

CPS Northamptonshire

Overall Performance Assessment

Undertaken October 2005

March 2006

Promoting Improvement in Criminal Justice

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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 (HMCP*SI*) overall assessment of the performance of the Crown Prosecution Service (CPS) in Northamptonshire and represents a baseline against which improvement will be monitored.

Assessments and judgments have been made by HMCP*SI* based on absolute and comparative assessments of performance. These came from national data; CPS self-assessment; HMCP*SI* assessments; and by assessment under 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 in relation to the other defining aspects, in order to arrive at the OPA.

The table at page 6 shows the Area performance in each category.

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

B. AREA DESCRIPTION AND CASELOAD

CPS Northamptonshire serves the area covered by the Northamptonshire Police. It has two offices, one of which is co-located with the police in Weston Flavell and the other in Northampton. The Area Headquarters is based at the Northampton office.

Area business was divided on functional lines between magistrates' courts and Crown Court work. The Criminal Justice Unit handles cases dealt with in the magistrates' courts. The Trials Unit handles cases dealt with in the Crown Court. The structures were revised in October 2005 into two geographical units, each covering work for both courts.

During the year 2004-05, the average number of staff in post in the Area was 65.2 full-time equivalents.

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

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	5,412	27.3	20.9
Advice	334	1.7	5.1
Summary offences	9,053	45.7	46.9
Either way and indictable only	5,002	25.3	26.7
Other proceedings	3	0	0.4
TOTAL	19,804	100%	100%

C. SUMMARY OF JUDGMENTS

CPS Northamptonshire was the subject of a full inspection in September 2003. The inspection identified a mixture of casework and management issues where improvement was needed, with the key ones being summary trial preparation, structures and governance.

A follow-up inspection was conducted in September 2004 which concluded that progress had been made against most recommendations and aspects for improvements, although more remained to be done.

The Chief Crown Prosecutor (CCP) was seconded to a national project in addition to acting as the chair of the Local Criminal Justice Board (LCJB). Temporary promotions were used to backfill his absence and this contributed to some difficulties in the governance of the Area during 2004-05. Further changes have taken place in 2005 with the appointment of a new permanent CCP, Unit Head and Change Manager. This has had a positive impact on the leadership in the Area.

Some of the figures in the report should be treated with caution, particularly in respect of pre-charge advice and successful outcomes. There were a significant number of old cases discontinued in the current financial year that should have been actioned in 2004-05. This means that the figures are not a reliable representation of actual performance. The discontinuance rate for 2004-05 was artificially low but has almost doubled for the first half of 2005-06, as the stale cases have been cleared.

Shadow charging, (the final stage of preparation prior to CPS assumption of responsibility for the initial decision whether to charge in most cases and, hitherto, a matter for the police) is now embedded in the Area, and recent changes to coverage have made the initiative more manageable. There is still some important work to do in ensuring that all the right cases, but only the right ones, are submitted for pre-charge advice. More effective joint working is the key to progress and improvements have been made in this respect in recent months.

The Area had not implemented the Effective Trial Management Programme (ETMP) in 2004-05. Some case progression functions were carried out by the Summary Trial Unit and caseworkers in the Trial Unit although there were no dedicated Case Progression Officers. Even so, results in respect of ineffective trials were good in Northamptonshire, particularly in the Crown Court. By contrast, performance in respect of persistent young offenders deteriorated significantly in the latter half of 2004-05.

The Area's results in respect of unsuccessful outcomes were good for the period of the assessment. However, as stated above, the figures must be viewed with some caution. The handling of sensitive cases is satisfactory with relevant specialists involved as appropriate. Custody time limits are generally handled well, although endorsement of files with relevant information needs to be improved.

Compliance with the prosecution's obligation of disclosure was a weakness at the time of the last inspection. Whilst our file examination during the Overall Performance Assessment revealed that progress has been made, further work is still required to ensure consistently good performance.

The Area is committed to providing an effective service to victims and witnesses. Some good work is done at court and in liaison with other agencies. However, more needs to be done to ensure that the requirements of the Direct Communication with Victims scheme, the timely applications for special measures, and meeting the minimum standards of the No Witness No Justice initiative are consistently achieved.

Cases are generally handled well at court by advocates of suitable ability.

Managing change has not been a strength in the Area although progress has been made more recently with the appointment of a Change Manager. More needs to be done to ensure that planned actions are carried out in a timely manner and are reflected in improvements in performance.

The management of financial resources is fair, although the Area has overspent its budget in each of the last two financial years. Northamptonshire has made very good use of its designated caseworkers (DCWs), although higher court advocates (HCAs) need to be deployed more effectively.

There is a strong commitment to performance management with comprehensive performance data regularly available. Good use is made of the management information system (MIS). The effectiveness of inter-agency performance management was variable.

Governance and leadership was recognised as poor in the Area and resulted in a consultant being employed during 2004-05 to assist in addressing the issues. Some remedial actions were taken which, assisted by changes to structures, responsibilities and personnel, have led to some improvements in 2005-06.

The Area has a solid foundation on which to build its community engagement activity. In conjunction with LCJB partners they need to agree the focus of future work to ensure that it is appropriately targeted and effective.

In a time of transition in the Area, the CPS has continued to contribute towards the increasing effectiveness of the criminal justice system in Northamptonshire, albeit there is scope for it to become more influential and effective in the future.

Overall the Area is rated as **FAIR**.

CRITICAL ASPECTS	Level 2 - FAIR
Pre-charge decision-making	2 - Fair
Ensuring successful outcomes	2 - Fair
Leadership	1 - Poor
The service to victims and witnesses	2 - Fair
Managing resources	2 - Fair
OTHER DEFINING ASPECTS	
Managing magistrates' courts cases	2 - Fair
Managing Crown Court cases	2 - Fair
Handling sensitive cases and hate crimes	2 - Fair
Custody time limits	3 - Good
Disclosure	2 - Fair
Presenting and progressing cases at court	3 - Good
Delivering change	2 - Fair
Managing performance to improve	3 - Good
Securing community confidence	2 - Fair

OVERALL ASSESSMENT	2 - FAIR
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D. DEFINING ASPECTS

1. PRE-CHARGE DECISION-MAKING

2 - FAIR

The Area has suitable plans in place on paper to ensure the effective working of the shadow charging scheme. However, in reality, there are a number of issues with migration to statutory charging, including securing police understanding of, and compliance with, the scheme. Charging was provided at four centres during 2004-05, staffed by suitably experienced lawyers. The Area has effective systems for recording cases and the advice given. There is some analysis of adverse outcomes and the results suggest, on the face of it, greater success in securing the expected benefits than is the case nationally. However, there are issues with the accuracy of the data. There is a need to look further at adverse outcomes in cases subject to pre-charge decision and compare the results with other cases, and to ensure the robustness of charging decisions.

1A: The Area ensures that procedures for pre-charge decision-making operate effectively at Area charging centres

- Timely pre-charge advice and decisions are provided at all relevant Area charging centres. The Area ran a four-centre model in 2004-05 but has since revised that in agreement with the police, and is now staffing two charging centres on a daily basis from 9am to 5pm.
- Area recording and counting systems are generally accurate and the use of the case management system (CMS) for the recording of advice and decisions is embedded. The police supply a hard copy of the MG3 and a unique reference number (URN) which charging administrators at the charging centres then transfer to CMS. Early problems with regard to URNs have been addressed, resulting in a reduction in administrative difficulties. A reality check indicated that one case had not been correctly flagged and another was missing an electronic copy of the MG3, but otherwise, cases were correctly flagged and complete.
- The Area records and analyses data on caseloads, referrals and advice given, and supplies this information to the police broken down into Basic Command Units.

Aspects for improvement

- The Area has taken some steps to ensure police compliance with CPS advice to charge or to obtain further evidence, and to ensure that all cases that should be sent via the charging scheme are sent, and that those that should not, are not. However, these issues have recurred. There appears to be an entrenched lack of understanding, and more remains to be done to ensure police compliance. This, and the lack of effective joint working, could pose a threat to the effective migration to the statutory scheme; the Area is now developing closer working relationships at operational level.

- There was no police gatekeeper in place during 2004-05. Charging administrators were introduced by the CPS after the end of the year, with a limited gatekeeper function. The police are now introducing a more robust system.

1B: The Area ensures that all charges advised on are in accordance with the Director's guidance, the Code, charging standards and policy guidelines, and are accurately documented and recorded

- The Area ensures that all lawyers providing the advice and decisions have a full understanding of the operation of the Area scheme, of all local and national guidance, and are of sufficient expertise and experience. Lawyers from the Trials Unit covered the charging centres in 2004-05. The Area has restructured recently and charging lawyers are now drawn from the Area as a whole, and are supported by charging administrators. They receive appropriate training and regular updates on relevant legal provisions and operational issues.
- Monitoring systems are in place to assure the quality and timeliness of advice and decisions provided but not all categories of case and outcomes (for example, cases where no further action is recommended) are included in the monitoring. MG3s are dip-sampled regularly by Unit Heads, who also conduct Casework Quality Assurance checks on a monthly basis, and review all adverse case outcomes. A reality check showed that ethnicity and gender is consistently recorded.

Aspects for improvement

- The Area's analysis of adverse cases does not distinguish between cases which have been subject to pre-charge advice and those that have not. This limits meaningful comparison and the ability to identify issues specific to those cases. The adverse case analysis does indicate that there are a number of cases where a more robust approach at the charging advice stage may have averted the unsuccessful outcome.

1C: The Area is able to demonstrate the benefits of its involvement in pre-charge decision-making

- In pre-charge decision cases the Area is able, on the face of the statistics, to demonstrate that expected benefits are being realised in full. In all six categories the Area's performance appears better than the national average and suggests that the Area is meeting its targets. The full data is given in Annex A. The rates for discontinuance in all courts in 2004-05 are particularly low. However, this will have been affected by a large number of stale cases recorded as discontinuances for the current year which actually relate to 2004-05. As a result, performance data must be treated with some caution.

- The Local Criminal Justice Board and the joint project board for charging meet regularly, analyse the performance data and discuss operational issues. There is regular liaison with the police on the implementation and operation of the scheme. A performance pack is used to inform these meetings and regular Unit reviews. The Senior Management Team also evaluates nationally prepared data on charging benefits realisation.

Aspects for improvement

- Liaison with the police has not always involved the appropriate level of staff, and a number of issues with the operation of the shadow scheme and with the implementation of the statutory scheme, have yet to be addressed in an effective manner.

2. MANAGING MAGISTRATES' COURTS CASES

2 - FAIR

The Area has worked well with criminal justice partners to reduce the numbers of cracked and ineffective trials, leading to rates which are better than national averages and within targets. Case progression arrangements are not yet structured and embedded, and joint performance monitoring with the police has some way to go to be fully effective.

Timeliness of persistent young offender cases has been an issue, with the Area missing the national target consistently since November 2004. Use of the computerised case management system (CMS) and Management Information System (MIS) has improved throughout the year.

2A: The Area ensures that cases progress at each court appearance

- Efforts are being made to review and prepare magistrates' court cases promptly, and undertake follow-up work when necessary. Performance is monitored by Unit Heads using the Casework Quality Assurance scheme and also by their review of all unsuccessful outcomes. The Area, with the Local Criminal Justice Board (LCJB), implemented an effective first hearing plan which has since been incorporated into the work of the LCJB's "Narrowing the Justice Gap" (NJG) sub-group.
- There is some liaison with criminal justice partners. Listing matters are discussed with the court at regular meetings, Area representatives attend court user group meetings, and participate in the LCJB sub-group on NJG. There are regular meetings with the police to discuss file quality issues. Formal joint performance monitoring (JPM) with the police was re-introduced half-way through 2004-05.
- Timeliness for adult cases in the magistrates' courts is largely positive compared to the national average. Whilst trials are less timely than nationally (46% within target time compared to 66% nationally), initial guilty pleas (87% as compared to 83% nationally) and committals (100% compared to 89%), show better performance.

Aspects for improvement

- The Area put in place a Summary Trial Unit to manage the progression of contested cases. This did not work as anticipated and was subsequently disbanded amid concerns about its effectiveness. Case Progression Officers have yet to be introduced in the Area to continue this function and, whilst listing matters are discussed with the court, there is no formal case progression liaison with criminal justice partners. Of cases dropped, those that are dropped after the third or subsequent hearing account for 64.2%, which compares unfavourably with the national average of 54.9%.

- Prior to the re-introduction of JPM, discussions between the police and CPS were not informed by performance data. There was no structured analysis of file quality and, until May 2005, the data available for JPM meetings which is supplied by the police, related solely to timeliness.
- The persistent young offender (PYO) target was not met for the relevant period. The Area's performance for that period of an average of 96 days, was well over the target of 71 day target, although for the earlier part of 2004-05, performance was better. The Area has missed the target for every rolling quarter since November 2004. Timeliness in youth cases was also worse than the national average, with 81% of guilty pleas within the target period (nationally this is 87%), although 86% of youth trials were within target, as compared with 87% nationally. The PYO rate has since come down noticeably; the Area has worked well with criminal justice partners to reduce the number of days taken, and that renewed focus has shown some improvement in the data since last year.
- The Area had 11 wasted costs orders (total value of £1504) made against it in the magistrates' courts in 2004-05.

2B: The Area contributes effectively to reducing cracked and ineffective trials

- The cracked and ineffective trial rate is reducing and the Area has met its own and national targets. The Area's rate for ineffective trials in 2004-05 was 21.2%, which is better than the target of 24% and the national average of 24.8%. The Area also bettered the national average overall, at 6.4% compared to 6.8%, in relation to the percentage of ineffective trials attributable to the prosecution. For cracked trials, the Area's rate was 35.4% compared to national performance of 37.1%, and those instances where the prosecution were at fault were again under the national rate. The Area has a high vacated trial rate (21.5% against national rate of 16.3%), which is indicative of some pro-active case management and may have assisted in reducing the ineffective trial rate. Of some concern is the fact that almost a quarter of the vacated trials are because the prosecution is not ready which is four times the national average.
- There is regular and formal analysis of all cracked and ineffective trials, and appropriate action is taken in all cases where the prosecution has been at fault. The Unit Heads see all ineffective trial files on a monthly basis, and performance on cracked and ineffective trials is also monitored and discussed during quarterly unit reviews, the Senior Management Team meetings and in team meetings with staff. CPS staff also check all cracked and ineffective trial forms against the files to ensure that reasons are correctly recorded.

- Good work has been undertaken with criminal justice partners, action has been taken and communicated, and performance is improving as a result. CPS and court staff liaise to ensure accurate completion of forms at court, and the resulting data is used in the LCJB performance pack. The LCJB has an effective trial delivery plan, and discusses cracked and ineffective trial data regularly.

2C: The Area demonstrates that CMS contributes to the effective management of cases

- The case management system (CMS) is now being used to record key events in cases. CMS usage is generally monitored and appropriate action is taken to improve usage. The Area had issues with the number of tasks outstanding which were well overdue and has taken steps to address this.
- The Area has created a number of CMS and MIS reports and is using them to assist in monitoring. Local Area templates have been added to the system. Data on the usage of CMS is included in the Area's performance pack and is discussed at the Senior Management Team meetings and at quarterly Unit reviews.

Aspects for improvement

- The overall rate for completion of full file reviews on CMS was 17.5%. Whilst this represents a significant improvement on the rate at the start of 2004-05 (in April 2004, the rate was 1.2%), it was still significantly under the national average of 27.1%. The rate for March 2005 had improved to 52% which is much closer to expectations.

3. MANAGING CROWN COURT CASES

2 - FAIR

Cracked and ineffective trial rates are better than national averages and good work has been done with criminal justice partners to achieve this performance. On case progression, there are some functions carried out internally and some liaison with other agencies, although the effective trial management programme has not yet been implemented, and work remains to be done in some aspects of case preparation. Progress is being made on increasing the utilisation of the computerised systems to manage and progress cases, and effective use is being made of the various management reports available.

3A: The Area ensures that cases progress at each court appearance

- Crown Court cases are generally reviewed promptly and follow-up work is undertaken when necessary. Most cases are ready to proceed at each court hearing. Caseworkers carry out case progression tasks on their cases, in the absence, as yet, of a formal Case Progression Officer.
- Whilst the Area did not quite meet its target for confiscation orders last year, good progress was made and the value of orders was high. It had 32 orders made, to a value of £1,042,508, as against a target of 42 orders. Proceeds of Crime Act (POCA) cases are now being monitored, work is being done to improve outcomes, and the progress towards this year's target is tracked in the Area's performance pack.
- There is some liaison with criminal justice partners. The Unit Head meets regularly with the Listing Officer at the Crown Court to discuss case progression and other listing issues, and the Area also holds regular meetings with local chambers. The Local Criminal Justice Board (LCJB) subgroup on Narrowing the Justice Gap has also been working to improve effectiveness across all agencies.

Aspects for improvement

- The Effective Trial Management Programme (ETMP) has not yet been implemented, although planning for it has been continuing for some time. A reorganisation of the structures and governance of the LCJB has contributed to the delay in implementing ETMP. There is, as a result, no formal or structured case progression liaison with partners as yet.
- There were two wasted cost orders in the Crown Court in 2004-05.
- There is room to improve the timeliness of some aspects of committal preparation and this should help reduce even further the number of discharged committals in Northamptonshire. The Area's rate for service of

committal papers on the defence in a timely manner is 64%, which is significantly under the national average of 79.4%. Not all instructions to counsel include an analysis of the issues and acceptability of pleas, nor are they always delivered to counsel promptly. The data for timeliness of brief delivery shows an average of 70.2% compared to a national rate of 85%. Counsel have raised issues concerning the quality of briefs in their meetings with the Area.

3B: The Area contributes effectively to reducing cracked and ineffective trials

- The cracked and ineffective trial rate is improving and the Area has met its own and national targets. The Area's rate for ineffective trials in 2004-05 at 9.8%, was much better than the national target (18.4%) and national performance (15.8%). Trials which were ineffective due to the prosecution accounted for 3.7%, as compared to a national average of 6.6%. For cracked trials, the Area's rate was 38.6% compared to national performance of 39.2%, and those instances where the prosecution caused the case to crack were again under the national rate (11.9% compared to 15.3%).
- Unit Heads review all ineffective trial files and lessons are disseminated to staff via emails or team meetings, or to individuals where appropriate. The data on cracked and ineffective trials is included in the Area's performance pack which is reviewed at Senior Management Team meetings, and also at the quarterly Unit reviews.
- Good work has been undertaken with criminal justice partners, action has been taken and communicated, and performance is improving as a result. The meetings with the Crown Court Listing Officer include discussions on cracked and ineffective trial rates, and the LCJB includes the relevant data in its performance pack which then informs LCJB discussions of the issues.

3C: The Area demonstrates that CMS contributes to the effective management of cases

- As with magistrates' court cases, the Area uses case management system (CMS) and Management Information System (MIS) reports, including Area-specific templates, to monitor usage of CMS and task list completion, and to inform discussions at Senior Management Team meetings and quarterly Unit reviews.

Aspects for improvement

- The average for the year for completion of indictments on CMS was 70.7%, as compared with a national rate of 81.5%. However, there was significant improvement across the year, with a rate of 30% in April 2004, rising to 86% by March 2005. The improvements have continued in the current year.

4. ENSURING SUCCESSFUL OUTCOMES	2 - FAIR
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The Area’s overall conviction rates in the magistrates’ courts and the Crown Court are both better than the national average, and the combined rate for unsuccessful outcomes is better than target and the national average. However, the data should be treated with some caution (see below). Adverse cases are examined and assessment has become more structured towards the end of the year. There remains work to be done on the numbers of offences brought to justice and liaison with the police on performance management.

4A: The Area is working to increase the number of successful outcomes and reduce the level of attrition after proceedings have commenced

- The Area has met its target in relation to unsuccessful outcomes and its performance appears better than the national performance and target. The combined rate comes out at 14.9% as compared to the target of 21% and a national average of 19.6%, which would be an excellent result if the data was reliable. The percentage of charge cases resulting in a conviction is above the national average for magistrates’ courts and Crown Court, and is increasing in the Crown Court.

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
Magistrates’ courts		
Discontinuance & bindovers	9.7%	12.5%
No case to answer	0.4%	0.3%
Dismissed after trial	1.5%	1.5%
Discharged committals	0.2%	0.3%
Overall conviction rate	85.6%	80.8%
Crown Court		
Judge ordered acquittals	10.3%	14.2%
Judge directed acquittals	2.0%	2.0%
Acquittals after trial	5.7%	6.3%
Overall conviction rate	78.9%	75.8%

- The majority of the discontinuance, bind over, discharged committals, Judge Ordered acquittals, No case to answer (NCTA), Judge Directed acquittals and acquittal rates appear to be reducing and some seem lower than the national average. Where the Area's rate is higher than nationally (for NCTA) the disparity is slight, 0.1%. However, there is an issue with the data, since a significant number of cases discontinued in this year actually relate to cases that should have been included in 2004-05. This has the impact of making 2004-05 data better than it actually should have been with the reverse being true for the current year as the stale cases are cleared.
- Adverse outcome forms are completed in appropriate cases and clearly set out the reasons for acquittal. Action has been taken internally, any necessary changes to procedures have been made, communicated and implemented, and performance is improving as a result. The Area produces monthly reports on adverse cases, and these are shared with staff at team meetings and are available on the Area's shared drive. Where appropriate, individuals are notified of particular issues with cases.
- There is formal assessment of the quality of review and case handling, with appropriate action being taken when necessary. The processes begun during 2004-05 to review Unit performance quarterly, and to use management reports to analyse unsuccessful outcomes, have become more embedded since and are now supported by a Unit performance pack.

Aspects for improvement

- Joint work with the police on analysing unsuccessful outcomes and identifying areas for improvement was not consistent across the year, although the Area is now working much more closely with the police on this aspect.
- The target for Offences Brought To Justice (OBTJ) is a shared one set by reference to the criminal justice area. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS's contribution comes through managing cases to keep discontinuance and unsuccessful outcomes low. The national and Area OBTJ targets have not been met and performance is not improving. The Area achieved 12,790 offences brought to justice against a target of 14,016 following some late adjustments to figures. The criminal justice area's performance was better in the earlier part of the year, but then slipped back from November 2004, and has been under target since then. Sanction detection data shows a similar pattern. The Area has been addressing some of the underlying causes with the police but still has some work to do to improve performance.

5. HANDLING SENSITIVE CASES AND HATE CRIMES
2 - FAIR

The Area has work to do on the systematic analysis of sensitive cases, particularly hate crimes, and on delivering training on the guidelines for prosecuting homophobic offences. There are champions or specialists for the sensitive case categories and they are closely involved in handling these cases, and in advising and assisting colleagues. Flagging of sensitive cases is largely embedded, and relevant policies and Inspectorate reports are taken into account when devising Area policy.

5A: The Area identifies and manages sensitive cases effectively

- The Area has appointed champions and specialists for most sensitive case categories, who disseminate information to prosecutors and caseworkers, provide guidance and manage cases where appropriate. Most sensitive cases are handled by prosecutors with the appropriate specialist skills and knowledge. Champions are made aware of what is expected of them and have a relevant objective in their forward job plans.
- The flagging of sensitive cases occurs in some categories of cases. The Area was aware that not all cases, particularly domestic violence cases, were being flagged. However, the position appears to have improved. A reality check conducted on the case management system and on files seen on-site showed that 17 out of 20 files had the correct flagging, and the flagging of cases that involved racial or religious aggravation was 100%. Administrators in the charging centres are now responsible for ensuring that the appropriate flags are used from the outset.
- The Area endeavours to take CPS policies and HMCPSI thematic reviews into account when devising Area practice. Training has been carried out on the CPS domestic violence policy, and the Joint HMCPSI/HMIC report on the investigation and prosecution of rape led to a review of Area policy and the implementation of the recommendations in the report.

Aspects for improvement

- The Area does not undertake an analysis of hate crimes in which a reduction or change of charge, or an agreed basis for plea, reduces or removes the 'hate element' from the offence. Whilst all adverse cases are assessed, there is no specific analysis for hate crimes and, therefore, no trending done of recurring issues or lessons to be learned. The Area has begun to address this since the period covered by this report and the Chief Crown Prosecutor is engaging with the local Race Equality Council to take this work forward. Although there is some evidence that the review and handling of other sensitive cases, such as domestic violence or child abuse, is assessed, this is not undertaken systematically, but is done only as part of the adverse case outcome analysis.
- Training on the CPS guidelines for the prosecution of homophobic offences has yet to be given to staff in the Area.

6. CUSTODY TIME LIMITS

3 - GOOD

The Area makes significant efforts to ensure compliance with custody time limits (CTLs), particularly in the Crown Court. Procedures have been reviewed and updated and there has been no failures recorded in 2004-05. Level B managers carry out systematic monitoring checks using manual records and the electronic case management system (CMS). Our on-site examination indicated good practice, although there is scope to improve file endorsements with regard to CTLs.

6A: Area custody time limit systems comply with current CPS guidance and case law

- The Area has a set of comprehensive desk-top instructions that incorporate almost all aspects of national guidance and best practice.
- The Area had no recorded CTL failures in 2004-05. There had been a failure in the previous year that led to a review and update of the instructions, albeit the cause of the failure was deemed to have been attributable to human error. The procedures were also compared with those in another CPS Area to seek out any potential improvements. Further minor re-drafts may be necessary as the re-structure is implemented.
- All relevant staff have received appropriate training, including refresher courses in April and June 2004. The re-organisation means that additional lawyers will need to be familiar with the more stringent approach to CTL extensions in the Crown Court. In light of this change, a recent staff skills audit has been conducted and identified that a few staff would like further refresher training, which has now been planned.
- Area prosecutors are expected to agree CTL limits with the courts (as documented in Area procedures). As yet there are no documented protocols to support the joint working.
- Business managers conduct systematic checks of all CTLs using diaries, files and CMS. Senior managers see files as part of the Casework Quality Assurance scheme and whilst attending courts themselves. The Area Business Manager is the champion for CTLs.
- The Area is making good use of CMS to assist in managing CTLs and the relevant task lists were under control.
- We examined five CTL files on-site and they indicated predominantly good practice. All expiry dates were correctly calculated, although on one file the extension had not been correctly endorsed on the cover. Endorsements could be improved, although they were satisfactory for the majority of relevant hearings.

7. DISCLOSURE**2 - FAIR**

The Area has made progress from a low point at the time of the last inspection on the rate of compliance with the disclosure regime and formally assesses prosecutors' performance. However work remains to be done to ensure that disclosure and file housekeeping are consistently handled correctly. A Champion has been appointed, and training has been done, or is being planned, some of which will be offered to the police. There is some liaison on unused material with the police and the local authority, and a protocol on third party unused material in child abuse cases is in place.

7A: The Area takes steps to ensure that there is compliance with the prosecution's duties of disclosure

- Steps have been taken to improve disclosure performance since the last inspection with some evidence of resulting improvement, and there were no issues apparent with secondary disclosure. Prosecutors' performance in relation to disclosure is being formally assessed, with appropriate action taken where necessary, but this is not, it seems, always effective. The Area uses the Casework Quality Assurance process to make formal assessments, and Unit Heads also review all cases that come to them, in order to check that disclosure has been carried out properly.
- Area systems ensure that all sensitive material schedules and unused sensitive material are stored securely. The disclosure record sheet on the file is endorsed to show where sensitive material has been received.
- The Area has appointed a Disclosure Champion, who disseminates information to prosecutors and caseworkers, and provides guidance and mentoring. The Champion is a tutor for the advanced disclosure training, and will be conducting training for Area staff and relevant police staff in due course.
- Prosecutors and caseworkers have had a short introductory session on the disclosure provisions of the Criminal Justice Act 2003 and the new Disclosure Manual which has been disseminated.
- Some work has been undertaken with the police and the Area will be inviting the police to participate in the advanced disclosure training. The Area, police and local authority have an agreed protocol on the handling of third party material in child abuse cases.

Aspects for improvement

- A reality check conducted on-site showed that there is very little separation of unused material from other parts of the file. Whilst the disclosure record sheet was properly endorsed in all cases and the primary disclosure letters were in one instance stored in a separate folder, the correspondence relating to disclosure and the material itself, were not kept separate which hampers file preparation and checking.
- The Area's performance at the time of the last inspection was significantly below the national average, with an overall compliance rating of 42.5% as compared to the national rate of 70.3%. The files seen on-site showed some improvement from that low point but there was evidence in four of the ten files seen that prosecutors were not complying with the primary disclosure regime. The issues included items of unused material being disclosed at the primary stage when they did not undermine the prosecution case, items not being disclosed when they ought, and the failure to endorse a decision in relation to the scheduled items. Ineffective trials due to problems with disclosure are running at a slightly higher rate in the Area than nationally, particularly in the Crown Court. It is apparent that there remains work to be done to ensure that the disclosure regime is being properly and consistently applied.

8. THE SERVICE TO VICTIMS AND WITNESSES
2 - FAIR

There is evidence of the commitment of criminal justice staff in Northamptonshire to improving the service to victims and witnesses. There is good liaison between the agencies on victim and witness issues. New initiatives were implemented in 2004-05, but these had not delivered the desired level of improvement with the appropriate consistency. A lot of effort has gone into planning the Witness Care Unit (WCU) which went live on 31 March 2005. Work remains to be done in meeting the 14 minimum standards of the No Witness No Justice (NWNJ) scheme. The performance in respect of Direct Communication with Victims (DCV) was poor in 2004-05 and a number of applications for special measures were late or missed.

8A: The needs of victims and witnesses are fully considered and there is timely and appropriate liaison, information and support throughout the prosecution process

- The percentage of ineffective trials in Northamptonshire that are due to non-attendance of witnesses is slightly better than the national average. Cases are analysed as part of the performance management regime within the Area.
- Most prosecution advocates and staff introduce themselves, and provide information to witnesses at court.
- There is positive co-operation between the CPS and the Witness Service and Victim Support. Referrals increased during 2004-05 and should improve further as the WCU becomes established.
- A small number of meetings were held with victims and relatives on a request basis.

Aspects for improvement

- Area systems to ensure compliance with the DCV scheme were not effective in 2004-05. The level of compliance in terms of volume and timeliness of letters to victims was poor throughout much of the year. A newly appointed dedicated DCV clerk is beginning to make some improvements in 2005-06. In cases where the charges were reduced or dropped at court, the letter is drafted in the third person by the specialist clerk and is not signed by the lawyer who made the decision.

- CPS Northamptonshire did not have processes in place in 2004-05 to ensure that victims and witnesses were kept informed of the progress of their case. The police were responsible for warning witnesses and maintaining contact with them in cases that did not pass through the newly opened WCU. Witness warning procedures were not always effective, and CPS and police processes were changed as a result of concerns over the timeliness of warnings.
- Performance in relation to Speaking Up For Justice and special measures has been inconsistent, with late and missing applications identified. There was significant non-compliance by police officers in the completion of the relevant sections of MG11 forms which was not effectively challenged for much of 2004-05. This has now changed and CPS staff at the charging sites challenge incomplete forms.
- A lot of effort has been put into the opening of a WCU in Northampton. However, overall implementation of NWNJ has been problematic with some milestones being missed. Significant delays occurred in formulating staffing strategies and, in agreeing and documenting procedures and process maps. This has required the Area to undertake significant remedial action in order to try and meet the requirements of the NWNJ minimum standards within the prescribed timeframe. Some benefits are being realised and the position has improved more recently.

9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD

The Area's processes for selection of advocates and for scheduling, contribute to proper preparation of cases for court. Agents are instructed in good time, particularly in complex cases. Monitoring of in-house advocates and agents is systematic, but counsel are monitored only for re-grading purposes. Work remains to be done with the court to ensure that case progression is as effective as possible.

9A: The Area ensures that prosecution advocates and staff attend court promptly, are professional, well prepared and contribute to effective case progression

- Selection of prosecution advocates for all courts is regularly undertaken with full consideration of their experience, expertise and qualifications. Suitably trained prosecutors cover specialist courts within the Area. The Area endeavours to allocate the same courts to advocates each week to ensure consistency and to improve the efficiency of preparation for court.
- The standard of court endorsements is monitored as part of the Casework Quality Assurance scheme and the information supplied to agents includes instructions regarding the proper endorsement of files.
- Papers are provided to agents, counsel and in-house prosecutors promptly, enabling all advocates to prepare thoroughly for court. Advocates are required to attend in good time to enable liaison with the court, defence solicitors and witnesses. The rota for in-house prosecutors is drafted with preparation time in mind and, in complex cases, agents are briefed a week in advance.
- Agents and counsel are given full instruction packs and are advised of new initiatives and policy directives. A comprehensive agents' pack was prepared in 2003, and has been supplemented with updates since then. The Area holds regular meetings with local chambers, at which updates are given.
- Advocacy monitoring of all in-house prosecutors is undertaken at least once a year, with feedback being given. The Area has involved the magistrates' courts in a formal scheme for monitoring advocates, both in-house and agents, and the results were analysed. The Area also receives and addresses informal or ad hoc feedback from the courts on advocacy standards.

Aspects for improvement

- The Area is contributing to efforts with criminal justice partners to improve case progression. However, the introduction of case progression and effective trial management is yet to be embedded. Work remains to be done with the court to ensure that pre-trial review listings support case progression effectively and that transfers between courts supports the efficient handling of cases.
- Counsel are monitored only for re-grading purposes.

10. DELIVERING CHANGE

2 - FAIR

Northamptonshire has made less progress than most CPS Areas in implementing major initiatives. They have implemented a shadow charging scheme and a Witness Care Unit but both need significant further work to optimise the full benefits, although some outcomes in 2004-05 were positive. The Area adopted a more systematic approach to change in the latter stages of 2004-05 and has developed this further in 2005-06. More needs to be done to ensure that milestones and objectives of plans are met, and to make the review process more effective. Area managers are involved in a significant amount of inter-agency work, although the effectiveness of joint working is variable. Risk management is improving and training is generally managed well.

10A: The Area has a clear sense of purpose supported by relevant plans

- Area managers had a sense of what they wanted to achieve and, for the most part, plans existed as to how they were going to achieve their objectives. The vision was based around five key strands of the CPS national strategy.
- The Area Business Plan (ABP) allocated responsibility for delivery of objectives to nominated individuals. The plan was a little weak in terms of identifying specific outcomes of objectives. Reviews of the ABP were conducted using a traffic light system to identify progress as judged by the outcomes at the time of the review.
- There were no Unit plans in place although it is intended to produce them after the restructure has taken place. This was less important in 2004-05 when there was just one Trials Unit and one Criminal Justice Unit in place. Linkage was apparent between plans and personal objectives in the sample of individual forward job plans (FJPs) looked at.
- The CPS invited police and court staff to their Area planning day in November 2004. They also distributed copies of the resultant draft plan to other agencies for comment. There were no requests for any significant changes by other agencies.
- CPS managers were involved in joint planning activity with criminal justice partners, as part of the Local Criminal Justice Board (LCJB) planning process and in bipartite planning on key national initiatives. After difficulties in previous years, the Area is now beginning to make good progress towards more amenable listing patterns in the magistrates' courts. The Deputy Chief Crown Prosecutor (DCCP) was involved in the review of the LCJB sub-group structures that would be needed to deliver future strategies.

Aspects for improvement

- The Area struggled to translate its plans into reality. This was particularly true of inter-agency plans but also applied to some internal initiatives. Whilst reviews of the ABP took place, there was limited evidence that the process identified remedial actions where necessary.
- Some plans have not been systematically managed with partners, with the result that important milestones have been missed, sometimes by months. Some important initiatives were rated as red or amber on the Area Risk Register with deadlines approaching.

10B: A coherent and co-ordinated change management strategy exists

- There was no systematic approach to implementing and managing change in much of 2004-05. However, the DCCP and the Trials Unit Head had lead responsibility for particular initiatives, albeit in addition to their normal day-to-day activities. Following staff feedback and the resultant review of governance, the Area launched a change programme under the banner of 'The Way Forward'. This originally had five initiatives and was managed by the DCCP. Regular updates on progress have been issued in 2005 by means of a monthly Highlight Report. In 2005-06 the Area has appointed a Business Change Manager to co-ordinate the delivery of key initiatives. She has assumed responsibility for the 'The Way Forward' programme, which has subsequently expanded its remit.
- The Area has a risk management programme in place but, as with most CPS Areas, the system requires further development, particularly in respect of the expected outcomes of any counter-measures identified. Most major initiatives have separate, more detailed risks identified that complement the higher level Area register. Additional training has been provided to Unit Heads in May 2005 that will help them develop Unit based Risk Registers post restructuring.
- The links between plans and initiatives and CPS staff training are generally satisfactory. More could be done to ensure that staff from other agencies are properly briefed and trained for specific initiatives.

Aspects for improvement

- While some changes have been implemented, they have not always been as successful as planned, particularly in the case of charging and the Witness Care Unit. Whilst both initiatives are showing signs of progress, there are still issues outstanding. The Area can improve the measures of success that it sets for objectives and initiatives to enable easier evaluation of progress.

- There was limited evidence of linkage between plans in the early part of 2004-05. Some improvements were made in the latter half of the year, but a more systematic approach is likely to be needed as the number of projects and initiatives grows.
- Review and evaluation needs to be more dynamic and effective in ensuring that milestones and objectives are achieved.

10C: The Area ensures staff have the skills, knowledge and competences to meet the business need

- The Area recognises the importance of training and training plans have been developed in conjunction with other CPS Areas in the Midlands. Unit Heads and business managers are primarily responsible for identifying training needs and the Secretariat staff for sourcing it. In 2005-06 a skills audit is driving ongoing training requirements.
- The plans cater for the needs of legal and administrative staff, although there was a greater emphasis on legal training in 2004-05. Good quality records are maintained of the training provided across the grades that show that managers received the most training (average six days) and level B caseworkers the least (average one day). Turnover varies by grade and naturally impacts on training provided.
- Diversity has featured in training plans in previous years as formal courses were available nationally. New staff now use the on-line e-learning package. All staff have access to training, although line manager and, in some cases, Area Business Manager approval is required.

Aspects for improvement

- Training in respect the Criminal Justice Act 2003 was less advanced than desirable, although information on the changes brought about by the Act had been circulated to lawyers. Plans had recently been put in place to deliver the training in 2005-06.
- There is little by way of structured evaluation of training. Managers tend to use the outcomes of dip sampling and the analysis of unsuccessful outcomes as proxy measures for the effectiveness of training.

11. MANAGING RESOURCES
2 - FAIR

Performance in respect of managing resources was variable. The Area has a sound understanding of its administrative budget position and has tightened controls to try and remain within budget. The Area has overspent in the last two years. Control of prosecution costs were weak last year but have been significantly improved recently. The Area recognised the need to review structures and work started towards the end of last year, has continued in 2005-06. The Area has done very well in deploying its designated caseworkers (DCWs) effectively, but more needs to be done to optimise the use of higher court advocates (HCAs).

11A: The Area seeks to achieve value for money, and operates within budget

- The Area is in the early stages of developing value for money policies, but some clear indications of value for money activity are evidenced. Deployment of resources has been variable and managers are aware of the opportunities to improve. Some economies have been achieved in controlling travel, courier and training costs.
- The budget is centrally controlled within the Secretariat for the most part. Expenditure on agents is devolved to the Unit Heads. There are systems in place to monitor committed expenditure, but they could be strengthened. There is regular reporting of the financial position to managers, and the budget and forecasts are discussed at Senior Management Team meetings.
- As the Area has implemented fewer major initiatives than most CPS Areas, they have had less additional funding to control. What they have had has been satisfactorily managed and has clearly been used for the specific purpose for which it was granted, primarily setting up a Witness Care Unit and employing a specialist lawyer for serious and complex crime. While some progress has been made, it was too soon to judge if the additional funding had led to improved performance.
- Increasingly the Area has adopted tighter fiscal controls and has made some difficult decisions with regard to replacing staff.

Aspects for improvement

- The Area has overspent its non-ring fenced running costs budget in each of the last two financial years, by 4% in 2003-04 and by 1.7% in 2004-05. Unanticipated changes to the funding of the Chief Crown Prosecutor (CCP) post contributed to the overspend last year.
- The timeliness of payment of counsel fees was erratic, but mainly poor in 2004-05. Backlogs developed which were then cleared, only for the problem to recur. A new system with dedicated fees clerks has now been implemented and performance in the first quarter of 2005-06 was among the best in the 42 CPS Areas. The backlogs may have contributed to the Area's overspend on prosecution costs, although at 9.6% over budget, this was in the upper half of performance nationally.

11B: The Area has ensured that all staff are deployed efficiently

- In 2004, the level of sick absence at seven days per person was better than the Area target of eight days and the national average of 8.7 days. Processes are in place to monitor and manage absence.
- Flexible working patterns are in place and managers are aware of the necessity to balance the needs of individuals with the business requirements. Examples of flexible working are compressed hours and reduced term-time working for some staff.
- There were clear expectations as to how lawyers would be deployed at court and in charging centres. Lawyers scheduled to cover sessions in the magistrates' courts were expected to cover on average seven half-day sessions per week. Lawyers from the Summary Trial Unit only covered a very limited number of sessions. All charging centre sessions were covered by lawyers from the Trials Unit. Agent usage was significant in 2004-05 at 24.5% of sessions, although this is slightly better than the national average of 26.9%. Plans are in place to reduce this in the current year.
- Area performance in deploying DCWs in the magistrates' courts was among the best in the country in 2004-05. There were four DCWS who covered 774 sessions between them, equating to 17.3% of the total court sessions. There is still scope to improve the coverage, and negotiation with the courts regarding listing patterns should deliver more opportunities. The Area target for 2005-06 is 20.9% of sessions. When not in court, the DCWs were assisting with committal preparation, summary trial preparation, and clearing fees backlogs.
- Reviews of structures and resources have been carried out for the operational teams. Adjustments to staffing levels were made either by the Senior Management Team or the Operational Management Team dependant upon whether there were financial implications. Some decisions would have benefited from more systematic analysis of the impact of change.

Aspects for improvement

- The structure and governance of the Area were unusual, primarily as a result of the temporary arrangements to backfill for the CCP's absence. This, coupled with reaction to the staff feedback exercise, contributed to a somewhat convoluted and expensive management structure in the short-term. This situation has been reviewed and improved for the current year.
- HCA deployment was lower than desirable in 2004-05. The Area has four HCAs, although two of them were on secondment for much of the year. They covered 29 sessions during the year generating savings in counsel fees of £4,950. This equates to an average saving per session of £171 which is some way below the national average of £224 and, with only one session covered during the final quarter of 2004-05, this dropped to £100 per session. The deployment of HCAs needs to be improved to deliver better value for money. The Area now has more ambitious plans that should be implemented from November 2005.

12. MANAGING PERFORMANCE TO IMPROVE
3 - GOOD

The Area has shown a committed approach to performance management. Comprehensive performance data is available and is disseminated to staff and criminal justice partners. The process of identifying and implementing remedial action needed strengthening, although some changes have been made recently. There is evidence of some weaker performance being effectively tackled, with some improvement to results. The Area has made good use of the Management Information System (MIS) to monitor performance. More work is needed in conjunction with other agencies to use performance data to improve outcomes. The Area has used the Casework Quality Assurance scheme in a robust manner, albeit the volume of cases examined needs increasing.

12A: Managers are held accountable for performance

- The Area has demonstrated a commitment to performance management. A comprehensive monthly performance pack is produced by the Area Performance Officer and circulated to managers prior to management meetings. Whilst the pack is generally very useful, it would benefit from some form of executive summary or synopsis. There is clear evidence of performance being discussed at Senior Management Team (SMT), Operational Management Team (OMT) and team meetings. Data was available by Unit although, as there was only one Trial Unit and one Criminal Justice Unit, there was no direct comparison of performance. The Area intends to change this as the new structures are implemented.
- There has been some success in improving aspects of weaker performance, most notably in respect of graduated fees and the usage of the case management system (CMS). On the less positive side, compliance with the Direct Communication with Victims (DCV) scheme was consistently weak throughout 2004-05.
- During 2004-05 the OMT tended to be the primary group dealing with operational system improvements. Examples include the introduction of a process for managing discharged committals, and the centralisation of payment of counsel fees.
- Some concerns were raised in staff feedback with regard to managing perceived personal under-performance. Steps have been taken to ensure that managers address any such issues. Training has been provided on managing performance and there is greater clarity now as to individual accountability and responsibilities of staff.

- Staff have had the opportunity to get involved in improvement activity in a number of ways. On the operational side, staff from various roles have been involved in the CMS local implementation team, and level B managers participate in the OMT. Staff also take part in the Equality and Diversity Committee, and assist in community engagement. The feedback from staff through the 'Taking a View' exercise was important in identifying weaknesses in the governance and management of the Area in 2004 -05.

Aspects for improvement

- The system of monitoring performance in 2004-05 was such that it was difficult to identify what remedial actions needed to be and were taken. More importantly, the process for ensuring that improvements were made was inconsistent. A more structured approach has been adopted for 2005-06, whereby a formal record is maintained of actions agreed at the quarterly performance meetings between the Chief Crown Prosecutor (CCP) and Unit Heads.

12B: The Area is committed to managing performance jointly with CJS partners

- The CPS performance pack has been shared with the police for some time, and the distribution has been widened recently. The CPS also provides data on unsuccessful outcomes, and some information and analysis of pre-charge advice case outcomes.
- There has been good collaboration between the CPS and the police in reviewing the coverage required for charging centres. The reduction in the number of sites has enabled resources to be diverted to improve case preparation and increase in-house advocacy coverage.
- The Area has worked well with other agencies in improving the ineffective trials rate in both the magistrates' courts and the Crown Court.

Aspects for improvement

- Although there is evidence of joint performance activity with other agencies, not all the effort has translated into improved results. Area managers are involved in initiatives aimed at meeting the headline government targets. Not all groups have been effective in delivering actions and results, with outcomes, in regard to three of the four major targets, being in the lower quartile of national performance. There are signs of a more robust and effective approach in 2005-06, as evidenced by much stronger links with the police at Area Commander level.

12C: Performance information is accurate, timely, concise and user-friendly

- There are two MIS licence holders, both based in the Secretariat. Extensive use is made of the system and a number of local reports have been designed for both regular and one-off use. Managers have been trained on the capabilities of the system to assist them in identifying prospective reports.
- Data entry is assured by validation checks of all adverse cases recorded on CMS. Checks are undertaken by the business managers and any errors are rectified before the 'freeze date'.
- There is a satisfactory exchange of data between the criminal justice agencies in Northamptonshire. Data is regularly received by the CPS on cracked and ineffective trials, persistent young offenders and police file quality, and is incorporated into the monthly performance reports.
- Within the performance pack, the Area compares its results against national averages for some measures. It also uses the CPS Headquarters quarterly performance reports to do some basic benchmarking of outcomes.
- Performance data is cascaded to staff in a variety of ways. Managers receive a copy of the detailed performance pack; performance is regularly discussed at management meetings and cascaded to staff at team meetings; and the Area newsletters frequently contain highlights of performance.

Aspects for improvement

- A significant number of cases from 2004-05 were allowed to drift and were consequently not finalised until the current financial year. As these were almost exclusively cases that were eventually discontinued, the data for both years is now misleading. The Area anticipates that the situation will not be fully resolved until the end of 2005.

12D: Internal systems for ensuring the quality of casework are robust and founded on reliable and accurate analysis

- The Casework Quality Assurance (CQA) scheme has been in place for a sustained period. There is evidence of robust analysis of cases with learning points identified being fed back to individuals when appropriate. Data is consolidated and analysed for any wider learning points. Occasional notes have been circulated to all lawyers to remind them of issues identified during the dip sampling.

Aspects for improvement

- The number of cases examined under CQA needs to be increased.

13. LEADERSHIP

1 - POOR

Weaknesses in the leadership provided by the management team became apparent in 2004-05; this was addressed with the assistance of a consultant specialising in team building. Although the national CPS Staff Survey in 2004 did not highlight the position, feedback from staff as part of the consultancy exercise indicated considerable discontent with the management of the Area. A combination of factors, including changes in personnel, management structure and roles and responsibilities, contributed to problems which led to some ineffective governance and leadership. Managers displayed a lack of corporacy, did not always consult staff effectively, and did not always implement agreed decisions. The management team worked with the external consultant to improve leadership skills, and further changes to governance arrangements have occurred. A newly appointed Chief Crown Prosecutor (CCP) has picked up the challenge and reinforced the development of effective leadership with positive results. During our visit the management team showed a more cohesive and corporate approach. The Area had an Equality and Diversity Committee that met quarterly, although the group has been disbanded in 2005-06 as Area managers seek to mainstream equality issues.

13A: The management team communicates the vision, values and direction of the Area well

- The Northamptonshire Management Team identified a need to strengthen the leadership it provided. This was addressed in August 2004 through its use of an external consultant to identify the extent of the problem (see aspects for improvement below). There has been a positive response to the disappointing findings of the staff feedback conducted by the consultant. Managers have accepted the need for improvement and are actively seeking to address the issues raised. Changes to governance instigated in October 2004 have brought about some improvements.
- Team meetings were held regularly throughout the year and were much appreciated by staff. In the 2004 Staff Survey Northamptonshire scored an exceptionally high score (89%) with regard to the effectiveness of team meetings. The overall score for communication was 8% better than the national average. The Area has also produced good quality staff newsletters on a regular basis to keep staff informed of issues.
- There is clearly significant liaison between the various criminal justice agencies in Northamptonshire. There is evidence that meetings are open and sometimes frank when discussing inter-agency issues. The effectiveness of some groups can be improved.
- Senior CPS managers are prominent in inter-agency groups and the work of the Local Criminal Justice Board (LCJB). The CCP was chair of the LCJB until his transfer at the end of 2004. The Area Business Manager (ABM) and the

Deputy Chief Crown Prosecutor (DCCP) were involved in joint activity with both the police and the magistrates' courts. The Trial Unit Head held regular operational meetings with the Resident Judge.

Aspects for improvement

- Senior managers did not consistently act in a corporate manner, leading to staff dissatisfaction. There were also examples of managers failing to implement agreed decisions or behaving in ways that were inconsistent with the expectations of staff. Governance documents issued later in the year made specific reference to the expected behaviour of managers.
- Other issues identified during the consultancy period included concerns that, although the process for informing staff of decisions was positive, there was a lack of consultation taking place. Staff, including some managers, did not feel engaged or able to contribute to Area policy and strategy. The changes to governance that took place in October 2004 led to some improvements.
- Feedback from staff in the Staff Survey and 'Taking a View' workshops indicates a low level of confidence in the ability of the CPS to influence the actions and performance of other agencies. Some progress has been made more recently in addressing issues regarding listing and the late arrival of prisoners at court.

13B: Senior managers act as role models for the ethics, values and aims of the Area and the CPS, and demonstrate a commitment to equality and diversity policies

- Managers have been involved in outward-looking activity, both with criminal justice partners and with the community. Unit Heads have been a little less involved than is normal in LCJB sub-group work, as much activity has been channelled through the Communications Officer and the DCCP.
- The Area has responded to concerns raised by staff regarding the recognition of good performance. We have seen evidence of increased efforts by managers to recognise the achievements of teams and individuals.
- During 2004-05 there was an Area Equality and Diversity Committee that met on a quarterly basis. In the current year the Area has decided not to continue with a discreet group but to integrate activity into core plans. A review of the Area Business Plan in September 2005 has started the process, but more can be done to make the links clearer. In the 2004 Staff Survey the Area scored 2% above the national average in respect of dignity at work issues. The feedback from the 'Taking a View' consultation was less positive, with some perception that staff were not always treated equally, with issues ranging from favouritism to unfair distribution of work.
- Staffing levels reflect the population served by the Area's offices.

14. SECURING COMMUNITY CONFIDENCE

2 - FAIR

The Area has shown commitment to securing public confidence. Whilst a decision to reduce activity was taken in 2004-05, some important work has continued. The Area has established a solid foundation on which to build an effective approach to improving community confidence. Some good relationships already exist and work has begun on a database of community contacts. The CPS, in conjunction with partner agencies, needs to decide on the focus of its future work and then deliver against those plans. The effectiveness of community engagement activity needs more attention. Work has been undertaken on improving media coverage. Despite work over the last two years, the level of public confidence in the ability of the Northamptonshire criminal justice system to bring offenders to justice is lower than its own target and the national average.

14A: The Area is working pro-actively to secure the confidence of the community

- The commitment of managers is clear and evidence exists of engagement activity with the community. The level of engagement was reduced in 2004-05 as the Area felt some realignment of resources was needed to assure implementation of new initiatives within revised budgets.
- The Area Business Plan (ABP) for 2004-05 contained high level details of the Area approach to community confidence. Primary responsibilities rested with the Communications Officer and the Deputy Chief Crown Prosecutor (both of whom have now moved on to new roles). The ABP was supported by a separate Community Engagement Strategy and the Local Criminal Justice Board (LCJB) Confidence Delivery Plan.
- The criminal justice agencies have developed a database of key contacts for a wide-ranging group of organisations. This provides a solid foundation for marshalling community engagement, but the Area had yet to use the information to identify the most important groups with whom to establish and maintain contact.
- Whilst the volume of engagement was cut back in 2004-05, work has continued, albeit with a relatively small group of organisations. Activity has been focused around groups connected with sensitive cases such as rape, domestic violence and hate crime, as well as with educational establishments. Work continues in trying to raise the profile of the CPS through improving media relationships.

Aspects for improvement

- A number of planned actions from CPS and LCJB plans were not completed in 2004-05. These were, to some degree, hindered by changes in personnel and the revisions to the structures in both organisations.

- There was little engagement with the relevant Crime and Disorder Reduction Partnerships in 2004-05.
- There is limited evidence that improvements have been made as a direct result of consultation with the community. There is a need to evaluate the impact and effectiveness of the community engagement activity being undertaken.
- Despite the work undertaken in community engagement and some positive performance results, the level of public confidence is low in Northamptonshire. The data from March 2005 indicates that confidence in bringing offenders to justice in Northamptonshire is at 35%. This is lower than the Area's baseline figure (37%) and among the lowest of the 42 CJS Areas.

ANNEX A

PERFORMANCE DATA

ASPECT 1: PRE-CHARGE DECISION-MAKING

MAGISTRATES' COURTS CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	16.3%	13.6%	52%	68.8%	72.6%	31%	22.7%	20.3%
CROWN COURT CASES								
Discontinuance rate			Guilty plea rate			Attrition rate		
National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target March 2007	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05
11%	14.6%	11%	68%	66%	77.3%	23%	23.8%	16.9%

ASPECT 2: MANAGING MAGISTRATES' COURTS CASES

INEFFECTIVE TRIAL RATE			OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)		
National Target	National Performance 2004-05	Area Performance 2004-05	National Target	National Performance (3-month rolling average Feb 05)	Area Performance (3-month rolling average Feb 05)
24.5%	24.8%	21.2%	71 days	67 days	96 days

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS CHARGED CASES ONLY (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 143 days		Committals Target 176 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	83%	6,152	66%	2,698	89%	992
Area	87%	67	46%	24	100%	20

TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS CHARGED AND SUMMONSED CASES (MARCH 2005)						
	Initial Guilty Plea Target 59 days		Trials Target 176 days		Committals Target 101 days	
	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)	Cases within target (%)	Sample size (no of defendants)
National	87%	5,185	87%	3,309	91%	190
Area	81%	37	86%	29	n/a	n/a

ASPECT 3: MANAGING CROWN COURT CASES

INEFFECTIVE TRIAL RATE		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	9.8%

ASPECT 4: ENSURING SUCCESSFUL OUTCOMES

UNSUCCESSFUL OUTCOMES (AS A PERCENTAGE OF COMPLETED MAGISTRATES' COURTS AND CROWN COURT CASES)		
National Target	National Performance 2004-05	Area Performance 2004-05
21%	19.6%	14.9%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+7.6%	-1.8%
Number	14,016	12,790

ASPECT 7: DISCLOSURE

DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' COURTS AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE		
	National Performance	Area Performance
Primary test in magistrates' courts	71.6%	40%
Primary test in Crown Court	79.9%	62.5%
Secondary test in Crown Court	59.4%	25%
Overall average	70.3%	42.5%

ASPECT 11: MANAGING RESOURCES

NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)	
2003-04	2004-05
4% overspend	1.7% overspend

DCW DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)			HCA SAVINGS (PER SESSION)		SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)		
National Target 2005-06	National Performance 2004-05	Area Performance	National Performance Quarter 4 2004-05	Area Performance Quarter 4 2004-05	National Target	National Performance 2004	Area Performance 2004
11.6%	8.3%	17.3%	£224	£100	8 days	8.7 days	7 days

ASPECT 14: SECURING COMMUNITY CONFIDENCE

PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
37%	35%

NOTES



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