

CPS Suffolk

---

# Overall Performance Assessment

Undertaken November 2005

March 2006

Promoting Improvement in Criminal Justice

## CONTENTS

	<b>PAGE</b>
A. INTRODUCTION TO THE OVERALL PERFORMANCE ASSESSMENT PROCESS	2
B. AREA DESCRIPTION AND CASELOAD	3
C. SUMMARY OF JUDGMENTS	4
D. DEFINING ASPECTS	8
1. Pre-charge decision-making	8
2. Managing magistrates' courts cases	11
3. Managing Crown Court Cases	14
4. Ensuring successful outcomes	17
5. Handling sensitive cases and hate crimes	19
6. Custody time limits	21
7. Disclosure	22
8. The service to victims and witnesses	24
9. Presenting and progressing cases at court	26
10. Delivering change	28
11. Managing resources	30
12. Managing performance to improve	32
13. Leadership	35
14. Securing community confidence	37
ANNEX A - PERFORMANCE DATA	39

## **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 Suffolk 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 7 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 Suffolk serves the area covered by the Suffolk Constabulary. It has three offices, at Ipswich, Bury St Edmunds and Lowestoft. The Area Headquarters (Secretariat) is based at the Ipswich office.

Area business is 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.

During the year 2004-05, the average Area number of staff in post was 65.6 full-time equivalents.

Details of the Area's caseload in the year to March 2005 are as follows:

Category	Area numbers	Area % of total caseload	National % of total caseload
Pre-charge advice to police	4,952	21.1	20.9
Advice	785	3.4	5.1
Summary offences	13,096	55.8	46.9
Either way and indictable only	4,632	19.7	26.7
Other proceedings	1	0	0.4
<b>TOTAL</b>	<b>23,466</b>	<b>100%</b>	<b>100%</b>

## **C. SUMMARY OF JUDGMENTS**

A full inspection of CPS Suffolk took place in January 2003. At that time, inspectors reported that the quality of review and decision-making were Area strengths and that cases were generally prepared and handled well. The magistrates' courts cracked trial rate was very high, however, and the Area could not meet the national target for dealing with persistent young offenders (PYOs). There were also some concerns among staff that they were not always treated with dignity and respect, although measures had begun to address this.

A follow-up inspection in August of the same year noted that much progress had been made in addressing the issues of concern. Steps had been taken to address the issues of dignity at work and the Area was alert to potential difficulties that planned moves to co-located premises might cause. The head of the Criminal Justice Unit (CJU) had been pro-active in efforts to reduce cracked trials in the magistrates' courts and the time for dealing with PYOs was improving.

The intervening period between the follow-up inspection and the time of this assessment has seen considerable improvements in overall Area performance and the contribution of CPS Suffolk to the local criminal justice system (CJS) is significant.

Statutory charging was implemented in the Area in October 2005. The Area had also taken part in a charging pilot for PYOs in addition to the shadow charging scheme. Pre-charge decisions are now provided by experienced lawyers at three centres and there is the anticipated good use of the case management system (CMS) to support the scheme. Realisation of benefits from charging is mixed. Guilty plea, discontinuance and attrition rates in the magistrates' courts are good but performance in the Crown Court is slightly worse than the national picture.

In the magistrates' courts, cases are well reviewed and case preparation is generally timely. Although the Effective Trial Management Programme (ETMP) has not been fully implemented in the Area, there are systems to progress cases and ensure that trials are ready to proceed. The average time taken to deal with PYOs is now 34 days which is well within target and half the national average. The ineffective trial rate is excellent at 14.9% against a target of 22% and the cracked trials rate at 29.8% is better than the national average of 37.1%.

Systems in the Trials Unit (TU) ensure that cases are dealt with by experienced prosecutors with specialist expertise where appropriate. Caseworkers are responsible for liaising with other agencies to ensure that cases are trial ready. Lawyers and caseworkers are aware of the provisions of the Proceeds of Crime Act 2002 and appropriate cases for consideration of confiscation of assets are identified early and managed well. The Area exceeded its 2004-05 target for confiscation orders by a considerable margin. Cracked and ineffective trial rates compare favourably with the national averages. A high proportion of the former, however, is due to the prosecution accepting guilty pleas to lesser charges.



Case outcomes are better than the national averages in all categories in the magistrates' courts and the Crown Court, except judge directed acquittals which are the same as the national rate. Performance is monitored and analysed regularly within the Area and with other criminal justice agencies. The Area and its partners met the target for Offences Brought to Justice (OBTJ) in 2004-05. The target for the OBTJ is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS contribution comes through managing cases to keep discontinuances and unsuccessful outcomes low, good decision-making and case management.

Sensitive cases are dealt with or supervised by specialist lawyers. Arrangements in charging centres ensure that specific issues in specialist cases are considered before a decision is made. Area champions provide guidance and training to others, and they and other specialists liaise with community groups linked to their specialism.

The Area use of CMS for recording casework actions and events, including full file reviews and preparation of indictments, is high in respect of both magistrates' courts and Crown Court cases. Sensitive cases are also identified on CMS.

The Area's custody time limit (CTL) system complies largely with national guidance and there have been no failures in recent years. Examination of a sample of files showed generally good compliance. Arrangements with the Crown Court mean that CTL expiry dates are agreed but there is no similar arrangement in the magistrates' courts.

Disclosure of unused material is handled well although lawyers do not always fully record their decisions. Cases are monitored under the Casework Quality Assurance scheme (CQA) and informally by team leaders. There is a Disclosure Champion in the Criminal Justice Unit and the TU who have provided training to lawyers, caseworkers and the police in the past. Training on the new provisions of the Criminal Justice Act 2003 has been deferred and will be delivered in December 2005 together with training on advanced disclosure.

Witness Care Units (WCUs) have only recently been fully implemented throughout Suffolk with the consequence that the benefits have not been fully realised yet. The number of letters sent to victims following reduction or dropping of a charge was below target, although the timeliness of sending them was above the national target. Procedures are in place to identify appropriate witnesses for special measures and to ensure applications are timely.

Cases are generally prosecuted by advocates of sufficient experience and appropriate expertise where required. They are expected to attend court in sufficient time to liaise with other court users and speak with witnesses. Formal monitoring has taken place in respect of counsel in the Crown Court but further monitoring of Crown Court and magistrates' courts advocates has been put on hold because of resource constraints.

The Area has a sound approach to planning. The Area Business Plan accords with national and local priorities and the Risk Register identifies the risks to the achievement of objectives. Area priorities are reflected in unit and individual objectives. The Area has successfully introduced major national initiatives such as No Witness No Justice and statutory charging and is now focusing on the implementation of ETMP.

Financial management is sound and there is clear evidence of a systematic approach to resource management, although the prosecution spend in 2004-05 was worse than the national average. Higher Court Advocates and designated caseworkers are used effectively, and agent usage is below the national average.

The Area Management Team regularly monitors and analyses performance information to drive forward improvements. Performance is managed jointly with criminal justice partners and information is shared. Casework quality is monitored through CQA.

The Area's vision and values is communicated to all staff. Corporacy is well established in the Area approach to management. Staff are involved in implementation of local and national projects and Area communication systems allow them to express their views on all major issues. Area managers are pro-active within the local CJS and have led on many recent major initiatives. Equality and diversity are embedded and there is a strong commitment to promoting dignity at work.

The Area engages with a wide and varied selection of community groups ranging from those representing victims of certain types of crime, such as domestic violence and hate crimes, through careers fairs and business groups, to those which represent national or ethnic groups. Community engagement is co-ordinated by the Area Communications and Community Engagement Officer and mechanisms have been developed for providing feedback on community activity to effect improvements in the Area.

In the light of these findings, the overall performance assessment for CPS Suffolk is **EXCELLENT**.

<b>CRITICAL ASPECTS</b>	<b>Level 3</b>
Pre-charge decision-making	3 - Good
Ensuring successful outcomes	4 - Excellent
Leadership	3 - Good
The service to victims and witnesses	3 - Good
Resource management	3 - Good
<b>OTHER DEFINING ASPECTS</b>	
Managing magistrates' courts cases	3 - Good
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	4 - Excellent

<b>OVERALL ASSESSMENT</b>	<b>4 - EXCELLENT</b>
---------------------------	----------------------



## D. DEFINING ASPECTS

### 1. PRE-CHARGE DECISION-MAKING

3 - GOOD

*The Area introduced statutory charging in October 2005, following implementation of a shadow charging pilot throughout the Area and a persistent young offender (PYO) charging pilot. Pre-charge decisions (PCD) are provided in all relevant cases from three co-located centres by experienced lawyers who understand the local and national schemes, and guidance. The Area is developing its relationship with CPS Direct (CPSD) which provides out-of-hours contact for the police. The casework management system (CMS) is being used to record pre-charge advice and decisions accurately. There are mechanisms in place to deal with any cases that bypass the system. Area performance in relation to the headline targets of attrition, discontinuance and guilty plea rates for the last quarter of 2004-05, were good in the magistrates' courts; however, the Crown Court discontinuance rate and attrition rate were slightly worse than national averages. The Area's performance measures include use of Prosecution Team Performance Management (PTPM) data.*

#### **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 provides face-to-face pre-charge advice from three co-located centres and, for outlying stations, advice is mainly provided via fax and telephone. On occasions the Area struggles to resource the charging centres, however appropriate contingency measures are in place to ensure commitments are met.
- Early pre-charge consultation is taking place on all relevant files. The volume of PCD cases has increased consistently throughout the progression of the shadow charging scheme; feedback has been provided to the police on files that have bypassed the system inappropriately.
- At the outset of shadow charging the Area initially adopted a relaxed approach to the provision of pre-charge advice to encourage and develop relationships with the police. However, since the introduction of the statutory charging scheme in October 2005, all electronic forms (MG3s) have to be completed and signed by supervisors.
- The Area has established an effective system for monitoring pre-charge advice; lawyers utilise a computer system to assign future follow-up tasks to themselves and, if necessary, there is liaison with designated police personnel. A procedure has been established for cases where the decision is not followed by the police; there was evidence that there was appropriate liaison with police managers and feedback to individual officers when this had occurred.

- The Area is beginning to establish a relationship with CPSD. Teething problems are being identified at monthly liaison meetings where feedback from the police and lawyers is sought and discussed.
- Full and effective use of CMS and the Management Information System (MIS) ensures that all advices and decisions are properly recorded and counted. Area systems for monitoring the volume, timeliness and outcome of PCD cases are sound.
- Roll-out of statutory charging was delayed by one month for reasons beyond the Area's control. Appropriate strategies were in place for the roll-out, which were supported by the work undertaken by the Area on shadow charging, and the PYO charging pilot.

*Aspects for improvement*

- A clear returns policy is being established for advice requests that fail to meet the required standard. This policy and the police 'gatekeeper' system need to be fully embedded.

**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**

- Area lawyers are of sufficient experience and expertise to deal with PCD cases; there is widespread understanding of the local and national scheme and all relevant guidance. Monitoring of the quality and the timeliness of advice and decisions is undertaken. In addition to the Casework Quality Assurance scheme, senior lawyers undertake informal monitoring at the charging centres and whilst preparing cases for court. Feedback is provided to individuals.
- There is a clear escalation procedure for management of cases where there is a disagreement between the police and the charging lawyer. This procedure has rarely had to be used.
- A reality check of ten files indicated that the use of CMS for the recording of advice and decisions was embedded. All the files had a record of the pre-charge decision and a completed electronic form (MG3). Ethnicity and gender were generally recorded.
- The Area monitors cases that result in no further action (NFA). There is a thorough analysis of NFA cases, which is broken down to unit level.

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

- Area performance in relation to the key measures of anticipated benefits realisation for the last quarter of 2004-05 was generally good. In the magistrates' courts the discontinuance rate (14.3%), guilty plea rate (77.4%) and attrition rate (17.1%) were all better than national performance (16.3%; 68.8%; and 22.7% respectively). In the Crown Court the guilty plea rate of 73.3% was better than the national performance of 66%. The Area gathers a full range of performance data including the key targets for benefits realisation, and PTPM reports.
- There is effective and regular liaison with the police and other agencies on the operation of the charging scheme; in addition to informal liaison with the police there are prosecution team meetings.
- There is a formal system to communicate general news about charging and any changes to the scheme; the Area relies on dissemination through e-mail, the Area newsletter, and the weekly bulletin.

*Aspects for improvement*

- The discontinuance rate for pre-charge advice cases in the Crown Court for the final quarter of 2004-05 (15.5%), and the attrition rate (24.4%) were worse than the national averages (14.6% and 23.8% respectively).

**2. MANAGING MAGISTRATES' COURTS CASES**
**3 - GOOD**

*Cases are routinely reviewed and prepared promptly, and file quality is monitored. Cases are generally ready to proceed at each hearing and the Area analyses case finalisations data supplied by the courts at joint agency meetings. Although the Effective Trial Management Programme (ETMP) has not been fully implemented, administrative staff liaise with the courts' Case Progression Officer (CPO) to progress cases. Pre-trial reviews (PTRs) are held for most cases following a not guilty plea. Area performance in dealing with persistent young offenders (PYOs) is impressive at 34 days from arrest to sentence. The Area monitors and analyses cracked and ineffective trials for lessons to learn. The ineffective trial rate is excellent at 14.9% against a local target of 22%. The cracked trial rate at 29.8% is significantly better than the national average of 37.1%. Just under a half of cracked trials are the result of late guilty pleas. Most full file reviews are recorded on the case management system (CMS).*

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

- Magistrates' courts cases are routinely reviewed and prepared promptly, with follow-up work undertaken where necessary. There are agreed systems with the police to monitor the quality of files submitted both at the pre-charge decision stage and following charge. In respect of the former, duty prosecutors discuss issues directly with the officer. Files submitted after charge which are deficient are dealt with by way of memos to the police.
- Duty prosecutors in charging centres record their decision on CMS. It is copied onto the charge file and forms the initial review. In other cases, the reviewing lawyer will carry out an initial review on the file jacket. All full file reviews are to be recorded on CMS and Unit Heads and team leaders monitor compliance.
- Most cases are ready to proceed at each court hearing. Data relating to case finalisations supplied by the magistrates' courts is considered within the Area and discussed at joint agency meetings. There is a national target for dealing with initial guilty pleas within 59 days. The Area performance at 87% of cases was better than the national average of 83%.
- ETMP has not yet been fully implemented, although some aspects of case progression are carried out by CPS administrators. The magistrates' courts have one CPO to serve the whole of the county. PTRs are well established and are generally effective. The Area dealt with 82% of trials within the national target of 143 days, against the national average of 66%. Performance in respect of the committals target of 176 days, however, was worse than the national average (78% against 89%).

- The Area recognises the importance of identifying appropriate cases for confiscation of assets under the Proceeds of Crime Act 2002 and has provided training for all Criminal Justice Unit (CJU) lawyers.
- The Area has a policy of training as many lawyers as possible (currently almost 80%) to deal with youth cases. The PYO target of dealing with offenders within 71 days from arrest to sentence is being met and is better than the national performance. The rolling three month average to February 2005 was 34 days which is half the national average of 67. Although there have been some slight variations, performance is being sustained in 2005-06.
- There were no wasted costs orders against the Area in 2004-05.

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

- The Area relies on the review process to weed out cases which should not proceed, and strengthen, in conjunction with the investigating officer, those cases which are likely to be contested. PTRs are used to narrow the issues and ensure that cases are trial ready. The Unit Head reviews all cracked and ineffective trials in which the prosecution is regarded as being at fault. Team leaders review all unsuccessful trials. Lessons learned and any issues identified are passed on to individuals or more generally as is appropriate.
- Local targets for cracked and ineffective trials are monitored by the Performance sub-group of the Suffolk Criminal Justice Board of which the CJU head and Area Business Manager are members. The Unit Head and courts' CPO review the cracked and ineffective trial forms completed in court as part of a joint monitoring exercise and statistics are discussed in court user group meetings.
- The Area ineffective trial rate for 2004-05 was excellent at 14.9% against an Area target of 22% and national average of 24.8%. Prosecution witness problems are the cause of approximately a third (4.2%) of these. The Area cracked trial rate is 29.8% which is better than the national average of 37.1%. Just under a half of these (13%) are the result of a late guilty plea from the defendant. A third (9.2%) result in the prosecution ending its case.

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

- Staff are encouraged to use CMS to record case actions and reviews. The Area has set personal objectives for CMS usage and has arranged additional training where the level of usage has caused concern. Usage is monitored by team leaders and is discussed by the Area and Senior Management Teams. In 2004-05, 60% of full file reviews were recorded on CMS compared with 27.1% nationally.
- The Area has developed its own system of reports and has customised escalation dates on tasks to conform to local timeframes. A daily task list report is produced and follow-up action is taken if necessary.



**3. MANAGING CROWN COURT CASES**

**3 - GOOD**

*The Area works closely with the police to ensure that files are prepared and reviewed promptly. Caseworkers carry out the initial preparation and lawyers check cases before they are signed off. Instructions to counsel generally contain an analysis of the issues and instructions on acceptability of pleas where appropriate. Caseworkers act as Case Progression Officers (CPOs) on their own files and ensure that cases are trial ready. All contested cases are subject to a final court review before the trial. Cases involving confiscation of assets under the Proceeds of Crime Act 2002 (POCA) are dealt with or supervised by specialists. The Area exceeded its target in terms of confiscation orders in 2004-05. Arrangements with the Crown Court ensure that youth cases are expedited. Cracked and ineffective trial rates compare very favourably with the national averages. A high proportion of cracked trials which are due to the prosecution are the result of accepting guilty pleas to lesser charges. Cracked and ineffective trial data is analysed and discussed within the Area and in joint agency fora. Use of the case management system (CMS) for preparation of indictments and recording full file reviews and other casework actions is embedded.*

**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. The Trials Unit (TU) is staffed by police and CPS personnel who work together to build and prepare the file for court. Files are allocated by team leaders to the lawyer and caseworker at the same time. The caseworker will carry out the initial preparation and forward the case to the lawyer for final checking. Allocation takes account of individual specialisms and there are procedures for dealing with large cases.
- Instructions to counsel include an analysis of the issues and instructions on acceptability of pleas where appropriate. These issues are monitored under the Casework Quality Assurance scheme and the unit head's general responsibilities allow other opportunities for monitoring quality. Instructions are delivered promptly. In 2004-05, the Area delivered 97.1% of briefs within agreed time guidelines against a national average of 85%. In sensitive cases, counsel are instructed on the basis of their particular expertise or specialism. The Area monitors the gender and ethnicity of counsel to ensure fairness in allocation of briefs.
- Although the Effective Trial Management Programme (ETMP) has not been formally implemented, arrangements in line with ETMP are incorporated into Area file build and file preparation procedures to ensure that cases proceed promptly. Caseworkers act as CPOs in their own cases and prepare the appropriate forms for plea and case management hearings. All contested cases are subject to a final review in court just prior to the trial.

- The TU has two lawyer and two caseworker POCA Champions who deal with restraint and confiscation of assets issues. All TU lawyers have received training. There is a local agreement with the police to ensure that appropriate cases are identified early and subjected to financial investigation, and there are regular joint meetings with the police to discuss POCA issues.
- The Area exceeded its target of 14 confiscation of assets orders in 2004-5. Thirty three orders were obtained with a value of £360,337. The Area is well on track to achieve its 2005-06 target in terms of the number and value of orders.
- Although there are few youth cases dealt with in the Crown Court, a number of TU lawyers have been trained as youth specialists. There is a protocol designed to ensure that youth cases are expedited and the Crown Court is very pro-active in this respect.
- There were no wasted costs orders against the Area in 2004-05.

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

- In addition to the arrangements for case progression referred to above, the TU caseworker manager liaises with the Crown Court listing office to ensure that any anticipated problems in individual cases can be resolved early.
- The Area ineffective trial rate is excellent at 8.9% against an Area target of 17% and significantly better than the national average of 15.8%. Failure of witnesses to attend the trial is the cause of half of the Area ineffective trials.
- The Area cracked trial rate is 23.7% against a national average of 39.2%. A substantial number of these (10.4%) are due to the prosecution. Most of these (8.1%) were cases in which the prosecution accepted a guilty plea to a lesser charge. Although this does not always imply a less than robust review, the Area will want to consider these cases particularly as part of its routine analysis.
- The Area Management Team (AMT) considers cracked and ineffective trial data and looks at individual cases if this is necessary. Any issues are dealt with by line managers on an individual basis, if appropriate, and wider issues are disseminated to all staff. Performance is discussed at the Suffolk Criminal Justice Board Performance sub-group. Quarterly meetings with the police and Crown Court Manager also include discussion on cracked and ineffective trial monitoring.

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

- CMS is used routinely to record casework events and actions. In 2004-05, 97.4% of indictments were prepared on CMS compared with the national figure of 81.5%. In the five months January to May 2005, 89.5% of full file reviews were carried out on CMS. Usage is monitored within the unit and by the AMT.
- The Area prepares and uses Management Information System reports to ensure the accuracy of data and to assist in monitoring performance. Unit managers regulate task lists to ensure that key tasks are completed.

**4. ENSURING SUCCESSFUL OUTCOMES**
**4 - EXCELLENT**

*Performance is better than the national average in relation to conviction rates in the magistrates' courts and the Crown Court. The Area performs better than the national average in relation to all unsuccessful outcomes except the judge directed acquittal (JDA) rate which is the same as the national average. Mechanisms are in place to monitor and analyse performance on a regular basis within the Area and with other criminal justice agencies. The Area, in conjunction with its criminal justice partners, met the Offences Brought to Justice (OBTJ) target for 2004-05.*

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

- There is regular and formal assessment of the quality of review and case handling, with appropriate action being taken when necessary. Monitoring of discontinuances, unsuccessful outcomes, adverse cases and cracked and ineffective trials occurs on a monthly basis. Additionally, monitoring through the Casework Quality Assurance scheme is undertaken for in-house prosecutors and Crown Court caseworkers.
- Adverse outcome forms are completed in appropriate cases, and set out the reasons for acquittal. Lessons to be learned, both internally and with the police, are identified and discussed at the Area Management Team (AMT) meetings. Trends are disseminated to staff via team meetings and e-mails, and to the police.
- There is liaison with the police at the operational level through ad hoc discussions and formal performance team meetings; discussions include individual case details. There is also discussion about performance at a strategic level through the Suffolk Criminal Justice Board Performance sub-group.
- The Area has exceeded the local and national targets (both 21%) in relation to unsuccessful outcomes; performance of 16.6% was better than the national average (19.6%) and showed a trend of improvement from the previous financial year.
- The conviction rates in the magistrates' courts and the Crown Court were better than the national averages. As shown in the table below, all categories of adverse cases for the year ending 31 March 2005 were better than the national averages, except judge directed acquittals where performance matched the national average.

OUTCOME	AREA FIGURE	NATIONAL AVERAGE
<b>Magistrates' courts</b>		
Discontinuance & bindovers	12.3%	12.5%
No case to answer	0.1%	0.3%
Dismissed after trial	0.8%	1.5%
Discharged committals	0% (1 case)	0.3%
Overall conviction rate	83.6%	80.8%
<b>Crown Court</b>		
Judge ordered acquittals	10.4%	14.2%
Judge directed acquittals	2.0%	2.0%
Acquittals after trial	5.8%	6.3%
Overall conviction rate	80.1%	75.8%

- The target for OBTJ is a shared one set by reference to the criminal justice agencies. The ability of the CPS to influence this particular target is limited because it includes offences dealt with by non-prosecution disposals. The CPS contribution comes through managing cases to keep discontinuances and unsuccessful outcomes low, good decision-making and case management. The OBTJ target was exceeded and performance is improving. The criminal justice agencies achieved joint performance of 15,096 offences brought to justice (+28.9% over the original 2001-02 baseline) against a target of 13,604 (+16.2%).

<b>5. HANDLING SENSITIVE CASES AND HATE CRIMES</b>	<b>3 - GOOD</b>
--	-----------------

*Area systems ensure that sensitive cases are identified and recorded as such, both on the file cover and on the case management system (CMS). Sensitive cases are dealt with or supervised by specialists and there are appropriate arrangements in charging centres to ensure specialist input when required. There are Area champions for sensitive cases who provide training and guidance to other prosecutors and engage with community groups representing their specialism. The Area maintains and reviews action plans relating to findings and recommendations of HMCPSI thematic reviews and undertakes an analysis of hate crimes which are dropped or in which the 'hate element' of the offence is not reflected in the final outcome.*

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

- Area procedures for registration, finalisation and archiving emphasise the importance of identifying sensitive cases (including race and religious hate crimes, homophobia, domestic violence, rape offences, child abuse, fatal road traffic incident cases and anti-social behaviour) on CMS. Relevant staff have personal objectives which relate to the identification of sensitive cases and hate crimes. Files are dip sampled to ensure that the correct monitoring codes have been entered.
- Sensitive cases are dealt with or supervised by specialists or prosecutors of appropriate experience. Arrangements exist in charging centres to ensure that decisions are made by lawyers who have relevant experience or expertise. Specialists can be consulted if necessary. Decisions to discontinue sensitive cases are referred to the unit head. Special arrangements exist for certain types of case, for example fatal road traffic incident cases. A Racial Harassment Service Level Agreement regulates the handling and review of race crimes.
- The Area has appointed champions and specialists for the various categories of case who are pro-active in formal training (for example in respect of sexual offences and homophobic crimes) and in providing assistance to other lawyers and caseworkers. They also engage with community groups representing their specialism. Any casework guidance relating to sensitive cases is cascaded to all lawyers and caseworkers by the Chief Crown Prosecutor or Area Business Manager with appropriate input from champions and specialists.



- The Area takes CPS policies and HMCPSI thematic reviews into account when devising Area practice. An action plan, which is regularly updated, was formulated to deal with issues surrounding race hate crime. The Area rape protocol was developed as a response to the HMCPSI thematic review of rape. The Area has also developed action plans to deal with offences involving domestic violence and anti-social behaviour.
- The Area undertakes an analysis of hate crime cases in which a reduction or change of charge, or an agreed basis of plea, reduces or removes the 'hate element' from the offence. Such cases are relatively small in number and are reviewed by the Unit Heads when signing letters which are sent to victims informing them of the outcome.

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

*The Area written custody time limit (CTL) system complies for the most part with the national guidance, although the Trials Unit (TU) system is more comprehensive. There have been no CTL failures in recent years. The reality check revealed generally good practice. There is an established protocol in relation to agreeing CTLs in the Crown Court; despite efforts, no such protocol is in place in the magistrates' courts.*

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

- The Area has a written CTL scheme, which complies for the most part with national guidance. The TU system is far more comprehensive than that of the Criminal Justice Unit (CJU) which, in the main, consists of training notes. There is evidence that systems have been reviewed. There have been no CTL failures in recent years.
- A protocol has been agreed with the Crown Court which involves the court in agreeing and monitoring the CTL expiry date and provides an additional level of assurance. Attempts have been made to agree such a protocol with the magistrates' courts which have proved unsuccessful.
- Senior Area managers take an interest in the effective functioning of the system. Administrative managers undertake recorded dip sampling of CTL files and senior managers examine CTL procedures on files subject to Casework Quality Assurance monitoring. A dual monitoring system, based on a manual diary with electronic back-up on the case management system is used in all units.
- All staff have been trained in both the local system and the relevant law, including awareness training for appropriate police staff at co-located sites.
- The reality check of five CTL files revealed generally good practice. All review and expiry dates were correct, and there was evidence that all calculations were double-checked. The custody status of defendants in multiple defendant cases was clearly marked. However, the Area needs to ensure when a defendant is released from custody, the number of days spent in custody are totalled and endorsed on the file.

*Aspects for improvement*

- The Area needs to consider implementing a more comprehensive written CJU system, which fully incorporates the national guidance.

**7. DISCLOSURE**

**3 - GOOD**

*The Area generally handles disclosure well at all stages of case progress, although some lawyers do not endorse the actual schedules with details of their decisions if there is no material to disclose. Lawyers have been set personal objectives in relation to handling unused material and performance is monitored by the Casework Quality Assurance scheme (CQA) and team leaders considering dropped cases. There are Disclosure Champions for the Criminal Justice Unit (CJU) and the Trials Unit (TU). Training was provided for all lawyers and caseworkers in 2003 on the revised Joint Operational Practice Instructions (JOPI) and presentations were given to operational police officers. Training on the disclosure provisions of the Criminal Justice Act 2003 (CJA) has yet to take place.*

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

- The Area performance on disclosure, assessed in January 2003 during the last full cycle of HMCPSI inspections, was good at 76% overall compared with 70.3% nationally. Performance in the Crown Court was particularly good with secondary disclosure being a strong 82% compliance against 59.4% nationally. Primary disclosure in the magistrates' courts however, at 64% was worse than the national average of 71.6%.
- Personal objectives relating to the handling of disclosure of unused material have been set in respect of all lawyers. Performance on disclosure is monitored through CQA and by monitoring dropped cases. Any concerns about performance are addressed with the individual lawyer. CQA data shows a good picture of Area performance, although the Area is aware that the limited nature of CQA monitoring may not give completely accurate results.
- Examination of a selection of magistrates' courts and Crown Court trial files as part of this overall performance assessment, showed that compliance with the duty of disclosure was generally satisfactory.
- Disclosure documents are stored together within files, although in some magistrates' courts files examined, they were bundled together with other evidence or documents. Material of a particularly sensitive nature and schedules are stored separately from the file, and are kept secure with controlled access.
- The Area has appointed Disclosure Champions for the CJU and the TU who provide training, advice and guidance to other lawyers and caseworkers.

- Training was provided for all lawyers and caseworkers on the revised JOPI in July 2003 and was also provided for new lawyers in May 2004 and February 2005. Training on the new disclosure provisions of the CJA and the new Disclosure Manual was scheduled for November 2005. It was deferred until December following a re-assessment of the time required for each session, in light of the need to combine the training with training on advanced disclosure. Lawyers have been provided with guidance in the meantime.
- HMCPSI's inspection in January 2003 and follow-up in August of that year noted concern about lack of commitment by the police on joint disclosure training. This has now been overcome. A series of presentations was given to all operational police officers between September 2003 and March 2004 on the revised JOPI. The Area Management Team has agreed to provide updated training on disclosure to police trainers so that they can deliver training to operational officers.

*Aspects for improvement*

- Examination of the sample of trial files, revealed a practice, on occasion, of not endorsing schedules with details of decisions in respect of individual items of material if it were deemed that none was disclosable. Letters to the defence dealing with disclosure would, however, make the position clear.

**8. THE SERVICE TO VICTIMS AND WITNESSES**

**3 - GOOD**

*The Area has recently established Witness Care Units (WCUs) throughout Suffolk, with the final two WCUs going live in November 2005. Consequently the full benefits of the initiative are not yet being realised. The performance for timeliness of letters falling within the Direct Communication with Victims (DCV) scheme exceeded the national target. The number of letters sent was just below the national target, although significantly above the national average for 2004-05. Procedures are in place to ensure the early identification of vulnerable witnesses, and applications for special measures and warning of witnesses are timely. Area performance in relation to cracked and ineffective trials in the magistrates' courts and Crown Court attributable to witness issues was better than national averages.*

**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 DCV scheme, which requires a letter to be sent to a victim when a charge is discontinued or substantially altered, is embedded throughout the Area with effective monitoring procedures in place. The Area performance for the timeliness of letters sent within five days was 77% against the national target of 70%. CPS Headquarters have set proxy targets by reference to the size and mix of caseload for the number of DCV letters that each of the CPS Areas is required to send each month. The figures for 2004-05 show that the Area is achieving 95% of this target, which ranks it fifth best nationally. A reality check showed that the quality of letters was satisfactory.
- A tiered system is in place to ensure that special measures applications are timely and appropriately made. Early consideration of witness needs occurs for pre-charge decision cases, although this process is not fully embedded. Further checks are undertaken in the Criminal Justice Unit (CJU) and the Trials Unit (TU), which are supplemented by a full needs assessment undertaken by the WCUs following a not guilty plea.
- The Area has recently introduced WCUs throughout Suffolk under the No Witness No Justice (NWNJ) scheme and, consequently, witness warning procedures have been revised. The performance measure of timeliness of witness warning is now being monitored across the Area as part of the initiative. Pre-trial checks and case management hearings carried out in the magistrates' courts and Crown Court ensure the accuracy of witness warnings, and address relevant witness issues. Victims and witnesses are now informed of the progression of their case by WCU staff and appropriate procedures are in place, although these need to be fully embedded.

- There is regular liaison with the Witness Service and Victim Support, at an operational level through the exchange of witness details, and at a more strategic level in NWNJ implementation meetings, and the Suffolk Criminal Justice Board (SCJB) Victim and Witness sub-group.
- The previous inspection report identified the standard of witness care provided by in-house prosecutors and caseworkers as a strength. The Area ensures that all prosecution advocates and CPS staff at court undertake their responsibilities in respect of victims and witnesses by informal monitoring by lead lawyers whilst at court, and reliance on feedback from court personnel.
- NWNJ has recently been implemented across the Area, with four WCUs (Bury St Edmunds, Ipswich TU, Ipswich CJU and Lowestoft) at various stages of establishment. As a result of accommodation problems, the go-live dates for Bury St Edmunds and Ipswich were delayed until the beginning of November 2005, although this was still within the overall timetable for implementation. Project methodology has been used, and further actions identified are being reviewed and progressed.
- It is too early to state whether expected benefits of the WCUs are being realised. However, positive qualitative feedback has been received by the Area, and appropriate measures are in place to monitor key benefits realisation.
- There is clear analysis of cracked and ineffective trial data by both the Area and jointly through the SCJB; efforts are being made to secure a reduction in the number of cases where this occurs as a result of witness issues. Ineffective trials for 2004-05 relating to the absence of prosecution witnesses were better than national performance in the magistrates' courts and Crown Court. In the magistrates' courts, performance was 2.7% against a national average of 4.5% and, at the Crown Court performance was 1.5% against a national average of 3.7%. Similarly, the magistrates' courts measure for cracked trials when the prosecution end the case due to witness absence, was 3.4% against a national average of 4.2%.



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

*The Area ensures that cases in the magistrates' courts and the Crown Court are presented by prosecutors of appropriate experience, and specialist expertise when required, whether they are in-house advocates, agents or counsel. Higher Court Advocates (HCAs) are utilised as often as possible in the Crown Court. All advocates are expected to attend court in sufficient time to liaise with court staff and defence and to speak with any witnesses attending. Timely attendance is monitored. Advocates have been provided with appropriate instructions and guidance. Listing agreements with the magistrates' courts and the Crown Court regulate listing patterns to ensure best use of Area resources as far as possible. Formal monitoring of counsel took place in 2004-05 but resource constraints have deferred a follow-up and plans for a similar exercise in respect of magistrates' courts advocates. Monitoring is done informally.*

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

- The system for reviewing cases ensures that cases are prepared by experienced prosecutors, with appropriate specialist expertise where necessary. The Criminal Justice Unit and Trials Unit (TU) liaise in preparing the charging and court rotas, and ensure that court lists are allocated to prosecutors of appropriate experience, especially in respect of non-fixed court sessions. The Area has a cadre of experienced magistrates' courts agents which includes two former senior CPS lawyers who undertake complex trials which cannot be dealt with in-house. HCAs are utilised in Crown Court cases as much as possible. Managers try to ensure that court rotas allow prosecutors the afternoon prior to court as preparation time. Court papers are available to agents 48 hours before court.
- Area specialists are deployed to deal with specialist and sensitive cases whenever possible and the Area has targets for dealing in-house with hate crime prosecutions and restraint and confiscation hearings. Selection of counsel is based upon their experience and any special expertise required for the type of case. Arrangements with chambers ensure that similarly experienced counsel will be offered to deal with any returns. Youth courts are dealt with by youth specialists.

- HCAs and counsel are expected to attend the Crown Court in sufficient time to deal with any issues in their cases and speak with witnesses if required. Attendance is monitored informally by the TU caseworker manager. Similarly, prosecutors in the magistrates' courts are expected to be at court in good time to speak with the court staff and defence. Line managers are generally able to monitor attendance and senior managers also receive comment and feedback from court staff and defence lawyers on timely attendance and conduct of prosecutors.
- All in-house prosecutors and counsel have received a copy of the CPS booklet 'Instructions for Advocates'. Agents in the magistrates' courts have received guidance on the conduct of prosecutions including acceptance of pleas. The conduct and performance of all prosecutors is monitored in the same way as timely attendance at court.
- The Area has made arrangements with the Crown Court to list certain types of hearings on specific days. Agreement has also been reached with the magistrates' courts regarding listing patterns and the creation of courts in which designated caseworkers can utilise their extended powers. The magistrates' courts listing document, prepared in consultation with other criminal justice agencies, regulates listing and is reviewed annually.

#### *Aspects for improvement*

- A formal exercise in monitoring of counsel was undertaken with the agreement of chambers at the beginning of 2004-05. A further agreed exercise scheduled for the current year has not yet taken place because of resource constraints. These have also affected a similar exercise planned in respect of magistrates' courts advocacy. Monitoring of advocates is undertaken informally by line managers and by caseworkers in respect of counsel in the Crown Court.

**10. DELIVERING CHANGE**

**3 - GOOD**

*The Area's approach to planning is sound. The Area business plan (ABP) is in accordance with the main initiatives and CPS national priorities, and a Risk Register is in place; both are subject to formal review. Area priorities are reflected in staff objectives, which are linked to the Area training needs. Since the last inspection the Area has introduced the electronic casework management system (CMS), co-location with the police, the No Witness No Justice (NWNJ) initiative and statutory charging. The Area is now mainly concerned with further work on the Effective Trial Management Programme (ETMP), statutory charging, and embedding the four Witness Care Units (WCUs) established by the NWNJ initiative. Planning for these initiatives has been via project methodology and inter-dependencies have been managed; appropriate project documentation has been used.*

**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. Area objectives are linked to the Area's principal drivers defined by CPS vision and strategy, the Public Service Agreement (PSA) targets, local targets, and known criminal justice priorities. This includes the three initiatives ETMP, NWNJ and statutory charging.
- Detailed pertinent plans are in place, and follow CPS Headquarters guidance in their content. There is evidence of systematic quarterly reviews and updating of the ABP. This is supplemented by the business plan being a set agenda item at Area Management Team (AMT) meetings. The Area Risk Register is updated mid-year; however a quarterly procedure aligned to the ABP would be more beneficial.
- Thought is given to how staff can be involved and how the business plan can be communicated. In developing the plan for 2005-06, input was sought from the Staff Voice (a staff representative group across all levels and units) and the Area Whitley Council, and the draft plan was circulated to all staff for input prior to finalisation. Road show events have taken place supplemented by team meetings and discussions with staff individually by line managers as part of performance appraisal. There is a clear line of sight between staff objectives, unit plans, and the ABP, in order for staff to understand how individual performance contributes to the overall performance of the Area.
- Joint plans have been developed with criminal justice partners including the three main initiatives of ETMP, NWNJ, and statutory charging. Planning for the NWNJ and statutory charging initiatives has been effective, despite experiencing some delays. Project methodology has been used with consideration of project inter-dependencies. Joint planning to improve performance by delivering change in a joined-up and effective manner, is evident at the Suffolk Criminal Justice Board (SCJB).

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

- Clear accountabilities exist for change management. Project leads are members of the Senior Management Team (SMT) and accountable to both the SMT and AMT for the active management and successful implementation of their projects. There is some awareness of inter-dependencies between the change initiatives within the Area. These are managed through the regular formal updating of the ABP and appropriate risk registers, and discussions during SMT and AMT meetings.
- There is clear evidence that the introduction of change has been reviewed and improvements made. Project plans for shadow charging, NWNJ and statutory charging have been produced, and updated. Links have been established between implementation of the projects and ensuring effective procedures are in place, and appropriate staff training has been delivered. There are local implementation teams to oversee the delivery of initiatives, and formalised post-implementation reviews for shadow charging and some of the WCUs have taken place.
- Co-location with the police and CMS have been successfully introduced throughout the Area. Statutory charging and NWNJ have only recently gone live and there is, consequently, a need for impetus to be maintained, and for actions identified in on-going post-implementation reviews to be evaluated and progressed by the Area. The recent implementation of the projects has meant that key benefits have yet to be realised.

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

- Training has been linked to the ABP and delivery of initiatives. Training needs are identified through the appraisal process and forward job plans, which are fed into the Area training plan. Relevant identified training has been delivered to legal and non-legal staff. Training is evaluated by assessing the benefit for the individual member of staff.

*Aspects for improvement*

- No formal amalgamated analysis of the overall benefit of individual training courses is currently undertaken.

**11. MANAGING RESOURCES**

**3 - GOOD**

*The Area seeks to achieve value for money. The Area budget is actively controlled, which is demonstrated by the Area outturn figures in 2004-05. The Area Management Team (AMT) is provided with sound financial reports, and there is clear evidence of a systematic approach to resource management. Effective use is made of Higher Court Advocates (HCAs), and designated caseworkers (DCWs), and agent usage is lower than the national average. Prosecution spend in 2004-05 was less favourable than national performance. Sickness absence is monitored and managed.*

**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-house magistrates' court coverage is above the national average and, following negotiations with courts, there is full utilisation of DCWs. Since 2003-04, there has been a slight increase in lawyer staff, and a small decrease in administrative staff despite the introduction of various initiatives. The Area can demonstrate some savings from the successful introduction of co-location; all units are now co-located with the police.
- Managers are accountable for achieving value for money through improved performance. There are regular and ad hoc discussions about Area and unit performance and budget spend at AMT and Senior Management Team (SMT) level. Although the Area Business Manager (ABM) has overall budget responsibility, the use of agents and counsel, and rota implications are routinely considered.
- Sound arrangements exist for the monitoring and control of the Area's budget. This is supported by financial analysis and reporting which allows up-to-date assessments to be made, and facilitates decision-making by the AMT and ABM. Additional funding has been allocated to meet the Area's key priorities, and contributed to overall Area performance.
- Monitoring procedures are in place for the prosecution budget including the instigation of regular meetings between members of the Area Secretariat, and Trials Unit. The timeliness of graduated fee payments throughout 2004-05 was consistently good and better than national averages. For March 2005 (in respect of cases finalised between November 2004 and March 2005), performance at 99.5% was significantly above the national average of 83.8%.
- For 2004-05, the non-ring fenced budget outturn was 99.5%, which was better than the national average.

### Aspects for improvement

- In 2003-04, the Area spent 101.9% of the non-ring fenced budget which was worse than the national average. This was partly the result of the return of some funds to CPS Headquarters at mid-year review. The Area's prosecution costs budget outturn for 2004-05 at 124.6% was worse than the national average of 118%.

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

- There is clear evidence of a systematic approach to the planning and review of staff structures. Appropriate consideration is given to the activity based costing model, staff in post figures and workload. A full review of Area resource needs took place in October 2004 and further ad hoc partial reviews have since been undertaken. The reviews are supplemented by regular discussion at AMT and SMT meetings.
- The Area has set expectations in terms of the number of court sessions and pre-charge decision-making (PCD) commitments for every Criminal Justice Unit lawyer, usually allowing three half-day sessions within the office. Court and PCD obligations stretch the Areas staffing resources but these expectations need to be met to ensure that control of agent spend is maintained.
- The Area demonstrates value for money by making good use of its HCAs with consequent savings in counsel fees. The Area exceeded its target in 2004-05 achieving 374 sessions and savings of £34,093. In the last quarter of 2004-05 the notional counsel fees saving was £301 per session against the national average of £224. The Area's target for 2005-06 of 450 HCA sessions is challenging.
- Agents prosecuted 25.6% of magistrates' courts sessions in 2004-05 which is slightly better than the national average of 26.9%.
- The Area has 2.93 DCWs who covered 676 sessions in 2004-05; this represents 16% of all magistrates' courts sessions and is significantly higher than the national average of 8.3%. For overall performance assessment purposes, Suffolk DCW usage is excellent. The Area has been given a challenging target for 2005-06 of 20%.
- The average sickness absence for 2004-05 of 5.3 days is significantly lower than the national average of 8.7 days per member of staff. Sickness absence is monitored and actively managed by the senior managers. There is clear evidence of balancing individual and business needs when flexible working arrangements are being considered, for example, term-time working and reduced hours.



**12. MANAGING PERFORMANCE TO IMPROVE**

**3 - GOOD**

*The Area Management Team (AMT) receives regular performance information on key CPS national and local targets, and this is used to drive up performance. Monthly data is produced which is compared with historical performance, and performance of other CPS Areas, with some drilling down to unit level. Clear consideration has been given to methods used for the dissemination of performance information to staff at all levels. The Area demonstrates consideration of operational effectiveness. There is evidence of joint performance with other criminal justice agencies and the Suffolk Criminal Justice Board (SCJB), with data being shared. The Area operates the Casework Quality Assurance (CQA) scheme; results are used to improve individual performance.*

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

- The Area has demonstrated a clear commitment to performance management. Pertinent and accurate performance information is considered at regular AMT and Senior Management Team (SMT) meetings. All managers attend AMT meetings fostering a climate of active involvement. This allows for performance against CPS national and local measures to be openly discussed and the effectiveness of operational systems to be considered. It also allows for identification of those areas where improvement is required. Key performance issues and work to be addressed are disseminated to staff at unit and team meetings.
- A comprehensive range of performance measures is considered by the Area. Monthly performance reports are produced using an established dashboard approach, comparing performance to target, and with previous months or quarters. Performance is regularly compared against national performance and averages. A selection of relevant casework and resource related measures are broken down to unit level; however, the Area does not produce separate unit reports.
- The Area has considered how best to disseminate performance information to staff. Following consultation, meetings are supplemented by key performance information produced in an easily understandable format as part of the Area news bulletin which is supported by performance charts displayed on notice boards. The more detailed monthly performance information is available to all staff on a shared computer drive.
- There is a commitment to continuous improvement and learning at all management levels. This is demonstrated by actions the Area has taken to analyse and improve performance against targets, and the on-going review and improvement of operational systems.



- There is good evidence that the Area involves staff in improvement activity. Staff at all levels have been involved in changes to operational systems, and there has been participation in groups such as the case management system implementation team and the Staff Voice.
- Regular performance appraisal is used to improve personal performance. Where under-performance is identified through the performance appraisal system or other analysis, it is addressed through individual feedback or dissemination to the team if there are general learning points. When it is required, improvement is consolidated through personal objectives.

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

- The Area is working with criminal justice partners to drive up performance. The SCJB and its sub-groups discuss performance across a wide range of measures pertinent to business. The SMT actively participate in the SCJB and its sub-groups. Strategic meetings are supported by an infrastructure of operational meetings, for example meetings with the police and the courts.
- Joint improvement strategies are in place. In the main these have concentrated on the introduction of national initiatives, for example the Effective Trial Management Programme, No Witness No Justice, and shadow and statutory charging.
- Accurate and timely information is provided by the Area to the SCJB Performance Officer, and other criminal justice agencies. Three of the four headline targets considered by the SCJB were achieved. The time for dealing with persistent young offenders from arrest to sentence was achieved for 2004-05; the rolling three-month average for PYO cases at February 2005 was 34 days against a target of 71 days. The Area met its asset recovery target (33 orders against a benchmark of 14) and the joint target for Offences Brought to Justice, was achieved (15,096 against a target of 13,604). The Area did not meet its public confidence target of 51%, though at 49% it was considerably higher than the national average of 43%.

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

- The Area is using standard and tailored Management Information System (MIS) reports from CMS to evaluate Area performance; usage includes defendant outcomes comparisons, and sensitive cases information. Prosecution Team Performance Management arrangements are in place.
- Work has been undertaken to assure the accuracy of data entries and relevant issues raised with CPS Headquarters. An effective system is in place to validate CMS finalisations.

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

- The Area undertakes CQA checks. For 2004-05, return rates were slightly below one file per lawyer and designated caseworker per month. The forms are completed by lead lawyers and Unit Heads, and feedback is given to prosecutors if performance issues are identified. The Area has devised a local casework quality assurance form for administrators.
- Performance trends identified from the CQA monitoring are fed back to the teams and across the Area where appropriate. CQA recently identified a drop in letters sent under the Direct Communication with Victims scheme. It is a standard agenda item for AMT and following the HMCPSI CQA thematic review, an action plan has been devised to make improvements to the scheme. There is some evidence to indicate that the Area is robust in its analysis and feedback.

**13. LEADERSHIP**
**3 - GOOD**

*The Area has communicated its vision and values to all staff. It has adopted a corporate approach to leadership, and the Area system of meetings and communications is designed to allow all staff to have their views taken into account. Area staff at all levels are involved in implementation of local and national initiatives. Senior managers maintain a high level of visibility and are accessible to all staff. They are pro-active with criminal justice partners in taking initiatives forward and have taken a lead in recent major projects. Equality and diversity underpin Area business and there is a strong commitment to promoting dignity at work. Staff are praised for their achievements but also reminded of their responsibilities if they under-perform. Staff composition reflects the population served by the Area.*

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

- The Area has prepared a comprehensive Investors in People (IiP) folder for all staff which sets out the CCP's personal vision for the coming year. It also contains a copy of the Area Business Plan which includes the Area Vision and Values. A copy of the Vision and Values has been placed in the CPS office reception to inform visitors.
- The Area takes a corporate approach to leadership through teamwork and managerial direction at all levels. The Area Management Team is an extended forum which includes all line managers as well as senior managers. Because of extended absences of the former CCP leading a national project, the Area formed a Senior Management Team (SMT) comprising the ABM and Unit Heads and including the CCP when available. The SMT provided a more flexible forum for decision-making, and monitoring and maintaining performance. The SMT has continued following the appointment of the current CCP, although its remit is likely to be reviewed.
- The Area promotes the involvement of staff at all levels in implementing major initiatives and they are represented on local implementation teams. Area Whitley Council and Staff Voice meetings, (the latter set up as the Area response to the 2004 Staff Survey) allow staff views and concerns to be communicated to senior managers. There are regular team meetings and minutes are circulated.
- All managers maintain an "open door" policy and are accessible to all staff. Senior managers attend the offices at Lowestoft and Bury St Edmunds as often as possible either on formal visits such as presentations on new initiatives, or informally as a means of keeping in touch.

- Relationships with other agencies are cordial and professional. Area senior managers are represented at all inter-agency groups and fora and are proactive in working with their criminal justice partners in taking initiatives forward. Area managers have taken a lead in all recent major initiatives. In particular, implementation of pre-charge decisions and No witness No Justice has involved the Unit Heads in substantial commitments within CPS and with other agencies.

**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**

- The Area has a culture of continuous improvement. Senior managers attach equal importance to monitoring success and failure and are not complacent about good performance. Staff achievements are recognised but individuals are also reminded of their responsibilities if performance falls short of what is required. Awards have been made to staff under the national bonus payment scheme.
- Equality and diversity underpin Area business and are a recurring theme in Area action plans. The ABM is the Area champion on equality and diversity and line manages the Area Communications and Community Engagement Officer who is also the Area Equality and Diversity Officer.
- The Area received very positive feedback following a recent liP re-assessment which praised managers' strong commitment to promoting dignity at work with an emphasis on job function rather than grade. There have been no significant instances of unethical behaviour among staff. Any minor incidents are dealt with promptly and appropriately.
- Staff reflect the population served by the Area's offices. In April 2004, staff from a black and minority ethnic background comprised 4.3% of Area personnel, compared with an overall population of 2.4%. In June 2005, the Area staff figure stood at 5.3%. There have been recent discussions with the local council for racial equality to encourage minority ethnic lawyer applicants to the CPS.

**14. SECURING COMMUNITY CONFIDENCE**
**4 - EXCELLENT**

*Senior managers are committed to engaging with the community and the Area Business Plan (ABP) emphasises the importance of public confidence in the criminal justice system (CJS). The Area has ensured that the structure of the Suffolk Criminal Justice Board (SCJB) sub-groups reflected its commitment to engaging with the community. Area staff are directly involved with a wide and varied range of community groups and the Area is keen to provide and share information, including casework outcomes. The Area has appointed a Communications and Community Engagement Officer (CCEO) who is responsible for co-ordinating activity within the community. There has been particular focus on those groups considered to be at greater risk of exclusion. The Area is developing its links with Crime and Disorder Reduction Partnerships (CDRPs). There are mechanisms for receiving feedback from community activity which have led to some changes in Area procedures. Public confidence in the effectiveness of the local CJS in bringing offenders to justice has increased.*

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

- The commitment of senior managers to community engagement is clear and demonstrated, and securing the confidence of the community is seen as part of the core business. The ABP places considerable emphasis on public confidence in the CJS. This is reflected in team plans and in personal objectives for individual members of staff. The CPS was instrumental in ensuring the establishment of the Race and Diversity, Victim and Witness and Communications sub-groups of the SCJB to reinforce this approach.
- Throughout 2004-05, Area staff were involved in a wide range of community activities with an equally wide range of community groups and organisations. These included presentations and meetings with victims of certain types of crime such as domestic violence, race hate and homophobia; attendance at careers fairs and schools to talk about the work of the CPS; presentations at charity and business organisations; and meetings and discussions with groups representing national or ethnic communities. Links with Suffolk County Council have provided access to a number of local educational, medical and voluntary organisations.
- Area champions are directly involved with community organisations related to their specialism and share information and lessons to learn. The Area has also established Case Review and Case Conference Panels which allow community representatives to review and discuss issues from finalised cases. There are also structured information sharing systems with key groups representing, for example, gay and lesbian and minority ethnic communities.

- The CCEO has responsibility within the Area for co-ordinating community activities and liaises closely with the SCJB Communications Officer. The CCEO has also established closer and more positive links with the media, and maintains up-to-date information on interest groups in the area, using a local website for current information on local demographics.
- The Area has focused on those groups which it has identified as being hard to reach and at greater risk of exclusion in addition to ensuring that its community activities are as inclusive as possible. Suffolk was a dispersal area for asylum seekers and refugees for much of 2004-05 and organised three events for them. Although no longer part of a dispersal area, Suffolk has a high population of immigrant workers and the Area continues to target them.
- The Area has taken a leading role in linking CDRPs with the wider criminal justice system. The former CCP chaired a group which included CDRPs with other CJS organisations in considering a strategy for dealing with prolific and persistent offenders. This has provided the basis for wider engagement.
- The Area has structured its community engagement to receive feedback from individual events by formal and informal evaluation methods in order to assess the impact it is having on the level of public confidence. A number of improvements have been effected within the Area following engagement activity. Links with the Suffolk Gay and Lesbian Helpline led to additional diversity training and the introduction of a homophobic crime monitoring form. Links with the United States Air Force have led to consideration, in appropriate circumstances, of crimes against American citizens as hate crimes.
- Public confidence in the effectiveness of the local CJS in bringing offenders to justice has increased from a baseline of 43% in March 2003 to 49% in 2005.

**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%	14.3%	52%	68.8%	77.4%	31%	22.7%	17.1%
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%	15.5%	68%	66%	73.3%	23%	23.8%	24.4%

**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%	14.9%	71 days	67 days	34 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%	2698	89%	992
Area	87%	84	82%	28	78%	9

**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	88%	113	97%	30	100%	2

**ASPECT 3: MANAGING CROWN COURT CASES**

INEFFECTIVE TRIAL RATE		
National Target	National Performance 2004-05	Area Performance 2004-05
18.5%	15.8%	8.9%

**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%	16.6%

OFFENCES BROUGHT TO JUSTICE		
	CJS Area Target 2004-05	CJS Area Performance 2004-05
Against 2001-02 baseline	+16.2%	+28.9%
Number	13,604	15,096

**ASPECT 7: DISCLOSURE**

DISCLOSURE HANDLED PROPERLY IN MAGISTRATES' AND CROWN COURT CASES PERFORMANCE IN THE LAST INSPECTION CYCLE		
	National Performance	Area Performance
Primary test in magistrates' courts	71.6%	64%
Primary test in Crown Court	79.9%	82%
Secondary test in Crown Court	59.4%	82%
Overall average	70.3%	76%

**ASPECT 11: MANAGING RESOURCES**

<b>NON RING-FENCED ADMINISTRATION COSTS BUDGET OUTTURN PERFORMANCE (END OF YEAR RANGES)</b>	
2003-04	2004-05
1.9% overspend	0.5% underspend

<b>DCW 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 2004	Area Performance 2004	National Target	National Performance 2004	Area Performance 2004
11.6%	8.3%	16%	£224	£301	8 days	8.7 days	5.3 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
43%	49%

**NOTES**

**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.hmcp.si.gov.uk](http://www.hmcp.si.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@hmcp.si.gov.uk](mailto:Office@hmcp.si.gov.uk)