

Press Release

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HM CPSI overall performance assessment of CPS West Midlands

HM Crown Prosecution Service Inspectorate (HM CPSI) has today published the overall performance assessment (OPA) of CPS West Midlands (the Area).

The OPA process provides a benchmark for each CPS Area's performance in 13 key aspects of work, each of which is assessed as being 'Excellent', 'Good', 'Fair' or 'Poor'. The Area is then assessed on its overall performance in the light of these markings.

The overall performance assessment of CPS West Midlands was FAIR.

The table below provides a breakdown of the assessed level of performance against the 13 aspects and provides a comparison with the 2005 exercise:

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

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

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

CPS West Midlands overall performance has been mixed since the last OPA. Performance has improved in five aspects - including a critical one - but declined in three, again including one critical. Performance has remained stable in the other five aspects.

In 2006-07 the Area had a slightly lower proportion of successful outcomes in the magistrates' courts than the national average, although performance in respect of cases heard at the Crown Court was better.

Inspectors found that the quality of prosecutors' decision-making at the pre-charge stage² was good, although too many cases subsequently had to be dropped, particularly in the magistrates' courts. Performance in respect of other aspects of the scheme is satisfactory.

The handling of the disclosure to the defence of unused material is good, and the Area has worked hard to improve performance.

Sensitive cases and hate crimes are handled well, although domestic violence cases remain problematic.

The proportion of effective trials (i.e. contested cases which proceed on the day fixed for trial) is worse than that found nationally, although overall cases progress quickly through the courts. The Area still has a large number of relatively serious cases set for committal to the Crown Court which are withdrawn or discharged because the prosecution is not ready. This is despite substantial improvement since the problem was most acute in 2001. The cause may rest either with the CPS or police. There are appropriate systems to monitor these cases with a view to reinstatement, but performance needs to be further improved.

The overall treatment of victims and witnesses is good and the Witness Care Units perform to a high standard.

Prosecutors make a positive contribution to seizing the assets of criminals and in 2006-07 a total of £4,473,495 was seized, which far exceeded the target of £2,557,041.

Inspectors found that what would otherwise have been a good overall performance was let down by inconsistencies in the handling of cases involving custody time limits. In the last two years there were three failures to comply with, or apply for extensions of, custody time limits and the necessary remedial actions were not taken. Checks indicated that not all the established processes and guidance was being followed. West Midlands typically handles 4,000 custody cases in a year.

The Area has maintained its excellent work with the diverse communities of West Midlands, with the aim of improving public confidence.

² A statutory scheme under which the CPS has assumed responsibility for the initial decision whether to charge (previously a police responsibility) in all except minor cases.

Stephen Wooler CB, HM Chief Inspector, said:

“The Chief Crown Prosecutor and his staff have worked hard since the last OPA to improve the aspects of performance that were of concern at that time. However, the issue over the number of discharged committals still awaits satisfactory resolution and remedial action is needed in respect of the handling of custody time limits. I am pleased that the excellent community engagement work has been maintained, which is of particular importance in a community as diverse as that in the West Midlands.”

The Inspectorate is visiting all 42 CPS Areas over a six month period in order to provide a benchmark from which future work can be informed. A summative report will be published in early 2008 which will set out on a comparative basis the assessments for all the Areas. The outcomes of these assessments will be used to determine where best to focus Inspectorate resources in order to promote improvement within the CPS and the criminal justice system as a whole. It is also hoped that the Areas, and CPS Headquarters, will use this information to address issues at local and national level where this is necessary.

This Press Release should be read in conjunction with the Report itself (which contains an integral summary).

For further information, please contact Andreas Harding, HMCPSI Communications Manager, on 020 7210 1143 or 07901 856 346.

Notes to Editors

- 1 HMCPSI was established as an independent statutory body on 1 October 2000 by the Crown Prosecution Service Inspectorate Act 2000. The Chief Inspector is appointed by, and reports to, the Attorney General.
- 2 The OPA report is based on judgements that have been made by HMCPSI using a combination of absolute and comparative assessments of performance. These came from national data, CPS self-assessment, HMCPSI findings and by measurement under the criteria and indicators of good performance set out in the OPA framework. The exercise will include visits to all 42 CPS Areas over a six month period, between June-December 2007. Each Area is rated ‘Excellent’, ‘Good’, ‘Fair’ or ‘Poor’.
- 3 The Inspectorate uses an assessment model which is designed to give pre-eminence to the ratings for ‘critical’ aspects of work as drivers for the final overall performance level. Assessments for the critical aspects are overlaid by ratings in relation to the other defining ones, in order to arrive at the OPA. This assessment model is included in the framework and is available to all Areas.
- 4 This exercise is not a full inspection and differs from traditional inspection activity. While it is designed to set out comprehensively the positive aspects of performance and those requiring improvement, it intentionally avoids being a detailed analysis of the processes underpinning performance. However, it is designed to provide a benchmark from which future work can be informed.

- 5 CPS West Midlands serves the area covered by the West Midlands Police. Its main office is based at Birmingham. In the year ended March 2007 it employed 484.2 full-time equivalent staff, and handled 58,315 cases before the magistrates' courts and 9,106 in the Crown Court. Advice was also given to the police in 20,275 cases which did not result in proceedings.
- 6 This Press Release and the Report in relation to CPS West Midlands are part of a block of 12 reports published today. HMCPSI will publish three further tranches of reports covering the remaining 30 Areas.