

PRESS RELEASE

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HM CPS INSPECTORATE OVERALL PERFORMANCE ASSESSMENT OF CPS LEICESTERSHIRE

HM Crown Prosecution Service Inspectorate (HM CPSI) has today published their Overall Performance Assessment (OPA) of CPS Leicestershire.

The OPA process provides a benchmark for each CPS Area's performance in thirteen key aspects of work. Each of the aspects is assessed as being excellent, good, fair or poor. The Area is then assessed on its overall performance in the light of these markings.

The overall performance assessment of CPS Leicestershire was POOR.

The table below provides a breakdown of the assessed level of performance against the thirteen aspects and provides a comparison with the 2005 exercise:

OVERALL ASSESSMENT	POOR		
Critical aspects	Assessment level		
	OPA 2005	OPA 2007	Direction of travel
Pre-charge decision-making	Good	Fair	Declined
Ensuring successful outcomes in the magistrates' courts	Poor	Poor	Improved ¹
Ensuring successful outcomes in the Crown Court	Good	Fair	Declined
The service to victims and witnesses	Fair	Poor	Declined
Leadership	Good	Fair	Declined
Overall critical assessment level		POOR	
Progressing cases at court	Fair	Fair	Stable
Sensitive cases and hate crime	Excellent	Good	Declined
Disclosure	Good	Fair	Declined
Custody time limits	Fair	Fair	Stable
Delivering change	Good	Fair	Declined
Managing resources	Good	Poor	Declined
Managing performance to improve	Fair	Fair	Improved ¹
Securing community confidence	Excellent	Excellent	Stable
OVERALL ASSESSMENT	FAIR	POOR	

Some aspects have been categorised as critical; this is due to the significant impact that these aspects have on the overall performance of a CPS Area and the service it delivers to the public.

The overall assessment for CPS Leicestershire has declined from Fair to Poor since the last such assessment in 2005. Although there has been some improvement in two aspects of performance it was not sufficient in either case to increase the rating. Overall, three aspects of performance remained stable whilst a total of eight declined. The result of this assessment (undertaken in December 2007)

¹ Although the assessment for this aspect remains unchanged there has been significant improvement within the range of performance covered by the band.

was to some extent anticipated since a fuller Area Effectiveness Inspection carried out in April 2007 had highlighted substantial weaknesses and the need for CPS Leicestershire to focus on some basic issues.

It was apparent by the time of this assessment that the Area, together with support from CPS Headquarters, had begun to address problems and establish a stronger performance management regime. The recent appointment of a new permanent Chief Crown Prosecutor will further consolidate the changes being implemented.

The main findings of the report include:

Limited improvement in the handling of casework in the magistrates' courts. Despite an improvement over the previous year, the conviction rate (80.7%) remains significantly below the national average. The overall rate of discontinuance remains high and the proportion of effective trials (contested cases which actually proceed to trial on the date fixed) is substantially worse than the national average. There has been some recent improvement.

Crown Court outcomes are also below the national performance with a conviction rate at 75.1% (national average: 77.7%). The discontinuance (judge ordered acquittals) rate is also high with an effective trial rate which is worse than the national performance.

The establishment of statutory charging arrangements (under which the CPS has assumed responsibility from the police for the initial decision to charge in more serious and contested cases) has been problematic but there has been a more recent focus on delivering the initiative and working with the police to embed the scheme. The quality of advice given has been variable but our reality checks indicated that both the standard and recording of advice was improving. The Area has yet to meet expectations in relation to three out of six of the anticipated benefits of the charging scheme. In particular, the proportion of cases subject to pre-charge advice which are subsequently discontinued is poor at 18.9%.

Handling of sensitive cases remains a strength in the Area and the creation of a specialist youth team and domestic violence team is allowing the Area to handle these cases more consistently and reduce unsuccessful outcomes.

The Area needs more accurate forecasting and profiling to improve its control and manage its budget more effectively.

Where improvement has occurred, it has largely flowed from steps taken to outline basic expectations of staff and a recent reinvigoration of the casework quality assurance scheme.

Community engagement activity is well marshalled and used to develop improved processes in systems. There are effective processes in place to evaluate the benefit of community engagement activity.

Performance trends in the 2007-08 year show that more recent results are improving at a better rate than the national average.

The Area has worked hard since the 2005 OPA to improve its compliance with the Direct Communications with Victims scheme. Letters to victims are now sent in 76% of cases, an improvement from 9% in 2005. However, there were concerns outlined in the Area Effectiveness Inspection about the way that witness care units (WCUs) have been operating. There was a lack of clarity about roles and this was having a detrimental impact on the service offered to victims and witnesses.

Stephen Wooler CB, HM Chief Inspector of HMCPSI, said:

"CPS Leicestershire has been through a difficult period compounded by the lack of clarity as to roles and performance culture. This has had an adverse impact on its casework which we highlighted in our Area Effectiveness Inspection in April 2007. There is evidence of some subsequent improvement and the Area now needs to build on this momentum and ensure that it can deliver a more effective service."

The inspectorate has visited all 42 CPS Areas over a six month period in order to provide a benchmark from which future work can be informed. This summative report sets out on a comparative basis the assessments for all 42 Areas. It uses the outcomes of these assessments to determine where best the CPS should focus its resources in order to promote improvement within the CPS and the criminal justice system as a whole. It is also hoped that the CPS Areas, and CPS HQ, will use this information to address issues at local and national level where this is necessary.

This press release should be read in conjunction with the report itself (which contains an integral summary).

Notes to Editors

Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) was established as an independent statutory body by the Crown Prosecution Service Inspectorate Act 2000, on 1 October 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.

The Overall Performance Assessment (OPA) report is based on assessments and judgements that have been made by HMCPSI using a combination of absolute and comparative assessments of performance. These came from national data, CPS self-assessment, HMCPSI assessments and by assessment under the criteria and indicators of good performance set out in the OPA framework. The exercise included visits to all 42 CPS Areas over a seven month period, between June and December 2007. Each Area is rated excellent, good, fair or poor.

The Inspectorate uses an assessment model 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 in relation to the other defining aspects, in order to arrive at the OPA. This assessment model is included in the framework and is available to all Areas.

This exercise is not a full inspection and differs from traditional inspection activity. While 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. However, it is designed to provide a benchmark from which future work can be informed. The Inspectorate will use this information to determine where best to focus its resources in order to promote improvement within the CPS and the criminal justice system as a whole. It is also hoped that the CPS Areas, and CPS HQ, will use this information to address issues at local and national level where this is necessary.

CPS Leicestershire serves the area covered by the Leicestershire Constabulary. Its office is based in Leicester. In the year ended March 2007 the Area employed 118.2 full time equivalent staff, and handled 21,911 cases before the magistrates' courts and 2,430 in the Crown Court. It also gave advice to the police in 3,723 cases which did not result in proceedings

This news release and the report in relation to CPS Leicestershire are part of a block of 13 reports

published today together with a summative report drawing together the common themes and presenting the assessment for all 42 Areas on a comparative basis.