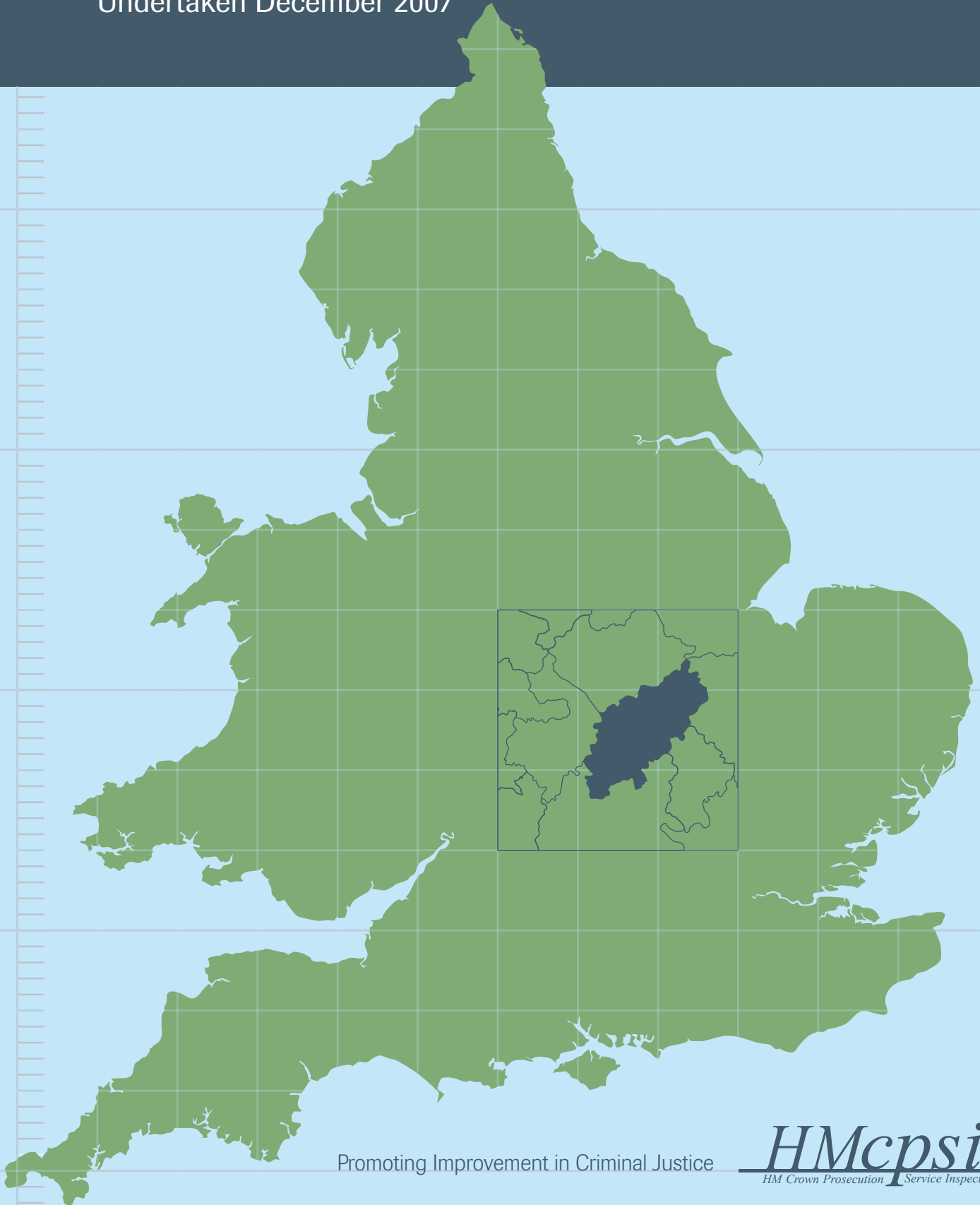


# CPS Northamptonshire Overall Performance Assessment

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 (HMCPPI) overall assessment of the performance of the Crown Prosecution Service (CPS) in Northamptonshire and represents a further assessment against which improvement from the previous baseline assessment in 2004-05 can be measured.

### **Assessments**

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

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

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

The table at page 6 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 Northamptonshire serves the area covered by the Northamptonshire Police. It has one office, at Northampton where the Area Headquarters (Secretariat) is based.

Business is divided on functional and geographical lines. The North Combined Unit and the South Combined Unit each handle cases dealt with in the magistrates' courts and the Crown Court.

During the year 2006-07 the Area had an average of 66.9 full-time equivalent staff in post, and a budget of £2,902,745. This represents a 2.6% increase in staff and a 10.2% increase in budget since 2004-05, the period covered by the previous overall performance assessment.

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

### Pre-charge work<sup>1</sup>

2004-05		2006-07	
Written advice	334	Decisions resulting in a charge	2,828
Pre-charge advice (where available)	5,412	Decisions not resulting in a charge <sup>2</sup>	3,108

Magistrates' courts proceedings (including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Magistrates' courts prosecutions	13,308	11,601	-12.8%
Other proceedings	3	67	+2,133.0%
<b>Total magistrates' courts proceedings</b>	<b>13,311</b>	<b>11,668</b>	<b>-12.3%</b>

### Crown Court proceedings

(including cases previously subject to a pre-charge decision)	2004-05	2006-07	Percentage change
Cases sent or committed to the Crown Court for determination	902	740	-18.0%
Committals for sentence <sup>3</sup>	229	219	-4.4%
Appeals from the magistrates' courts <sup>3</sup>	129	149	+15.5%
<b>Total Crown Court proceedings</b>	<b>1,260</b>	<b>1,108</b>	<b>-12.1%</b>

In 2006-07, 35.6% of offences brought to justice were the result of convictions.

- 1 No valid comparison with 2004-05 pre-charge caseload is possible as statutory charging was only fully in place in all CPS Areas from April 2006 onwards.
- 2 Including decisions resulting in no further action, taken into considerations (TICs), cautions and other disposals.
- 3 Also included in the magistrates' courts figures, where the substantive hearing occurred.

## **C SUMMARY OF JUDGEMENTS**

### **Contextual factors and background**

The last OPA, two years ago, assessed Northamptonshire as 'Fair'. It has since been the subject of a full Area effectiveness inspection (AEI). This confirmed the continuing trend of early improvement observed in the OPA following changes in some senior managers which lead to greater stability, after a period of some uncertainty caused largely by the absence of the previous Chief Crown Prosecutor (CCP) on a national project. That trend has continued to an extent with improvement showing in seven aspects, and decline in only two.

### **Summary**

The Area is realising most of the benefits of the statutory charging arrangements under which the CPS has assumed responsibility from the police for the initial decision whether to charge in all except minor and straightforward cases. Advice is provided face-to-face daily at two centres. Agreement with the police to provide full evidential reports in all likely contested and Crown Court cases has seen some benefits in case progression post-charge, especially in the Crown Court. However this has meant that a substantial proportion of pre-charge decisions in cases which are resubmitted with a full evidential file or after further evidence is obtained, are made in the CPS office rather than at a charging centre, and the time between first decision and charge is nearly five times the national average. The recent deployment of police Evidence Review Officers should in time reduce the numbers of cases referred back for further work.

Although case outcomes in the magistrates' courts are less satisfactory than the national averages, performance has seen continuous improvement since April 2006. Most significantly, the time taken to deal with persistent young offenders from arrest to disposal has reduced from 103 days to 47 in the six months February-July 2007. Overall trial effectiveness (cases proceeding on the day fixed for trial) in magistrates' courts cases is improving. The Area has recently negotiated with HM Courts Service a reduction in magistrates' courts listings which has enabled it to reduce the number of agents used and increase deployment of designated caseworkers (DCWs), allowing lawyers more time to deal with charging and review work.

Performance in the Crown Court is much better, exceeding the national averages in most aspects. The Area failed to meet its targets for confiscation orders in 2006-07 in terms of numbers and value, but is well on course in 2007-08 to exceed both targets. The positive approach of the Witness Care Unit towards victims and witnesses is viewed as a significant factor in trial effectiveness.

Performance has improved in respect of disclosure of unused material following comments in the AEI, with the CPS national lead on disclosure enlisted the help to identify actions to improve. All casework is monitored by the Casework Quality Assurance scheme but this is limited and there are some concerns as to its robustness. Adverse case reports are used to learn lessons on casework. There are appropriate systems for dealing with sensitive cases which ensure they are handled or supervised by an appropriately experienced lawyer.

There are appropriate custody time limit (CTL) systems, although the one for the magistrates' courts could be more detailed. A CTL failure discovered during the AEI was not reported to CPS Headquarters because of a misunderstanding over what constitutes a failure. Our reality check showed that review and expiry dates are correct but CTL management and monitoring systems need to be tightened.



The proportion against target of Direct Communication with Victims letters sent to a victim when a charge is dropped or reduced has improved, although this has to be seen against reduced targets. The CPS-managed Witness Care Unit no longer monitors progress against the No Witness No Justice action plan, but will need to assure itself that the minimum requirements are being met. There have been improvements in the rate of ineffective trials due to witness issues although cracked trial rates, particularly in the magistrates' courts, have worsened.

Priorities accord with the Director of Public Prosecution's (DPPs) vision for the CPS and the business plan identifies responsibilities for delivery, milestones and actions. There are processes for joint planning with criminal justice system (CJS) partners with the Area being a driving force in taking initiatives forward. Training is provided to deliver new initiatives and staff satisfaction with training is high. There are effective financial management procedures in place which ensure value for money. Reduced magistrates' courts listings have allowed better deployment of DCWs and greater in-house court coverage overall. The effective deployment of Higher Court Advocates (HCAs) has been slow, but recent recruitments and the establishment of a dedicated HCA unit should accelerate improvement.

Managers are now more focused in terms of leadership, promoting corporacy in management and encouraging an informal approach where appropriate. The results of the 2006 staff survey and more recent Investors in People post-recognition review report both confirm high levels of staff satisfaction generally, compared with the national averages. Senior managers are not complacent, however, and continually seek to learn from success and failures. Equality and diversity principles are embedded and, although there have been no serious issues, managers are ready to tackle inappropriate behaviour.

Engagement with the community has focused on victims and witnesses. The Area is now working with the police to identify and prioritise those areas of the county where community safety is a particular issue and focus on the relevant communities. Although public confidence in the CJS has declined locally, the Area is developing a strategy with its partners to tackle low level nuisance crime and crimes against the elderly.

### **Direction of travel**

The Area has improved in seven aspects, remained stable in four and declined in two. It is apparent, however, that there is an overall trend of improvement continuing into 2007-08 in many aspects of performance, particularly successful outcomes in the magistrates' courts and Crown Court. Senior managers have raised the profile of the CPS within Northamptonshire and have been proactive in driving forward many new joint initiatives. This achievement has not always been easily won, but managers are determined to continue to improve in collaboration with their criminal justice partners and with the good will and support of their staff. We are satisfied that the Area has the capacity to improve further.

In the light of our findings, the overall performance is **Fair**.

<b>OVERALL ASSESSMENT</b>		<b>FAIR</b>		
<b>Critical aspects</b>	<b>Assessment level</b>			
	<b>OPA 2005</b>	<b>OPA 2007</b>	<b>Direction of travel</b>	
Pre-charge decision-making	Fair	<b>Fair</b>	<b>Improved<sup>4</sup></b>	
Ensuring successful outcomes in the magistrates' courts	Fair	<b>Fair</b>	<b>Stable</b>	
Ensuring successful outcomes in the Crown Court	Fair	<b>Good</b>	<b>Improved</b>	
The service to victims and witnesses	Fair	<b>Fair</b>	<b>Improved<sup>4</sup></b>	
Leadership	Poor	<b>Good</b>	<b>Improved</b>	
<b>Overall critical assessment level</b>	<b>FAIR</b>			
Progressing cases at court	Good	<b>Fair</b>	<b>Declined</b>	
Sensitive cases and hate crime	Fair	<b>Fair</b>	<b>Stable</b>	
Disclosure	Fair	<b>Good</b>	<b>Improved</b>	
Custody time limits	Good	<b>Fair</b>	<b>Declined</b>	
Delivering change	Fair	<b>Good</b>	<b>Improved</b>	
Managing resources	Fair	<b>Good</b>	<b>Improved</b>	
Managing performance to improve	Good	<b>Good</b>	<b>Stable</b>	
Securing community confidence	Fair	<b>Fair</b>	<b>Stable</b>	
<b>OVERALL ASSESSMENT</b>	Fair	<b>FAIR</b>		

<sup>4</sup> Inspectors considered that there had been improvement in performance although the assessment remains 'Fair'.

## D DEFINING ASPECTS

<b>1</b>	<b>PRE-CHARGE DECISION-MAKING: MANAGEMENT AND REALISING THE BENEFITS</b>	OPA 2005	OPA 2007	Direction of travel
		Fair	<b>Fair</b>	<b>Improved</b>

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

- Duty prosecutors provide full-time face-to-face advice to the police between 9am-5pm, Monday to Friday from two charging sites at Corby and Northampton. An appointments system managed by a CPS Charging Administrator is run at each site. Each standard appointment is scheduled 30 minutes and slots are retained for custody cases. During the AEI we observed a number of cancelled appointments at Corby charging centre. The number of consultations undertaken is monitored and coverage of the centres is being kept under review. More complex or sensitive cases that need longer are dealt with by prosecutors within the teams at Beaumont House.
- Arrangements ensure that early advice is provided for relevant cases. An informal agreement is in place with the police for an out-of-hours service on more serious matters such as homicide.
- The agreed system requires that all files which are likely to result in a prosecution, with the exception of 'threshold' cases, have evidential reports prior to charge. The continued suitability of this 'fuller' approach to file build before charge was questioned during the AEI. The CPS, with its police partners, has decided at present this is more suitable for Northamptonshire. However this approach needs to be reviewed on an ongoing basis to ensure the levels of file build are proportional and that the life of a case is not being prolonged unnecessarily.
- After initial face-to-face consultation, evidential reports or those files where further work has been undertaken to determine if a prosecution is likely are returned to the relevant duty prosecutor's unit for further consideration, which ensures continued ownership for pre-charge decision (PCD) cases. However this approach meant that in 2006-07 51.5% of PCDs were made within the CPS office, compared with 19.6% nationally, and only 35% were delivered face-to-face. These levels continue into 2007-08.
- The more substantive file build prior to charge, and a less than satisfactory monitoring system for on going cases during 2006-07, resulted in the average number of days from the first to charging decisions being significantly worse than the national rate at 42.6 against 9.6 days. For the first two quarters of 2007-08 this has remained high, as a direct result of the system employed.
- During the AEI it was identified that systems were not fully established to manage cases requiring further action. As a result substantial work was completed to improve effectiveness. For 2007-08, CPS ongoing case reports are monitored with the police. There is a system to monitor cases that are returned to the office and timeliness targets are in place for the return of PCD cases to the police, although limited 'reality' checks indicate there may occasionally still be some delay.

- A significant reduction has occurred in the number of cases at PCD stage as a result of extensive clearing of old cases from the system. The monthly carried forward files have almost halved, from 2,065 at its highest point during 2006-07 to 1,162 cases for October 2007.
- Pre-charge consultation takes place on the majority of files in accordance with the DPP's Guidance. There were instances of files appropriate to the scheme bypassing PCD during the AEI, in particular domestic violence cases. All non-compliance is monitored and brought to the attention of the District Crown Prosecutors (DCPs) and police partners.
- The percentage of cases in which no further action (NFA) was advised in 2006-07 was, at 34.1%, higher than the national average (31.9%). For April-September 2007, the charge to NFA ratio was consistently worse than the national average. The establishment of effective police 'gatekeepers' to ensure only cases suitable for PCD are submitted to duty prosecutors has been problematic. In the past police officers only partially performed this duty and the majority of files were submitted via officers' supervisors or custody officers.
- Police Evidence Review Officers (EROs) were introduced relatively shortly before this assessment at both charging centres; the North Unit ERO is more established and there are initial improvements in the unit's NFA rates. The extent of the ERO role has yet to be finalised, although this will be during office hours only and potentially will not cover all files.
- Disagreements over decisions are few and generally resolved within the charging centre. There is a formal escalation procedure for settling any disputes which cannot be resolved locally.
- PCDs are recorded electronically on the case management system (CMS) by the Charging Administrator and duty prosecutors in charging centres. There are still some problems with duplication of unique reference numbers, through use of the police case preparation system (NSPIS), which impacts on the number of cases that are recorded as undefined outcomes. For 2006-07 and the year-to-date this was higher than national averages. Reality checks indicate that the recording of ethnicity and gender of defendants on MG3s (the form used to record pre-charge advice and decisions) and CMS is good.
- There are established links between the Area and CPS Direct (CPSD). There is an appointed CPSD contact for Northamptonshire and appropriate liaison occurs. In October 2006, a joint CPS and police training event was held and included CPSD, to raise its profile. The extent of usage by the police is discussed with the Area's CPSD liaison.
- Conditional cautioning was introduced at both charging centres in October 2007, but it is too early to comment on the effectiveness of the scheme.

**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**

- Prosecutors have access to the DPP's Guidance and charging standards at both the charging sites. Proactive Prosecutor Programme training has been given to all duty prosecutors and follow-up training has been partially completed.

- The AEI found inconsistent performance in the application of the local scheme. The Area has chosen to operate in excess of the DPP's Guidance, with the exception of custody threshold test cases. However in only one out of six cases from the AEI file sample was the threshold test correctly applied and followed with a full Code for Crown Prosecutors' review, which was consistent with the then lack of ongoing review found within magistrates' courts work generally. In addition, full consideration of victims and witness issues was not always evident at PCD (from MG3s and case progression forms) and in only four out of eight appropriate cases were alternative disposals and ancillary orders considered and acted upon.
- During the AEI, the Area was reliant on the Casework Quality Assurance (CQA) scheme, ad-hoc monitoring by the DCPs and adverse outcome monitoring to ensure the quality of its pre-charge advice and decision-making. This approach has continued. Senior managers believe that the quality of MG3s has risen considerably and reality checks undertaken as part of this assessment supported this view and indicated sound decision-making, with the majority of MG3s having clear analysis of the evidence and issues and reference to ancillary matters, in particular victim and witness issues.
- Cases resulting in no further action are monitored as part of the above procedures. Monthly performance information measures the volume and reasons for NFA across the police Basic Command Units (BCUs) and discussed at joint performance management (JPM) meetings.

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

	Magistrates' courts cases				Crown Court cases			
	National target March 2007	National performance 2006-07	Area performance		National target March 2007	National performance 2006-07	Area performance	
			2005-06	2006-07			2005-06	2006-07
Discontinuance rate	11.0%	15.7%	25.3%	13.8%	11.0%	13.1%	10.2%	7.9%
Guilty plea rate	52.0%	69.2%	59.5%	67.6%	68.0%	66.5%	68.9%	74.7%
Attrition rate	31.0%	22.0%	33.0%	23.0%	23.0%	22.2%	21.3%	16.3%

- Northamptonshire was one of the later CPS Areas to migrate to statutory charging in February 2006 and the 2005-06 performance reflected this. It is now consistently realising five out of the six expected benefits of charging. Performance in the magistrates' and Crown Court, with the exception of the magistrates' courts discontinuance rate, achieved the national targets. For Crown Court indicators, performance was better than nationally. In magistrates' courts cases the discontinuance rate was better than national performance, although the guilty plea and attrition rates were worse. For the current year, performance is better than nationally. Performance has significantly improved since the last OPA.
- All PCD discontinuances are agreed by the DCPs and the volume of, and reasons for, them are monitored. Reports are prepared on adverse outcomes which have been the subject of PCD. These vary in presentation and consider reasons for case failures, but could be of a better quality to facilitate the dissemination of lessons to be learned.

- Prosecution Team Performance Management (PTPM) reports are included within the monthly performance reporting and produced at Area, team and BCU level for discussion with police. Charging outcomes are discussed at joint performance meetings and those for the Prosecution Team Board. The DCPs and police counterparts hold meetings regularly and it is intended that they will become more robust, as suggested in the AEI, and be used to progress operational matters more effectively. Performance information is also disseminated and discussed internally at Senior Management Team (SMT) meetings and relevant information will be discussed at unit meetings.

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

## 2A Successful outcomes are increasing

Case outcomes in the magistrates' courts	National performance 2006-07	Area performance 2006-07
Discontinuance and bindovers	10.8%	12.3%
No case to answer	0.2%	0.2%
Dismissed after trial	1.9%	3.4%
Discharged committals	0.2%	0.3%
Warrants	2.6%	1.7%
Overall conviction rate	84.3%	82.0%

- The table above shows that, with the exception of cases dismissed at the end of the prosecution case (no case to answer - NCTA), outcomes are worse than the national averages. The proportion of overall successful outcomes in the magistrates' courts for 2006-07 stood at 82.0% compared with the national figure of 84.3%. However, this represents an improvement on the 2005-06 rate which was 78.6%. Since then, with some slight fluctuations, performance has gradually improved and continues to do so. The figure for the second quarter of 2007-08 was 87.5% against the national average of 85.4%.
- The position is similar in respect of both discharged committals and NCTAs. In 2004-05 the discharged committal rate was 0.2%, rising significantly to 0.6% in the following year, then reducing to 0.3% on 2006-07. In terms of the percentage of committals heard and sent cases, discharged committals accounted for 4.2% compared with 2.5% nationally in 2006-07. In the first two quarters of 2007-08 there have been 11 discharged committals, which represents an improvement. All discharged committals are referred to the relevant Unit Head to determine whether the case is appropriate for reinstatement. Reasons are analysed and considered in performance reports. There are no apparent trends with reasons ranging from evidential and administrative to review failures. In the same three year period the rate of NCTAs has dropped from 0.4% to 0.2% and at the end of the second quarter of 2007-08, there has been only one case.
- The discontinuance rate of 12.3% is an improvement on the figure of 16.2% for 2005-06. The rate has continued to improve and those for the first two quarters of 2007-08 were 11.7% and 8.8% against the national averages of 10.3% and 10.2%. All PCD cases which it is proposed to discontinue are referred to the DCP for approval to ensure a consistent approach and assist in learning lessons. All such cases are the subject of an adverse case report.

- All adverse outcomes are reported and a digest of cases is annexed to monthly and quarterly performance reports. Adverse cases are considered internally in meetings of the SMT and in unit quarterly performance reviews between the CCP and Area Business Manager (ABM) on the one hand and the DCP and Unit Business Manager on the other. They are also considered in PTPM meetings with the police and are directly referred to the police Area Commander.
- The 2006-07 target for offences brought to justice was met. This is a shared target with other criminal justice agencies and the scope for the CPS to influence it is limited because it includes many non-prosecution disposals. Senior managers compare the Northamptonshire's rate of disposals with the national averages and discuss any obvious discrepancies.
- In 2006-07 performance, at 98 days, was consistently poorer than the national target of 71 days for dealing with persistent young offenders (PYOs) from arrest to disposal. Following intervention by the Law Officers, this was addressed as a matter of urgency with criminal justice partners. The Area approach was to analyse and improve its own processes before discussing issues with the police and the courts. As a result of the efforts of all agencies performance has improved significantly and for the rolling quarters from February-July 2007 has dropped from 103 days to 47.
- Team meetings provide a more formal forum for discussing casework issues and learning lessons. Adverse cases are discussed generally and individual cases if necessary. Details of adverse outcomes are also distributed to lawyers and caseworkers.
- There has been an improvement generally in the outcome of magistrates' courts cases since the end of 2006-07. If this performance continues the Area will raise its rating out of the 'Poor' category.

**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%	50.3%
Cracked trial rate	37.3%	36.2%
Ineffective trial rate	18.9%	13.4%
Vacated trial rate	22.5%	15.3%

- As part of the arrangements for the implementation of statutory charging the police have agreed that a full file will be prepared in all likely contested cases before charge is authorised. This is often done under the supervision of a duty prosecutor following the initial submission of the file for advice. The arrangement is monitored in part by the Effective Trial Management Programme (ETMP) sub-group of the Northamptonshire Local Criminal Justice Board (NLCJB). In addition, the police and CPS Northern Area Prosecutions forum looks at ways in which file quality can be improved.



- The report of the AEI undertaken in December 2006 commented on the absence of detail in initial and continuing reviews and recommended that files should be reviewed thoroughly before the first hearing and any trial, and that review endorsements should reflect a comprehensive analysis of the case with clear reasons for decisions. The Area now requires all files to be reviewed before first hearing by the prosecutor. If the case has not been subject of PCD the review should be completed on CMS. It is also encouraging lawyers to ensure that further reviews after the initial hearing are also endorsed on CMS. Our reality check confirmed that this is usually done and the standard of reviews was satisfactory.
- The AEI highlighted some concerns in respect of case progression, particularly in the timeliness of initial guilty pleas in the magistrates' courts and adult trials, both of which were well below the national averages. Performance in case preparation and progression was variable, contributed to by delays in some administrative processes. The AEI recommended that the role of Case Progression Officer (CPO) be developed to include closer liaison with the police and courts in individual cases. Each unit now has a dedicated CPO who monitors court directions, timeliness of special measures applications and undertakes pre-trial checks. Although the magistrates' courts do not have similar dedicated CPOs, CPS staff have established links with an appropriate officer in the courts and they liaise on case progression. In addition, two case progression sub-groups have been established within the NLCJB to deal specifically with PYOs and domestic violence. Our reality check related only to a small sample of cases but revealed no obvious delays in case progression and the application of casework processes following charge.
- The ETMP sub-group was responsible for implementation of Criminal Justice: Simple, Speedy, Summary (CJSSS) initiative within Northamptonshire. A pilot commenced in part of the northern half of the county at the beginning of June 2007 and the scheme was fully implemented on 1 October that year. Planning for implementation involved all criminal justice agencies, including a defence representative, to ensure complete commitment. Early indications show that first time guilty pleas have increased, numbers of adjournments remain low and trials are dealt with within the required timescales.
- Specialists in each unit deal with all youth cases, except those charged jointly with adults, and liaise with specialist caseworkers in Crown Court cases. In addition the Area identifies 'potential PYOs' (youths with two convictions rather than three), and treats them in the same way. This has had a positive effect on case progression generally in youth cases. The Courts Service will hold additional trial courts if required.
- Rates of effective trials are improving and are better than the national averages. The rates of cracked, ineffective and effective trials are all better than at the time of the last OPA, although ineffective trials have worsened slightly since 2005-06. Nevertheless, at 13.4%, the rate is much improved on the 21.2% in 2004-05.
- Cracked and ineffective trials are reviewed and analysed in a number of different forums, with those ineffective due to prosecution reasons given more detailed consideration. Issues are addressed as appropriate either internally or with partners. Any lessons from cracked and ineffective trials are disseminated through team meetings and briefings, with some resulting in the issue of specific instructions or guidance.

- The AEI found that CMS usage needed to be more effective and timely. The Area has tackled this by setting personal objectives for staff and monitoring individual and overall usage more closely, taking action where necessary on an individual basis. The proportion of magistrates' courts reviews recorded on CMS has improved significantly from 39.3% to 81.9% in 2006-07. Recording of outcomes within one day has seen a more modest increase from 54.5% to 66.1%.

<b>3 ENSURING SUCCESSFUL OUTCOMES IN THE CROWN COURT</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

### 3A Successful outcomes are increasing

Case outcomes in the Crown Court	National performance 2006-07	Area performance 2006-07
Judge ordered acquittals	13.1%	7.0%
Judge directed acquittals	1.4%	0.8%
Acquittals after trial	6.5%	6.1%
Warrants	1.3%	0.3%
Overall conviction rate	77.7%	85.8%

- The overall conviction rate is better than the national average and has shown steady improvement, with some slight fluctuations, since the end of 2005-06 with performance better than nationally for each successive quarter.
- Adverse case reports are prepared for all unsuccessful outcomes, annexed to monthly performance reports and analysed for any casework lessons. There are very few trends but individual issues of significance are addressed. If a case fails because of poor review, this is taken up with the individual lawyer. As with magistrates' courts casework the reports are discussed internally in SMT meetings, quarterly performance reviews and with the police in JPM meetings. In addition, the Area has set up a Serious and Sensitive Casework Panel, led by the CCP with a membership of senior CPS staff and police crime managers. The panel meets monthly to monitor the more serious, sensitive and high profile casework. It also ensures that cases are dealt with by appropriately experienced lawyers and counsel.
- If a Crown Court case is to be dropped it is usually discussed with a DCP or other colleague, although there is no requirement to do so other than in respect of sensitive cases and hate crimes. Judge ordered acquittals (discontinued cases) are reviewed in SMT and other meetings. If it is considered that a case was wrongly discontinued, this will be discussed with the reviewing lawyer.
- The Proceeds of Crime Act (POCA) targets for confiscation orders were not met in terms of either numbers or value. In 2006-07 36 orders were obtained representing a value of £868,183 against targets of 44 orders and £1,037,646.
- The Area has for some time been working with the police Fraud Investigation Unit to improve performance and placing an emphasis on identifying appropriate cases at the point of charge. The lead POCA specialist supervises confiscation cases and the Area has established processes with the magistrates' courts to deal with enforcement. The situation for 2007-08 is looking more optimistic. At the end of the second quarter 21 orders against a target of 44 had been obtained with a value of £1,780,000 against a target of £1,038,000.

- Casework lessons are discussed in SMT and team meetings in the same way as magistrates' courts cases are. Casework issues are also discussed informally between caseworkers and lawyers, with internal emails used to deal with issues of significance.

### **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%	59.9%
Cracked trial rate	39.5%	35.9%
Ineffective trial rate	12.4%	4.1%

- The majority of Crown Court cases are fully ready at the time of charging. Crown Court review and case preparation is, therefore, generally timely. Lawyers have retained the responsibility for case preparation, including drafting the brief for counsel.
- Caseworkers act as CPOs in their own cases and liaise as necessary with the Crown Court CPO. The process of pre-charge case building and proactive continuing review has brought benefits in all aspects of trial effectiveness. The rate of effective trials in the Crown Court, at 59.9%, is significantly better than the national average of 48.2%. Cracked trials stand at 35.9% compared with 39.5% nationally and the ineffective trials rate is 4.1% against 12.4%. The work of the Witness Care Unit (WCU) is seen by the Area as a significant factor in this level of performance because of the positive approach taken in liaising with witnesses at all stages of case progress in order to anticipate and deal with issues.
- The Area monitors those cases which crack or are ineffective due to the prosecution. Numbers are too small to identify particular trends but do allow individual cases to be considered in detail. Issues raised by ineffective trials are discussed with the Crown Court CPO only if they are of particular significance. They are also discussed formally with the Resident Judge in meetings with the DCP who has responsibility for Crown Court issues and informally in meetings between the Resident Judge and CCP.
- Cases in the Crown Court involving PYOs tend to be few and, because of that, can have an erratic effect on PYO performance. They are, nevertheless, monitored and performance has recently improved in line with that in the Youth Court.
- The use of CMS for recording Crown Court reviews, including case preparation and indictment drafting, is increasing. The Area met its target of 90% in June 2007 and has maintained it ever since, although performance in respect of hearing outcomes and finalisations is still below the 60% target.

<b>4</b> <b>PROGRESSING CASES AT COURT</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Fair</b>	<b>Declined</b>

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

- The AEI report highlighted serious concerns about case progression at court finding that prosecutors were not sufficiently proactive or robust in progressing cases, particularly in respect of the numbers and length of adjournments. In the magistrates' courts there was something of an adjournment culture which was perpetuated by all agencies to an extent. The report went on to comment that the Area had taken some steps to address the lack of robustness in the prosecution approach to case progression, but more needed to be done. The Area has sought to build upon its earlier improvements in a number of ways.
- Although the pre-charge case build has increased the time between first decision and charge, it should ensure that cases can be progressed at the first hearing. It has helped to provide a foundation for the introduction of CJSSS and further benefits are expected once CJSSS is embedded throughout Northamptonshire following implementation in October 2007.
- The CPS has also been successful in negotiating with the Courts Service reduced numbers of magistrates' courts listings, which has improved the capacity to deploy DCWs. The Resident Judge and the magistrates' courts senior legal advisor recently chaired a training session for lawyers and DCWs on the Criminal Procedure Rules. The emphasis was on identifying trial issues and compliance with standard directions.
- The reduction in the number of courts has also enabled the Area to cut down on the numbers of agents used in the magistrates' courts. Although they are still deployed in some trials, this is largely due to current lawyer vacancies. The majority of magistrates' courts cases are prosecuted in-house by lawyers or DCWs.
- Counsel used in both the magistrates' and the Crown Court are suitably experienced for the cases they are handling. In particular, specialist counsel are used for all rape cases. Advocates in the magistrates' courts are monitored informally by the DCPs, although the frequency may vary. Counsel are monitored informally by Crown Court caseworkers and the information is fed back through the DCPs to the Serious and Sensitive Casework Panel.
- Court rotas are organised specifically to ensure that lawyers and DCWs have sufficient time to prepare their cases. If they are listed to take a trial, the file will be ready in advance for them to prepare the case. Wherever possible, listing arrangements try to ensure that staff prosecute the same courts regularly so that they will be familiar with some of the cases. Counsel agents are provided with their files well in advance of the trial. In the Crown Court, counsel and HCAs are briefed in good time. Reality checks indicated that the quality of instructions is generally very good with a summary of the case and some analysis of issues, although this could sometimes be more detailed.

- In the magistrates' courts, advocates are required to attend court in sufficient time to liaise with the court staff, defence and any witnesses. This is principally monitored by feedback from the court and Witness Service, although attendance at court by DCPs can provide some information. In the Crown Court caseworkers and counsel are at court in good time to discuss issues and speak to witnesses. Caseworkers can monitor counsel's performance in this respect. The court will report any serious breaches by caseworkers.
- Listing arrangements with the magistrates' courts have fixed maximum numbers for cases that can be bailed after charge to the regular court sittings. The CPS negotiated with the Courts Service a policy of double listing trials, implemented in October 2006. By May 2007 the listing of trials in the magistrates' courts had reduced from more than six months to between four and six weeks, in advance of implementation of CJSSS.
- The Area has no current data in respect of adjournment numbers, although data is maintained by the ETMP sub-group which was responsible for implementing CJSSS. Prior to commencement of the scheme performance in reducing unnecessary adjournments was improving and progress has been maintained. Dedicated traffic trials courts held at Daventry have assisted in the more effective use of court time.
- There were 20 wasted costs orders in the magistrates' and Crown Court in 2006-07. There have been nine orders against the CPS between April-October 2007, which have related mainly to failure to produce prisoners after issue of a production order. The Area is satisfied with its processes in this regard, although each case is considered for any lessons.

<b>5 SENSITIVE CASES AND HATE CRIMES</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Fair</b>	<b>Stable</b>

#### **5A The Area identifies and manages sensitive cases (including hate crime<sup>5</sup>) effectively**

- In 2006-07, the rate of combined magistrates' courts and Crown Court hate crime unsuccessful outcomes was 37.1% compared with the national average of 32.8%. However was better than the previous year's performance and improvement has continued into the first half of 2007-08. At the end of the second quarter the rate stood at 24.0% compared with the national rate of 30.0%.
- Champions and specialists have been appointed for all sensitive cases. Their responsibilities include some training although the emphasis is on providing advice to colleagues, dealing with more serious cases and ensuring that CPS policies are applied. Some lawyers have been assigned more than one specialism but the demands that each specialism requires are considered by managers in order to ensure that responsibilities are balanced.
- The Serious and Sensitive Casework Panel monitors the more significant sensitive casework and manages cases at a strategic level, for example by assigning particular counsel. All lawyers are aware of the guidelines for determining appropriate cases and DCPs are responsible for ensuring that these cases are identified. In addition all cases monitored by the panel are given closer supervision by DCPs which includes dip sampling to look at review quality and case handling.
- Most, if not all, lawyers and caseworkers have received training in the majority of specialist case types, although they refer to specialists and champions in more significant cases. All duty prosecutors are expected to deal with domestic violence cases, for example, but special arrangements exist to ensure that rape (including child abuse) cases and other more serious ones are dealt with by specialists, usually outside the charging centres.
- The AEI report raised some concerns about the application by prosecutors of national policy in domestic violence cases, including consideration of the needs and views of victims. This is being tackled by providing additional training in domestic violence policy for prosecutors and caseworkers and by additional monitoring of domestic violence cases to be completed by the end of March 2008. An improvement in performance has already been seen, with unsuccessful outcomes in domestic violence cases improving from 39.5% in 2006-07 to 25.4% at the end of the second quarter of 2007-08. The NLCJB has considered whether to introduce specialist domestic violence courts but has decided on a system of fast-tracking such cases. It is currently engaged in devising a suite of appropriate performance measures.
- Media and high profile cases are identified according to certain criteria and then monitored by the Serious and Sensitive Casework Panel.
- All staff have been trained to make sure that sensitive cases and hate crimes are flagged on CMS.

<sup>5</sup> 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).

Our reality check confirmed that cases are generally flagged but there could be improvement in some aspects. Three of the eight cases examined on CMS in which there was an identifiable victim were not marked appropriately, although the one PYO and one sensitive case were both properly flagged.

- The SMT considers all CPS policy guidance and HMCPSI thematic review reports to determine what action may be required and the units are then tasked with implementation. There are no specific individual action plans but action is incorporated generally within the business plan.
- DCPs must authorise any decision to reduce or remove the 'hate' element from a crime. Numbers are so few that all cases are carefully monitored for any lessons and discussed with the police if necessary. All hate crime data is circulated within the Area by the Performance Officer. Lessons in sensitive cases and hate crimes are disseminated in team meetings in the same way as general casework.
- The Area does not generally attend Local Safeguarding Children Boards but has made it clear it will do so if there are specific issues relevant to CPS work to be discussed. The Detective Chief Inspector in charge of the police Child Protection Unit attends the local board. She is also a member of the Serious and Sensitive Casework Panel and can report issues through the panel. The Area business plan recognises the need to meet the needs of child victims and witnesses and proposes a review of compliance with child witness policy.



<b>6 DISCLOSURE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

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

- Performance at the time of the last OPA was assessed as 'Fair' and there had been little improvement when the AEI took place. At that time, the Area complied with the duty of initial disclosure in only 68% of cases examined. Inspectors found that some disclosable items were not being disclosed, others were being disclosed unnecessarily, schedules were not properly endorsed and initial disclosure was often delayed. Compliance with the continuing duty to disclose was 63%. Failings included no evidence of consideration of defence statements and little evidence of lawyer input, with continuing disclosure appearing to be left very much to caseworkers.
- The Area has since taken steps to emphasise the importance of the proper discharge of the duties of disclosure. Further training was given to lawyers and caseworkers. Duty prosecutors are required to consider unused material schedules as part of the PCD process in all likely contested or Crown Court cases. The Disclosure Manual has been distributed to all lawyers electronically and hard copies are maintained on both units. Disclosure issues are considered by DCPs as part of the CQA process (though there is no additional or themed monitoring), and when looking at adverse cases. The number of unsuccessful outcomes due to failure to comply with proper processes is very small.
- Senior managers also looked at disclosure in some detail, with the help of the CPS national disclosure lead and came up with a ten point plan to tackle issues. In many respects, this is simply a restatement of what should be happening, but it serves to emphasise the issues that were of principal concern.
- Our reality check of ten trial files confirmed that considerable improvements had been made, even though the sample related to files concluded before the implementation of the ten point plan. The Area had complied with its duty of initial disclosure in all ten cases, continuing disclosure was properly complied with in all five relevant cases, and disclosure record sheets were fully completed in nine of the ten.
- The CCP has discussed the Crown Court protocol on disclosure with the Resident Judge. The protocol represented the Crown Court's approach to disclosure in any event. Prosecuting counsel are aware of the importance of strict adherence to the statutory principles of disclosure. One of the actions in the ten point plan relates to the insertion of an appropriate standard paragraph in counsel's brief, although reality checks do not confirm that this has yet been implemented.
- There were problems at the time of the AEI regarding the storage of unused materia: although it should have been stored separately within the file, this was not always the case. Our reality check showed that this was now done in every instance. Disclosure material and the relevant correspondence are easily located in separate folders.
- There are appropriate arrangements for secure storage of any sensitive material or schedules.

- An experienced senior lawyer has been appointed as Disclosure Champion, acting as a contact point to provide advice to colleagues and liaising closely with the police on disclosure issues. Recently appointed lawyers and caseworkers have not yet received full training on the principles of disclosure but have undertaken the national e-learning module until it can be provided. This is likely to be done under the auspices of the East Midlands Area Group.
- Lawyers have in the past assisted the police in preparing and presenting training on disclosure and police officers have been invited to, and attended, CPS training sessions. There is regular consideration and discussion of disclosure both at operational level and strategically, especially in the Serious and Sensitive Casework Panel. There are formal arrangements for discussion of sensitive issues with DCPs.

<b>7 CUSTODY TIME LIMITS</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Fair</b>	<b>Declined</b>

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

- There is a written custody time limit system with separate sections for the magistrates' and Crown Court work, which was last updated in 2004. The Crown Court system generally complies with the national guidance, although the magistrates' courts scheme could reflect the guidance more and have further detail. There is a manual diary system in place and use is also made of CMS to provide additional assurance.
- There were no reported CTL failures in 2005-06 or 2006-07. However, during the AEI a failure was identified which was not subsequently reported to CPS Headquarters. It had arisen from a number of human errors and unsatisfactory application of the Area system. Whilst it would not have resulted in the defendant being released on bail, as they were in custody on another matter, this should still have been reported. There appears to be some misunderstanding by the Area.
- The ABM is the CTL Champion and Unit Business Managers (UBMs) are responsible for monitoring all CTLs. This includes entering all time limits in a diary and conducting frequent and regular monitoring checks against review and expiry dates and CMS print outs of current CTL cases. Crown Court caseworkers are also responsible for monitoring CTLs in their individual cases. During the AEI we commented on the absence of checks to ensure the accuracy of the work of the UBMs - there appeared to be a reliance on them generally and greater lawyer involvement may be appropriate. The Area would benefit from a review of its current systems and the individual roles of staff.
- The Area has indicated that prosecutors work with the courts to ensure CTLs are correctly calculated and monitored at both the magistrates' and Crown Court. However, no formal protocols are in place and file endorsements examined as part of file reality checks did not suggest that CTLs are agreed at court.
- The reality check of CTL files indicated generally satisfactory practice. Review and expiry dates were correct, however, there was no evidence of these have being double checked. Diary entries were clear and showed evidence of relevant updating of entries, although again there was no evidence of the entries having been checked and in one instance a review and expiry date had not been entered. In the absence of 2008-09 diaries handwritten lists of CTLs had been made at the rear of the 2007-08 diaries or on unnumbered pieces of paper. This may be expedient, but is less than satisfactory practice.

<b>8 THE SERVICE TO VICTIMS AND WITNESSES</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Fair</b>	<b>Improved</b>

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

- Compliance with obligations under the Victims' Code is monitored at Area and NLCJB level, where self-assessments against Code requirements are undertaken by the relevant agencies.
- Performance against the proxy target for letters sent to victims (used as a measure to determine that in relevant cases letters are being identified) has been variable. The monthly target at the beginning of 2006-07 was 73 letters which was revised and reduced by Headquarters on three occasions during the year to 48. As a result performance against the target improved from 54.5% in April 2006 to 111.7% in March 2007. The measure was again revised during 2007-08 and in September 2007 performance against a 48 letter target dipped to 62.6%. The experience of HMCPSI is that such proxy targets are not always realistic and much of the apparent variance in performance is attributable to the changes in target. It is difficult to be confident of the actual level of achievement. It appears that not all letters are being identified and, since April 2007, the South Combined Unit has identified no vulnerable or intimidated victims. A reality check found that no letters were recorded on CMS as being sent in any of six relevant cases.
- Work has been undertaken to try to improve performance since the AEI: systems have been introduced to ensure timeliness and encourage identification; some staff training has been given; and the volume and timeliness of letters is monitored as part of monthly performance reporting. For 2007-08, performance in the North Combined Unit has been good but in the South is poor. There is informal monitoring of the quality of letters through dip sampling.
- The Area has struggled with the timeliness of its letters falling within the Direct Communication with Victims (DCV) scheme and Victims' Code, where these are actually sent. In 2006-07 67.8% of DCV letters were sent within five days, worse than the national average of 73.0%, although performance had improved from the previous year. In addition during the AEI in only 33.0% of relevant cases had the victim been sent a letter which complied with DCV: either they were not notified at all in accordance with DCV, or the quality or content of the letter was unsatisfactory.
- Duty prosecutors are encouraged to consider witness needs, including special measures, as part of PCD. Compliance is monitored by DCPs through CQA, informal dip sampling of MG3s and adverse outcome monitoring, and also by CPOs who provide monthly special measures reports. Work has also recently been undertaken with police to ensure the completion of initial witness assessments. Whilst the AEI found that charging decisions did not always include victim and witness needs, the reality check indicates that this now appears satisfactory.
- The AEI also highlighted that special measures applications were often late. The Area consequently introduced monthly reporting by CPOs on applications including when special measures were identified and the timeliness and result of the application. Some applications remain late. Learning points are fed back to the units. In October 2007, an all staff training event on victims and witnesses was held which included further special measures training.

- The Witness Care Unit (WCU) is the point of contact for victims and witnesses to be kept informed of the progress of cases. The unit is reliant on timely provision of information to meet victim and witness obligations. In the AEI we commented that information from the North and South Combined Units was not always timely and that this was impacting upon the performance of the WCU and CPOs. The Area is of the opinion that communication has improved, assisted by all three units being based at Beaumont House. CPOs work with the WCU to ensure victim and witness needs are considered at court. Witness and Victim Experience Survey (WAVES) data for the information received by both victims and witnesses on CJS processes and the way they were treated by CJS staff for 2006-07 is consistent with previous performance at 66% and 84% respectively.
- WCUs have responsibility for warning witnesses. The timeliness of the list of witnesses required to attend court (LWACs) from the CPS units is monitored, with a target of 48 hours from the agreement at court. Any LWACs outside of the timescales are discussed at WCU management meetings attended by the Unit Business Managers. Processes for securing the attendance of reluctant witnesses have been subject of concern and discussions with police have occurred to improve effectiveness.
- There is some monitoring of prosecutors at court, which also includes consideration of whether there is compliance with the Prosecutors' Pledge in engaging with witnesses. Area managers rely on feedback from other agencies on the general treatment of witnesses at court by CPS staff. The WAVES survey data for 2006-07 indicated that 88% of victims and witnesses were satisfied with the consideration they were shown before giving evidence.

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

- There is one WCU based at Beaumont House staffed jointly by the CPS and police, managed on a day-to-day basis by a CPS manager. In September 2006, the national No Witness No Justice scheme was 'signed over' to NLCJB. At the time of the AEI the WCU was challenged by delivery of obligations under the Victims' Code and minimum requirements, hampered by difficulties in the receipt and provision of information, the impact of increased court listing, and the clearing of court backlogs.
- The Area now no longer monitors its progress against the NWNJ action plan, nor is there other formal monitoring of progress towards meeting the minimum requirements of the scheme. Trial backlogs have been cleared and the relocation of the North Combined Unit to Beaumont House has improved communication between the units. The needs of vulnerable and intimidated victims are prioritised and for all cases where there is a not guilty plea, needs assessments are conducted and minimum requirements met in the majority of cases. However, the approach to those cases resulting in a guilty plea is risk-based and the level of service is less of a priority. The Area is intending to undertake an evaluation of the WCU and victim and witness satisfaction levels. It is committed to improving the service to victims and witnesses and has provided additional funds along with police partners to resource the WCU.
- The WCU's self-assessment against Victims' Code requirements indicates that the majority are achieved, with performance in delivery of three of the obligations being variable. These relate to the consistent, timely provision of information to victims and the Probation Service.

- The Area monitors its performance against the NWNJ primary and secondary measures. During 2006-07 the number of ineffective trials due to witness issues improved from the baseline of 4.2% to 2.3% (national average 3.2%) in the magistrates' courts, and Crown Court performance remained consistent at 1.4% with baseline performance of 1.3%. Performance worsened for cracked trial rates due to witness issues, particularly in the magistrates' courts, from a baseline performance of 2.8% to 7.5%.
- Witness attendance rates for 2006-07 were mostly better than the baseline performance of 68.8%, but below national averages. Performance for 2007-08, based on information from a witness tracker, shows it to be significantly better than the baseline and for July 2007 was 97%. However, this is contradicted by performance information from the Witness Management System (WMS) which shows performance at 86%. The Area has raised concerns with CPS Headquarters on the accuracy of WMS performance information.
- During the AEI, the monthly WCU management meetings between the CPS, police and Witness Service were highlighted as a strength, with constructive and encouraging good inter-agency working. These meetings have continued and have recently been extended to include representatives from domestic violence victim support groups. The delivery of victim and witness initiatives is supported at NLCJB level.

<b>9 DELIVERING CHANGE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

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

- The Area has a good understanding of what needs to be achieved. Its priorities in 2006-07 and for the current year accord with the DPP's vision for the Service, align with the national CPS and Public Service Agreement objectives and targets, and are relevant to nationally-led initiatives. There were clear responsibilities for the delivery of actions within both Area business plans, with some milestones and outcomes.
- The AEI criticised the 2006-07 Business Plan for its lack of underlying detail indicating fully how the Area intended to deliver its objectives, and felt that the Area would benefit from a more visible 'steer'. Planning for 2007-08 has improved, the Area has considered issues identified during the AEI to drive forward improvements, such as the need to progress a culture of proactivity in casework. The plan is mainly high level, but is better supported by underlying plans, risk analysis and more detailed review and updating.
- Progress against the business plan to some extent is considered as part of SMT meetings, and the performance management processes. The AEI found that review of the Area and unit plans was not sufficiently comprehensive. The Area has introduced a more systematic and satisfactory formal quarterly review of the business and also underlying plans. Those for the current year show achievement against milestones and identify where progress is slower.
- Underlying unit plans were generally reflective of the Area plan and contained mostly quantifiable targets. Unit objectives link into staff personal development reviews and support the delivery of the overall plan. Staff were able to make a contribution to the current plans through a staff training event in February 2007, held to discuss the Area's key priorities for the year and their delivery. Recently, to further involve staff in planning and delivering change, a staff consultation group has commenced which will meet on a regular basis.
- Joint planning with CJS partners is satisfactory both at the 'prosecution team' level with the police, and at NLCJB level. Within the NLCJB structure, senior staff across the agencies are accountable for delivery, with underpinning working groups. Initiatives such as CJSSS are delivered through implementation teams made up from appropriate agencies. There has also been considerable success in reducing the backlog of trials at the magistrates' courts; the lead time for trials has reduced from more than six months to listing generally within four to six weeks. This was prior to the introduction of CJSSS.

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

- The majority of Area change for 2006-07 and the current year was delivered and managed at a joint agency level. Key nationally-driven change, such as statutory charging and NWNJ is becoming 'business as usual' and is reviewed and monitored through regular joint meetings and improvements being made. Conditional cautioning and CJSSS have recently been rolled-out across Northamptonshire, but it is too early to evaluate whether the expected benefits are yet being fully realised.

- Internal change initiatives are implemented through the SMT and progress on both internal and joint change are reviewed at their meetings. Achievement of the Area's advocacy strategy for 2006-07 proved difficult and progress has been slow, but is beginning to bring rewards. Using its business plan and performance monitoring the Area is attempting to implement changes which will improve the timeliness and effectiveness of casework and systems.
- All change projects are assigned to managers with appropriate skills. At the time of the AEI, as the Area no longer had the funding for a dedicated change manager, a structured change programme known as 'the way forward' had ceased. Because of savings elsewhere a change programme manager has recently been recruited and it is intended to adopt a more structured approach to change delivery.
- Training plans continue to identify the requirements to ensure that staff have the skills to deliver project objectives. During the AEI there was evidence that project inter-dependencies were not considered at an early stage and, whilst links were made between initiatives, processes and training, this was not always consistent and timely, for example implementation of the Victims' Code.
- For 2007-08 Area-wide risks have been identified. A separate risk register is in place for risks relating to the business plan and counter-measures are included as part of the register and within unit plans. Risks are considered on a regular basis and updated every quarter.

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

- There was a good learning and development plan for 2006-07 and the 2007-08 plan is of a similar quality. Both accord with the delivery of business objectives and include mandatory and development training, with the needs for legal and administrative staff identified. The 2006-07 plan was based on a comprehensive skills audit completed in 2005 prior to the Area restructure. The plan feeds into the regionally-based plan for training with adjacent CPS Areas.
- Training has included key mandatory courses and Area priorities, for example the Proactive Prosecutor Programme, training on disclosure and bad character, and other areas such as interview skills. Relevant diversity issues are included; positive feedback was received from staff on the October staff training event which focused on victims and witnesses and included an Islamic awareness session. The Area keeps detailed records of all training including e-learning and, consequently, can demonstrate equality of access to training. There is a comprehensive induction pack in place.
- The 2006 staff survey results for learning and development, with the exception of induction training, were better than national averages with 82% of Northamptonshire's staff stating that the CPS provided them with the opportunity for learning and development which enabled them to do their job effectively (CPS average 62%). The Area recently received a positive Investors in People (IiP) assessment.
- Evaluation of training takes place at a regional level for regionally-based courses and the Area receives some ad-hoc feedback from staff for local training. The 2006-07 and current Learning and Development Plans consider the cost of training in terms of the hours and staff costs. There is monitoring to ensure training is attended, but the evaluation of the benefit of training to the individual and Area overall is still not systematic as mentioned in the AEI report.



<b>10 MANAGING RESOURCES</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Good</b>	<b>Improved</b>

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

- For the last two financial years performance in relation to the non ring-fenced running costs (NRFC) budget has been good, with spend at 100.1%.
- Financial controls are satisfactory. Budget monitoring arrangements are in place, with accurate knowledge of committed expenditure. The budget is centrally controlled, with regular consideration by the ABM and Business Support Manager on spend against forecast. The agent budget is devolved to the units, and some discussion on budget and staffing matters occurs at the monthly SMT and Operational Management Team (OMT) meetings.
- The Area has continued to adopt value for money principles in its day-to-day business, demonstrated mainly by its deployment of staff. Improvements in the use of DCWs have been made and spend on agents is reducing. The increased usage of HCAs is finally leading to improved resource savings and the North unit has recently moved to Beaumont House, which provides greater staffing contingency.
- Prosecution costs were 9.4% underspent in 2006-07 and for the current financial year the Area is anticipating coming in on budget. There is a dedicated graduated fees clerk and monthly monitoring of the timeliness of graduated fees payment. Since the third quarter of 2006-07 the timeliness of payments has been good, and better than national averages.
- Additional funding in 2006-07 was received for the NWNJ initiative in order to resource the WCU on a co-operative basis and further funds were gained to supplement the NRFC budget from Proceeds of Crime applications and through deployment of HCAs. For the current financial year the Area has received funding for initiatives including community engagement, Victims' Advocate Scheme a specialist anti-social behaviour (ASBO) lawyer and some further funding for NWNJ, although the latter has been supplemented by the Area to meet staffing costs.

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

- In the AEI, it was recommended that Area managers should review the current structure including the allocation of staff. Since then the North team has moved to Beaumont House, which has created greater contingency during staff absence, and an HCA unit has been introduced. Staffing numbers across the teams have been reviewed and are based on the CPS national costing model and relevant local issues. The Area is confident that it has a structure fit to deliver its current and future business.
- Clear expectations for deployment have been set at six half-day sessions per full-time lawyer each week at court or in the charging centres. The continuing ownership approach to PCD results in lawyers also receiving files whilst working in the office. Agent usage, at 27%, was significantly higher than the national average of 19.6%. However, this has reduced considerably during the first

and second quarters of 2007-08 to 17.9%, but the Area has not yet achieved its target of 90.0% in-house coverage. There has been some maternity leave and staff turnover, and two additional lawyers have now been recruited.

- In the past, use of DCWs in the magistrates' courts has been good but coverage during 2006-07 was worse than the national average at 13.3% (nationally 14.7%) and failed to achieve the Area target of 18.0%. For the current year additional courts have been agreed and a further DCW has been recruited. They are also expected to cover six court sessions per week. Usage from April-September 2007 has exceeded the Area target of 20% by 4.7%.
- Progress in effectively deploying HCAs has been slow. During 2006-07 difficulties in recruitment, coupled with the need for those appointed to gain experience, meant that HCAs did not cover any trials as sole or junior advocates. The majority of work undertaken was plea and case management hearings and committals for sentence. The targeted savings of £36,065 were not achieved and performance was in the lower quartile. To drive its HCA strategy the Area unsuccessfully attempted to recruit experienced counsel in December 2006; it has recently been successful in recruiting two external counsel, who have already commenced conducting trials. The HCA unit was established in October 2007 and has a clear strategy to develop and increase HCA usage.
- At an average of 7.8 days per person for the year to the end of December 2006, sickness absence levels are better than the national rate (8.5 days), and there is a lower than national rate of sickness due to long term absence. Rates are monitored and included in monthly performance reports. The Area is supportive of flexible working and has a number of staff working reduced hours. There is a sensible approach to balancing the needs of the individual with those of the organisation; the ABM is responsible for overseeing all applications.

<b>11 MANAGING PERFORMANCE TO IMPROVE</b>	OPA 2005	OPA 2007	Direction of travel
	Good	<b>Good</b>	<b>Stable</b>

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

- There is regular consideration of performance at SMT, OMT and unit level meetings throughout the Area. For the latter this is focussed on key performance: where there is good progress or needs to be improvement. The monthly performance reports are produced in an easily understandable format, although they are quite detailed. Performance is disseminated to managers to cascade to staff during team meetings. A newsletter has been devised which will further inform and improve staff understanding of Area performance.
- Monthly performance reports contain a wide range of relevant and pertinent information at an Area, unit and, where applicable, Basic Command Unit level. They are aligned to the main CPS performance indicators and include priority local performance issues, such as the timeliness of police files and caseload figures for the magistrates' courts and Crown Court. They contain some limited analysis of trends and are also supported by supplementary information, including adverse outcomes reports for the North and South (although these of a variable quality) and Witness Care Unit, and the CPO's reports relating to special measures. There is some comparison of performance with other Areas.
- Data entry at unit level is assured monthly by standard reports, produced by the Performance Officer and checked by the units to ensure accuracy of finalisations. These reports focus on adverse outcomes. The Unit Business Managers are responsible for dip sampling files to ensure accurate recording of monitoring codes and witnesses' and defendants' gender and ethnicity.
- Managers are expected to take corrective action where performance needs addressing. In the AEI concerns were raised about the proactivity of casework and the need to manage staff more effectively. The Area continued to build on work already being undertaken and responded positively to the findings in the report. As a result performance has improved and this approach needs to continue in order to make further gains. It has not successfully addressed unsatisfactory DCV performance, although there are some improvements.
- Performance outcomes have generally improved since the last OPA. Casework outcomes in the Crown Court have improved and in the magistrates' courts are continuing to do so. Work was undertaken to improve discontinuance rates which included addressing motoring offence discontinuance. Performance for discharged committals has also improved and is monitored as part of the adverse reporting, although the timeliness of cases discontinued after the third or subsequent hearing remains high.

- Unit Heads with their Business Managers are held accountable for the performance of their team, through SMT and OMT and quarterly performance reviews. Each unit has a quarterly performance review with the CCP and ABM, which is based around key performance measures and unit business plans. Actions raised at the meetings are progressed by the individual units.
- Performance appraisals are linked to individual objectives that follow the unit's objectives outlined in plans. There are a number of examples where the individual objectives of staff are supportive of unit and Area objectives, for example CMS usage and the timeliness and quality of MG3s.

#### **11b The Area is committed to managing performance jointly with CJS partners**

- CJS partners work together effectively to improve performance and have constructive relationships. All senior managers and other staff participate in the work of the NLCJB and other inter-agency groups. There is a strong ethos of joint working driven by the commitment of senior managers and, in particular, a strengthened 'prosecution team' culture. Inter-agency working has led to jointly owned strategies, which have resulted in considerable performance improvements in terms of persistent young offenders and also the timeliness of case progression in the magistrates' courts. There is evidence of other initiatives to drive performance and increase efficiency of working practices between the criminal justice agencies.
- The Area provides accurate and timely information to criminal justice partners and there is a two-way flow of data sharing. Comprehensive performance information made available by the CPS includes PTPM, other parts of the monthly performance reports and also information on adverse outcomes.

#### **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**

- During the AEI the operation of CQA was not satisfactory with low return rates; the highest rate for the year was 65% in the fourth quarter. Significant improvements have been made, with returns increasing in 2007-08 to 95% for the first quarter and 117% for the second. Return rates and CQA assessment levels are monitored as part of the monthly performance reports at an Area and unit level and compared to average national performance figures.
- The approach to feedback commentary was inconsistent across the units. In one there was evidence of limited feedback comments on the CQA forms, and in the other only the box markings were used, although there was some evidence of recent individual feedback to lawyers in the form of separate minutes. Improvements are being made in the robustness of CQA, however, the Area is not using the opportunity to draw out casework lessons and some of the comments are no more than mere observation. Shortly before the OPA the CCP, as part of the quarterly review process, began an evaluation of each unit's CQA assessments to ascertain their robustness and consistency, although it is too early for any firm conclusions to be drawn. CQA is also supported by the feedback on adverse outcomes.
- There is some monitoring of advocates; it is intended that all in-house advocates are observed at court at least once a year although this does not take place at present. There is monitoring of counsel by caseworkers at Crown Court and regular meetings between the CCP and the Resident Judge, who feeds back on prosecution performance.

<b>12 LEADERSHIP</b>	OPA 2005	OPA 2007	Direction of travel
	Poor	<b>Good</b>	<b>Improved</b>

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

- Although Leadership was assessed as Poor in the last OPA it followed a period of some uncertainty which coincided with the previous CCP's absence, dealing with a national project. The OPA noted the recent appointment of the current CCP and other senior managers and commented upon the immediate positive impact within Northamptonshire. The AEI noted further improvements and commented that the CPS had become a key player in the local CJS as a result of substantial improvements in its relationships with partners. That progress has continued and 2006-07 has seen Area managers playing a key role in implementing and furthering joint criminal justice initiatives.
- The Area's vision and values are clearly set out in the business plan and reflect the national vision and values. It focuses on community engagement and improving the service to victims and witnesses, and recognises the importance of developing its own staff and building upon relationships with partner agencies.
- Senior managers are aware of their responsibility for implementing the Area strategy to improve performance and present a cohesive and corporate approach to management. Meetings of the SMT provide the strategic direction for Area business. OMT meetings chaired by the ABM deal with operational matters and their implementation.
- Managers' responsibilities are reinforced by the quarterly performance reviews held between the CCP and ABM on the one hand and DCP and Unit Business Manager on the other. These emphasise the role of managers in delivering Area performance and the importance of implementing management decisions. Unit managers communicate this ethos through team meetings.
- Senior managers have developed a corporate approach to management and promote this to all staff by encouraging openness and providing support. Managers have a visible profile within the office and encourage staff to raise issues of general or individual concern. They deliberately foster an informal approach which was the subject of positive comment in the liP post-recognition review undertaken in September 2007.
- Meetings of the SMT and OMT are held monthly and unit meetings every fortnight, although the level of attendance depends on staff commitments. Minutes of team meetings are, available to all staff.
- A Staff Consultation Group was established, prompted initially by the reorganisation which brought all staff into the one location. The group comprises members from all grades and acts as a sounding board for a range of issues. It has also provided the forum to devise the new newsletter, the first issue of which went out in November 2007.

- Since the last OPA the CCP and other senior managers have focussed on building relationships with criminal justice partners and improving the profile of the CPS, and have achieved some success in this. The principal focus has, perhaps, been with the police in respect of statutory charging, CJSSS and the consequent need to improve file building arrangements. This has been achieved through JPM meetings, the Prosecution Board and the Serious and Sensitive Casework Panel. The establishment of the prosecution team ethos with the police was recognised as a strength in the AEI report.
- Senior managers have also worked hard to improve the CPS relationship with the courts. This has helped in negotiations to review court scheduling and listing arrangements, which have allowed improved deployment of DCWs and enabled lawyers to deal more with PCD and review work. The CCP has regular meetings with the Head Legal Adviser for the magistrates' courts and the Resident Judge.
- The CCP has taken a prominent role within the NLCJB and has led on initiatives which include modernisation, NWNJ and charging. The ABM is also involved with the work of the Board and is the senior responsible officer for initiatives including CJSSS, victims and witnesses, conditional cautioning and persistent young offenders. The CCP also plays an active role in the Domestic Violence Forum which, amongst other things, looks at ways of improving the prosecution of domestic violence cases. The NLCJB is of the view that there is no current need for a Specialist Domestic Violence Court in the county.
- Senior managers are always looking to learn from successes and failures in order to improve. The quarterly performance review system provides a mechanism for reviewing success and failure and identifying areas for particular attention.

**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**

- Senior managers acknowledge good performance by staff in a number of ways, praising them informally either face-to-face, or through email, and also formally acknowledged in performance development reviews. A bonus scheme has been introduced which made awards to nominated staff in 2006 and nominations are under way for the current year. The 2006 staff survey showed that 87% of staff believe that their efforts are acknowledged by each other compared with 83% nationally. This is an improvement on the 78% in the 2004 survey.
- Senior managers lead by example in setting standards of behaviour. There have been no substantiated complaints by staff about their treatment by managers. The 2006 survey found that 79% of staff consider they are treated with fairness and respect compared with 63% nationally and 74% believe that the CPS is an inclusive employer, compared with 66% nationally. These findings are also supported by the IIP post-recognition review report.
- The principles of equality and diversity are integrated within the Area's plans and strategies and underpin staff behaviour and attitudes. Equality and diversity provide the basis for its community engagement strategy. The 2006 survey has provided positive approval of its efforts with 74% of staff considering that the Area is working towards equality and diversity, compared with 66% nationally.

- The make up of staff is representative of the local workforce except in respect of those with a declared disability. Staff have been given a questionnaire relating to ethnicity and disability and senior managers are looking to the results to plan a recruitment strategy.
- The ABM is the champion on equality issues and chairs the Staff Consultation Group, whose remit includes equality and inclusivity. The Whitley Council provides a further forum for staff to put forward their views on current issues. In the 2006 survey 51% of staff considered it was safe to speak up and challenge things compared with 35% nationally.
- All managers are expected to tackle unsatisfactory or improper behaviour. A performance management workshop was held in August 2006 and attended by senior managers.

<b>13 SECURING COMMUNITY CONFIDENCE</b>	OPA 2005	OPA 2007	Direction of travel
	Fair	<b>Fair</b>	<b>Stable</b>

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

- Senior managers' commitment to engaging with the community is reflected in the community engagement strategy which was developed in close liaison with CPS Headquarters and sets out the Area's mission statement and strategic objectives. These include targeting those groups at greatest risk of social exclusion. The strategy identifies risks and weaknesses affecting the achievement of its objectives, as well as Area strengths.
- The community engagement log for 2006-07 shows a particular emphasis on engagement with specialist victim and witness support groups and a programme of visits to local schools. The CPS is now working closely with the police to consider issues of community safety in particular areas of the county and to focus on the appropriate groups, that is those most likely both to affect and be affected by issues of community safety.
- The CCP and ABM have recently met with the chair of the Forced Marriage Group to obtain a better understanding of the issues and circumstances around 'forced' marriage and the effect on the community, as well as to explain CPS policy. The Area has made a commitment to have a representative attend all future meetings.
- A project manager has been tasked with setting up a Hate Crime Scrutiny Panel which has been met with much interest from representatives of local community groups.
- The Area has incorporated and emphasised community engagement within the business plan rather than have a separate action plan. The effect of this is that community engagement is subject to the quarterly review process. The plan lists a range of actions to improve public confidence and strengthen community ties. Lead responsibility is assigned to senior managers.
- The CCP and ABM have lead responsibility for community engagement. They try to ensure that all levels of staff play a part, although participation in practice is usually at senior level. Senior managers recognise that they face challenges in ensuring that all staff can play a part in the more focussed activity is being planned.
- The Area, in collaboration with the police, maintains up-to-date information on the make up of the local population in respect of ethnicity, religion, gender and disability.
- It is difficult to identify direct service improvements and changes arising from the engagement. Activities are evaluated on an informal basis through feedback and sharing experience which contributes to the overall strategy and direction of future engagement.



- In the six months June-December 2006, public confidence in the ability of the local criminal justice agencies to bring offenders to justice dropped from 40.7% to 36.0%. In the same period, public confidence nationally dropped from 44.2% to 42.3%. The measure of public confidence relates to all agencies and is not specific to the CPS. Senior managers are aware of the public's expectation that serious crimes require particular action, but are also aware of the effect on public confidence of low level 'nuisance' crimes which affect a greater number of the local population. Consequently senior managers are looking, in conjunction with their partners, to develop a co-ordinated strategy to tackle such offending. They are also focussing attention on crimes against the elderly in accordance with the recent CPS policy launch.
- Although the Area does not have its own communications officer, it works closely with the police's communications officer appointed by the NLCJB. Senior managers have established their own relationships with the local media and have given television and radio interviews as well as press briefings.

## 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%	25.3%	13.8%	11.0%	13.1%	10.2%	7.9%
Guilty plea rate	52.0%	69.2%	59.5%	67.6%	68.0%	66.5%	68.9%	74.7%
Attrition rate	31.0%	22.0%	33.0%	23.0%	23.0%	22.2%	21.3%	16.3%

	National performance 2006-07	Area performance 2006-07
Charged pre-charge decision cases resulting in a conviction	78.0%	78.2%

#### 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%	82.0%

Trial rates	National performance 2006-07	Area performance 2006-07
Effective trial rate	43.8%	50.3%
Cracked trial rate	37.3%	36.2%
Ineffective trial rate	18.9%	13.4%
Vacated trial rate	22.5%	15.3%

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

<b>National target</b>	<b>National performance 2006</b>	<b>Area performance 2006</b>
71 days	72 days	98 days

*Offences Brought to Justice*

	<b>CJS area target 2006-07</b>	<b>CJS area performance 2006-07</b>
Number of offences brought to justice	14,130	14,212

<b>Percentage make up of Offences Brought to Justice</b>	<b>National 2006-07</b>	<b>Criminal justice area to Feb 2007</b>
Offences taken into consideration (TICs)	8.5%	8.9%
Penalty notices for disorder (PNDs)	10.3%	9.6%
Formal warnings	5.8%	6.5%
Cautions	26.5%	25.9%
Convictions	48.8%	49.0%

**Aspect 3: Ensuring successful outcomes in the Crown Court**

	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Successful outcomes (convictions) as a percentage of completed Crown Court cases	77.7%	85.8%

<b>Trial rates</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
Effective trial rate	48.2%	59.9%
Cracked trial rate	39.5%	35.9%
Ineffective trial rate	12.4%	4.1%

<b>Proceeds of Crime Act orders</b>	<b>Area target 2006-07</b>	<b>Area performance 2006-07</b>
Value	£1,037,646	£868,183
Number	44	36

### **Aspect 10: Managing resources**

	<b>2005-06</b>	<b>2006-07</b>
Non ring-fenced administration costs budget outturn	100.1%	100.1%

<b>Staff deployment</b>	<b>National target 2006-07</b>	<b>National performance 2006-07</b>	<b>Area performance 2006-07</b>
DCW deployment (as % of magistrates' courts sessions)	17.2%	14.7%	13.3%
HCA savings against Area target	100%	138.4%	70.3%
Sickness absence (per employee per year)	7.5 days	8.5 days	7.8 days

### **Aspect 13: Securing community confidence**

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

<b>CJS area baseline 2002-03</b>	<b>2004-05 (last OPA)</b>	<b>Performance in 2006-07</b>
37.0%	35.0%	35.0%

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

We relied upon our consultations with representatives and organisations during the Area effectiveness inspection.



**If you ask us, we can provide a synopsis or complete version of this booklet in Braille, large print or in languages other than English.**

**For information or for more copies of this booklet, please contact our Publications Team on 020 7210 1197, or go to our website: [www.hmcpai.gov.uk](http://www.hmcpai.gov.uk)**

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