

CPS Northumbria

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# Overall Performance Assessment

December 2005

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 Northumbria 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 Northumbria serves the area covered by the Northumbria Police. It has three offices, at Newcastle upon Tyne, Washington and Cramlington, and a number of staff work in co-located units based in police premises. The Area Headquarters (Secretariat) is based at the Newcastle office.

Area business is divided on functional lines between magistrates' courts and Crown Court work. The criminal justice units (CJUs) handle cases dealt with in the magistrates' courts and the trial unit (TU) handles cases dealt with in the Crown Court.

During the year 2004-05, the average Area number of staff in post was 234 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	15,315	25.7	20.9
Advice	1,094	1.8	5.1
Summary offences	27,336	45.9	46.9
Either way and indictable only	15,609	26.2	26.7
Other proceedings	253	0.4	0.4
<b>TOTAL</b>	<b>59,607</b>	<b>100%</b>	<b>100%</b>

## **C. SUMMARY OF JUDGMENTS**

CPS Northumbria was inspected in January 2003 with a follow up visit to assess progress in October 2003. Some significant changes have taken place since those inspections, most notably the implementation of statutory charging in June 2004. The Area is still progressing towards Area-wide co-location, and national initiatives such as No Witness, No Justice (NWNJ) and the Effective Trial Management Programme (ETMP) are in place in parts of the county. Northumbria's caseload has been dropping and this will impact on the Area's budget allocation.

The implementation of statutory charging has been handled well and there are good co-operative relationships with the police in driving the initiative forward. The scheme has had a positive impact on case outcomes although there is still scope to improve the discontinuance rates in cases subject to pre-charge decisions.

Case progression systems are in place and results are gradually improving. There is still a need to improve the effectiveness of pre-trial review hearings and consequently the cracked and ineffective trial rates in some courts. The case management system (CMS) is being increasingly used by staff at all levels.

The Area has done well in reducing the number and percentage of unsuccessful outcomes. Northumbria's performance in respect of most internal CPS key measures is positive; the position with multi-agency and government targets is less encouraging and performance in three key targets is worse than the national average.

The service to victims and witnesses is improving and should get even better as the NWNJ project is rolled out to further sites. There is still some work to do in ensuring that police officers fully understand their role in gathering information in the early stages of investigations. The timeliness of letters issued as part of the Direct Communication with Victims scheme was variable in 2004-05, but has improved recently.

There has been significant improvement in the management of change in 2004-05. Some project management techniques are in place and regular reports on progress of initiatives are given to the Area management team. Reviews have been undertaken and changes made as a result of the findings. Working arrangements with the police are generally effective, and there is a need to replicate this with the courts.

The Area is clearly committed to the concept of performance management and significant effort goes into producing quarterly reports. A wide range of monitoring systems is in place with good feedback processes on an individual basis. Overall, the collation, presentation and dissemination of data could be improved.

The Area did not fully appreciate their financial position in 2004-05 and had a larger than anticipated under spend as a result. Financial controls are improving, supported by additional training for unit managers who have assumed responsibility for their own budgets. Area managers have reviewed deployment policies with a view to optimising the use of staff.

Northumbria did not deploy its HCAs at all in 2004-05 having decided to concentrate their resources on implementing statutory charging - this policy has been reviewed for 2005-06 and the Area has made an encouraging start, covering a significant number of sessions in the period April to June 2005.

There has been stability in the membership of the Area management board in recent times, although there has been rotation of staff at unit head and team leader level. There is clear direction as to the Area's priorities and staff and managers are aware of these. Whilst improving, there is still scope for managers and staff to take a more corporate approach to some issues. The Area's approach to equality and diversity should be more structured.

A programme of community engagement is in place and is being developed further in conjunction with the Local Criminal Justice Board sub group. The public confidence rate in the effectiveness of the criminal justice agencies to bring offenders to justice reduced to 38% in 2004-05 from a baseline figure of 41%.

The effort and energy of CPS staff is apparent and they add value to the criminal justice system in Northumbria. There is further work to do with partner agencies to translate effort into improved results.

Overall the Area has been assessed as **GOOD**.

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

<b>OVERALL ASSESSMENT</b>	<b>3 - GOOD</b>
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## D. DEFINING ASPECTS

### 1. PRE-CHARGE DECISION-MAKING

3 - GOOD

*Statutory charging commenced in the Area in June 2004 and cover is provided by experienced prosecutors at ten charging centres. Most decisions are recorded on the case management system (CMS) on-site. The quality of decisions is regularly monitored and reports which deal also with adverse outcomes are prepared quarterly as part of the Area quality assurance system. Charging is managed by team leaders who liaise effectively with police Area Commanders. Most of the benefits of charging are being realised, although the discontinuance rates in the magistrates' courts and the Crown Court need improving.*

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

- Timely pre-charge decisions are provided by Duty Prosecutors (DP) at all relevant Area charging centres. The Area has recently, in co-operation with the police, reduced the number of centres by amalgamating some charging and custody suites. Prosecutors attend each site on an agreed basis and two lawyers are on stand-by each day to cover unexpected absences. An appointment system is utilised at pre-charge sites with designated time slots set aside for discussion on urgent cases where an initial remand in custody is being considered.
- The police deploy “gateway” sergeants as performance delivery officers to ensure that only appropriate cases are referred. Some inspectors are due to be deployed to the same role. Nevertheless, there are still some unauthorised charges which are identified and referred to Unit Heads for action.
- The Area has developed a good relationship with CPS Direct (CPSD). The CPSD team leader attends Charging Project Group meetings and has delivered training to police officers.
- Area recording and counting systems are generally accurate. The use of CMS for recording decisions at point of advice is monitored and 95% of pre-charge decisions are recorded by DPs on CMS at charging sites. The Area has provided training to all DPs and training material is regularly updated and made available on Area IT systems.



**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, and all local and national guidance, and are of sufficient expertise and experience. All current DPs have received appropriate training, and there is an ongoing programme for newly appointed staff.
- Individual performance in relation to the quality, appropriateness and timeliness of pre-charge advice and decisions provided (including cases where no further action is recommended) is regularly and formally assessed with appropriate action being taken where necessary. Unit heads and team leaders report quarterly on charging performance. Adverse findings reports are also prepared and the system of reporting ensures that managers remain aware of performance levels in respect of charging decisions.
- Local protocols have incorporated national guidance on dealing with disagreements over decisions made. Any disputes are generally resolved between team leaders and police Area Commanders.
- MG3s are completed in all cases and reminders have been issued to staff to record the gender and ethnicity of suspects on the forms.

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

- Careful planning and preparation by the police and CPS Joint Project Group allowed the Area to move to the statutory scheme on schedule in June 2004 and it has made considerable progress since then. A post implementation review, carried out by the national charging team in December 2004 raised some issues which were dealt with in an Area action plan. Charging is now managed at Area level by the Area Project Group and at local level by unit heads and team leaders who liaise with the police Area Commanders.
- On pre-charge decision cases, most expected benefits are being realised, though some aspects require improvement. The magistrates' court discontinuance rate of 13.4% is worse than the national target of 11% but better than the national average of 16.3%. The guilty plea and overall attrition rates are better than national performance levels (see table at Annex A).

- There is clear evidence of co-operative working with the police at all levels on pre-charge decision cases and police compliance with the agreed scheme is monitored in all respects with remedial action taken wherever necessary. Currently, the Area and the police monitor performance jointly by Joint Performance Management which considers the quality and timely submission of files. Systems are being reconsidered in the light of the implementation of Prosecution Team Performance Management which focuses on case outcomes. The police and CPS also discuss performance on charging and wider issues at a series of structured meetings at different levels.
- Improvements to the scheme are communicated primarily via team meetings.

*Aspects for improvement*

- The Crown Court discontinuance rate is poor at 16.4% against a national average of 14.6% and national target of 11%.

**2. MANAGING MAGISTRATES' COURTS CASES**

**2 - FAIR**

*Efforts are made to ensure that cases are reviewed and prepared promptly, but cases are still being adjourned as the prosecution is not ready. The move to charging has placed greater emphasis on file building at an earlier stage. Effective Trial Management (ETMP) has been partially implemented and will extend to Newcastle Magistrates' Court in October 2005. Although performance has been variable, the Area has met the persistent young offender (PYO) target. The Area is working with other agencies to reduce cracked and ineffective trials as they are worse than the national averages. Pre-trial reviews (PTRs) could be more effective, with some hearings being adjourned. The case management system (CMS) is being increasingly used to record file actions and events and usage is monitored and reported upon.*

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

- Efforts are made to ensure that magistrates' courts cases are reviewed and prepared promptly and the majority of cases are ready to proceed at each court hearing. Timetables are set for case preparation in contested cases and those likely to be dealt with in the Crown Court. Evidential file building commences before the first hearing and cases are reviewed well in advance so that any outstanding matters can be dealt with.
- The Area has its own performance management system which requires team leaders to prepare quarterly reports for Unit Heads who then report to the Area board. The local system incorporates the needs of the national casework quality assurance scheme.
- There is significant liaison with criminal justice partners, and regular case progression meetings, which have resulted in improvements in performance. ETMP commenced roll-out in January 2005. It is to be extended to Newcastle Magistrates' Court in October 2005. Area case progression officers (CPOs) liaise with their court counterparts and court listing officers. Contested cases are subject to a pre-trial check at least one week in advance of trial. There are similar arrangements in youth cases.
- The Area is continuing to use joint performance monitoring forms TQ1 and TQ2 (for expedited files) to monitor timeliness and quality of police files. However, the system is being reviewed in the light of statutory charging to focus more on case outcomes.

- Lawyers have been reminded of the need to consider confiscation orders in all relevant cases starting at the pre-charge decision stage.
- The Area met the PYO target throughout 2004-05, although there were some variations in performance. The Area rolling average to February 2005 was 69 days from arrest to sentence and more recent months have seen a steady improvement in performance. Youth specialists are in place across the Area. They review all youth cases and prosecute them, wherever possible. The Area youth co-ordinator monitors monthly PYO data and disseminates the results, including aspects for improvement to other team leaders. Prosecutors liaise with Youth Court CPOs and are robust in their approach to progressing cases. Specialists attend a variety of meetings with partner criminal justice agencies to discuss cases and performance.

#### *Aspects for improvement*

- Follow up actions are not always completed in a timely manner, contributing to adjournments. There have been difficulties in ensuring that all files are available for the appropriate court hearings in co-located units. This is now being addressed.

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

- The Area works with the courts and the police to reduce cracked and ineffective trials. Although the Area ineffective trial rate of 25.1% is slightly worse than its target of 24.5% and the national average of 24.8%, those for which the prosecution is responsible - 5.9% - are lower than the 6.8% national average. The cracked trial rate is 38.2% which is again slightly worse than the national average, although only 11.9% are due to the prosecution, compared with 15.3% nationally. Team leaders analyse monitoring forms provided by the court to ensure they are accurate and prepare reports for Unit Heads as part of the Area quality assurance programme. The results of monitoring are also discussed in formal joint meetings, including the Local Delivery Group meetings. Team Leaders are responsible for taking action to improve performance, either by raising issues with individual lawyers or discussion with the police commanders, as appropriate.
- Each magistrates' court holds pre-trial reviews, although some hearings are not effective and cases are further adjourned. Those Witness Care Units already established work with witnesses from an early stage to reduce any risk of failure to give evidence. In general, the rate of ineffective trials has improved slightly at most courts. A new PTR system recently introduced at Newcastle may help in this respect.

*Aspects for improvement*

- While most courts are progressed satisfactorily, there is a need to improve the effectiveness of hearings and PTRs in Newcastle and Sunderland.

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

- CMS is increasingly used to record key events in cases, and line managers are being trained and encouraged to monitor outstanding tasks and chase them up where appropriate. CMS usage in terms of log-ins is higher than the national average (92.4% against 80.8%). Usage is monitored by the Local Implementation Team (LIT) which continues to operate with a reduced remit following full implementation. Usage reports for each team and unit form part of the monthly quality assurance report.
- The LIT provides each unit with a quarterly CMS Unit Data Performance Report which relates to file stocktake, performance user report, tasks, charging, data administration changes and general CMS issues. Unit comments on the report are included in the quality assurance report to the Area Board.

**3. MANAGING CROWN COURT CASES****3 - GOOD**

*There are effective systems in place to ensure prompt review and preparation of Crown Court cases. Briefs to counsel include clear analysis of the case issues and guidance on the acceptability of pleas where appropriate. Cases are promptly allocated to caseworkers who assume the role of case progression officer (CPO) for their individual caseloads, liaising with the Crown Court CPO as necessary. Cracked and ineffective trials are monitored and performance analysed at unit levels. More can be done to improve the cracked trial rate and the joint agency group established to look at cracked and ineffective trials has yet to make a significant impact. Whilst some pro-active work has been conducted to improve performance where appropriate, more can be done to improve results in respect of Persistent Young Offenders (PYOs) and in Proceeds of Crime (POCA) cases. CMS is used well for preparing and managing cases.*

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

- Area systems ensure that Crown Court cases are routinely reviewed and prepared promptly, with follow up work undertaken where necessary. As a result, cases are generally ready to proceed at each court hearing. The quality of casework is measured using the national casework quality assurance scheme but the Area's own system of quality assurance reporting monitors the quality of review and aspects of case preparation more widely and results are reported to the Area Board.
- Examination of five Crown Court trial files confirmed that instructions to counsel include a detailed analysis of the issues and instructions on acceptability of pleas where this is appropriate. The Area monitors timeliness to ensure that instructions are delivered to counsel promptly.
- Counsel who are trained in youth issues deal with youth cases in the Crown Court. Return briefs are managed to ensure that trained counsel deal with all youth cases as far as possible.
- The Area recognised the need to improve performance in respect of POCA, particularly in identifying appropriate cases, and the Area Champion, together with members of the Police Economic Crime Unit, have delivered training to lawyers and caseworkers to highlight their responsibilities under the Act. The Area achieved 27 confiscation orders but did not meet its target.

*Aspects for improvement*

- The Area has met its overall target for dealing with Persistent Young Offenders within 71 days from arrest to sentence. The average time for the purposes of this report is 69 days, although currently (September 2005), timeliness has improved. In the Crown Court, however, the average time for dealing with PYOs varies between 180-200 days. The Trial Unit (TU) youth co-ordinator monitors youth cases in the Crown Court and reports on them in the unit quality assurance report. However, the Area could do more in conjunction with other agencies to progress PYO cases more speedily in the Crown Court.

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

- There is some liaison with criminal justice partners, and regular case progression meetings, with performance improving as a result. Crown Court caseworkers are allocated to cases at an early stage and maintain file ownership throughout. They have the role of Case Progression Officer for each of their cases and liaise with the Crown Court CPO. Communications are assisted by the use of secure e-mail systems.
- The TU business manager analyses all ineffective trials that are the fault of the prosecution and reports on them in the unit quality assurance report. The business manager also samples cracked trials in which pleas to alternative offences were accepted and any concerns are referred to the individual lawyer via the team leader. There is also an inter-agency Cracked and Ineffective Trials Group, chaired by a judge, although meetings have been infrequent.

*Aspects for improvement*

- In spite of the efforts already made to improve the effectiveness of trials in the Crown Court, there is still more to be done. The cracked trial rate is 54.9% against a national rate of 39.2%. Although only 16.2% of those are due to the prosecution, this is still higher than the national average of 15.3%. The ineffective trial rate is 16.2% against a national rate of 16.8%. Less than half of those (7.7%) are due to the prosecution but this is higher than the national rate of 6.6%. The Area has some concerns about the accuracy of the data and analyses all cracked trials for lessons to learn.

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

- The positive approach to CMS usage adopted in respect of magistrates' court cases, applies equally in the Trials Unit. CMS is used for drafting 88.5% of Area indictments which is better than the national rate of 82.5%. CMS is a standing agenda item for TU management team meetings, which are attended by the area CMS co-ordinator.

## 4. ENSURING SUCCESSFUL OUTCOMES

3 - GOOD

*Considerable efforts are made in Northumbria to monitor cases that have been unsuccessful. The Area's results are positive and improving. They have achieved their target comfortably and their performance is better than the national average. There is evidence of feedback to individuals, but wider learning from experience can be improved. The criminal justice agencies in Northumbria faced a challenging target in respect of Offenders Brought To Justice (OBTJ) and were unable to achieve the required volumes, due in some measure to a significant reduction in recorded crime .*

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

- There is formal assessment of the quality of review and case handling, with appropriate action being taken when necessary. Area managers conduct a wide range of dip sampling activity and report on their findings as part of the quarterly performance management system. All unsuccessful outcomes in cases that have been subject to pre-charge advice are examined by team leaders, with feedback to individuals where appropriate.
- Adverse outcome reports are completed in appropriate cases and clearly set out the reasons for acquittal. Feedback is given to individuals on any issues of concern.
- There is good liaison with the police with regard to unsuccessful outcomes - particularly in cases that have been the subject of pre-charge decision-making.
- The discontinuance, bind over, discharged committal, and acquittal rates are better than the national average and improving - see table below. The discontinuance rate has improved significantly from 14.6% in 2003-04 to 10.7% in 2004-05, although there is still a need to improve the rate in pre-charge cases, particularly in the Crown Court, where it remains at 16.4%. A specific review of bindovers was conducted in 2004 that identified some opportunities for improvement.
- The percentage of pre-charge cases resulting in a conviction is better than the national average and is improving. In magistrates' courts cases 80.5% resulted in a conviction and in the Crown Court the figure was 80.3%. The national performance was 77.3% and 76.2% respectively.
- The Area has comfortably achieved its target in respect of overall unsuccessful outcomes. The rate of 15.6% is significantly better than the national average of 19.6% and the Area's performance in previous years.



OUTCOME	AREA FIGURE	NATIONAL AVERAGE
<b>Magistrates' courts</b>		
Discontinuance & bindovers	10.7%	12.5%
No case to answer	0.3%	0.3%
Dismissed after trial	1.9%	1.5%
Discharged committals	0.1%	0.3%
Overall conviction rate	84.6%	80.8%
<b>Crown Court</b>		
Judge ordered acquittals	13.8%	14.2%
Judge directed acquittals	1.1%	2.0%
Acquittals after trial	4.0%	6.3%
Overall conviction rate	80.4%	75.8%

*Aspects for improvement*

- Dissemination of findings of the case monitoring could be more systematic. While there is a process to inform individuals involved in specific cases of learning points, other staff and other units are unlikely to become aware of, and benefit from, the lessons learnt.
- The target for 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. In the year 2004-05 Northumbria's agencies fell approximately 7,000 cases short of their target and were in fact 6.3% worse than their baseline figure. A significant reduction in recorded crime in the Area was a major contributory factor in the final results. Performance in converting the number of recorded crimes into sanction detections has remained strong in Northumbria. Newly negotiated reduced targets are in place for 2005-06 and the outlook is more encouraging.

<b>5. HANDLING SENSITIVE CASES AND HATE CRIMES</b>	<b>3 - GOOD</b>
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*The Area has good systems for dealing with sensitive cases. Cases are flagged appropriately on the case management system (CMS) and on the file cover. Champions and specialists have been appointed for sensitive cases and each team has a co-ordinator for hate crime cases. Lawyers and caseworkers have received appropriate training in the law, procedures and ancillary matters. Training has also been provided to external agencies. CPS policies and HMCPSI thematic reviews are incorporated into Area procedures and protocols. Hate crime (racial, religious and homophobic) cases are analysed, especially those in which the charge is reduced or changed to remove the hate element. A newly appointed hate crime Area co-ordinator is reviewing systems to improve performance.*

**5A: The Area identifies and manages sensitive cases effectively**

- Sensitive cases are flagged up on CMS, and their review and handling is regularly and formally assessed, with appropriate action being taken where necessary. Prior to implementation of CMS, the Area used a “tick box” stamped on file covers to identify sensitive cases. This system has been retained as a double-check and easily visible indication of the sensitivity of the case. There are documented systems for handling domestic violence and hate crimes.
- The Area has recently introduced a revised casework referral system to ensure that the Chief Crown Prosecutor continues to be informed of sensitive cases and those likely to attract media attention. The reports are now available electronically via CMS and require confirmation that the case has been properly reviewed.
- The Area has appointed champions and specialists for sensitive cases, who disseminate information to prosecutors and caseworkers and provide guidance to other prosecutors. They personally handle or supervise cases where appropriate. Each team has a co-ordinator for hate crime and each unit has lawyers with expertise in youth, domestic violence, child abuse, and rape cases and anti-social behaviour orders. Sensitive cases are handled by prosecutors with the appropriate specialist skills and knowledge. Area co-ordinators or champions are responsible for disseminating legal and policy updates in their specialisms and for updating any relevant action plans.
- Lawyers and caseworkers have received relevant training on sensitive cases and ancillary issues such as special measures and the Area fatal road traffic case protocol. In addition the Area has provided training or given presentations to other agencies such as local chambers, Witness Service, REACH (rape counselling) doctors and defence solicitors on matters including special measures, the Sexual Offences Act, ASBOs and hate crime.

- The Area takes CPS policies and HMCPSI thematic reviews into account when devising Area practice. The Area Rape Action Plan deals with issues from the thematic review of rape cases and is regularly updated. A recent national review of progress of CPS Rape Action Plans identified good practice in Northumbria.
- The Area has local protocols for handling road traffic cases which involve a fatality and for dealing with third party disclosure in child abuse cases.
- The Area systematically undertakes an analysis of hate crime cases in which a reduction or change of charge, or an agreed basis for plea, reduces or removes the 'hate element' from the offence. There is sound evidence that action is taken as a result.

*Aspect for improvement*

- Area procedures for handling and monitoring race and religious hate crime cases in reducing attrition have not been as successful as procedures in other sensitive cases. The Area has recently appointed a new Area co-ordinator with responsibility for all hate crime cases, including homophobic crimes. The co-ordinator will review the systems for handling hate crimes in order to improve performance.

**6. CUSTODY TIME LIMITS****3 - GOOD**

*Custody time limits (CTLs) are afforded appropriate importance and are generally handled well in Northumbria, and as such there were no CTL failures in 2004-05. An internal review identified the need to tidy up the written system, and work is underway to bring the documents up to date. There are regular quality assurance checks of CTLs and the findings are included in the quarterly performance reports. The case management system (CMS) is used effectively to support the monitoring of CTLs. There is no formal protocol with the courts on the agreement of time limits and practices in the Area are inconsistent.*

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

- The Area has a written CTL system, which complies for the most part with national guidance. While the Area believes that practices are fundamentally the same, each unit has its own different documented desk instructions. The Area has had no CTL failures in the last financial year.
- There is evidence that the system was reviewed in 2003 and a summary of necessary amendments was documented. There were delays in updating the documents, although this had little impact as the changes were not critical.
- The majority of staff have been trained in both the local system and the relevant law. Formal training was conducted in 2004 and refresher training is planned in 2005. There was no CTL champion for much of 2004-05, but the Special Casework Lawyer keeps staff informed of significant changes to law.
- Senior managers require regular assurances that the CTL system is effective. Regular dip sampling takes place with evidence of thorough checks being undertaken, and the results are included in team and unit quarterly reports. CMS is used effectively to support the monitoring and management of time limits. CTL task lists on CMS are managed in an efficient and timely manner.
- Five cases subject to a CTL were examined and the reality check indicates generally sound practice. The review and expiry dates were correctly calculated in all cases and logged in the manual diary.

*Aspects for improvement*

- No local agreements have been reached with the courts regarding the agreement of expiry dates in court or the courts' involvement in monitoring expiry dates. Though the Area system clearly states that lawyers must seek a firm date for the CTL expiry date and ensure its announcement in court, in practice there was an inconsistent approach to this.
- The CTL applications for an extension did not include a chronology to show that the prosecution has acted with all due diligence and expedition. We found one magistrates' court file where the extended expiry date was not noted on the file jacket and remand hearing endorsements did not always clearly show the custody or bail status of the defendant.

**7. DISCLOSURE****3 - GOOD**

*The Area generally deals well with disclosure. Overall performance measured during the last cycle of Area inspections was well above average. Concerns about some aspects of disclosure highlighted by the inspection report have been addressed though there is still some work to be done in respect of the order of disclosure documents and procedures for continuing disclosure. The Area disclosure champion provides training and advice to lawyers and caseworkers. All have been trained on the provisions in the Criminal Justice Act (CJA) 2003 and assistance has been provided to the police in respect of training on completion of disclosure schedules.*

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

- Performance at the time of the last inspection was generally better than the national average. The Area complied with its duty of disclosure in 83% of the cases in the file sample which is good, comparing favourably with the national average of 70.3%. The report did, however, raise some issues in respect of disclosure that required improvement. They related principally to the handling of sensitive material in the magistrates' court, proper handling of secondary disclosure and recording of actions and file housekeeping. Although the CJA 2003 has removed the need for formal secondary disclosure as such, there remains a continuing duty to review and disclose and the provision of a defence statement is still a trigger to reconsider unused material. There are still some concerns about this issue although efforts are being made with the police to resolve it. Training as well as continuing liaison with the police has addressed the remaining two issues and improvements have been noted.
- Five magistrates' court and five Crown Court trial files were examined on-site. Initial disclosure was properly handled in each case. Sensitive material was dealt with properly in the two cases in which it was relevant.
- A separate folder within the file is maintained for disclosure documents including correspondence. All sensitive material schedules and any sensitive unused material are usually stored securely.

- The Area has appointed a disclosure champion who undertakes some work in disseminating information to prosecutors and caseworkers and providing guidance and mentoring. The disclosure champion has assisted the police with the format of their in-house disclosure training. In addition, team leaders have helped the police training department on the proper completion of disclosure schedules. Issues of concern are raised at JPM meetings.
- All prosecutors and caseworkers have received training on the disclosure provisions of the CJA 2003 and the CPS/ACPO Disclosure Manual. Preparations are under way to deliver Advanced Disclosure training once the national training course has been delivered.
- Prosecutors' performance in relation to disclosure is regularly and formally assessed, with appropriate action being taken where necessary. Team leaders monitor performance using the national casework quality assurance system which is supplemented by informal monitoring carried out as part of their routine casework responsibilities. Lawyers and caseworkers have specific performance objectives in their forward job plans to ensure that disclosure is properly handled and recorded.

#### *Aspects for improvement*

- Our file sample indicated some inconsistent practices. 'Secondary' disclosure was relevant in four cases and we could find evidence of its having occurred in only one. In one of those cases, which had not yet gone to trial, a copy of the defence statement had been forwarded to the police but no response had been received, despite a reminder. Disclosure record sheets were generally completed although some actions had been omitted from some of them. In one case, disclosure documents were scattered throughout the file and it was difficult to confirm that all actions had been completed satisfactorily.

**8. THE SERVICE TO VICTIMS AND WITNESSES****3 - GOOD**

*The service to victims and witnesses is generally good. There were some problems with complying with the direct communications with victims (DCV) procedures in 2004-05 and these have been addressed recently. The process for warning witnesses to give evidence at court is generally effective and there is good liaison with Victim Support and Witness Service. Some issues need to be addressed for the No Witness, No Justice (NWNJ) project to achieve the expected milestones.*

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

- DCV is generally embedded throughout the Area with effective monitoring and dissemination of lessons learnt. The Victim Information Bureau (VIB) is a centralised unit that deals with the preparation and dispatch of DCV letters. The Area has an effective system to capture cases with an identifiable victim, but has experienced problems identifying cases where charges had been altered at court. To overcome this, lawyers and caseworkers are continuously reminded of their responsibilities in this aspect and administrative staff were provided with refresher training in identifying those cases when files come back from court. In addition, the witness care units (WCU) sift files returning from court to identify cases that require DCV letters to be sent. The Area has comfortably exceeded its target of sending 200 letters per month. The standard of DCV letters is generally good and meetings are offered to victims in appropriate circumstances.
- All lawyers have been trained on 'speaking up for justice' (SUFJ) and special measures procedures (for example screens in court to assist witnesses in giving evidence). These are also dealt with in an inter-agency protocol on vulnerable witnesses.
- Witness warning procedures are carried out by the WCU's or police administrative staff in the criminal justice units and are generally effective. The timely and accurate warning of witnesses is monitored by the WCU manager and non-compliance with the supply of witness availability is addressed with appropriate criminal justice department personnel. Pre-trial checks are usually carried out and there is timely supply of witness details to the Witness Service.



- The Area ensures that all prosecution advocates and CPS staff at court undertake their responsibilities in respect of victims and witnesses. This is done routinely and managers are confident that there is strong compliance.
- The WCU at the trials unit includes a member of the Witness Service. The head of the Criminal Justice Unit South is a member of the Local Criminal Justice Board (LCJB) victims and witnesses group, as well as a Board member of Victim Support. This enables liaison with the Witness Service and Victim Support to occur on a regular basis. The Area has also assisted in the provision of training to the Witness Service and Victim Support volunteers.
- The Area is making efforts to secure a reduction in the number of cases where cracked and ineffective trials occur as a result of witness issues. The Area, however, recognised that, with the help of the WCU's, more could be done at the trial stage.
- Planning for the NWNJ project was carried out by a multi-agency local implementation team (LIT), including a representative from defence solicitors. Witness units are in place at three sites and are delivering some benefits. Some delays have occurred in the roll out of further units due to logistical problems over accommodation in police premises.

*Aspects for improvement*

- The timeliness of DCV letters was an issue in 2004-05. The percentage of letters sent within the five day target was approximately 60% in the magistrates' courts units and a little better in the Crown Court. This was mainly attributed to the location of the VIB staff and the time taken to transfer files from co-located sites. Changes have been made and the VIB staff are now all based in the Newcastle office. Managers have seen improvements in timeliness in recent months.
- The NWNJ assurance review highlighted actions that needed to be addressed. Cases were accepted by duty prosecutors at charging centres when some of the required data had not been collected by the police. Full needs assessments were not being carried out for all victims and witnesses (as was required at that time) following a not guilty plea indication by the defendant. The NWNJ minimum requirement now relates only to those witnesses required to attend court. The review also found that early consideration of witness needs were not being carried out and therefore cases requiring special measures, were not being identified early enough. The victims and witnesses local implementation team is currently working on an action plan to address these issues.

**9. PRESENTING AND PROGRESSING CASES AT COURT 3 - GOOD**

*The Area is working with other agencies to ensure that cases progress quickly and are prosecuted by appropriately trained and experienced advocates. Area staff liaise with the courts' case progression officers (CPOs) on individual cases and generally systems are in place to ensure that advocates receive their case papers promptly allowing sufficient time to prepare. The selection of prosecution advocates takes account of their experience with suitably trained prosecutors covering specialist courts. Specialist lawyers have also been appointed to deal with suitable cases on their team. Newly appointed agents undergo induction and receive guidance packs. Advocates are also required to attend court in sufficient time to liaise with other court users and speak with witnesses. All advocates are monitored and appropriate action is taken to deal with any aspects of concern.*

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

- The Area actively participates in the initiative to improve case progression at court. Magistrates' courts data on timeliness and outcome of finalised cases is shared with the Area and is used to improve performance on case progression. Magistrates' courts cracked and ineffective trials are analysed and discussed bilaterally with the police. Joint agency monitoring of Crown Court cracked and ineffective trials has been less effective.
- In the criminal justice units, team business managers are responsible for liaising with the courts' CPOs in individual cases. CPS Crown Court caseworkers are responsible for case progression in their own cases. Lawyers and caseworkers use CMS to monitor case progress.
- Papers are provided to in-house prosecutors and agents in the magistrates' courts promptly, although there are continuing problems in co-located units with missing files in magistrates' courts lists. This being addressed by Team Leaders and police Administrative Support Unit managers. Court and charging rotas are prepared to allow lawyers sufficient time for court preparation.
- The Area recognises that the smooth operation of the courts may occasionally require some transfer of business. This can cause problems for prosecutors who have to prepare cases at short notice, and therefore local informal arrangements have restricted transfer of trials without the consent of the prosecutor. The Area is now negotiating a protocol with Newcastle Magistrates' Court to put arrangements on a more formal footing.

- Instructions to counsel are delivered promptly and the Area has successfully met the target in 90.3% of cases against a national picture of 85%. The quality of briefs is generally good.
- Selection of prosecution advocates for all courts takes full account of their experience and special expertise. Suitably trained prosecutors cover specialist courts. Specialist lawyers have been appointed in each team to deal with cases in their specialism wherever possible. In Crown Court cases, return briefs are monitored by a senior caseworker to ensure that cases are prosecuted by counsel of the right experience and expertise. This information is also used to ensure that cases are allocated to counsel fairly.
- In the magistrates' courts, advocates are expected to attend court half an hour before the start to meet with any witnesses and discuss case issues with the defence and the court staff. Team Leaders monitor this aspect when they attend court.
- Complaints about the conduct or performance of prosecutors in court are rare but are thoroughly investigated by line managers with appropriate action taken where necessary. Any adverse feedback about agents in the magistrates' court is dealt with by unit heads.
- Advocacy monitoring of all in-house prosecutors, including DCWs is undertaken by team leaders at least once a year, with feedback being given at the time and objectives set and performance further monitored if necessary. Team leaders also monitor all new lawyers.
- Agents in the magistrates' court are monitored and feedback is given on any poor performance. This procedure has recently led to the removal of one agent from the Area's list. In 2003 a more formal monitoring exercise was carried out on all agents by an Area lawyer who was also a national advocacy trainer. A report was prepared for the Area Board.
- New agents are given an Agency Information Pack which contains details of relevant policies and guidance and are required to spend half a day training at the CPS office. Counsel are informed of new initiatives and policy directives at the Head of Chambers meetings.

#### *Aspects for improvement*

- There is no formal procedure for monitoring counsel, although the presence of caseworkers and, more recently, Higher Court Advocates, at court allows the performance of counsel to be assessed informally.

**10. DELIVERING CHANGE**
**3 - GOOD**

*The Area has made considerable improvement in its capacity to plan and implement change. Work on local, national and inter-agency projects is now managed and co-ordinated better following the appointment of a dedicated Business Change Manager. Joint working with criminal justice partners has been generally effective with the police, although less so with the magistrates' courts. The alignment of personal objectives to business goals can be strengthened. Change is reviewed well in Northumbria and improvements have been made as a result in some projects. Risk management continues to improve. Training is generally well managed, albeit evaluation could be more structured.*

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

- The Area has a clear sense of what it wants to achieve. The Performance Improvement Group met and identified the top 10 Area priorities, and focus groups of a cross section of staff were subsequently involved in identifying additional local key aspects of work. The Chief Crown Prosecutor (CCP) and the Area Business Manager (ABM) visited the units/teams to discuss the national and Area plans and objectives.
- To support the delivery of objectives a number of pertinent plans are in place. The Area Business Plan (ABP) indicates lead accountability at Area board level, and for 2005-06 they have also allocated responsibility for specific objectives at team leader level. Milestones and desired outcomes are integral to the plans. Plans and performance reports are closely aligned to CPS and government targets. For some of the earlier major initiatives better identification of measures of success would have assisted in reviewing progress - there has been some improvement in later documents. The Area consistently reviews progress of plans and initiatives.
- Area managers are now looking to make personal objectives for staff more meaningful and guidance on this was issued via the Performance Improvement Group.
- A substantial amount of joint planning activity has taken place, particularly with the police in implementing pre-charge decision-making and co-location. There was some improvement in the effectiveness of the planning during 2004-05. There are six local delivery groups as part of the LCJB structure and team leaders represent the CPS in these fora.

*Aspects for improvement*

- The links between Area objectives and those identified in individuals' forward job plans are variable. There are no unit or team plans to assist in this respect.
- Joint planning with the magistrates' courts to agree mutually acceptable listing arrangements made limited progress in 2004-05. There are indications of some improvements in the current year.

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

- There is evidence that some change has been successfully implemented and that success or failure has been reviewed. The relocation to St Ann's Quay and the implementation of statutory charging are examples. Other national initiatives such as co-location, No Witness, No Justice (NWNJ), and the Effective Trial Management Programme (ETMP) are all partially implemented, with plans in place for roll-out later in 2005-06.
- Following a pilot conducted in conjunction with the Centre of Excellence in CPS Headquarters, the Area appointed a Business Change Manager to oversee the change programme in Northumbria. He co-ordinates with other designated project leads on the various initiatives, and issues updates to the Area Management Board (AMB) at each of its meetings. There is clear accountability for managing change at the strategic level. At an operational level the overall process is generally good, but there is scope for clearer systems of identifying and implementing remedial actions.
- Managing risk is taken seriously and most of the significant change initiatives have their own risk registers in addition to those risks identified in the Area Business Plan. A review of risks has been evidenced for some initiatives.
- There was some early concern at AMB that there was duplication of effort and documents with the number of ongoing initiatives. Linkage between projects is improving and is most evident in the co-location and NWNJ initiatives, where there are a number of inter-dependencies. Some consolidation of training was achieved for the NWNJ and ETMP projects.
- Reviews are undertaken in the form of both formal evaluation and regular updates on progress. Changes have been made as a result of reviews, the most obvious examples being the decision to disband the co-location of the police staff in the Trial Unit, and alterations in coverage at some police charging centres. In some multi-agency initiatives the implementation of remedial actions can take longer than desired - for example police

awareness of NWNJ processes. The Area local implementation team is constantly reviewing the usage of the case management system (CMS), resulting in more effective utilisation of the technology.

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

- Training has been delivered systematically, and is, for the most part, linked to the ABP and other plans. There is a group consisting of staff from different grades and units who meet regularly to discuss training needs. There is good liaison with the regional Learning and Development Officer (LDO) that results in a quarterly training programme for all CPS offices in the family group. On a local level there has been some good work in providing CMS training on an ongoing basis, particularly when there is a new release of the system.
- There is training available to staff at all levels, although in the recent past the main focus has been on legal training to cope with new legislation. There has been a programme of human resource workshops that cover a wide range of personnel issues for both managers and staff. A development programme for team business managers and team leaders is underway and will cover important topics including finance and performance management. Diversity training was provided for all staff in 2003 and is now included as part of the induction for new joiners.
- The unit business managers are the focal point for training, and they work to ensure that the programme balances the needs of the Area with those of individuals. Staff can approach line managers for training that is not included in the quarterly programme.
- Mandatory legal training has been the priority for the Area in recent times and a large proportion of staff have undertaken Sexual Offences Act, Bad Character, Anti-Social Behaviour and Criminal Justice Act training in the past six months.

*Aspects for improvement*

- There is limited activity in place to assess the effectiveness/value for money of training provided, although the Area uses its own facilities for training in order to cut down costs. Whilst most courses set objectives at the beginning this is likely to give, at best, a very high level overview. No data was available on the evaluation of training, although evaluation is undertaken by means of the Area's own quality assurance system and by considering overall outcomes related to the particular topic.

**11. MANAGING RESOURCES**

**2 - FAIR**

*Area managers seek to identify and implement economies to deliver better value for money. Staffing levels are kept under regular review and adjustments have been made to take account of the findings of reviews. The Area makes significant efforts to manage its budget and has worked to make unit managers more accountable for expenditure. As a result of the devolution to managers with variable financial management experience, the budget position was not fully understood, and a bigger than anticipated under spend occurred in 2004-05. Payment of counsel fees under the graduated fees scheme is well controlled. Area managers are looking to deploy Designated Caseworkers (DCWs) into more courts, although negotiation needs to be completed to agree listing patterns that enable the increase. Higher Court Advocates (HCAs) were not utilised in 2004-05.*

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

- There is clear evidence that the Area has taken steps to achieve value-for-money in controlling its general administration costs. Work was also undertaken in reviewing the deployment of staff with a view to obtaining better value without affecting casework outcomes. This has resulted in achieving savings that have been translated into additional lawyer recruitment. The non-use of HCAs in 2004-05 represents poor value for money - see section 11B. Area managers have been pro-active in trying to prepare for anticipated changes to their allocation of future funding.
- Budgets were devolved to units, with business managers and unit heads taking responsibility for compliance. This has been positive in terms of accountability and development, although it did have a negative impact on the final Area outturn in 2004-05. Plans are in place in 2005-06 to provide additional training on financial management as part of a programme of development for business managers.
- Payments to counsel under the graduated fees scheme are well managed and timeliness is consistently better than the national average.
- Additional funding is appropriately controlled with some monies being ring-fenced for particular projects.

*Aspects for improvement*

- Despite a falling Crown Court caseload, prosecution costs were 14% over budget. The Area had projected the likelihood of the overspend and informed CPS Headquarters at mid-year review. Effective use of HCAs could have reduced the overspend.

- In 2003-04 the Area had a slight overspend of approximately £17,000 which was a satisfactory performance. However, in 2004-05 the Area under spent by almost £200,000 (2.1%), as the transition to devolved budgets contributed to some miscalculations, resulting in Area managers not being fully aware of the accurate budget position.

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

- Regular reviews of resources have been conducted with two major exercises undertaken in June 2004 and February 2005. The transfer of two staff from the North Criminal Justice Unit (CJU) to the southern team, and the appointment of two additional B1 managers (at co-located sites), are examples of changes made as a result of these discussions.
- Managers were more pro-active in managing absence in 2004-05. Average sick absence has been high in previous years (12.3 days in 2003), but reduced to an average of 8.3 days per person per year in 2004. This is slightly better than the national average of 8.7 days.
- Area managers are supportive of flexible working practices, whilst conscious of the need to maintain staffing levels in line with the business need. Support has been given in a variety of ways, including study leave, compressed hours and term time working.
- There are clear expectations as to the level of court coverage for lawyers. The Area has demonstrated responsible agent usage and managers aim to keep most of the trials in the magistrates' courts in house. In 2004-05 CPS prosecutors covered 94.4% of magistrates' courts sessions themselves - this was the second highest among the 42 Areas.
- The Area has seven DCWs, who between them covered a total of 1275 half day sessions in 2004-05 - this equates to 9.2% of the total. Whilst this compares favourably to the national average in terms of percentage, it represents a relatively low level of sessions per person. The Area intends to recruit two more DCWs in 2005-06 and will need to ensure that negotiations with magistrates' courts representatives deliver listing patterns that enable improved deployment opportunities.

#### *Aspects for improvement*

- Northumbria has 11 HCAs. The Area made a decision to withdraw completely from HCA coverage in 2004-05 in order to concentrate its efforts on statutory charging, and therefore they recorded no sessions at all during the year. They have changed their approach in 2005-06 and have set a target of 500 sessions for the year. The Area plan for reintegrating HCAs back into the Crown Court has been successful with a considerable number of sessions being covered, although targeting could be improved to deliver better counsel fee savings. There is considerable doubt as to the accuracy of data with regard to HCA utilisation in the first quarter of 2005-06.



**12. MANAGING PERFORMANCE TO IMPROVE**

**3 - GOOD**

*In 2004-05, Northumbria achieved upper quartile performance for most internal CPS key measures. The Area demonstrated a strong commitment to performance management and a variety of methods, including the casework quality assurance (CQA) system, are used to monitor performance. A significant amount of data is collected, although there is a need to streamline the collation of performance information and improve its presentation and dissemination. Performance management is generally embedded in the culture with most of the focus at team level. Joint working with other criminal justice partners is evident, especially with the police, although this has not yet always translated into the attainment of targets. Whilst improving, the reporting capabilities of the case management system (CMS) and the associated management information system (MIS) have yet to be fully developed.*

**12A: Managers are held accountable for performance**

- The main focus for performance discussion are the unit management meetings and team meetings, albeit there was little consistency as to what is discussed. Performance is considered at the Area Management Board (AMB), although from the evidence provided, it was not always clear as to the depth of discussion.
- Each team produced detailed and comprehensive quarterly performance reports that covered a wide range of issues including those covered by the national quality review system. Performance was usually discussed at team and unit meetings, albeit the level of discussion varied. There was less focus and clarity in terms of identifying remedial actions to improve performance.
- There was clear responsibility at team and unit level for operational effectiveness, quality assurance and continuous improvement. Managers are accountable for the quality of output from their teams, and they provide feedback to individuals where performance needs to be improved. There was less clarity over the role of the Performance Improvement Group which consisted of senior and middle management. The terms of reference appeared to be more suited to the AMB, all of whom are members. The group could be more effective by focussing its remit on improvement activity. The Area could do more generally to offer staff at all levels a wider involvement in contributing to performance improvement.
- Systems and processes have been reviewed and there is evidence of change as a result of findings.

- There was feedback to staff on qualitative issues as and when they were identified as part of CQA and other targeted monitoring exercises. This was also linked to individual development needs as part of the staff performance appraisal process.
- Staff have had some involvement in improvement activity, through formal and ad-hoc processes. A broad spectrum of staff were involved in focus groups geared towards the development of the 2005-06 Area business plan.

*Aspects for improvement*

- Performance data was not consolidated at Area level for the third and fourth quarters of 2004-05. There was limited evidence of team performance being analysed on a comparative basis.

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

- Northumbria works closely with the police at command level, and there was evidence that performance information was shared by both organisations, particularly in respect of pre-charge decisions.
- Area managers participate in all Local Criminal Justice Board (LCJB) sub-groups, all of which have aspects of performance measurement and improvement as part of their remit. The main focus of the LCJB during 2004-05 was on tackling targets for 2005-06.
- There is a high-level joint improvement strategy with the police on improving pre-charge decision operations. This is augmented at operational level with good liaison between prosecution teams and the police at command level.
- The Area participated in inter agency activity aimed at achieving the government headline targets. However, as demonstrated elsewhere in this report, results have been mixed and performance is worse than the national average in three of the key targets - these have been raised in the appropriate sections. There is a need to translate improvement activity into better results.

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

- The Area has a MIS co-ordinator and a CMS champion. In addition, each unit has a MIS licence holder with responsibility for interrogation and presentation of performance information.

- Quality checks have identified input errors and other inaccuracies, and action was taken to remedy these errors - for example, the over-recording of No Case to Answer outcomes. MIS reports are used to assist in the validation of performance information.
- Cracked and ineffective trial (CIT) data is obtained from the courts and is broken down to identify unit performance.
- Northumbria generally benchmarks its performance against Lancashire and Merseyside. It has done some joint work with both on existing budgetary arrangements, the impact of operating the statutory pre-charge decision-making scheme and the reduction in caseloads.

*Aspects for improvement*

- While the basic starting point (quarterly team report) is the same, the style, content and quality of performance information circulated to staff differs between teams and units. A variety of methods are used for dissemination, including use of noticeboards, newsletters and team meetings. There is no clear communication strategy that governs the routine analysis, collation and presentation of performance information.
- There is limited evidence to demonstrate that MIS was used effectively in 2004-05 to assist in the management of performance. There has been some development in 2005-06.

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

- Northumbria was a pilot area for the CQA system during 2003-04. Since then, it has incorporated CQA into its existing monitoring systems, using it to provide assurance of casework quality across the board. CQA activity is now focussed on specific themes to be examined on a monthly basis. The performance reporting regime routinely includes results of CQA analysis for the various teams.
- There is evidence of feedback to individual staff on issues as and when identified by CQA. There is, however, little evidence that findings from CQA are collated and analysed in a manner that permits wider discussion of key issues for the Area at AMB level, although the raw data is available in the individual team/unit reports.

**13. LEADERSHIP**
**2 - FAIR**

*There is a clear sense of direction in the Area, and this has been communicated to staff. Managers and staff are showing increasing signs of a corporate approach, albeit there is still more to do. Communication has improved but would still benefit from a more structured approach to the management of team and unit meetings. There is a significant amount of constructive work with criminal justice partners. The Chief Crown Prosecutor (CCP) is now the chair of the Local Criminal Justice Board (LCJB). The CPS are represented on all the Board's sub groups and local delivery groups, although they do not lead/chair any of them. The approach to equality and diversity should be more structured.*

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

- The Area has adopted the national vision and values and the key points have been disseminated to staff by senior managers. Most of the focus is on objectives and strategic direction with less overt emphasis on behaviour or values.
- The Area Management Board (AMB) meets regularly and minutes of the discussions are available to all staff. Managers understand their responsibility for implementing management decisions. The business plan identifies lead accountability to senior managers to ensure delivery against specific objectives.
- In the early stages of 2004-05 there were some inter-unit tensions and a lack of cohesiveness in the Area. Remedial actions were taken and there are now indicators of improving levels of corporacy in the governance of the Area. Decisions have been made that are for the best interests of the Area as a whole, as opposed to suiting a particular unit- for example, the redistribution of staff. Some issues are disseminated through staff magazines or the Performance Improvement Group newsletters to ensure a consistent message.
- Following negative feedback in the staff survey of 2004, attempts have been made to improve management visibility. The Chief Crown Prosecutor and Area Business Manager visit all units regularly, attending team meetings, unit manager meetings and informally addressing staff.
- In the 2004 staff survey the Area result (38%) in respect of communication was 5% worse than the national average. There has been an increase in the frequency of team meetings and team communications. Other methods of improving communication have been tried including innovative use of a log-in message function on computer terminals. The Area has a regular newsletter that includes a good mix of business and social issues.

- There is a significant amount of inter-agency work and, for the most part, relationships are positive and constructive, particularly with the police. There is generally a good level of co-operation in implementing joint initiatives such as No Witness, No Justice.
- The CCP has recently become the chair of the LCJB. CPS managers believe they are a driving force for change in Northumbria and they are clearly involved in many groups and meetings to discuss and progress initiatives. CPS staff do not chair any of the sub groups or any of the six Local Delivery Groups of the LCJB, although their involvement and commitment is clearly demonstrated.

*Aspects for improvement*

- Some staff and managers are still occasionally overly team or unit focused, and some processes could be made more consistent across the Area.
- A more structured approach to team meetings would be beneficial. A small number of standing items should help to achieve greater consistency in the dissemination of key messages and reinforce the corporate perspective. Processes that ensure actions are identified and implemented are inconsistent and need improving in some teams.

**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**

- Senior managers are involved in outward looking activities both with criminal justice partners and with community groups.
- There is a willingness to learn through review, albeit as mentioned previously there is some scope to improve dissemination of learning points to a wider audience. Managers are making increased efforts to recognise the performance of individuals and groups alike. This is tackled on either an individual or public acknowledgement basis dependent on circumstances.
- The Area has fully investigated the small number of complaints with regard to treatment by colleagues or managers. Whilst regrettable that people have felt the need to complain, it is encouraging that they have felt confident enough to raise issues of concern. In a similar vein, issues of inappropriate behaviour, such as mis-use of the internet, have been tackled. In the 2004 staff survey the Area results in respect of promoting dignity at work were the same as the national average.

- The Area's commitment to mainstream equality and diversity policies is evidenced in a number of ways, albeit there is limited evidence in Area plans. Most efforts revolve around casework, particularly in reference to cases involving any form of hate crime. The building at St Ann's Quay has been equipped with some facilities for those with special needs. Some aspects of community engagement offer opportunities to promote diversity issues. The staff profile reflects the community served by the CPS.

*Aspects for improvement*

- The Area approach to equality and diversity could be more structured. Greater clarity is needed of the role of the local equality and diversity champion. There was little evidence in the forward job plans seen of any equality and diversity based objectives.

**14. SECURING COMMUNITY CONFIDENCE**

**2 - FAIR**

*The commitment of CPS Northumbria's staff in engaging with a wide range of community groups is apparent. Public confidence in the effectiveness of the local criminal justice agencies in bringing offenders to justice for the year ending December 2004 was below the previous year's baseline and the Area needs to do more work in developing service improvements from consultation activities.*

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

- The commitment of managers is clear and evidence exists of wider engagement activity with the community. Senior managers have given presentations to a wide range of community groups, including the local university and minority ethnic communities on the role of the CPS. Talks and interviews were also given on the local radio, television and newspaper. CPS staff at all grades attended community events including Melas, court open days, Inside Justice Week and Chinese Festivals. Community liaison meetings with local black minority ethnic (BME) groups were suspended following the dissolution of the North East Council for Diversity and Racial Equality. The Area is now looking at how they can resolve this.
- Community engagement did not feature strongly in the business plan for 2004-05 but has an increased emphasis in 2005-06. The Area and the Local Criminal Justice Board (LCJB) have produced an initial paper on race issues which is now being worked into a formal plan. Team leaders and Team Business Managers are being encouraged to take an active role in local community engagement and the LCJB is developing a joint work experience programme planned for October 2005, which will focus on schools with a significant BME catchment area.
- The Area and the local delivery groups of the LCJB work with the local Crime Disorder Reduction Partnerships (CDRP's) on issues that directly affect the public such as anti-social behaviour (ASBO). The ASBO specialist lawyer worked with local authorities and the police to encourage the use of ASBO's in Northumbria, including giving a presentation for the development of a protocol and mechanism for consultation with the CDRP's.

*Aspects for improvement*

- The Area has some data on demographics that will be used by the LCJB sub-group in drawing up its future plans. The group will also be identifying those groups most at risk of exclusion. There was limited activity in this respect in 2004-05.

- There is little evidence that service improvements have been made as a direct result of consultation.
- The public confidence rate in the effectiveness of the criminal justice agencies to bring offenders to justice as measured by the British Crime Survey was 390% for the year ending March 2005 against a baseline of 41%. The LCJB is considering commissioning some research into finding supplementary methods of measuring public confidence.



**ANNEX A**

**PERFORMANCE DATA**

**ASPECT 1: PRE-CHARGE DECISION-MAKING**

<b>MAGISTRATES' COURTS CASES</b>								
<b>Discontinuance rate</b>			<b>Guilty plea rate</b>			<b>Attrition rate</b>		
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%	13.4%	52%	68.8%	74.2%	31%	22.7%	19.5%
<b>CROWN COURT CASES</b>								
<b>Discontinuance rate</b>			<b>Guilty plea rate</b>			<b>Attrition rate</b>		
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%	16.4%	68%	66%	74.6%	23%	23.8%	19.7%

**ASPECT 2: MANAGING MAGISTRATES' COURTS CASES**

<b>INEFFECTIVE TRIAL RATE</b>			<b>OVERALL PERSISTENT YOUNG OFFENDERS PERFORMANCE (ARREST TO SENTENCE)</b>		
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%	25.1%	71 days	67 days	69 days

<b>TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN MAGISTRATES' COURTS CHARGED CASES ONLY (MARCH 2005)</b>						
	<b>Initial Guilty Plea Target 59 days</b>		<b>Trials Target 143 days</b>		<b>Committals Target 176 days</b>	
	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	72%	248	68%	105	88%	34

<b>TIME INTERVALS/TARGETS FOR CRIMINAL PROCEEDINGS IN YOUTH COURTS CHARGED AND SUMMONSED CASES (MARCH 2005)</b>						
	<b>Initial Guilty Plea Target 59 days</b>		<b>Trials Target 176 days</b>		<b>Committals Target 101 days</b>	
	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	85%	293	85%	117	-	-

**ASPECT 3: MANAGING CROWN COURT CASES**

<b>INEFFECTIVE TRIAL RATE</b>		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	16.2%

### 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%	15.6

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+11%	-6.3%
Number	44,983	37,990

### 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%	89.6%
Primary test in Crown Court	79.9%	88.5%
Secondary test in Crown Court	59.4%	70.8%
Overall average	70.3%	83.0%

**ASPECT 11: MANAGING RESOURCES**

<b>NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)</b>	
2003-04	2004-05
100.2%	97.9%

<b>DCWGG DEPLOYMENT (AS % OF MAGISTRATES' COURTS SESSIONS)</b>			<b>HCA SAVINGS (PER SESSION)</b>		<b>SICKNESS ABSENCE (PER EMPLOYEE PER YEAR)</b>		
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%	9.2%	£224	-	8 days	8.7 days	8.3 days

**ASPECT 14: SECURING COMMUNITY CONFIDENCE**

<b>PUBLIC CONFIDENCE IN EFFECTIVENESS OF CRIMINAL JUSTICE AGENCIES IN BRINGING OFFENDERS TO JUSTICE (BRITISH CRIME SURVEY)</b>	
CJS Area Baseline 2002-03	Most Recent CJS Area Figures In 2004-05
41%	39%

NOTES



LONDON OFFICE

26/28 Old Queen Street, London, SW1P 9HP

Tel: (020) 7210 1197, Fax: (020) 7210 1195

YORK OFFICE

United House, Piccadilly, York, North Yorkshire, YO1 9PQ

Tel: 01904 54 5490, Fax: 01904 54 5492

[www.hmcpso.gov.uk](http://www.hmcpso.gov.uk)

If you would like a copy of this report in large type, braille, or in another language, please contact us at:  
Email: [Office@hmcpso.gov.uk](mailto:Office@hmcpso.gov.uk)