been varied and some are too early to evaluate. CJSSS is in the process of being rolled out as is conditional cautioning; early indications are that CJSSS is beginning to have a positive impact in some aspects. The 'Virtual Court' prototype was undertaken in Lambeth in summer 2007, with plans now in place to roll out this out across London. The Optimum Business Model for volume cases has been rolled out in some boroughs as has the Director's Guidance: Streamlined Process; the Area hopes that these will deliver improvements to case progression and provide a quicker process for achieving summary justice. The more recent piloting of Integrated Prosecution Teams (IPT) in three boroughs has proved controversial and the extent to which the anticipated benefits have been achieved is still unclear. There are undoubtedly significant risks associated with the reform programme which will need to be carefully managed.

In the magistrates' courts the effective trial rate is better than the national average and has improved from the previous year and the ineffective trial rate, although slightly worse than nationally, has also improved from the previous year. In the Crown Court the effective trial rate is significantly better than the national average and the ineffective trial rate, whilst less satisfactory than the national average, is better than both local and national targets.

Sensitive cases and hate crime are considered important, but case handling is variable and the rate of unsuccessful outcomes is considerably worse than the national averages. Nevertheless, the Area has good strategic leadership and appropriate structures in place to drive improvements in performance. The Serious Casework Sector (SCS), which handles high profile and sensitive casework, does so to a particularly high standard.

There is mixed performance in relation to the undertaking of the prosecution's duty to disclose unused material to the defence. The North & East Sector has improved significantly since the last OPA.

There were 23 custody time limit (CTL) failures during 2006-07, and eight up to the time of our assessment in 2007-08. The Area has recently put a written Area CTL system in place and is working towards a joint protocol with HM Courts Service on the handling of CTLs in the courtroom.

Whilst the Area is committed to improving standards of care to victims and witnesses, its performance is variable. Compliance with the direct communication with victims scheme, under which the CPS writes to victims when a charge is discontinued or substantially altered, was low at the beginning of 2006. It improved throughout the year and continues to do so. Further work is needed to achieve a consistently high standard in the quality of letters. The Area's contribution to witness care units (WCU) set up under the No Witness No Justice (NWNJ) scheme, is through the provision of a CPS witness care officer in each of the 34 WCUs in London. These are predominantly staffed and managed by the police and a number of the CPS posts are vacant. Whilst there have been some performance improvements since the scheme was signed off by the national implementation team and project became "business as usual", there is still scope for further improvement.

A commitment to performance management is demonstrated at Area and sector level and a stronger performance management framework is now in place, aided by borough based performance data being available since late 2006. However, this has yet to be reflected fully in improved outcomes and continued work is needed across a range of indicators if local and national targets are to be achieved. Structures are now in place to support managers' accountability for performance at sector and district level, although the regularity of performance meetings in the boroughs and the extent to which regular performance meetings are held between District and Borough Crown Prosecutors varies across the Area. So too does the extent to which improvement actions are captured and followed up. Nevertheless we found examples of managers at various levels taking action to correct and improve performance, although in many cases this was from a low baseline. There were also examples of joint improvement strategies with partners leading to improved performance including the reduction in ineffective trials and improved PYO performance referred to previously.

Business planning processes are improving and a number of London driven change programmes have been implemented successfully including the devolution of Inner London youth work, the Snaresbrook Crown Court advocacy 'Pathfinder' programme and the Victims' Advocate Scheme. The London Reform programme is a major initiative with far reaching implications for the Area and will require careful evaluation at each stage if some of the early difficulties experienced with IPT are to be avoided. There are good arrangements for learning and development in place within CPS London and the Area is seeking to improve its evaluation processes to focus more on the extent to which development activities are making a positive impact on performance.

Senior managers demonstrate a strong commitment to engaging with and securing the confidence of local communities. There have been some impressive achievements which have also been to the benefit of the CPS nationally. Sector Directors are accountable for both Area-wide and sector based community engagement and confidence raising. Activities mainly focus on information giving and raising the profile of the CPS across a diverse range of communities. The Area recognises that there is further scope to build on the current range of activities with more participative activity and more direct links to casework improvement, and there were already some good examples of this. There is no measure of public confidence specific to the CPS although its contribution is through undertaking its prosecution functions effectively, and by engaging with the public directly and through the media. The CPS works through the London Criminal Justice Board (CJB) which has securing the confidence of the people of London as a core objective. Public confidence in the effectiveness of the criminal justice agencies across London in bringing offenders to justice, as measured by the British Crime Survey, is the highest in the country; in the last survey conducted in March 2007, the level of confidence was 47%, compared with the national average of 41%.

There is a comprehensive governance structure in the Area which sets out the Area's senior management structure and arrangements for accountability. However, management capabilities at operational level are not always clearly defined, understood or applied. A key challenge for CPS London will be developing its operational managers to play a full part in delivering its ambitious reform programme. There is a proactive approach to joint working with partners demonstrated by senior managers who take on considerable responsibility for promoting and ensuring a joint approach to strategic issues faced by criminal justice agencies in London. This has helped develop the London Reform Programme, which provides the overarching criminal justice strategy for London requiring a holistic and joined up approach to delivery.

In 2006-07, the Area had a major overspend in relation to its non ring-fenced administration costs budget. The projected overspend and lack of sound financial control systems led to the introduction of emergency measures and the withdrawal of delegated financial authority from sectors towards the end of the year. In addition, a large backlog of prosecution fees was discovered mid year necessitating additional funding being provided. Considerable work has been undertaken since to strengthen financial controls.

Managers are becoming more aware of the need to achieve value for money, particularly in the deployment of resources. In 2006-07, the Area performed well above the national average in relation to the proportion of court sessions covered in house and the designated caseworker usage is improving, although still behind the national average. The number of sessions undertaken by Higher Court Advocates (HCAs) in 2006-07 doubled when compared with the previous year and this assisted the Area to exceed its target by a wide margin. Not all HCAs are being fully utilised, an issue that the Area is addressing. The level of sickness absence in CPS London remains too high and well above the national average despite concerted efforts by managers to control this.

Direction of travel

The Area has maintained its performance assessments in 11 aspects but declined in two (ensuring successful outcomes in the Crown Court and the management of resources). The handling of sensitive cases and hate crime, ensuring successful outcomes in the magistrates' courts and delivering change have improved significantly within the range of the performance covered by the rating. Performance improvements are now evident in certain aspects in 2007-08. They have been slow in coming and still need to catch up with national performance. If the way the criminal justice agencies work together across London is transformed then the Area will be better placed to deliver a good standard of performance in the long term. The West and South Sectors have been rated as Fair, the North & East Sector as Poor and the Serious Casework Sector as Good. In the light of our findings, the Area's overall performance is **FAIR**.

OVERALL ASSESSMENT		FAIR		
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	Improved⁵	
Ensuring successful outcomes in the Crown Court	Fair	Poor	Declined	
The service to victims and witnesses	Fair	Fair	Stable	
Leadership	Good	Good	Stable	
Overall critical assessment level	Fair			
Progressing cases at court	Fair	Fair	Stable	
Sensitive cases and hate crime	Fair	Fair	Improved⁵	
Disclosure	Fair	Fair	Stable	
Custody time limits	Poor	Poor	Stable	
Delivering change	Fair	Fair	Improved⁵	
Managing resources	Fair	Poor	Declined	
Managing performance to improve	Fair	Fair	Stable	
Securing community confidence	Good	Good	Stable	
OVERALL ASSESSMENT	FAIR	FAIR		

⁵ Although the assessment for this aspect has remained unchanged, there has been significant improvement within the range of performance covered by the rating.

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

- CPS London operates 45 charging centres covering the 31 London boroughs, the City of Westminster, the City of London and British Transport Police. Prosecutors staff the majority of charging centres five days a week, although some are staffed on agreed days only. During 2006-07 capacity reviews were undertaken in some sectors to ensure the coverage was sufficient, and the Area has recently signed a service level agreement with the Metropolitan Police Service (MPS) which confirms operation of the scheme between Monday and Friday 9am to 5pm, with CPS Direct coverage outside of these hours. An agreement with the City of London is also in place, and an agreement with the British Transport Police (BTP), pending. Appropriate arrangements are in place for lunch and sickness cover, and there is sufficient flexibility to cope with short-term increases in demand, for example at Heathrow Airport. During 2006-07 73.2% of advice was provided during face-to-face consultations, compared with the national average of 71.8%.
- Satisfactory arrangements are in place for the provision of advice in sensitive, serious and complex cases, including cases of complex fraud. Referral criteria govern the transfer of cases from the sectors to the Serious Casework Sector and the Fraud Prosecution Service (not part of this assessment). In most serious cases advice is given throughout the investigative stage well in advance of formal charging advice. In the geographical sectors arrangements vary, with one sector holding special surgeries for rape, child abuse and on a pan-London basis serious road traffic cases, but in all sectors the majority of sensitive cases are referred to specialists for advice.
- During 2006-07 there were regular instances across London of inappropriate cases being referred to duty prosecutors or, in some instances, cases being charged by the police without referral to a prosecutor. Arrangements within the police service for 'gate-keeping' and supervising requests to prosecutors varied. More recently Evidential Review Officers (EROs) have been put in place in each charging police station who assist in managing the referral of appropriate cases to the duty prosecutor. The police have also recently issued Standard Operational Practice guidance for EROs and police case-builders to improve the quality of files being submitted. The BTP operate a similar system as do the City of London police. CPS Charging Centre Managers (CCMs) play an integral role in ensuring that once the case has passed through the ERO it can be dealt with by a prosecutor. CCMs supervise appointments diaries and decide whether extended appointments are required for more complex cases, and ensure that bail cases are managed. In order to improve performance, training was provided to all EROs and CCMs. The new arrangements have had some effect in ensuring that appropriate cases are referred, and in improving the quality of submissions.

- Inappropriate referrals from the police are dealt with in the first instance by the CCM or the duty prosecutor, with details being provided to the relevant Borough Crown Prosecutor (BCP). Cases bypassing the scheme are brought to the attention of police managers. Details are taken forward at joint Prosecution Team Performance Management (PTPM) meetings.
- A conflict resolution protocol is in place across the Area as part of the original charging arrangements to resolve any disagreement between the police and the duty prosecutor. There was much anecdotal and little hard evidence about the level and frequency of disagreement which led to the London Criminal Justice Board (CJB) undertaking an exercise which considered cases where the decision to charge was in dispute to address the misconceptions arising through such evidence. The CPS approach was agreed in all the cases and it was accepted that in future resolution must take place at borough level.
- There has been considerable variation across the boroughs in arrangements for the management of bail and compliance with action plans which prevented the charging scheme from operating effectively. The MPS have now implemented a bail to return system (for a decision to be made in the light of pending further inquiries) which is monitored by EROs, and a standard system for return appointments. Monitoring is now in place, although in some charging centres CCMs continue to operate their own systems to monitor progress against action plans. The Area accepts that further work needs to be undertaken to ensure that bail to return cases are referred back to duty prosecutors and that greater focus is given to this at PTPM meetings. Post-charge, the consistency of charges with the pre-charge decision is monitored by prosecutors at court.
- Some boroughs show high numbers of outstanding cases on the case management system (CMS) and further work is necessary to reduce this. For the most part these are cases where initial advice has been given to police, or indeed advice to charge, but there has been no action or updating for eight weeks. It may indicate a lack of proactivity by police or follow-up by the CPS. A number of cases had duplicate unique reference numbers (URNs); this has now been addressed.
- The Area achieved the local and national target for the proportion of pre-charge consultations recorded on CMS during 2006-07 with performance of 90.8%. Performance has continued to improve during 2007-08, but some are done by CCMs, not the duty prosecutors.
- The recording of ethnicity and gender of defendants and witnesses on CMS is dependent on the police supplying the initial information. Reality checks showed that gender and ethnicity were generally correctly recorded, although further improvement is required in the North & East Sector. The CCMs are responsible for checking the accuracy of flagging of case type on CMS and BCPs also monitor flagging as part of their assurance checks.
- There are established links between the Area and CPS Direct (CPSD). The interface is managed at both strategic and local levels, and a good working relationship is maintained throughout the Area. There have been strategic discussions with CPSD managers on issues such as conditional cautioning and threshold test cases and, at sector level, CPSD liaison lawyers may attend team management meetings, sit on the training committee and are involved in police training.
- Conditional cautioning is being rolled out in a phased approach and is jointly managed by the London CJB. The Operations Director for CPS London is the London CJB senior responsible officer. Multi-agency awareness sessions have been held. At the time of this assessment it had

been implemented fully in the West Sector and in most of the boroughs in the South Sector but had yet to be rolled out in any boroughs in the North & East Sector, where it was due to commence in December 2007. 65 cautions were issued during 2006-07 although no targets have been set across the Area.

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

- All duty and specialist prosecutors and their managers have attended the appropriate statutory charging and proactive prosecutor courses, and prosecutor training is supported by mentoring. To ensure prosecutors comply with national policy, guidance is disseminated by Sector Directors and coordinators, and a domestic violence checklist is also available to all duty prosecutors in the charging centres. Circulars of casework themes and lessons learned from individual cases are disseminated by the Sector Director of the Serious Casework Sector (SCS).
- The quality and timeliness of pre-charge decisions is monitored by the BCPs at the point of allocation of cases, through casework quality assurance monitoring, analysis of adverse outcomes and some dip sampling. The BCPs regularly attend charging centres and prosecute in courts, both of which assist the supervisory role. In the Crown Court, higher court advocates also provide feedback. During 2007 the sectors undertook charging reviews. These identified a number of shortcomings across the Area in the way charging decisions were made, including premature charging, poor completion of MG3s (the form for recording the charging decision), incomplete action plans and generally poor and inconsistent processes. Recommendations were made to address performance and borough action plans put in place.
- The Area is aware that if charging takes place too early, it can lead to adjournments, discontinuances and discharged committals, and is taking action to address this issue, giving appropriate consideration to the high rate of threshold test cases in some boroughs. As many of the Area's most experienced prosecutors are now prosecuting cases in the Crown Court and therefore no longer attending charging centres, the Area is trying to ensure that the quality of decisions improves through additional supervision. This has been tackled proactively in some boroughs, for example in the North & East through the attendance of a Crown Advocate at charging centres from the 'pathfinder' unit at Snaresbrook to support duty prosecutors.
- Reality checks undertaken as part of this assessment confirmed that some improvement has taken place. In general, appropriate ancillary issues are considered by duty prosecutors at the pre-charge stage, although sectors have identified the need for prosecutors to be more proactive in addressing victim and witness issues in order to reduce unsuccessful outcomes and drive up performance. Improvements are needed Area-wide.
- Timeliness across the Area is better than national rates. The average time from arrest to charge decision was 6.4 days compared to 9.6 days nationally and the average time from charge decision to case finalisation was 100.7 days compared to the national average of 109.4 days.
- The rate of cases in which no further action (NFA) was advised in 2006-07 at 26.5% was better than the national average of 31.9%. There have been significant variations in the rate in some boroughs; this has been attributed to difficulties in police gate-keeping arrangements, which

have now been strengthened. The ratio of charge to NFA cases is monitored and discussed at borough level at PTPM meetings and trends are identified. However, the approach to monitoring remains inconsistent; in some boroughs all NFAs are reviewed by the BCP and in others the CCM sends details to the police, although in neither instance is there a review of the evidence that was presented.

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%	13.5%	14.1%	11.0%	13.1%	17.3%	17.5%
Guilty plea rate	52.0%	69.2%	63.6%	64.8%	68.0%	66.5%	50.5%	51.7%
Attrition rate	31.0%	22.0%	23.4%	23.3%	23.0%	22.2%	30.1%	29.4%

- The Area is achieving two of the six national expected benefits of charging. In magistrates' courts cases, the national guilty plea and attrition targets have been met, although performance is below the national average. By contrast, the rate of discontinuance in magistrates' courts cases, which does not meet the national target, is better than the national average.
- In the Crown Court the discontinuance, guilty plea and attrition rates are all below national target and significantly worse than the national average, although there was a trend of improvement throughout 2006-07. The overall rate of unsuccessful outcomes in pre-charge cases in the magistrates' courts has remained stable from the previous year and there has been a small improvement in the Crown Court. The conviction rate in cases subject to pre-charge decisions was 75.2% in 2006-07 compared to 78.0% nationally.
- The Area produces detailed reports on charging outcomes for managers at borough, sector and Area levels, including highlight reports, and PTPM printouts for unit heads. The Area reviews performance periodically at the London Board (the overarching senior management forum) and the Operations Group and performance in the sectors is examined at the quarterly performance reviews between the Chief Crown Prosecutor, the Operations Director and the Sector senior management teams. Failed cases are analysed in detail at unit level with discussion at some team meetings.
- The Area works closely with the Metropolitan Police Service (MPS) under the auspices of Operation Emerald to produce charging information and make PTPM work more effectively. Agreed PTPM data has only been available to the boroughs from January 2007 which hampered the effectiveness of analysis, and meetings, prior to that time. A data pack is now produced at borough level for discussions between partners. PTPM meetings were not being held consistently across the sectors and a review was undertaken during the summer of 2007. In some boroughs between April and July none of the planned monthly meetings were held. As a result a standard

agenda has been drafted and BCPs are expected to attend meetings on a regular basis to drive improvements jointly in performance and address weaknesses highlighted from analysis. Concerns about the duplication at PTPM and Borough Criminal Justice Groups (BCJGs), and police representation have also been addressed.

- At an Area level the strategic London Prosecution Team Group provides a forum for discussing any emerging problems in relation to charging. In the geographical sectors the BCPs meet with police counterparts to review the operation of the charging centre through PTPM meetings, in addition to BCJG meetings. The Sector Director meets with the Link Commander on a quarterly basis at joint performance meetings to discuss sector-wide issues, including charging.

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

2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	9.7%
No case to answer	0.2%	0.4%
Dismissed after trial	1.9%	2.1%
Discharged committals	0.2%	0.6%
Warrants	2.6%	4.9%
Overall conviction rate	84.3%	82.2%

- The conviction rate in the magistrates' courts is worse than the national average, but there is a trend of continuing improvement from the previous year (79.6%) which has continued to improve slightly. The conviction rate stands at 82.6% mid way through 2007-08. However, there is considerable variation across the boroughs. The high level of warrants is making a significant contribution to the unsuccessful outcome rate; this is being addressed jointly with the police
- One of the Government's public service agreement targets for the criminal justice system is to increase the numbers of offences brought to justice. These are defined as recorded crimes which are generally more serious (notifiable) crimes but which also include some lower level acquisitive crime (e.g. shoplifting) and disorder. Since our last OPA, the level of offences brought to justice in London as a proportion of recorded offences has risen from 14.8% in 2004-05 to 22.2% in 2006-07, although this is still one of the lowest rates nationally. Offences brought to justice are made up of convictions together with cautions, fixed penalty notices/penalty notices for disorder, formal warnings for possession of cannabis and offences taken into consideration by the court. The proportion of offences brought to justice in London that are made up of convictions has fallen from 57.8% in 2004-05 to 46.8% (national average 48.8%) in 2006-07, but the actual numbers of convictions has risen from 87,368 to 96,451 over the same period. This constitutes an increase of 10.4% on the actual number of convictions over the two year period. The national increase over the same period was 0.7%.
- The target for offences brought to justice (OBTJ) is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence it is limited because the target includes offences dealt with by nonprosecution disposals. The CPS's contribution comes through obtaining proper convictions for offences (see above), managing cases to keep discontinuance low, good decision-making and case management; the Area is achieving this in part (see below). Targets are set at borough level; only six boroughs did not achieve the local target for the year, and overall the London Criminal Justice Board exceeded the target for 2006-07 and the early part of 2007-08.

- The rate of discharged committals as a proportion of all cases is significantly above national average, at 0.6% against 0.2%, and as a percentage of committals and sent cases stands at 4.3% compared with 2.5% nationally. Performance is particularly poor in the North & East Sector where in 2006-07 discharged committals constituted 1.1% of case outcomes, and 5.9% of cases actually committed or sent to the Crown Court, and in the South Sector where the figures were 0.5% and 4.0% respectively. Both sectors have boroughs with a high incidence of such outcomes which are the most challenging in the Area and generate high caseloads. Their performance impacts significantly on sector and Area figures.
- The causes of discharged committals have been examined at borough level and variously include: late receipt of an adequate police file; delays in allocating cases; failures in case preparation; a lack of proactivity in chasing action plans and poor communication with police; and difficulties with forensic evidence (which has been tackled at an Area level) as well as the impact of charging decisions being taken prematurely. A proportion of such outcomes are data entry errors, but these are likely to be balanced by compensating errors. The robust approach taken by the some District Judges can also affect the incidence of discharged committals. Senior managers expect that the introduction of the Integrated Prosecution Team (IPT) initiative, as part of the London Reform Programme, will assist by reducing duplication and lead to more efficient joint working, and early evidence is that premature charging is being addressed through more robust gate-keeping.
- At an Area level discharged committal rates are tracked and compared with other metropolitan CPS Areas. At borough level, Borough Crown Prosecutors (BCPs) should examine the reason for the discharge and recommend whether to reinstitute proceedings, but this was not happening with sufficient rigour. The Chief Crown Prosecutor (CCP) has examined individual cases, and reviewed the number of cases reinstated, or recommended for reinstatement and, as a result, has reissued instructions to ensure cases are reinstated where appropriate.
- Although proportions remain high, the number of discharged committals reduced from 1,140 during 2004-05, the time of the last Overall Performance Assessment (OPA), to 856 during 2006-07. Some 449 of these arose in five boroughs, including 130 in the City of Westminster and 118 in Tower Hamlets.
- The rate of cases resulting in no case to answer is also higher than national average (0.4% compared to 0.2%). The acquittal rate is more comparable with national figures.
- The discontinuance rate is better than the national average (9.7% compared to 10.8%). Performance was maintained against the previous year but there has been a slight decline during the first two quarters of 2007-08 to 10.1%. In the geographical sectors authorisation is required from the BCPs in all pre-charge cases where discontinuance is proposed and, in the Serious Casework Sector (SCS), the most complex and serious cases require the authorisation of the Sector Director. It is recognised that victim and witness issues can be a significant factor in the discontinuance of cases; the Area is aware that a more robust approach to consideration of these issues at the pre-charge stage is required in all the boroughs.
- Performance information on unsuccessful outcomes is provided by the Area Performance Team on a monthly and quarterly basis, broken down to sector and borough levels, and considered by the Sector Directors, District Crown Prosecutors (DCPs) and BCPs. It is also considered at monthly meetings between the Operations Director and the Sector Business Managers, also attended by the head of the Business Performance Unit. Performance is discussed and trends identified; these are reported to the London Board (the overarching senior management forum) and feed into the sector quarterly performance reviews with the CCP and the Operations Director.

- The BCPs also undertake analysis of adverse outcomes; findings are discussed internally and more recently shared with police counterparts at prosecution team performance management (PTPM) meetings with the full range of PTPM data. The Borough Criminal Justice Group (BCJG) is the joint local forum responsible for driving criminal justice performance at borough level. The overarching London Prosecution Team Group considers more strategic issues as well as joint performance at an Area level as does the London Criminal Justice Board (CJB) and its Executive Group.
- Various methods are employed at an Area and at local level to ensure lessons learned are disseminated to staff. Capital News and Capital E-News are circulated to staff throughout the Area and all have access to the Capital Reference Drive which incorporates the databank of performance information. The Sector Director in SCS disseminates circulars; most are legal updates on current law but some derive from cases handled by the sector and include the lessons learned. At borough level, local mechanisms vary in effectiveness. All BCPs undertake adverse case analysis and provide individual feedback on lessons learned. However, although there is an expectation that team meetings, through which lessons could be disseminated to staff, will be held regularly, many are held only on an ad hoc basis and the record of such meetings is not good.
- Performance in relation to persistent young offenders (PYOs) has been poor for a significant period and the London CJB was required to account to the Attorney General. Performance in relation to PYOs was addressed jointly under the umbrella of Operation Phoenix which is overseen by the London CJB. There are now improved mechanisms for tracking, regular meetings to discuss individual cases, and improved arrangements for identification; there has also been a reduction in the time from arrest to charge. The London Performance Forum examines performance in the weakest boroughs. Cases exceeding 60 days are referred to the appropriate BCJG and cases exceeding 100 days are referred to the London CJB Executive Group as part of the new escalation process implemented under Operation Phoenix.
- During 2007 the Area finally achieved the 71 day PYO target, from arrest to sentence, for the first time since it was introduced. Although average performance for 2006 was 85 days, performance improved across the year and continued to improve during 2007. Performance stood at 70 days, 66 days and 65 days for the three month periods to August, to September and to October 2007 respectively. The October figure meets the stretch target set by the Attorney General. The National Criminal Justice Board has commended the improved performance.

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%	44.1%
Cracked trial rate	37.3%	36.0%
Ineffective trial rate	18.9%	19.9%
Vacated trial rate	22.5%	19.6%

- The arrangements for the monitoring of police file quality have improved since the last OPA. PTPM data only became available in an agreed format in January 2007 and action has been taken recently to improve attendance and effectiveness of the meetings; PTPM meetings are now held across the Area and the relevant content of prosecution files is discussed. At the charging centres there is an expectation that the Charging Centre Managers and the duty prosecutors will intervene to drive up file quality, and equally designated caseworkers preparing for courts in the police stations. The Area has also delivered extensive training to the police, including at the Crime Academy in Hendon on the Manual of Guidance, and developed training packages for officers. It is anticipated that the eventual roll out of the Integrated Prosecution Team, with the creation of a single file, will deliver a consistent file standard across the Area.
- The Area monitors review and case preparation through the casework quality assurance (CQA) system undertaken by the BCPs; this is supplemented by dip sampling of charging decisions and analysis of adverse outcomes and the causes of cracked and ineffective trials. BCPs and DCPs also prosecute in courts which facilitates additional monitoring. CQA performance indicates that the quality of decision-making and case preparation is slightly worse than nationally, which can be an indication of the robustness of the system, although reality checks indicated that managers may not be consistent in their approach.
- Case progression officers in the units represent the joint prosecution team and work with their court counterparts. Regular meetings should take place at borough level, but do not always occur and the frequency can vary. BCPs and DCPs undertake case management hearings to try to ensure cases are progressed to trial and the DCPs meet regularly with Regional Managers from HM Courts Service to discuss outstanding issues. Feedback received as part of this assessment suggests that not all case progression officers are in place, or positions are not being covered, thereby placing greater reliance on the courts to undertake the task, and that there is significant drift in cases. Reality checks revealed that actions and correspondence were dealt with appropriately in the North & East Sector. In contrast, in the West and South, there was evidence that not all actions had been progressed prior to the case management hearing.
- The Area has started to roll out the Optimum Business Model for volume crime in some boroughs and anticipates that this will deliver improvements to case progression and overcome the difficulties caused by limited lawyer time in the office, which has occurred as a result of the high in-house court coverage. The pilot site in the South Central district has a dedicated case progression lawyer to ensure prompt trial preparation once a not guilty plea has been entered. This is also the case in Hackney and Tower Hamlets.
- Simple Speedy Summary Justice (CJSSS) is a national initiative aimed at expediting apparently straightforward cases through the courts with reduced paperwork. It has been rolled out to five magistrates' courts: Thames and Camberwell Green (the pilot sites); Bexley, Havering and Newham, which went live in September 2007; and at Balham Youth Court. The impact of CJSSS is currently being reviewed. The pilot sites showed mixed success, and a review is being undertaken to ensure compliance across locally developed schemes. The pilot site at Thames encompasses two of the most challenging boroughs in London where performance needs significant improvement. Timeliness has improved at Balham Youth Court. At the time of the assessment the Area was on course to roll out CJSSS across all boroughs by the end of December 2007. In conjunction with CJSSS, the Director's Guidance: Streamlined Process is also being piloted in Hackney, Tower Hamlets, Lambeth and Southwark, to improve the speed of summary justice.

- At the time of the last OPA there was a specialist youth team in the South Sector undertaking all youth work in the inner London boroughs. The concentration in a single team limited the availability of youth specialists at the various charging centres and performance was not improving in youth cases throughout London. The Area therefore embarked on the Youth Devolution Project which devolved youth cases back to the boroughs, and a redistribution of specialists to the inner London boroughs. The project was evaluated in March 2007; there is now better alignment with the police which underpins charging and the IPT initiative currently being rolled out across the Area. However, some difficulties are caused by the flow of youth cases from a number of boroughs into the centralised youth courts and some advocates do not have experience in youth cases. Nevertheless, there has been an overall improvement in performance in terms of the PYO target and in the timeliness of all youth cases, although the loss of speciality has been apparent in the Inner London Youth Courts.
- The effective trial rate of 44.1% is better than the national average and has improved from the previous year (40.8%). The ineffective rate of 19.9%, although slightly worse than national, has also improved from the previous year when the rate was 24.9%. The cracked and vacated trial rates are both better than national but have declined slightly from the previous year. The rate of ineffective trials due to the prosecution is worse than the national average (39.3% compared to 35.5%); this supports the drift and lack of preparedness reported by other agencies and confirmed by reality checks. The cracked trial rate due the prosecution is also worse than nationally (46% compared to 39.6%). There is now increased use of the vacated trial category to record cases where witnesses are not available; this is helping to improve the ineffective trial rate. The BCPs undertake analysis of cracked and ineffective trials at a local level and lessons learned are shared with partners locally at the BCJGs. Cases are only discussed at an Area level on an exception basis.
- The case management system (CMS) is used routinely to record key events. The use of CMS for recording magistrates' courts reviews rose steadily throughout the year from 31.7% to 70.8% at the year end, with an average performance of 54.1% for the year; performance continued to improve during Quarter 1 of 2007-08 (65.9%). The rates for the timeliness of recording hearing outcomes and of finalisations have also both improved into the current year. Care needs to be taken to ensure the accuracy of data inputting; this was highlighted as an issue in South Sector charging review. The reality checks in the West Sector also revealed some instances of wrongly recorded outcomes, two of the five cases examined were recorded as convictions after trial where the defendant pleaded guilty on the day, and a discharged committal was recorded wrongly as having been discontinued.

3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT	OPA 2005	OPA 2007	Direction of travel
	Fair	Poor	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%	17.1%
Judge directed acquittals	1.4%	1.9%
Acquittals after trial	6.5%	8.4%
Warrants	1.3%	1.5%
Overall conviction rate	77.7%	71.0%

- The conviction rate in the Crown Court was the worst nationally although there was improvement throughout 2006-07. This trend has continued during the first two quarters of 2007-08. By the end of Quarter 2 the Area had moved to second worst nationally. Performance is compared and tracked against other metropolitan CPS Areas and the gap is closing between London and the national average and more significantly with some of the other metropolitan CPS Areas. The number of boroughs achieving performance which is better than the 20% target for attrition is rising; in April 2006 only six of the 33 boroughs were achieving the target, by October 2006 11 had achieved it and for the majority of the nine month period to March 2007 ten boroughs consistently achieved the target. The high level of hate crime in the Crown Court caseload, which is 10% higher than the national average impacts on the attrition rate and holds performance back. The Serious Casework Sector (SCS) is the best performing sector with a conviction rate of 76.9% which is comparable to national performance.
- The rates of judge directed acquittals and jury acquittals are both worse than nationally and variable performance is evident across the sectors. The rate of judge ordered acquittals (JOAs) at 17.1% is worse than nationally (13.1%) with the North & East performing worst at 20%. In contrast, the rate of JOAs in the SCS is significantly better than nationally at 6.4%. The Area tries to ensure only appropriate cases are discontinued by generally requiring authorisation from a Borough Crown Prosecutor (BCP) prior to discontinuance of pre-charge cases. In the SCS in many instances authorisation from the Sector Director is necessary.
- The Area monitors and tracks performance and quarterly trends. Performance information is provided on a monthly and quarterly basis broken down to sector and borough levels. Each sector has a quarterly performance review with the Chief Crown Prosecutor and the Operations Director. The highlight report is also considered at the monthly Operations Group meetings in preparation for the London Board meetings (the overarching senior management forum). The London Board and the Operations Group provide mechanisms to disseminate information and

share good practice across the Area. The Area has worked effectively with partner agencies; this has impacted on magistrates' courts outcomes. It now wants to move the focus to the Crown Court environment to drive performance up and increase usage of Higher Court Advocates (HCAs). Area Managers hope that the advent of projects under the auspices of the London Reform Programme such as the Integrated Prosecution Team supported by the Optimum Business Model will streamline work and release lawyer time from the magistrates' courts caseload to concentrate on Crown Court work.

- In the sectors there are particular issues that need to be addressed at a local level. For example, in the North & East there are problems in securing witness attendance which is exacerbated by the significant backlogs at Snaresbrook Crown Court and Wood Green Crown Court. The profile of the population also presents challenges for securing witness attendance at court. Duty prosecutors are encouraged to be more proactive at the pre-charge stage in relation to identifying witness issues and the Prosecution Team Performance Management (PTPM) meetings are now attended by a Witness Care Unit representative. A BCP is available at Snaresbrook to provide advice and work has been undertaken at Area level to negotiate different committal pathways to reduce backlogs.
- The London Performance Forum, a sub-group of the London Criminal Justice Board (CJB), examines Area performance monthly and supports the local Borough Criminal Justice Groups (BCJGs) to deliver the London CJB performance targets. The BCJGs drive local criminal justice performance at borough level. In addition, there are local PTPM meetings and case progression meetings where joint performance is discussed; work has been undertaken at a strategic level to make the inter-agency meetings more effective. Concern about performance in the most challenging boroughs has led the London CJB to commission a study to examine the reasons behind the Crown Court outcomes, particularly in cases from four of the worst performing boroughs.
- There are various methods employed at an Area and at local level to ensure lessons learned are disseminated to staff. There is Area circulation of Capital News, Capital E-News and SCS casework circulars. All staff have access to performance information on the Capital Reference Drive. At borough level there are local mechanisms which vary in effectiveness. All BCPs undertake adverse case analysis and provide individual feedback on lessons learned. In some boroughs trends are circulated and discussed at team meetings and by managers, although this practice is not consistent across the Area. There has been shared learning and training on indictments across the sectors. In the SCS outcomes are analysed on a case by case basis and usually involve a police debriefing with all the relevant agencies to learn lessons. The sector also celebrates success which is captured with the lessons learned in the sector newsletter.
- The Area did not achieve the Proceeds of Crime Act (POCA) target for the number of confiscation orders, achieving 370 against a target of 452. The North & East made the most significant contribution from the four sectors achieving 126 orders. However, the Area exceeded the monetary target with the sum of confiscation orders amounting to £18,281,281 against the target of £17,082,978. Performance during Quarter 1 of 2007-08 is exceeding trajectory for the restraint order target at 244% and the monetary target at 102% but is slightly under trajectory for confiscation orders at 91%.
- There is an Area champion and POCA champions in the sectors who are responsible for raising awareness. Links have been made with financial investigation officers (FIOs) in the boroughs but the absence of an FIO in some boroughs hampers performance. There is a formal liaison

structure in place between the Regional Asset Recovery Team (RART) lawyer, the Area POCA champion and sector champions to distribute updates, disseminate best practice and lessons learned. Performance is discussed at management team meetings. There has been a rolling programme of POCA training and the RART lawyer delivered the course to the HCAs.

- The Area RART lawyer monitors confiscation orders requiring enforcement and applies for restraint orders in appropriate cases. There is a draft service level agreement between the Area, the Metropolitan Police Service (MPS) and HM Courts Service; the agencies still need to resolve issues in relation to incentivisation funding prior to signing.

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%	57.9%
Cracked trial rate	39.5%	28.7%
Ineffective trial rate	12.4%	13.4%

- The BCPs undertake casework quality assurance (CQA) and dip sampling to assess the quality of casework. This is supplemented by feedback from the HCAs appearing in the Crown Court and analysis of adverse outcomes; findings are discussed internally and shared with police counterparts at PTPM meetings. All acquittals in allegations of rape are reviewed. These mechanisms are supported by the case management panels attended by the senior managers. In the West Sector, the additional case management panels undertaken by the Area Advocacy Trainer provides feedback on a number of cases each month to assist with case handling and progression. CQA compliance improved throughout the year and performance indicates that the quality of decision-making and case preparation is at a consistent level but slightly worse than nationally, which suggests the robustness of the system. In the SCS there is a structured process of supervision for all casework which can include reference to the CCP.
- There is strong joint working between the CPS and Crown Court Centres which has been in place since the Effective Trial Management Project, and structured case progression meetings with the Crown Court are held; in some court centres this also involves police representation. There are case progression officers in the Area who work with their court counterparts. However, feedback in response to our questionnaires suggested the burden of work was falling on the court case progression officers due to the lack of Area resource and expertise. The reality checks undertaken in the West showed that some cases were handled well whereas in other cases there was evidence of drift. In the South despite the systems in place there is inconsistent performance and evidence of some noncompliance with orders. In an effort to improve performance in the South Central District there is a pilot case progression scheme whereby all orders are monitored by the case progression officer; this has shown a 30% increase in compliance, although this undermines individual case ownership and accountability of Crown Court files. In the SCS systems are in place, judicial orders are logged and monitored and performance is better although the reality checks identified that the completion of pre-trial checklists could be more robust.

- There are a small number of youth cases in the Crown Court other than at Inner London Crown Court and Wood Green Crown Court where youth cases are committed from the inner London youth courts. The improved identification and tracking of persistent young offenders (PYOs) has ensured that other cases are tracked with greater vigilance to capture youths who become PYOs during the course of proceedings. Crown Court PYO cases exceeding 180 days are referred to the BCJG as part of the new escalation process imposed by Operation Phoenix (the joint initiative to address PYO performance). Youth cases are considered at the weekly case progression meetings and monitored at the inter-agency tracker meetings.
- The effective trial rate is significantly better than the national average (57.9% compared to 48.2%) The cracked trial rate is also better than national performance (28.7% compared to 39.5%). Although the ineffective trial rate at 13.4% is not as good as national performance (12.4%); performance exceeds both the local (15%) and national (14.2%) targets. There was an improvement throughout 2006-07 and performance remains strong during the first two quarters of 2007-08 with rates of 13.6% and 13.7%. However, the proportion of effective trials is falling and the proportion of cracked trials increasing which may be attributable to late guilty pleas; during 2006-07 55.3% of cracked trials were due to late guilty pleas. The rates of ineffective and cracked trials due to the prosecution are both slightly worse than the national rates. There is analysis of cracked and ineffective trials in the boroughs and districts although they do not align easily with the Crown Court centres. At some Crown Court centres across the Area there is discussion with HM Court Service staff and the judiciary about performance.
- The rate of use of the case management system (CMS) for Crown Court reviews was 70.8% which did not achieve the local or national target of 90%. However, there was steady improvement throughout 2006-07 with performance at the start of the year at 41.6% rising to 81.6% at the year end. Performance during Quarter 1 of 2007-08 has continued to improve to 85.8%. The use of CMS has been an Area priority since the last Overall Performance Assessment in 2005; additional training has been provided and personal objectives set.

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

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

- It is something of a paradox that on the one hand most concerns raised with us about CPS London related to preparation for court, lack of ready communication and in some magistrates' courts missing prosecutors' files whilst on the other hand timeliness of throughput of cases for the most part is better than national average. Timeliness as measured by the Ministry of Justice is generally as good as or better than the national averages across all six timeliness targets in the magistrates' courts for adult initial guilty pleas, committals and trials, and in the youth courts for youth initial guilty pleas, committals and trials. The rate of discontinuances on the third or subsequent hearing is also better at 55.3% than national average (59.2%); with the best performance in South Sector and at 50.3% and the worst in the West Sector at 63.4%. Nevertheless, the perception in some courts is that too often the prosecution drop the cases only very shortly before the trial date.
- The Area has taken steps internally and jointly with partners to improve the progression of cases at court at first and subsequent hearings, for example the attendance of a Borough Crown Prosecutor (BCP) at the magistrates' courts in the City of Westminster to act as a floating prosecutor in a supervisory role who is able to deal with any issues arising. Advance information packages are included in each police file; these are checked by lawyers and DCWs prior to service. The high in-house court coverage has contributed to improved pro-activity in court but it also has the detrimental effect of hampering out of court case preparation leading to significant drift in cases. The timeliness of service of papers on the defence is worse at 65.3% than the national average of 71.5%. The London Traffic Prosecution Service (TPS), attached to the South Sector, and the 11 Gateway Traffic Courts are considered by managers to be a success; the formal evaluation confirmed that they have realised benefits in terms of improved case management and file quality, and increasing the numbers of cases proved in absence. There is a conviction rate of 90% and there have been considerable financial savings to the Metropolitan Police Service and the Area.
- The Area piloted the "Virtual Court" prototype with video links between police stations and courts to encourage early guilty pleas; this is being taken forward nationally by the Office of Criminal Justice Reform. Simple Speedy Summary Justice (CJSSS) has been rolled out in five courts (seven boroughs): Thames and Camberwell Green (the pilot sites) and Bexley, Havering and Newham. The latest three sites are undergoing post roll-out evaluation. Director's Guidance: Streamlined Process is being piloted in Lambeth, Hackney, Southwark and Tower Hamlets with the aim of providing a quicker process for achieving summary justice. The Integrated Prosecution Team initiative and Optimum Business Model have also been piloted in the more demanding boroughs which senior managers hope will improve efficiency of case preparation and ultimately case progression. The Area vision for the next five years is based around the extensive roll out of "Virtual Courts" supported by the other initiatives to deliver a streamlined, timely, and more effective service.
- Instructions to counsel are delivered sufficiently in advance of hearings to allow adequate preparation time and the Area performs better than the national average for timeliness of instructions to counsel (87.2% compared to 78.3%). The Area has undertaken some work around

the issue of timeliness which will also be examined as part of the External Advocate Scheme to consider whether a pan-London approach is required. The sectors use the casework quality assurance system to provide an assessment of the quality of instructions to counsel. The reality checks in the geographical sectors showed that there needs to be an improvement in the quality of instructions to counsel, particularly strengthening issues in relation to acceptable pleas.

- A booklet of “Instructions to Prosecution Advocates” produced by the Area, has been sent to all chambers; this has standard instructions on 38 aspects of casework including victim and witness care, custody time limits, youths and disclosure. In the Serious Casework Sector (SCS) there is robust management and supervision of instructions to counsel and the Treasury Counsel Casework Manager oversees the quality of instructions to Treasury Counsel. Timeliness of service of papers on the court and the defence in indictable only cases is also better than nationally (46 days compared to 52 days) and has improved by ten days over a four year period compared to four days nationally.
- The Area covers more court sessions with in-house advocates (84.2%) than the national average (80.4%); this has continued to improve during Quarter 1 of 2007-08 with 93.7% in-house coverage. However, as already noted, this has impacted on the preparation time available for out of court case progression. The Area has increased usage of DCWs, more have been recruited, and has worked hard to improve listing arrangements. In some boroughs DCWs undertake all the remand work freeing up significant lawyer time; however, DCW usage is not as advanced consistently across the sectors and there is still scope for streamlining work at a number of courts. DCWs are fully deployed in the traffic unit reducing the need for lawyers in the traffic courts.
- The Area expectation for the division of lawyer time between court work, charging and office time in the geographical sectors is that prosecutors will spend the majority of time in court but giving appropriate consideration to the types of back to back courts covered. Managers prepare the rotas well in advance to help give sufficient time for preparation; however, this is only effective if the units can ensure that the files are also available to be read in advance. The Chief Crown Prosecutor, Sector Directors, District Crown Prosecutors (DCPs) and BCPs all attend court on a regular basis, although the Area expects the DCPs to concentrate on Crown Court work and forging relationships with the Resident Judges and BCPs to have a greater role in community engagement and stakeholder management.
- The External Advocate Scheme was introduced in the Area in May 2007, mirroring the well established system in place across the circuits nationally. Work is now accepted on an individual basis according to seriousness and complexity; cases are grouped according to grade and whether a specialist qualification is required. Returns are monitored and are more controlled through the individual relationship with counsel. There is also a list of approved rape advocates; monitoring by the Area rape coordinator forms part of the accreditation.
- There are three Area Advocacy Trainers, one based in each geographical sector; they are used to provide an overview of in-house advocacy standards including case progression and service delivery at court. The CCP and Sector Directors also attend court and make assessments, providing feedback to individual line managers, and the DCPs and BCPs assess standards on a less formal basis during their time at court. There is a new approach to the selection and monitoring of counsel under the External Advocate Scheme; exceptional, good or poor performance is identified at a unit level and casework managers complete the relevant forms

which are forwarded to the Borough Performance Units. Informal feedback is also provided through Court User Groups and more formally through the Borough Criminal Justice Groups. Feedback received in response to our questionnaires was generally positive about most prosecution advocates but with concerns about some. Some concerns were expressed about case readiness in the Crown Court and the magistrates' courts. The sector advocacy review undertaken in the South in April 2006 supported these findings on case preparedness; a number of the pilot projects and initiatives have since been introduced.

- The listing arrangements are controlled by the five Justices' Issues Groups in the Area. A London wide protocol was drafted but it was not possible to reach agreement across the Area; however, the Area has had success through local discussions which have helped rationalise sessions. Local listing arrangements have accommodated exclusive DCW courts, although there is work to be done at a number of courts across the Area to streamline work further. The negotiations for CJSSS have led to a reduction of sessions at some courts but there has not been an overall reduction in court sessions to reflect the significant reduction in caseload in the magistrates' courts, from 163,626 in 2004-05 to 132,681 during 2006-07. The number of sessions undertaken in 2004-05 was 54,078 rising to 57,000 in 2006-07.
- The magistrates' courts in London are clustered together; the districts in the sectors have been aligned, as far as possible, to this arrangement. The impact of such clustering can be to transfer cases between courts in the group to balance caseloads. The Area is working with partners to try to ensure that the most appropriate cases are transferred to reduce any adverse impact for civilian victims and witnesses. The Crown Court centres do not align with the current arrangements in the sectors. The Area was pleased to be invited to the committal pathway consultation exercise for the first time and has had some influence on the committal pathways to be implemented in April 2008. It has also achieved progress in terms of movement in cases at committal which enables certain cases to be excluded from the system compared to the past when cases were moved in blocks post committal. Further work needs to be undertaken to improve the committal pathways in the North & East.
- The Area does not measure the number of adjournments but relies on timeliness of cases as a performance indicator at the London Criminal Justice Board with data provided by HM Court Service. London performs better in terms of adjournments per case and adjournments per committal case in the magistrates' courts than nationally although fares less well in the Crown Court in terms of adjournments. There is some variation across the sectors; understandably there are more adjournments in the Crown Court in the SCS.
- Wasted costs are managed at sector level. There were 57 orders during 2006-07 spread across the geographical sectors, amounting to £41,712, with none awarded against the SCS. There were 71 orders at the time of the last Overall Performance Assessment. The DCP generally investigates each wasted costs order and prepares a report to the Sector Director where necessary. The Area intends to take a greater interest in the orders and to capture at which venue they have been awarded.

5 SENSITIVE CASES AND HATE CRIMES	OPA 2005	OPA 2007	Direction of travel
	Fair	Fair	Improved

5A The Area identifies and manages sensitive cases (including hate crime⁶) effectively

- Sensitive cases and hate crime are generally handled well across the Area. Although the outcomes need considerable improvement, the Area has appropriate structures in place to drive improvements in performance and the Serious Casework Sector (SCS), which handles much of the high profile and sensitive casework, does so to a particularly high standard. The SCS has stringent arrangements for the monitoring of casework involving the managing prosecutors, champions and the Sector Director as well as good liaison with the specialist police squads. There are robust selection procedures for secondment to the sector and cases are allocated according to expertise and caseload. There is a protocol governing the acceptance criteria for cases to the SCS.
- There are champions, specialists and/or coordinators for each category of sensitive case at sector, district and borough levels; all have received appropriate training. Bespoke 'walk through' training has been provided on rape. To date 142 lawyers have received the initial rape training although the additional activities such as observing a trial and visiting a Sexual Assault Referral Centre have yet to be completed by many. The Area needs to ensure that there is the correct balance between the need to maintain the level of expertise by the specialists through handling a sufficient number of cases, (545 rape cases were finalised during 2006–07 which is only approximately three per specialist), and training sufficient numbers. Training on racial and religious crime and domestic violence cases has also been delivered and further training on homophobic crime will be available during the current financial year. The Area is trying to ensure there is greater in-house coverage of sensitive cases in court, particularly by HCAs in the Crown Court, in order to deliver an improved service.
- In the three geographical sectors sensitive cases including rape and child abuse cases are only allocated to specialists but the volume of domestic violence cases are allocated to a wider pool of prosecutors and case handling is more variable. There are three specialist rape higher court advocates (HCAs) based in the South who have been recruited externally to provide expertise through pre-charge advice and decisions, to conducting cases to their conclusion through prosecution at court. The HCAs in the Snaresbrook 'Pathfinder' unit also provide specialist advice in child abuse cases. There is an Area specialist list of advocates for rape cases which was updated during 2006-07.
- Two specialist prosecutors based in the London Traffic Prosecution Service in the South Sector provide specialist advice on all fatal and serious personal injury road traffic incidents; they also provide specialist duty prosecutor advice surgeries to the five police traffic garages.

⁶ 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).

- The BCPs conduct monthly casework quality assurance (CQA) assessments; the sample always incorporates a hate crime file. CQA is supplemented by the case management panels across the Area for the most complex and serious cases, and in the West the Area Advocacy Trainer conducts additional case management panels which include sensitive cases, three each month per district. Hate crime and sensitive files are reviewed by a BCP prior to discontinuance and in rape cases a second opinion is required. The Chief Crown Prosecutor (CCP) Sector Directors, DCPs and BCPs all undertake advocacy which provides a monitoring function; there is also analysis in the boroughs of adverse outcomes and dip sampling by coordinators of some categories of cases.
- The senior managers take a lead role in sensitive cases and hate crime, for example the CCP leads on rape in the Area and leads on domestic violence at the London Criminal Justice Board, the Operations Director (OD) leads on disability and homophobic crime and Sector Directors lead on domestic violence and on racially and religiously aggravated casework; they represent the Area at pan-London groups. The CCP is currently chairing the group responsible for producing national policy guidance on elder abuse, the Sector Director in the West is a national lead on so-called “honour crimes” and the Operations Director chairs the National Hate Crime Implementation Group.
- The Area rape coordinator holds surgeries and has disseminated good practice to the specialists and the sectors, and district coordinators monitor and progress cases.
- The coordinators across the Area for the various categories of hate crime meet quarterly with the lead from the senior team and discuss the current caseload to learn lessons and disseminate good practice; each coordinator has been set an objective and facility time is provided to enable them to fulfil their duties effectively. The coordinators take a lead role for sharing data with other agencies at local fora and multi-agency groups; there are also quarterly meetings with the MPS.
- The Area is re-assessing the current policy in relation to specialists and the South piloted a scheme in the Southwark team to introduce a generic hate crime coordinator. The new post will deal with the majority of hate crime within the borough, provide charging advice and attend meetings with community groups. The Area want to ensure that the current expertise available is not lost in the transition in view of the resource expended on development and training. At present the Area intends to maintain separate domestic violence and rape coordinators to deal with these aspects of casework rather than capture it under a single “Violence Against Women” banner with joint coordinators across the Area.
- The Area has handled a number of high profile cases of local concern effectively, particularly within the SCS, although each geographical sector has provided several examples of high profile cases that have been handled well. Case management panels (CMPs) are held with the Sector Directors and there is an off-sector representative in cases where the time estimate is six weeks or more. Where appropriate, the CMPs include the CCP and on occasions the Director of Public Prosecutions. Media interest forms are completed and a media interest log is maintained by the individual sectors. In the SCS there are fortnightly communications meetings with Headquarters about the media strategy. The Sector Directors have participated in a number of “gold groups” set up by the MPS in high profile media cases. In addition to learning lessons and capturing good practice, it ensures the role of the CPS in casework decisions is properly explained to local communities and the media. The sectors have also been holding Performance Indicator Review

Panels with community representatives; this includes a discussion of casework namely, monitoring, flagging and outcomes. The panels have covered a wide range of casework with a theme chosen for each panel discussion, for example, domestic violence, mental health or homophobic crime, and have contributed to the development of the handling of hate crime in the sectors. The panels will be superseded during 2008 by the Area Hate Crime Scrutiny Panels required by the national model and Community Involvement Panels reaffirming the Area profile as opposed to the current geographical arrangements.

- At the start of 2006-07 the Area conducted a dip sampling exercise which revealed that not all hate crime was flagged on the case management system (CMS) for the year. As a result the Area took action; the message was reinforced through a 'pop up' note on CMS, a briefing paper for managers, and staff were directed to the guidance on the intranet. Flagging has steadily increased as a result. Flagging is also raised at the monthly coordinator meetings, dip sampling is undertaken if the figures appear low, and domestic violence data is compared against police data. In the sectors the expectation is that cases should be flagged at the charging centre or at registration. The Sector Performance Officers provide management information system (MIS) reports to ensure cases are captured and remedial action is taken at unit level in respect of omissions. A review of performance indicators in March 2007 provided a level of assurance for the SCS, West and North & East Sectors and highlighted remedial action to be taken in respect of data input, which has been acted upon in the South. The flagging of rape cases has improved from 84.0% to 90.9% in the first half of 2007-08. Our reality check identified that 27 of 33 relevant cases were accurately flagged on CMS.
- Policy implementation is a standing item at London Board meetings (the overarching senior management forum) and all categories of hate crime are discussed regularly. All policy updates and HMCPSI thematic reports are forwarded to the relevant specialist for further action. Policy bulletins are circulated via the intranet, sector coordinators provide updates and relevant training has been provided at sector level. Compliance with policies is assessed and monitored by the BCPs through CQA, dip sampling, attendance at court to conduct case management hearings and adverse case analysis. The rape coordinators have taken steps to progress the national recommendations in the sectors in relation to the Inspectorate's joint review of rape offences, "Without Consent". Guidance has been issued to all rape specialists.
- There are currently four Specialist Domestic Violence Courts (SDVCs) in London, at Croydon, Brent, West London and Newham; bids have been submitted for further courts at Harrow, Hillingdon, Highbury Corner, Haringey, Greenwich and Southwark. The Area has identified that the role of the Independent Domestic Violence Advocates (IDVAs) is key to ensuring victim participation in the trial process and in the event of the additional bids not succeeding, the London Criminal Justice Board has been proactive in securing funding of £600,000 from the Home Office for IDVAs and multi-agency risk assessments (MARACs) across London for the next eighteen months.
- All cases where the hate crime element is removed, or where lesser charges or discontinuance are proposed are referred to the BCPs for approval. In religiously aggravated crime, consultation at Area level is always required. The Area and sectors do not collate and analyse data in relation to this.

- The proportion of hate crimes that result in an unsuccessful outcome at 41.3% nearly achieved the Area target of 41.0% although this did not achieve the national target of 36.0% and is worse than the national average of 32.8%. Performance is comparable across the three geographical sectors but performance in the SCS far exceeds both targets at 16.3% (It deals with only a small number of hate crimes and so does not impact heavily on Area outcomes). Area performance during 2006-07 improved on the previous year (44.1%) and continues to improve during Quarter 1 of 2007-08 with a rate of 37.7%. The target for the current year is very challenging at 28.0%. The three individual categories of hate crime namely, domestic violence, homophobic and racially and religiously aggravated crime have all displayed similar trends of improvement. Performance is considered at borough and sector levels in the monthly and quarterly performance reports and at the quarterly performance reviews with the CCP and OD. The coordinator meetings also discuss performance in their specific area of expertise.
- Domestic violence cases are the major contributor to the unsuccessful outcome rate. The MPS policy of cautioning in cases of domestic violence, which is not undertaken in many other police forces, impacts on this rate. Area managers consider that many of these would result in successful convictions because of the acceptance of guilt. During the first eight months of 2007-08, 14,300 sanction detections have been recorded for domestic violence cases, 52.0% have been dealt with by way of caution equating to 7,436. On the current trend this would amount to 11,154 for the financial year.
- Performance data on rape cases is compiled and analysed; the unsuccessful outcomes rate for 2006-07 was 57.4% against a target of 45.0% and needs improvement. The data for the first two quarters of 2007-08 shows that the rate of attrition has remained fairly stable at 56.7%. The flagging of rape cases revealed that 84% of cases were flagged during the year, although flagging has improved to 90.9% for the first two quarters of 2007-08.
- The Area Business Plan for 2006-07 detailed to “participate as needed in the Safeguarding Children programme” as an activity towards achieving the aim of co-operation with criminal justice partners. This was a steer to the units to act at a local level. At the sector level there is variable involvement across the boroughs with Local Safeguarding Children Boards; some boroughs are represented at the meetings, some receive minutes and others only have links through the police at Borough Commander level or through the Child Protection Teams (CPTs). Links with the multi-agency public protection agencies (MAPPAs) are also through the CPTs. In the SCS there are debriefings on individual cases which are led by the police and may involve local authorities and social services where appropriate, enabling lessons to be learned and fed back to the sector. There are also links with MAPPAs through the Child Murder Squad.
- Other Area mechanisms also fall under the Safeguarding Children umbrella, for example, the specialists for child abuse, domestic violence, rape and youth cases. A service level agreement for child abuse cases has recently been agreed with the police. The Children and Young Persons Policy and Guidance has been circulated to staff and additional training provided in relation to special measures. Simple Speedy Summary Justice (CJSSS) has been introduced at Balham Youth Court to improve the efficiency for young victims, witnesses and defendants.

6 DISCLOSURE	OPA 2005	OPA 2007	Direction of travel
	Fair	Fair	Stable

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

- The Area has taken various actions to improve performance including training internally and of partner agencies. There is more robust monitoring and examination of ineffective trial outcomes due to disclosure issues. There are various management checks at borough level which range from casework quality assurance (CQA) monitoring and dip sampling undertaken by Borough Crown Prosecutors (BCPs) and assessments by managers at court, for example whilst prosecuting case management hearings. The Area CQA is generally a little more realistic than in some Areas; the average compliance with disclosure standards for 2006-07 was 89.6% compared to the national average of 92.1%. There is also feedback from higher court advocates (HCAs) on compliance in Crown Court casework and from the Resident Judges at liaison meetings with District Crown Prosecutors (DCPs). The cracked and ineffective trial reports are also analysed by the BCPs to identify any disclosure issues. The rate of trials that are ineffective due to disclosure issues on the part of the prosecution in the magistrates' courts, at 2.8%, is worse than the national average (1.9%).
- The Area has a pan-London agreement with the Metropolitan Police Service (MPS) that certain key documents and records are provided by the police to the prosecutor automatically; this enables prosecutors to make more informed review and disclosure decisions than in many other Areas. The arrangement has been in place for a significant number of years.
- The reality checks undertaken across all four sectors indicated that case handling did not always reflect good practice as laid out in the guidance. Duties in relation to initial disclosure were undertaken properly in 12 of 14 cases (85.7%) in the magistrates' courts and in 17 of 25 Crown Court cases (68.0%) in our reality checks. Performance in relation to continuing disclosure was consistent in both categories of casework at 50%; in the magistrates' court one of two cases and in the Crown Court 11 of 22 cases. There has been noticeable improvement in the North & East since the last Overall Performance Assessment (OPA) in 2005 but timeliness was an issue in the South and West Sectors. In the Serious Casework Sector (SCS) frequent blanket or voluntary disclosure of all or most items was a weakness.
- Across the Area regular liaison meetings are held between the DCPs and the Resident Judges enabling discussion on the handling of unused material and the application of the protocol. The Court User Group mechanism is also used for discussion, some of which are chaired by a Resident Judge, and there are meetings with the judiciary at the Sector Director level. The increased deployment of HCAs has assisted in maintaining the profile of the handling of unused material and encourages a more robust approach through the greater willingness to question and challenge defence applications.

- The Area file format provides for a separate disclosure folder and the use of a disclosure record sheet, although in the South the expectation in magistrates' courts cases is less stringent. Our reality checks confirmed in the SCS and the North & East the files were well organised, but less so in the West and South Sectors.
- Systems are in place to ensure sensitive material and schedules are stored securely in all the sectors; these accord with Area policy, although for the most part sensitive material is retained by the police. The reality check revealed that in the magistrates' court only one of the three files complied with the duties in relation to the handling of sensitive material; in the Crown Court nine of 12 files complied (75%). The main issue was the lack of endorsement on the sensitive schedule (MG6D). There are individual third party protocols between Crown Court centres and the Area, most have been in place for a considerable period.
- The Sector Director SCS is the Area champion. During June 2006 the champion, in conjunction with a District Judge, delivered a series of seminars to court legal advisors and prosecutors. Information has also been disseminated across the Area in the form of SCS Circulars; there have been two updates on disclosure during 2006-07. The sectors in the North & East and the West have also appointed sector champions who act as a point of reference for disclosure queries from sector lawyers and deal with most enquiries. In the South the Sector Director has overall responsibility for disclosure issues and each BCP is champion at a local level.
- Following the last OPA disclosure training was provided across the Area; the Chief Crown Prosecutor was one of the lead trainers. Additional training has been delivered locally in the sectors to meet training needs; there has been training on the foundation course, (the e-learning module) and some training has been adapted from current available courses. The North & East delivered an extensive programme during 2006.
- The Area provides training to the MPS through the Crime Academy at Hendon, and Sector staff have provided training for Operation Trident⁷ which includes disclosure issues, and to the Department of the Environment, and the Immigration Service Guidance on disclosure has been incorporated into both the MPS and British Transport Police intranet sites. Advanced disclosure training is being delivered jointly with the MPS; the first course took place at the Crime Academy in October 2007 with courses held monthly from January 2008.

7 An ongoing operation tackling serious offences involving the use of firearms within the black and minority ethnic communities.

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

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

- There is a written Area custody time limit (CTL) system which complies in the main with national guidance and includes some best practice, although the responsibility of lawyers for considering instances in which applications to extend should be made needs to be emphasised. This system was initiated in the South Sector where it was updated in January 2007 and subsequently adopted in the North & East and the West Sectors in September to provide uniformity across the Area. This was in recognition that individual sector action to update and review the systems was not sufficient to overcome the failures. At the time of our visit to the Special Casework Sector the Area system had yet to be incorporated into the sector regime which continued to rely on separate systems in the units; however, work was ongoing to finalise the updated system and the SCS has not had any failures in the past year. The Area system is underpinned, where appropriate, with disciplinary action which has been used in the sectors.
- There is currently no Area champion, although the Chief Crown Prosecutor (CCP) is reflecting on this position in light of the new Area approach. At sector level champions are in place but there is some variance in approach. In the South one of the District Crown Prosecutors (DCP), who revised the Area system, is the champion, in the North & East the casework manager who undertakes system reviews has been appointed as champion and in the West the two DCPs are the champions with ultimate responsibility resting with the Sector Director. In the SCS the manager for the Central Criminal Court Trial Unit (CCCTU) undertakes the role.
- The responsibility for managing and monitoring CTLs rests with the sectors. Failures are reported to the Sector Director, who in turn reports them to the Chief Crown Prosecutor and CPS Headquarters. However, the number of failures reported to CPS Headquarters during 2006-07 (seven) was less than failures recorded by the sectors (23). The Area accepts that whilst all failures have been captured and investigated internally, not all were reported to Headquarters. This omission was rectified and all failures have now been reported. The CCP requires assurance that lessons have been learned from each failure.
- There have been no failures in the SCS for a number of years. Performance in the three geographical sectors has been significantly weaker over a sustained period of time as detailed in the table below.

Sector	2005-06	2006-07	2007-08 (to date)
North & East	6	8	3
West	1	8	3
South	1	7	2

The sectors have taken action as a consequence of lessons learned from individual failures, for example increasing the frequency of audits undertaken or no longer using an individual lawyer

agent to prosecute cases at court. Further training has been provided and continues to be where the need is highlighted. Many of the failures have been attributed to human error and disciplinary action has been taken where appropriate. It is appropriate to put the number of failures into context. On the 5 December 2007 the case management system recorded 1,771 custody cases which if typical would indicate an approximate failure rate of 1.3%. Even so, the risk arising from failures makes this unacceptable. A feature of CTL failures has been the miscalculation of the time limit remaining when defendants are returned to custody. The number of outstanding warrants for failing to appear in London stood at 6,221 as at 31 October 2007 indicating the potential for more defendants to be remanded in custody necessitating the recalculation of a new time limit.

- The Area has not been able to achieve a pan-London agreement with the courts although local agreements are in place on the sectors with varying degrees of success. There has been progress since the last Overall Performance Assessment in 2005; four Crown Court centres and one magistrates' court have signed up to a joint protocol. In addition, data is shared by Kingston Crown Court with the relevant sector. Discussions are ongoing and closer liaison is being developed at other courts and the DCPs have been advised to work with the courts to develop the protocols. In the SCS CTLs are discussed at the weekly case progression meetings and a protocol was agreed in September 2007 which outlines the responsibility of the court, the police and the CCCTU.
- The Area protocol stipulates the management checks that need to be undertaken to provide assurance in the three geographical sectors; this supersedes all other local arrangements to try to ensure consistency and provides minimum standards for dip samples, audits and daily and weekly management checks. In the SCS the prosecutors provide a monthly update to managers on all of their caseload which includes a review of CTLs.
- There are dual systems in place across the sectors encompassing the electronic case management system (CMS) and a manual diary system. However, the extent to which CMS is used varies considerably across the sectors. In the South there is reliance on both systems and CMS is used to undertake management checks; in contrast, the North & East relies on the manual system although some management checks utilise CMS; and some units in the West do not monitor CTLs on CMS. In the SCS there is also some variance with the CCCTU routinely using CMS as part of the dual system whereas the Special Casework Unit does not routinely use CMS.
- The reality checks of the 19 files examined in the three geographical sectors showed that CTLs were correctly calculated in all cases, and expiry dates and review dates were recorded in the manual diary and on CMS. However, there were some variations in the quality of housekeeping arrangements. In the North endorsements were clear and dates were clearly recorded on the case files, whereas in the South file endorsements were of variable quality and in some instances the custody status of the defendant throughout the history of the case was unclear, although most of the files demonstrated evidence that the dates had been checked for accuracy. In the West there was no evidence that the calculation of the CTL date had been checked and there were no review dates endorsed on the files. Of the six files examined in the SCS there were errors in the application of CTLs in two, although in the other cases examination of the files also showed clear calculation and recording of expiry dates for different defendants and/or different charges, an aspect of CTLs which can be problematic.

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

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

- Improving the service provided to victims and witnesses is one of the Area's key commitments in its Area Business Plans for 2006-07 and 2007-08. The current Area Delivery Action Plan sets out CPS London's aim to ensure that the Victims' Code is complied with by April 2008. In support of this, Witness Care Unit (WCU) staff, lawyers and police officers have received training in the Victims' Code and the implications of this for their roles. The No Witness No Justice (NWNJ) sign-over report for London in July 2006 found that staff across the criminal justice system were very aware of their responsibilities under the Code.
- A major component of the Code is the direct communications with victims (DCV) scheme whereby letters are sent to victims when a charge is dropped or substantially altered explaining the reasons for such. However, compliance with the scheme is generally at a low level amounting to 34% overall in 2006-07. Performance across the sectors varied during the year and was generally poor in the geographical sectors whilst good in the Serious Casework Sector (SCS). In the last quarter of 2006-07, the proportion of letters sent to victims as a percentage of the proxy target was 31% compared with a national average of 76%. Performance was best in South at 44% and poorest in the West (21%).
- There is some evidence to support the Area's concern that inaccuracies in recording letters on the casework management system has resulted in lower compliance figures than is actually the case. A dip sample of cases in early 2007 found that in a significant proportion of cases letters had been sent but had not been properly recorded as being sent. Our own audit of DCV conducted in one sector in early 2007, although based on a modest number of files, would support the Area's concern that not all letters sent are properly recorded. It also identified a low level of flagging. Efforts have been made since to improve compliance by improving systems and staff training; performance is showing signs of improvement in 2007-08. In the second quarter performance overall had improved to 59% (national average 85%), ranking the Area 36th of the 42 CPS Areas. Improvement was most marked in South Sector where performance reached 86%.
- Our DCV audit also indicated some scope for improving the quality of letters sent to victims, with five of the 19 letters (26%) examined being judged as unsatisfactory. This compares with an overall average of 16% across the ten Areas audited. More work is needed to ensure a consistently high standard of letters and the Area should consider introducing some form of quality assurance checking as has been undertaken in the South Sector.
- The proportion of those letters actually sent to victims within the five day target improved from 64% in 2005-06 to 70% in 2006-07, although performance fell short of the national average (73%). Performance varied during the year and across the sectors. Performance in the last quarter was best in the West at 76% and poorest in the North & East (59%). Timeliness performance in the SCS was excellent with 95% of letters sent in 2006-07 being within the target timescale although this was based on lower numbers of letters relative to the geographically based sectors.

- Sector lawyers meet with victims in appropriate cases and where victims want this. For example, in cases dealt with by the SCS, meetings are offered to all victims and their families where a lesser plea has been accepted. In cases dealt with under the Victims' Advocate Scheme by the SCS, bereaved families in murder and manslaughter cases can make a family impact statement. Between April 2006 and July 2007, 182 cases qualified under this Scheme and 79 meetings were held. Feedback about the Scheme was very positive.
- We found that arrangements to assess victim and witness needs in pre-charge and non pre-charge decision cases are developing, but there is still scope for further improvement. In two sectors, internal reviews had identified deficiencies that were being addressed. Feedback from some partners indicated that, on occasions, applications for special measures are made late resulting in some being dealt with on the day of the trial. This means, therefore that witnesses do not always know whether the measures will be available when they come to court. Comment was also made that applications can be made for measures that the witness has not wanted, for example for video links when the witness had wanted screens. Police compliance with the requirement to submit a MG2, setting out an assessment of witness needs for consideration by the charging lawyer, is improving.
- WCUs, which are predominantly staffed by police employees, are responsible for keeping victims and witnesses informed of case progress. A witness care officer (WCO) is allocated to each case; it is their responsibility to ensure victims and witnesses are kept informed and updated of progress in their case and resolve any issues that arise. This arrangement for a single point of contact was identified as a strength in the NWNJ sign-over report. However, it also found that WCOs were not always being provided with information to update witnesses, for example the results of special measures applications, discontinuance and court results, nor was this always available in a timely manner. We found that in some instances WCOs are still experiencing difficulties in accessing the information they need in a timely manner. Work continues to address this and more recently victim and witness issues are reviewed at Prosecution Team Performance Management (PTPM) meetings.
- Due to the nature and complexity of cases dealt with by the SCS, each case is assigned a dedicated police family liaison officer who determines any special measures requirements and keeps victims and witnesses updated as to the progress of their case. There are also regular liaison meetings between the CPS and police to update requirements and ensure witness attendance at court; these arrangements were found to work well.
- At the time of the NWNJ sign-over report in July 2006, up to 50% of initial needs assessments (MG11) did not include witness availability and there was a lack of consistency in the witness warning processes in individual units and across London, with late warnings and de-warnings not uncommon. Systems for warning witnesses have generally improved since although there is still scope for further improvement, particularly in timelines of witness warnings. Within the SCS there is timely and accurate warning of witnesses.
- There has been a good level of training provided in relation to the Prosecutors' Pledge, which sets out the level of service that victims can expect to receive from prosecutors. Feedback we received from partners indicates generally good levels of witness care by CPS staff at court. Managers' own observations while at court and formal advocacy assessments by Area Advocacy Trainers, which primarily focus on new advocates, provide managers with some assurance as to

the level of care provided, as does informal feedback provided to the CPS by partners. The Area's standard booklet of instructions to prosecuting advocates includes the Service's expectations in relation to the treatment of victims and witnesses, and this has been circulated to all chambers. Despite this, comments from the Witness Service indicated that the standard of care offered by counsel to witnesses and their families was mixed. It may be helpful to include a copy of the Prosecutors' Pledge with the Area's general instructions for prosecuting advocates to reinforce these expectations.

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

- Each London borough, as well as the City of London Police and the British Transport Police, has its own WCU based within a police station. All 34 of these were in place by the national deadline of December 2005. Although jointly owned, WCUs are predominantly staffed and managed by the police. Each WCU is managed by a police WCU manager and contains one CPS WCO. The typical ratio of police WCOs to CPS WCOs is 10:1. The CPS WCO is managed for operational purposes by the police WCU manager, although the CPS charging centre manager has the CPS line management responsibility. It is part of the charging centre manager's job to act as a liaison point between the WCU manager and the CPS if there are issues about communication between the WCU and CPS staff in the borough. The CPS WCO performs the same role as their police counterparts but naturally comes to be seen as the focus for liaison with the CPS.
- At the time of our assessment a high proportion of CPS WCO positions were vacant (nine in total) due to resource restrictions and difficulties in attracting CPS candidates. Feedback from the police indicated that this was impacting adversely on workloads and the ability of WCUs to meet the Victims' Code. This was also an issue raised in the NWNJ sign-over report. The CPS told us that where vacancies exist, the work that would have been undertaken by the WCO in the WCU is undertaken by other CPS staff in CPS offices. However, this did not appear to be the understanding of partners and it was not clear that the CPS was making its full contribution. It is almost inevitably the case that when specific posts are vacancy managed and work is re-distributed, it will be done less effectively. This appears to be the case despite the Area having received ring-fenced funding for the posts.
- At the time of the NWNJ sign-over report in July 2006, four of the minimum standards were being met including the provision of information through a single point of contact and consideration of victim and witness needs at the point of charge. The remaining ten standards were either partially or not met, with further work needed in particular to improve initial needs assessments, the response to WCU enquiries by lawyers, consistency and timeliness of witness warning and the provision and timeliness of update information to WCOs. Compliance with standards is monitored by the police through a self assessment process designed by the Office for Criminal Justice Reform (OCJR). Self assessment reports examined show that progress is being made overall but improvement is still needed in some important aspects. For example, in South Sector, whilst most categories are rated as satisfactory (green), the important aspects of timely communication with witnesses and special measures are rated as red or amber.
- Until recently, the limited availability and reliability of performance data prevented effective joint performance analysis. Improved victim and witness performance data has been available since the start of this year and is now reviewed at PTPM meetings held at Area and borough level. It is also considered at LCJB Victim and Witnesses sub-group meetings.

- The new WCU performance information pack covers performance in primary measures i.e. the proportions of ineffective and cracked trials due to witness issues, and this is broken down by borough. The proportion of ineffective trials in magistrates' courts due to witness issues across the Area as a whole in 2006-07 was 3.0%, better than the national average of 3.2%, and an improvement on the baseline of 4.8%. Over the same period, the level of cracked trials due to witness issues at 5.5% was slightly worse than nationally (5.3%) and a decline on the baseline of 4.6%. In the Crown Court, the proportion of ineffective trials due to witness issues in 2006-07 was 2.4%, slightly worse than the national average of 2.3%, but an improvement on the baseline of 4.2%. Over the same period, the proportion of cracked trials due to witness issues was 2.6%, which although worse than the national average of 2.2%, was a significant improvement on the baseline of 4.7%. Regular performance data covering witness and victims satisfaction, the final primary measure, has still to be developed.
- Data is now available on secondary performance measures which include witness attendance rates, victims' personal statement take-up, special measures applications and referrals to support organisations. Witness attendance rates have been variable and more limited progress has been made against the relatively high baseline figure of 88.4% (national baseline 77.3%). Overall performance in 2006-07 was 81.0% and performance since has varied between 77.0% and 80.0%. Unlike witness attendance data, other secondary measure data is only available for the Area as a whole which limits its value. The Area is conscious that this needs to be addressed to enable a fuller assessment of the service provided to victims and witnesses to be made.
- The NWNJ project was handed over to the sectors as 'business as usual' in December 2006; improvements have been the responsibility of individual sectors since that time, although performance oversight of the scheme is maintained by the LCJB Victim and Witnesses group. There is currently limited scope for joint analysis of the operation of NWNJ, given the relatively small contribution made to WCUs by CPS London. At a local level victim and witness issues are addressed at borough criminal justice groups to differing degrees and more recently through PTPM meetings. In one sector, joint CPS/police workshops were held in 2006 to try and establish solutions to operational problems being encountered.

9 DELIVERING CHANGE	OPA 2005	OPA 2007	Direction of travel
	Fair	Fair	Improved

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

- CPS London has a clear sense of what it wants to achieve and how it intends to achieve this; this is closely aligned to the vision and aims of the London Reform Programme. Area Business Plans (ABPs) for 2006-07 and 2007-08 reflect national CPS priorities and make links to national and government targets. They are closely aligned with the London Criminal Justice Board (CJB) strategic plan, of which the London Reform Programme is a key part, incorporating joint work programmes and targets.
- ABPs set out key aims and activities together with milestones, targets and outcomes. The latter three aspects are combined and as a result are not all as clear as they might be. ABPs are supported by Area Delivery Action Plans (ADAPs) which provide more detail in respect of how the key aims are to be met including desired business outcomes and activities. In some instances there is scope for greater breakdown of activities needed to achieve aims and it would be helpful to include more detail of accountabilities within these plans.
- The ADAP is used as a basis for review; the plan is reviewed and updated quarterly and at the end of the financial year. Reviews are submitted to the Operations Group and the London Board for approval and made available to staff on the intranet. In some instances review notes are too brief to provide a clear picture of progress and it is not always clear what remedial action is required where desired outcomes are not being met. Individual red amber green (RAG) ratings against each desired outcome or key activities may help present a fuller picture.
- At the time of our last Overall Performance Assessment (OPA) in 2005, the sectors' approaches to business planning varied and not all had developed their own business plans. Improvements have since been made. Sector Delivery Plans were first put in place in 2006-07 and these set out more detailed sector objectives and activities together with accountabilities; the quality of plans is generally improving year on year. In North & East Sector, district level planning has been introduced in 2007-08 and in West Sector district based planning has been introduced in part of the Sector to good effect. Sector based systems for the regular review of progress against delivery plans are developing, although in some cases the review procedures could be strengthened. For example, in North & East Sector there was limited evidence that formal reviews had taken place regularly in 2006-07, and in West Sector not all elements of the delivery plan were updated routinely.
- The new CPS national INVEST performance review system was introduced in 2006-07, and is beginning to ensure that better links are made between individual objectives, team objectives and the sector and Area's strategic objectives. An Investors in People (IiP) health check conducted in May 2007 found that understanding of team objectives and their relationship to the ABP varied greatly between teams and employee groups, and that the new Invest programme had still to be fully embedded. In one sector, the development of staff awareness of sector priorities is an objective within its delivery plan, an objective that might be usefully incorporated in other sector delivery plans.

- There is a high degree of joint planning with criminal justice partners in which senior CPS managers continue to play a proactive role. The Chief Crown Prosecutor (CCP) took the London CJB lead in relation to the Prime Minister's Delivery Unit investigation into performance across the criminal justice system in London which reported in April 2006. The London Reform Programme was developed to implement its recommendations in January 2007 and now provides the over-arching criminal justice strategy for London requiring a holistic and joined up approach to delivery. The programme comprises four main strands: the implementation of Simple, Speedy, Summary Justice (CJSSS); the introduction of Integrated Prosecution Teams (IPTs); the design and implementation of 'Virtual Courts'; and the implementation of community justice.
- CPS senior managers play an active role in the various project streams emanating from the London Reform Programme, while sector managers participate in local implementation teams at borough level to oversee the change process locally, where appropriate. Sector managers also participate in Borough Criminal Justice Groups which play an increasing role in joint planning at local level in taking forward both London-wide and local initiatives. For example, major police operations tend to be jointly planned at local level to ensure the gearing up of CPS services to meet expected demand from these operations.

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

- A number of major London driven change programmes have been implemented successfully including the devolution of Inner London youth work, the Snaresbrook Crown Court advocacy 'Pathfinder' programme and the Victims' Advocate Scheme. The 'Virtual Court' concept was piloted successfully in Lambeth in summer 2007, with plans now in place to roll out this out across London in conjunction with IPT. There have also been many more sector based change programmes, for example the restructuring into a two district structure and the setting up of a single fees unit in West Sector. Some of the changes are already delivering business benefits, such as the restructuring in West Sector, whilst others have yet to be embedded.
- The more recent piloting of IPT in three boroughs, a central plank of the London Reform Programme, has proved controversial and, whilst there have been some performance improvements more recently in some measures, the extent to which the anticipated benefits have been achieved and are sustainable is still unclear. The move to a structure based on co-located integrated teams is a major project for both the CPS and police with far reaching consequences. Whilst a compelling rationale for IPT was provided, the pilots were embarked upon prior to the development of a full business case and success criteria for the pilots having been established and agreed. At local level there was limited evidence of systematic formal reporting on planning and progress against the IPT project, other than verbal feedback to sector management team meetings. Difficulties encountered have no doubt been exacerbated by the Area's decision to include two of the most challenging boroughs within the pilot. A recent review of lessons learned conducted in July, recommended a delay in further roll out until some of the issues raised had been addressed, including the establishment of clearer success criteria as well as effective management of issues such as training and systems development. The Trade Union side has identified significant issues of concern about the new structure. When initiating the pilots, the London Board agreed that the timescale for full implementation would be informed by the evaluation of the three pilots. At the time of our assessment a full evaluation of the pilots had still to be undertaken, yet the timescale for the next phase of the roll out had been agreed.

- The implementation of IPT is intended to realise significant efficiencies on an inter-agency basis and includes provision of new accommodation in police premises for CPS staff which is expected to provide value for money. But there has as yet been no detailed review of costs and benefits, or indeed any success criteria to evaluate these against. Central to the project is the provision of accommodation for IPT by the police. At the time of our OPA, the Metropolitan Police Authority had just a few days before agreed in principle to the IPT accommodation strategy, subject to further costing. In addition it is dependent on the Area making a success of single file arrangements – something which has proved problematic in other CPS Areas. Nevertheless, the IPT project has the full and positive endorsement of the London CJB members and is to be jointly delivered. The Office for Criminal Justice Reform is taking a close interest in the project.
- With respect to nationally driven change, major projects such as statutory charging have been implemented, and the CPS should contribute to No Witness No Justice (NWNJ) through the provision of a CPS witness care officer in each of the Area's 34 witness care units. Whilst there have been some performance improvements since the national sign-off reports when the projects became business as usual, there is still considerable scope for improvement in benefits realisation in respect of the statutory charging scheme and for overall improvement in the NWNJ initiative. In the case of statutory charging, concerted joint efforts to improve benefits realisation across the board have only started more recently since borough based performance data has been available. At the time of our Sector assessments, CJSSS was in the final stage of roll-out across London. It was fully operational in all boroughs by mid December 2007, meeting the national target deadline of December 2007. Whilst it is too early to judge the results of CJSSS, early indications are mixed with some positive results at Camberwell Green and Balham Youth Court, but not at Thames. Conditional cautioning, at the time of our Sector assessments, had been implemented fully in the West Sector and in most boroughs in the South Sector, but had yet to be rolled across the North & East Sector. The Area was on track to meet its deadline for conditional cautioning to be in place across all boroughs by the end of March 2008, within the national deadline of April 2008. The extent of take-up was fairly limited for 2006-07 (65 cautions) but has increased since, with 342 cautions administered between April 2007 and January 2008.
- The Area has a dedicated change and programme management team in place which is responsible for managing the implementation of major London-wide change projects including internal CPS and joint agency projects. Project managers within the change team are generally well skilled in project management including several with the PRINCE 2 qualification. They work closely with senior managers within the sectors who then enable and deliver the changes at local level. The London Board assures itself of progress against key change projects through monthly highlight reports on each project prepared by the respective project manager. Progress with change projects is also discussed at the quarterly performance review meetings between the CCP, the Operations Director and the sector senior managers.
- The London Reform Programme is being delivered through the London CJB with a number of CPS project managers assigned to the Board to assist in the delivery of this work. In view of this, from October 2007, part of the change and programme management team has been reformulated as a business assurance team to provide change management capacity dovetailed with business assurance. In particular, it is expected to undertake pre and post checks of IPT units, support in preparation of the certificate of assurance and a business continuity role in assisting to resolve systems and performance problems.

- Major Area driven change programmes are subject to review and the Area was able to provide examples of some improvements made as a result. For example, the devolution of inner London youth courts is seen by senior managers to have contributed to the recent improvements in the time taken to deal with persistent young offenders, and learning from the Snaresbrook Crown Court advocacy 'Pathfinder' resulted in the Area reviewing its overall advocacy strategy. Nationally driven change projects are generally subject to formal review by national project teams, and some improvements made as a result. For example, the NWNJ project was subject to a review in July 2006 and action plans developed as a result of this were implemented before being formally signed off in December 2006. The statutory charging scheme was subject to a Post Implementation Review by the national implementation team and has been subject to further local joint reviews by local managers.
- Good links are generally made between projects, priorities, procedures and staff training. A representative of the change and programme management team is a member of the Area's Learning and Development Strategy Group and is able to advise of training needs in relation to change projects. For example, the Youth Devolution Project required a review and moderation of all existing systems involving youth cases and training of staff in revised systems. More recently, to support the work of the recently formed business assurance team, it is proposed to deliver business assurance training to managers to enhance understanding and use of the certificate of assurance. The London Learning and Development Strategy Group has good links with the sectors' learning and development committees through the Sector Business Managers who are part of both groups.
- The Area is developing its approach to risk management which at the time of our last OPA was under-developed. The Area risk register identifies corporate risks and countermeasures and is incorporated with the ABP. These are reviewed on a regular basis. In May 2007, one of the Sector Directors was designated the Area's champion for risk issues and in September a new Area risk strategy was approved with a view to strengthening arrangements. As part of this a risk management group has very recently been set up to review risks and provide a greater focus on risk management. It is envisaged that this group will meet monthly prior to the London Board meetings. Although sectors are not required to raise risk registers, in practice they do. In South and West Sectors, risks and countermeasures are appropriate and reviewed regularly. Processes in North & East Sector need strengthening. It would be helpful to clarify risk management requirements at sector level.

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

- Learning and development resources are planned and managed centrally. In the last year, the Area has developed its learning and development structures, establishing a London Learning and Development Strategy Group supported by a learning and development committee in each sector. This Group now plans and organises the overall training needs of the Area, which are based on the priorities in the ABP. Sector Business Managers are represented on this group and in this way are able to influence the Area learning and development priorities and plans.
- A generally good level of learning and development opportunities is provided for lawyers; the Area has consciously developed the range of training available for administrative staff having identified this as a weakness in the past. The 2006 Staff Survey indicated that staff are generally

satisfied with the learning and development provided to them with scores in this section of the survey just below the national average.

- The proportion of managers who consider themselves equipped to manage staff, at 70%, was lower than the national average (76%). The need to develop the management skills of managers was also identified in an liP (Investors in People) health check exercise conducted in May 2007. The Area is attempting to address this issue, for instance the South has recently piloted an Institute of Leadership and Management Programme for managers which was positively evaluated, but continued work will be needed to ensure all managers have the skills they need.
- Representatives of the equality and diversity team are members of the London Learning and Development Strategy Group; diversity is a standing item at group meetings as well as at sector committee meetings. This helps ensure relevant diversity issues are included within the Area Training Plan. Examples of training programmes in which diversity features were provided, include religious and racially aggravated crime training and domestic violence training. New staff should complete the equality and diversity e-learning programme, although in West Sector records indicated that relatively few staff had undertaken this training. There has been no dedicated equality and diversity training for existing staff for some time. CPS London should consider if there are any Area-wide training needs in this respect.
- CPS London has taken steps to ensure equality of access to training. For example, it has provided bespoke training for staff with visual impairments and made adjustments to training events to meet the specific needs of physically disabled staff. The Area has a good record in securing a diverse range of candidates to participate in the Law Scholarship Scheme. Since the inception of the scheme in 2003, it has supported 36 students undertaking legal qualifications, of which 17 are from black and minority ethnic groups, and five trainees have subsequently progressed to become prosecutors within the Area.”
- Most mandatory training and planned training has taken place as planned. The vast majority of lawyers have now attended the proactive prosecutor programme (PPP) and domestic violence training is underway with a target completion date of March 2008; this was delayed due to the PPP taking priority. A mandatory half day Area induction programme has been developed to supplement sector based induction and provides an opportunity for new staff to meet senior managers. Additionally, the Area delivers its own three day lawyer induction that forms part of a programme of development activities for new lawyers and has developed a caseworker development programme for newly appointed and promoted caseworkers. These have received positive evaluations from participants. The liP health check identified strong central induction as a strength. At the same time it found the standard of sector based induction to vary with a need for greater consistency.
- Evaluation is generally limited to the collation of evaluation questionnaires completed at the end of training courses. Aided by feedback from the liP health check exercise, the Area is seeking to develop its evaluation processes to focus more on the extent to which development activities are making a positive impact on performance.

10 MANAGING RESOURCES	OPA 2005	OPA 2007	Direction of travel
	Fair	Poor	Declined

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

- The Area non ring-fenced administration costs budget for 2006-07 was £61,651,088 which included special funding for No Witness No Justice (£978,051) and anti-social behaviour order work (£40,500) as well as £648,051 from the London Criminal Justice Board for development work. This was 'top-sliced' to fund the Area Secretariat, Serious Casework Sector and Fraud Prosecution Service.
- The remaining budget was allocated to the geographical sectors. Some of this was ring-fenced to a particular sector, such as that provided to fund the London Traffic Prosecution Service based in South Sector, with the remainder allocated to the three geographical sectors according to Activity Based Costing model share. A summary of budgets for 2005-06 and 2006-07 is as follows:

	2005-06	2006-07(a)	% increase / decrease
Total NRFAC budget (b)	£58,602,906	£61,651,088	+5.2%
Budget allocated to geographically based sectors	£49,558,081	£49,818,065	+0.5%
% budget allocated to geographically based sectors	84.6%	80.8%	
Sectors			
North and East Sector	£16,194,784	£15,680,193	-3.2%
South Sector	£18,106,272	£19,087,902	+5.4%
West Sector	£15,257,025	£15,049,970	-1.4%

(a) The Fraud Prosecution Service was established in 2006 with a budget of £2,023,000 top-sliced from the Area budget

(b) Includes funds provided by London Criminal Justice Board for development work

- Following an under-spend of £1.6m in non ring-fenced administration costs (NRFAC) in 2005-06 (97.3%), the Area had a major overspend of £2.5m in 2006-07 representing an outturn of 104.2%. Overall NRFAC spend increased by £7.1m (12.5%) between 2005-06 and 2006-07. Staffing costs accounted for £6.8m of this increase.
- Additional funds of approximately £1m provided annually by CPS headquarters to support the performance improvement programme following the last OPA came to an end in 2005-06. At the start of 2006-07, CPS London expected to overspend its NRFAC budget by approximately £0.6m. Its intention was to make savings in prosecution costs and maximise higher court advocate (HCA) usage to offset the anticipated overspend in NRFAC costs. However, the Area's mid-year review revealed a major backlog of unpaid fees, amounting to approximately £5m, which meant this would not be possible. Adding to this, it was beginning to become apparent that the NRFAC

overspend was going to be far higher than anticipated. Although emergency measures were introduced, including the ending of fixed term and temporary contracts in late 2006 and, from January 2007, the withdrawal of all financial delegation from sectors, this only served to reduce what would have otherwise been a more serious overspend.

- The significant overspend in 2006-07 and emergency measures that needed to be implemented to reduce the predicted overspend indicate major weaknesses in overall Area budget profiling and monitoring systems at that time. The Area was unable to assess accurately its spending. Whilst late agreement on final allocated budgets to sectors, transfer of work between sectors and high levels of sickness absence will have contributed to this, the financial controls in the sectors were inadequate particularly systems for recording committed expenditure, and contributed to the Area's difficulties.
- Work has been undertaken to improve the Area's management of resources mainly starting in late 2006, including the commissioning of an independent accountant to conduct a review of its financial systems reporting in April 2007. Sector Finance Managers, introduced in 2006-07, are helping the Area to introduce more robust procedures in 2007-08 for recording and reconciling committed expenditure with regular reports to sector management. Following assessment of financial systems in each sector, authority was restored to Sector Business and Finance Managers in early 2007-08 in all but North & East Sector, although this has not yet been delegated to borough level.
- Controls overall are tighter now. Monthly sector spend profile meetings are held between the Operations Director, Business Performance Unit Head, Sector Business Managers and Sector Finance Officers. Whilst in place for some time, these are now more effective being based on more accurate financial data especially in respect of committed expenditure. As at the end of October, the Area's forecast outturn for NRFAC in 2007-08 indicated an overspend for the year in the region of £1m (101.6%). The Area's latest forecast takes into account a £600,000 contribution from the MPS in return for the savings of police costs in the new Integrated Prosecution Teams which has helped reduce the forecast overspend to 100.4%. If achieved, this would represent a marked improvement, albeit continued work is needed to ensure this budget is managed effectively.
- Managers are becoming more aware of the need to ensure value for money. This is primarily demonstrated through steps taken to improve deployment of resources, for example, in reduced use of agents and the Area's advocacy strategy including wider deployment of designated caseworkers (DCWs) across sectors as opposed to being restricted to specific courts and boroughs. There is scope for more emphasis on achieving value for money and working within budgets in the Area Business and Delivery Plans in support of these aims.
- The Area prosecution costs budget, including high cost cases and very high cost cases, in 2006-07 was overspent at 105.7%, although this was an improvement on the previous year when its outturn was 115.1%. However, spend in 2006-07 was higher than forecast due to a significant backlog of fees discovered mid-year. Spend was being authorised but not notified to business managers. This amounted to approximately £5m with some outstanding fees dating back several years and necessitated additional budget being provided by CPS Headquarters to cover these. Steps have since been taken to better control prosecution costs. The Area undertook a review of prosecution costs that found wide variations in practice and a lack of understanding in respect of some key principles of prosecution costs management. Recommendations were reported to

the Operations Group in late 2006 and have since been implemented. The Area also appointed a Prosecution Costs Adviser in January 2007, who works closely with sector staff and headquarters to improve the management of prosecution costs. At the time of our OPA, backlogs were down to approximately £0.5m and a '90 day rule', whereby chambers are required to submit fees notes within three months of a case ending, was implemented in April 2007. Continued work is needed to ensure the management of prosecution costs continues to improve across the Area.

- The timeliness of graduated fee scheme (GFS) payments in 2006-07 was worse than national averages. Some steps have been taken to improve the timeliness of payments including some rationalisation of the previous 28 separate fees payments teams. For example, in May 2007 West Sector moved to a single fees unit rather than having separate units for each Crown Court centre and this has helped eradicate backlogs and secure better timeliness performance. Performance in 2007-08 for London as a whole in relation to fees paid within four months shows significant improvement with performance exceeding the national average for the first time in May and June 2007 and continuing at a high level since. There remains scope for improvement in the level of fees paid within one month which continues to be worse than the national average.
- In 2006-07, CPS London received additional funds of £978,620 for No Witness No Justice (NWNJ), £40,500 for anti-social behaviour order work in North & East Sector and £648,051 for London Criminal Justice Board work. These funds were incorporated within the Area's overall NRFAC budget. Whilst there was no specific ring-fencing of NWNJ funds to sectors, sectors are expected to employ a witness care officer in each of its witness care units, which is what the funds are designed to support. ASBO funds provided were ring-fenced to the North & East Sector to pay for the Area ASBO champion who was taken from their staff.

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

- All sectors have experienced some restructuring in 2006-07, and plans are being progressed to roll out Integrated Prosecution Teams across London which will have a significant impact on Area structures and staffing levels. Staffing levels are reviewed against the national Activity Based Costing (ABC) model. London had worked to a separate ABC model but was unable to sustain this and has now moved to the national model. As part of the move to the national model, which would represent a £2.4m cut in Area budget, an annual financial underpin of this amount has been agreed until 2009-10. At this time the Area will need to be in a position to absorb this reduction and is beginning to prepare for this. The London Reform Programme is expected to make an important contribution to this.
- Staffing comparisons with the national ABC model shows an imbalance between the numbers of staff that the model indicates the Area should employ and actual numbers, which is particularly marked in relation to administrative staff. Based on average numbers of staff employed in 2006-07, the Area employed 3.5% more lawyers than numbers suggested by the model and 37% more administrative staff. A strong focus was put on staffing levels in the 2007-08 budget planning process. Staff profiling against ABC is now undertaken at sector level and where possible steps are being taken to manage imbalances mainly through natural wastage and vacancy management. Senior managers recognise that CPS London's central costs are relatively high, and have begun to explore alternative corporate and management structures to streamline its costs while having the capacity to deliver its ambitious change programme. A consultant has been commissioned to review the Area's structures which is due to report at the end of the financial year.

- Expectations for lawyer and DCW deployment in courts and charging centres were strengthened when emergency financial measures were introduced. Minimum sessions were established for all grades of lawyers from C1 grades to the CCP. For example level C1 and C2 lawyers were expected to undertake a minimum of three days in court or charging centres and Borough Crown Prosecutors two days. Our examination of rotas in one sector for early 2006-07 showed lawyers generally spending two days in court so the new expectations represent a significant increase in court and charging centre deployment. Expectations for managers have since been reduced to allow time for managers to manage the business but remain for C1 and C2 lawyer grades as general expectations. Whilst there is some monitoring of overall deployment levels there is scope for a more formalised system of monitoring at unit level.
- At the time of our last OPA in 2005, a relatively high level of agents were employed in the magistrates' courts. In 2005-06, the Area increased significantly its in-house coverage of magistrates' courts to 92.0%, well above the national average of 77.2%. In the first three quarters of 2006-07, performance slipped back but there was a very high level of coverage in the final quarter due in large part to the imposition of emergency financial controls and stringent control of agent use. Overall performance for the year was 84.2%; this was above the national average of 80.4%. There was a very high level of in-house coverage during the first half of 2007-08 (93.2% compared with the national average of 84.2%). Concerns were expressed that the number of magistrates' courts sessions has been increasing whilst work loads have declined, an issue being discussed with HM Courts Service.
- DCW usage at the time of our last OPA was low. The proportion of magistrates' courts sessions covered by DCWs in 2006-07 improved during the year, from 7.2% in the first quarter to 16.3% in the last quarter, although overall performance at 11.9% was still well behind the national average of 14.7%. Performance in the first half of 2007-08 has been maintained at 17.6% (national 19.3%). The Area has worked hard to increase DCW sessions and recognises that there is scope for further improvement. An exercise conducted by the Business Performance Unit in early 2007, found that on average DCWs conducted 3.1 half day sessions weekly and this needed to be increased to six sessions to meet the 20% target for 2007-08.
- National data for 2006-07, shows that the number of HCA sessions nearly doubled from 2,223 in 2005-06 to 4,323 during 2006-07, and this assisted the Area to exceed its savings target by a wide margin (114%). The level of savings per session also improved in 2006-07 and at £399 was well above the national average (£339); this represents a good level of performance. However, with an average of 78 qualified HCAs during the year, the average number of sessions conducted by HCAs each week (one per HCA on average each week) is low and many HCAs are not being utilised. The advocacy strategy for 2007-08 seeks to ensure that all Area HCAs are deployed, for instance HCA qualified borough managers are expected to attend the Crown Court once a week. National data indicated that the HCAs had prosecuted 477 trials in 2006-07. The Area forecasts HCA savings in the region of £2.8m for 2007-08 against its target of £3m. At the end of the first half, it had achieved 93% of projected savings.
- The level of sickness absence at the time of our last OPA was high, and current figures show limited sign of improvement despite concerted efforts being taken by managers in association with HR partners to control and manage sickness absence more effectively including action to deal with a number of long standing sickness absence cases. The average level of sickness absence in 2006-07 was 13 days per employee, significantly worse than the national average of

8.5 and target of 7.5 days. Performance varied considerably across the sectors ranging from an average of 10.1 days in the Serious Casework Sector to 14.8 days in the North & East. Rolling performance to the end of November 2008 was 13.8 days per employee. However, the Area does have some concerns about the accuracy of sickness absence data, in particular how absence is recorded for staff working part-time hours, which have yet to be resolved with Headquarters.

- Just under one fifth of the Area's staff benefit from flexible working patterns including compressed hours, part-time, term time only working and job shares. Senior managers see these arrangements playing an important role in the recruitment and retention of staff. There was a recognition that some agreements made in the past have been difficult to manage and that increasingly, consideration needs to be given to business needs when responding to requests for flexible working including provision for periodic reviews within agreements made.

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

- A commitment to performance management is demonstrated at Area and sector levels, although it has yet to be reflected fully in improved outcomes. At an Area level, business performance is a standing item at the monthly meetings of the London Board. More detailed scrutiny of performance issues is undertaken by the Operations Group which is responsible for advising and informing the London Board in all aspects of the Area's performance. This group is chaired by the Operations Director and members include Sector Business Managers.
- Sector senior management teams are held accountable for performance through quarterly performance meetings with the Chief Crown Prosecutor (CCP) and Operations Director. Actions are agreed and it is noted where improvements are needed; progress is reported at future meetings. District Crown Prosecutors (DCPs) and District Business Managers are similarly accountable to Sector Directors for the performance of their units with a sequence of quarterly performance meetings. The extent to which regular performance meetings are replicated between District and Borough Crown Prosecutors (BCPs) and the extent to which borough improvement actions are captured and followed up on varies across the Area. Although some positive work is underway in some districts, there is scope to improve the effectiveness of, and accountability for, performance management at borough level.
- The regularity of team meetings and the extent to which local performance is considered at these is also variable across the Area. A new electronic Area performance databank was set up in late 2006 which contains Area performance information against key performance indicator broken down by sector and borough as well as a new Prosecution Team Performance Management (PTPM) report. This is accessible to staff and is updated on a monthly basis.
- The Area has a dedicated Business Performance Team which is responsible for reporting performance to the London Board and Operations Group on a monthly basis and for this purpose produces a comprehensive highlight report and supporting data pack that covers each of the 15 CPS corporate priorities and associated targets and measures. Since late 2006, more reliable performance data has been available at borough level for a number of measures and Area performance reports now structure data where possible at sector and borough levels to enable local comparisons and identify good practice or aspects of concern. Reports identify performance "hot spots" i.e. aspects of performance of most concern overall, to help focus the attention of the London Board on aspects where performance improvement is necessary.
- Area performance reports incorporate national CPS performance data enabling comparisons to be made with national averages. Given its unique business profile, the Area has found it difficult to identify meaningful comparators for all measures, but there is some direct benchmarking with other large Metropolitan CPS Areas, for example in relation to hate crime and unsuccessful outcomes.

- Performance reports are generally structured well and, in the main, straightforward to understand utilising a colour coding system to highlight progress against each performance measure. We did find a few instances where figures quoted for the same performance measure differed and care needs to be taken to ensure the data is consistent across reports.
- The Area Performance Team provides guidance and advice to sectors. Each sector has a performance officer who works closely with the Area Performance Team and whose responsibility it is to ensure the accuracy and integrity of data at sector level. Periodic audits are undertaken by the Area Performance Team to assess the quality of data and some of these have identified problems which are then addressed at sector level. For example, in mid 2006 an audit of the recording of guilty pleas and guilty verdicts found a high rate of errors in some boroughs (42% in Southwark and Lambeth), and in March 2007 an audit of the recording of finalisations found an overall error rate of 7.5%. Sector charging reviews undertaken in 2006-07 identified the need for improved checks on data flagging. Monthly checks are undertaken of key performance indicators to allow for any amendments prior to the system 'freeze' date, but given the findings of the audits undertaken, including those referred to above, there may be value in developing more regular and systematic data checks to assure data integrity.
- We found examples of managers at different levels taking action to correct and improve performance, although in many cases this is from a low baseline. These include recent work to improve Direct Communication with Victims performance, graduated fee scheme payment performance and work to improve custody time limit systems. There were also examples of where good practice has been shared across sectors (although there is scope for more of this), and where good practice has been adopted from other CPS Areas. As at the time of our last Overall Performance Assessment (OPA) in 2005, there remain a core of boroughs in which casework performance overall is poor and which serves to pull down Area performance in a range of key measures. Although there are some signs of improving performance within these boroughs, and some of the performance building blocks have more recently been put in place, for example PTPM, there is a considerable way to go.
- Responsibilities for operational effectiveness and continuous improvement are defined at Area and sector senior management level within the Area's governance framework. At Area level, there is an Operations Group, referred to above, with membership comprising the Operations Director, Sector Business Managers and heads of finance and human resources. This Group meets monthly prior to London Board meetings and is responsible for reviewing and improving all aspects of operational performance and delivery including business systems, resourcing and staffing issues, and providing advice to the Board. Specific roles and responsibilities of senior sector staff are also set out.
- The roles of district and borough level managers are less well defined. The Area has recognised the need to develop the role and skills of its Borough Crown Prosecutors in relation to performance management skills, which it is addressing through workshops led by the CCP and Operations Director.
- The 2006 Staff Survey found that 78% of staff had an annual performance appraisal review (national average 81%) but only 31% considered they received regular and constructive feedback about work (national average 36%). Whilst the new CPS Invest performance review process was implemented during 2006-07, an Investors in People (IiP) health check conducted in May 2007

found this had still to be embedded fully to ensure that all staff receive regular and constructive feedback on their performance. Continued work is needed to ensure that performance appraisal is used effectively to improve personal performance.

- In the 2006 survey, a smaller proportion of staff than nationally considered poor performance to be dealt with effectively (13% compared with 17% nationally). The Area, with the support of central human resources, is taking a more robust approach to addressing consistently poor performing staff which has resulted in a number of dismissals.

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

- Our last OPA found a clear commitment to joint performance management with criminal justice partners; this has continued. Senior managers play a full role in the London Criminal Justice Board (CJB), and its work-stream groups including the London Performance Forum and more recently the London Prosecution Team Group which is responsible for management of the joint Emerald Programme (primarily responsible for the charging scheme) at operational level. The CCP is the London CJB champion for performance issues.
- The sector structure does not fit particularly well with joint working arrangements. However, at a local level Borough Criminal Justice Groups (BCJGs) are becoming more effective performance management groups as there is generally fuller participation by criminal justice partners in these and, most significantly, borough based performance data is now available. However, attendance can still be an issue. In one sector consistency of attendance by unit managers and lack of CPS representation at some meetings had been noted in minutes. Also at borough level, PTPM meetings, although not frequently held in 2006-07, have improved in effectiveness albeit wholesale improvements in charging benefits are not yet evident. In one sector, a review found that only 25% of expected meetings had taken place during the period April to July 2007. We were assured by senior managers that PTPM meetings are now being regularly held and attended by relevant CPS managers.
- In addition to BCJG and PTPM meetings, there are a range of other performance focused groups that sector managers are involved in at local level, for example cracked and ineffective trial and case progression meetings. The effectiveness of these meetings overall was seen to vary with some having a more systematic approach to ensuring that remedial actions needed are recorded and followed up than others. Some meetings are replicated across sectors and others not. For example, in one sector there is an annual meeting with counsels' chambers in one district but no similar arrangement in the other district. Some local meetings cover the same or similar issues and there may be scope for some rationalisation.
- Relevant performance data is shared between criminal justice partners, most being provided via the London CJB. The Area provides data in relation to prosecutions on a monthly basis to the London CJB. PTPM data and general adverse outcome reports are shared with the police, and hate crime data shared with the police and other partners. In return the police and courts provide the Area with information in relation to offences brought to justice (OBTJ), cracked and ineffective trials, persistent young offenders (PYOs) and sanction detection rates.
- Some examples were provided of joint improvement strategies implemented which have resulted in improved performance including a reduction in ineffective trials and improvement in PYO

performance. One borough (Redbridge) shared a joint LCJB award for improvements developed with criminal justice partners that led to reductions in the time taken to process cases involving PYOs.

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

- Compliance with the casework quality assurance (CQA) scheme has improved since the time of our last OPA from 34% overall in 2005-06 to 80% in 2006-07, although this was still lower than the national average (83.7%). Improvement has continued into 2007-08 with 91% compliance in the first quarter (national average 92%). This improvement has been aided by the Area reducing the number of lawyers that count for the purposes of CQA from an average of 462 each month in 2006-07 to 369 in 2006-07. This involved excluding lawyers who do not carry a significant personal caseload in agreement with CPS Headquarters. In total, some 93 prosecutors have been excluded from the scheme which is far in excess of the number of lawyer managers, many of whom at Borough Crown Prosecutor level will in any event undertake some casework. The percentage of excluded lawyers at 22%, is higher than the national average of 19%.
- The robustness of CQA assessments was seen to vary across the sectors. We saw some assessments of the files which were thorough, but where this was not the case, we noticed a marked lack of comments on some forms even where there was a 'failure' indicated in one of the tick boxes. Overall Area scores in the four aspects measured generally just below national scores. In the case of compliance with victim and witness requirements, this potentially represents overly generous assessments given the Area's low level of compliance with the direct communications with victims scheme (see Aspect 8). In one sector, the Sector Director reviews a sample of completed CQA forms on a monthly basis and feeds back findings to all managers; this helps ensure the robustness of CQA, a practice that might usefully be extended to other sectors.
- Results of CQA are generally fed back to individuals. In two sectors, where CQA performance is discussed at Sector Management Team meetings, this primarily covers compliance rates as opposed to any common quality issues, although there were some examples of the latter in one sector. More limited evidence of any systematic evaluation was found in the other two.
- In two of the three geographically based Sectors, advocacy assessments were conducted by the Area Advocacy Trainers (AAT) assigned to the sector throughout the year. A high standard of feedback reports were provided. In the other sector, the level of advocacy assessments fell following the transfer of the AAT to another role when the responsibility for conducting advocacy assessments passed to Borough Crown Prosecutors, although a new AAT was appointed in the sector in December 2007. Advocacy assessments tend to focus on new advocates and there is no regular monitoring of experienced advocates, which the Area should consider. There are no formal advocacy assessments conducted within the Serious Casework Sector. Feedback from partners indicated that the standard of advocacy was mixed while feedback about the advocacy of designated caseworkers was generally positive and complimentary. Many added that CPS managers are receptive to comments about the performance of advocates and they felt able to feedback as appropriate.
- The Area has recently implemented a new approach to monitor the performance of external advocates which has been designed to discontinue the preferred sets system in favour of individual grading. This has been developed in association with the Bar Council and will be overseen by the London Joint Advocates Selection Committee.

12 LEADERSHIP	OPA 2005	OPA 2007	Direction of travel
	Good	Good	Stable

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

- The Area has adopted the national CPS vision and direction and these are set out clearly in the Area's Business and Delivery Plans. Plans were further refined in 2007-08 using a sharper format and identifying a clear set of key service aims and priorities brigaded under the banner 'more, less, quicker, better'. The Area vision, direction and priorities are cascaded into Sector Delivery Plans.
- Efforts are made to consult managers and staff in the development of Area plans and to communicate priorities throughout the organisation. For the Area Business Plan (ABP) 2007-08, consultation was put on a more formal basis through a staff consultation survey. External stakeholders are also consulted. Once the ABP was finalised, the Chief Crown Prosecutor (CCP) sent a letter to all staff setting out the priorities for the year and attaching a summary of these and associated performance targets.
- The 2006 Staff Survey indicated a high awareness of the 'Building a World Class Prosecution Service' document which sets out the Director's vision (83% of staff were aware of this); a higher proportion of staff than nationally, who had had an opportunity to discuss it, supported the changes it set out (27% compared with the national average of 22%). A recent Investors in People (iP) health check conducted in May 2007, indicated that levels of awareness of the Area and sector priorities and plans and the implication of these for individual roles, were generally good at management levels but tended to more varied at nonmanagement levels and across some administrative staff groups. There is some scope at local level for more work on shared values to support the Area vision and direction.
- CPS London has a comprehensive Area governance framework which sets out the Area's senior management structure and accountability arrangements including devolved and delegated powers, and relationships with criminal justice partners. In a large and complex Area this helps to ensure that senior managers understand their strategic and operational responsibilities, and accountabilities for delivering both CPS and criminal justice system strategies and plans. Accountability is supported through quarterly reviews of sector performance between the CCP, Operations Director and Sector Directors and Sector Business Managers; these arrangements are replicated within sectors, with regular reviews between Sector Directors, District Crown Prosecutors and District Business Managers.
- Nevertheless, governance arrangements within sectors have been less secure. There have been widespread changes at District and Borough Crown Prosecutor levels with consequent variations in experience levels. Whilst some turnover at this level is positive, for example that due to promotion, it does lead to a consequent loss of experience and continuity which has hindered progress towards better performance improvement. We mention the variations in the regularity of performance meetings between District and Borough Crown Prosecutors in aspect 11A which will have adversely affected the Area's capacity to improve the quality of casework and case outcomes.

- The liP health check found that most top managers were seen by staff as visible and credible leaders. However, it also found that management capabilities at operational level are not always clearly defined, understood or applied. This is exacerbated by the relatively high level of turnover of operational managers. The Area governance framework could usefully be extended to include the responsibilities and accountabilities of operational managers at sector level, particularly in view of future changes to management structures envisaged which will place more emphasis on borough units. A key challenge for the Area will be developing its operational managers to play a full part in delivering its ambitious reform programme. This will need to be supported by more extensive leadership and management training to assist managers to fulfil their roles more effectively.
- Senior managers work together well in delivering Area aims and priorities and a sense of corporacy is evident at Area level. This is underpinned by accountability arrangements being set out clearly and London Board members having London-wide as well as sector responsibilities. Whilst the extent of corporacy at district level is improving, senior managers recognise that continued work is needed to secure increased corporacy at front line manager level.
- Efforts are made by senior managers at Area and sector level to make themselves available to staff at key points in the business calendar and during changes process. For instance, Sector Directors and Sector Business Managers regularly visit offices to explain any changes to staff and answer concerns. Despite this, the proportion of staff who considered that their managers explained the reasons for any changes fell in the 2006 Staff Survey to 33% (nationally 40%) and the proportion who consider that there are adequate channels to contribute their views on change at 38% was lower than nationally (49%). The liP health check identified that more needs to be done to ensure people feel they have been consulted on major decisions including more consultation with staff and trade unions during the planning process. The implications of the move to Integrated Prosecution Teams, whereby CPS staff are located with police at police stations, as part of the London Reform programme and currently being piloted, raised levels of concern that need to be addressed.
- A good level of dialogue is evident at senior levels within the organisation. At operational level the effectiveness of communication is more variable. In the 2006 survey 49% of staff considered their team had regular meetings compared with 59% nationally, and 46% felt that these were effective compared with 55% nationally. Performance in this respect varied significantly across the sectors, with the best performance in the Serious Casework Sector where 72% of staff considered they had regular team meetings and 60% that these were effective. Resourcing pressures and the drive towards higher levels of in-house court coverage have inevitably placed pressures on staff availability to participate in team meetings. Securing improvements in communication at a time of significant change, when the need for effective communication is ever more critical, continues to be a key challenge for the Area.
- Senior managers continue to be very effective in promoting an open and constructive approach with criminal justice partners. Relationships with partners are positive and constructive, particularly at the highest level where there are regular meetings and dialogue between senior managers and their counterparts in other agencies. Feedback from partners in this respect was extremely positive.
- A proactive approach to joint working with partners is demonstrated by senior managers who take on considerable responsibility for promoting and ensuring a joint approach to strategic

issues faced by criminal justice agencies in London. In doing this they lead or participate in a wide variety of criminal justice initiatives and other interagency groups. The CCP was the first chair of the London Criminal Justice Board (CJB) and took the London CJB lead in relation to the Prime Minister's Delivery Unit investigation into performance across the criminal justice system in London. This resulted in the London Reform Programme; this provides the over-arching criminal justice strategy for London requiring a holistic and joined up approach to delivery. Other senior managers also play prominent roles.

- Criminal justice partners were generally very positive in their responses, seeing CPS senior managers as committed to joint working, and co-operative and imaginative in their approach. Some added a note of caution in relation to perceived resourcing difficulties faced by the Area, expressing a concern that managers were not always able to deliver on commitments due to resource constraints.
- We found examples of where managers demonstrate a willingness to learn through reviewing success and failure. The 'back to the floor' exercises conducted by senior managers in South Sector were regarded positively and led to changes and improvements. They were possibly a contributing factor to the favourable comments made about the visibility and leadership of senior managers in that sector.

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

- The proportion of CPS staff who consider the CPS values its staff in the 2006 survey, at 21%, was lower than nationally (26%), while the proportion of staff who consider the CPS has an effective system of recognising people who perform well at 14% was the same as the national average. Good efforts have been made since to identify and acknowledge good performance by staff, for example through the annual staff awards ceremony and specific references to good performance by senior managers following front line prosecution. The Area has also piloted a special bonus scheme whereby payments have been made to individual staff in recognition of their contributions. The liP health check earlier this year was more positive in this respect, highlighting examples given by staff of how they receive positive feedback for their contributions.
- The Area promotes a dignity at work ethos and senior managers are expected to act as role models in this respect and encourage an open dialogue with staff. It is to the Area's credit that the proportion of staff who consider they are treated with fairness and respect increased in the 2006 survey to 56% from 46% previously, although this is still lower than the national average (63%); continued work is needed. There has been one substantiated complaint made in the Area by a member of staff about their treatment by a manager.
- The Area has a small dedicated equality and diversity team. In late 2006 an external consultant was commissioned to review the Area's equality and diversity structures. The report was delivered in early 2007 and recommended that structures were extended and strengthened with higher graded posts. Although the recommendations made have been accepted in principle, the Area has been unable to implement these due to financial constraints.
- Equality and diversity is a standing item at meetings of the London Board. Equality issues are mainstreamed effectively within the Area's plans at Area and sector levels, and in particular

within its community engagement, hate crime and workforce representation plans. Reviews indicate that progress is generally being made against these. At the time of our assessment, outstanding issues included the planned development of an action plan to support the national CPS single equality scheme and a formal review of progress against the Area's workforce representation plan. In the case of the former, the Area has been asked to delay work on this until the new CPS group structure is in place. Good progress has been made in respect of the conducting of equality impact assessments on major projects such as the integrated prosecution team project.

- The overall workforce of the Area is representative ethnically of the local workforce. In total, 32.1% of the Area's workforce is made up of black and minority ethnic (BME) people compared with a local BME working population of 33.5%. There is a good level of black and minority ethnic representation across lawyer grades and at senior management level. However, a relatively high proportion of staff who have not declared their ethnicity obscures the full picture. The proportion of staff with disabilities at 4.4%, although lower than the working population proportion (16.3%), is slightly higher than the CPS average of 4.2%. The Area is conscious that not all staff with disabilities may have declared themselves as disabled and is addressing this. In common with other Areas, CPS London employs a majority of female staff (65% in total).
- The CCP and Operations Director champion equality issues in CPS London. Main achievements include the development of a more diverse workforce particularly at senior levels and improvements in service delivery in relation to hate crimes. Senior managers are also active in equality issues outside the Area. For example, the CCP chairs the LCJB Equalities Board which has recently secured London's involvement in a far-reaching pilot designed to bring together data on the criminal trial process and address such issues as disproportionality. The Operations Director is engaged in national work on disability issues. At sector level, Sector Directors and/or Sector Business Managers act as equality champions.
- The Area confirmed that there have been no substantiated complaints made about prejudice in the workplace. Senior managers told us that where concerns have been raised by the Trades Union side, these have been investigated quickly and none substantiated.
- The Area has challenged and taken action over unsatisfactory behaviour. For example, a proactive approach is taken to dealing with inappropriate e-mails. Senior managers consult with others whenever unsatisfactory behaviour or improper behaviour is identified to ensure wherever possible a consistent approach is taken.

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

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

- Senior managers demonstrate a strong commitment to engaging with and securing the confidence of local communities. A clear and proactive lead is provided by the Chief Crown Prosecutor (CCP) who recently completed a term as the first chair of the Greater London Authority Equalities Commission which reports direct to the Mayor of London. During the CCP's term as chair of the London Criminal Justice Board (CJB), an Independent Advisory Group (IAG) for London was established. Recommendations and ideas from the IAG are taken forward by a sub-group of the London CJB, the Equalities Board, which the CCP now chairs. Other senior managers represent the CPS on national CPS and a range of London-wide groups linked to raising community confidence. For example a Sector Director is co-chair of the National Community Engagement Project Board.
- Sector Directors are responsible for both Area-wide and overall sector based community engagement and confidence raising. Senior managers each have direct responsibility for 'championing' a range of thematic aspects at Area level and representing the CPS at joint agency level. For instance, one Sector Director champions racist and religiously aggravated crime issues including so-called "honour" based crime, while another champions domestic violence issues. Senior managers take the lead in developing community engagement and confidence raising activity in their respective themed aspects. Community engagement featured in the last Area managers' conference in February 2007, when a presentation on the Area's community engagement strategy was given.
- A good range of activities to improve community confidence were built into the 2006-07 Area Business Plan (ABP) supported by milestones, targets and results, although some of the latter could be clearer, together with overall accountability. These were followed through in the Area Delivery Action Plan (ADAP) which provides more detail, although there was scope for greater breakdown of some of the activities needed to achieve the desired outcomes with accountabilities. Review documentation indicates that most planned activities were undertaken. Particular notable developments include the establishment in 2006 of Performance Indicator Review Panels in each sector. Representatives from the community, voluntary and statutory organisations are invited to review the handling of finalised files to draw out good practice in community engagement and identify improvements that could be made.
- In early 2007, the Area enlisted the expertise of a consultant to assist it to develop a Community Engagement Strategy and action plan for 2007-08; this supplemented the ADAP and provides a breakdown of planned activities and responsibilities. Although progress had been made in some of the planned activities, at the time of our assessment, two important initiatives, the setting up of a Community Involvement Panel and Hate Crime Scrutiny Panel had been delayed until early 2008 at the request of CPS Headquarters.

- Community engagement objectives are set for a range of staff including Borough Crown Prosecutors, witness care officers, charging centre managers and senior managers; the Headquarters report for the Quarter 1 of 2007-08 commends the Area for encouraging staff at all grades to participate. Overall, Area staff participate in a range of community engagement activities, although not all of these are captured in the Area's records. In two sectors there is scope for a greater level of engagement activity. Activities mainly focus on information giving and raising the profile of the CPS across a diverse range of communities. The Area recognises that there is further scope to build on the current range of activities with more participative activity and more direct links to casework such the work on the Performance Indicator Review Panels. The involvement of representatives from community and voluntary groups in training is a further example of participative engagement activity underway.
- The Area has up to date information about the communities it serves. It first launched its 'borough profiles' in April 2006. These provide comprehensive information on borough demographics and community contacts. Profiles have recently been updated. Hard copies are available for each borough team and electronic copies have been placed on the electronic drive, to which all staff have access.
- The Area's Community Engagement Strategy identifies ten groups at greatest risk of exclusion and discrimination and we found examples of activities designed to reach some of these. The Area consulted with the Healthy Deaf Minds organisation on the disability hate crime policy and an Area representative has chaired a reassurance event for Somali women in Camden covering a range of issues such as hate crime and terrorism. The Area is involved in London Pride events and more recently, following a sharp increase in gun crime, it ran a gangs, crime and guns conference aimed at encouraging witnesses to come forward. In one sector there has been specific work with Muslim youth groups and a focus on providing Muslim schoolgirls with work placements.
- Processes for evaluating community engagement are developing and a revised set of evaluation documentation was included as part of the Community Engagement Strategy for 2007-08. There is scope for sharing the learning arising from the sector's Performance Indicator Review Panels.
- The Area was able to provide some good examples of where service changes have resulted from engagement activities. One senior manager has played a key and significant role in developing the CPS agenda on forced marriages and so-called "honour" based crime. Intensive engagement with relevant communities supported by considerable media engagement has raised the profile of such cases and led to pilots in four parts of the country where specialist prosecutors will operate. Alongside this, a flagging procedure has been introduced on the national casework management system. Another good example followed engagement with the lesbian, gay, bisexual and transgender (LGBT) community in south London in the aftermath of a high profile murder. This helped the Area take a better approach to its dealings with the community at the time of a more recent high profile murder of a gay man; the learning led to earlier engagement with the bereaved family and LGBT community. The approach received a positive endorsement from the LGBT community and featured in a DVD shown at a CPS senior managers' conference as an example of good practice.
- There is no measure of confidence specific to the CPS, but the CPS contributes to the confidence of the public in the criminal justice system through undertaking its prosecution

functions effectively, and by engaging with the public directly and through the media. Public confidence in the ability of the criminal justice agencies across London, to bring offenders to justice, as measured by the British Crime Survey remained relatively stable in 2006-07 and better than national averages. In the last survey conducted in March 2007, the level of confidence was 47%, compared with the national average of 41%. This was the highest level in the country.

- The Area has a dedicated communications team and there are effective working relationships with the national CPS press office. Generally the national press office handles queries from national media while the Area handles local media enquiries. During the last year, the Area has worked hard to develop its approach to the media from a mainly reactive to a more considered and proactive approach. Interviews were set up between Borough Crown Prosecutors (BCPs) and the local press to set out what the Service does and talk about newsworthy cases coming up. This was well received and has helped to build relationships with journalists who are more likely to approach BCPs direct for information. More recently, this approach has been used to support the introduction of conditional cautioning. BCPs, where conditional cautioning was being rolled out in their borough, each met their local crime reporter to explain the merits of the new system and answer any queries.

ANNEXES

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		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	13.5%	14.1%	11.0%	13.1%	17.3%	17.5%
Guilty plea rate	52.0%	69.2%	63.6%	64.8%	68.0%	66.5%	50.5%	51.7%
Attrition rate	31.0%	22.0%	23.4%	23.3%	23.0%	22.2%	30.1%	29.4%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	75.2%

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%	82.2%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	44.1%
Cracked trial rate	37.3%	36.0%
Ineffective trial rate	18.9%	19.9%
Vacated trial rate	22.5%	19.6%

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

National target	National performance 2006	Area performance 2006
71 days	72 days	85 days

Offences Brought to Justice

	CJS area target 2006-07	CJS area performance 2006-07
Number of offences brought to justice	179,483	206,045

Percentage make up of Offences Brought to Justice	National 2006-07	Criminal justice area 2006-07
Offences taken into consideration (TICs)	8.5%	8.2%
Penalty notices for disorder (PNDs)	10.3%	7.7%
Formal warnings	5.8%	15.1%
Cautions	26.5%	22.2%
Convictions	48.8%	46.8%

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%	71.0%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	48.2%	57.9%
Cracked trial rate	39.5%	28.7%
Ineffective trial rate	12.4%	13.4%

Proceeds of Crime Act orders	Area target 2006-07	Area performance 2006-07
Value	£17,082,978	£18,281,281
Number	452	370

Aspect 10: Managing resources

	2005-06	2006-07
Non ring-fenced administration costs budget outturn	97.3%	104.2%

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%	11.9%
HCA savings against Area target	100%	138.4%	114.9%
Sickness absence (per employee per year)	7.5 days	8.5 days	13 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
41%	45%	47%

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

Police

Metropolitan Police Service

HM Courts Service

HM Courts Service for London

Crown Court

Central Criminal Court

Inner London Crown Court

Woolwich Crown Court

Magistrates' courts

Bromley Magistrates' Court

Bexley Magistrates' Court

City of Westminster Magistrates' Court

Victim Support

Witness Service

Community Groups

Support after Murder and Manslaughter (SAMM)

Redbridge Concern for Mental Health

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