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THE JOINT INSPECTION OF THE GWENT CRIMINAL JUSTICE AREA

Area Inspected July 2005
Report Published February 2006

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CHIEF INSPECTORS' FOREWORD

The Chief Inspectors of the criminal justice inspectorates are pleased to publish their joint report on the Gwent Criminal Justice Area. This inspection builds on the previous joint inspection work undertaken in Surrey and North Yorkshire in 2004-05. It is the second joint inspection of six that are planned for 2005-06. This represents a significant increase in joint area inspection activity and shows the commitment of the criminal justice inspectorates to working more closely to help delivery of improved case management and public confidence in the criminal justice system.

The criminal justice inspectorates have for some time been placing greater emphasis on the effectiveness of relationships between organisations which they are responsible for inspecting and, in particular how successful those agencies have been in improving performance through co-operation within a framework which recognises the inter-dependencies of a criminal justice system, whilst respecting the separate and independent role of the agencies themselves.

Local Criminal Justice Boards operate on a non-statutory basis and formally came into existence on 1 April 2003. They represent a new way of doing business within the criminal justice system, through better co-ordinated and more cohesive working arrangements. This national infrastructure also offers a more substantial focus point for integrated inspection. We, as leaders of the criminal justice inspectorates, are determined to continue to build on this through the planned programme for this year.

Strategic planning and managing delivery on a cross-agency basis at a local level is a developing concept. The scope of the work of the Local Criminal Justice Boards is kept under constant review by the National Criminal Justice Board, and the Office of Criminal Justice Reform regularly issues guidance and practitioner toolkits, both on new initiatives and best practice, toward improving performance against existing measures. Although the potential benefits of integrated inspection based on criminal justice areas are substantial the inspection processes will likewise need careful and ongoing development. Each joint inspection we undertake during this business year will be subject to a rigorous evaluation to ensure that there is continuous improvement in our processes.

The framework used for this inspection was developed with a view to it being used across all the joint inspections planned for this business year. Its focus is on the 'front-end' of the criminal justice process from arrest to passing of sentence, with particular reference to three objectives - increasing public confidence in the criminal justice system, bringing offenders to justice and reducing ineffective trials. Within the framework we address issues of corporate governance arrangements and the strategies and policies of the Gwent Criminal Justice Board, together with the effectiveness of inter agency cooperation on those matters which affected overall performance from the point of charge through to passing of sentence. The framework drew on the substantial guidance and other information as to standards available either from the National Criminal Justice Board, or the Office of Criminal Justice Reform or the individual agencies themselves.

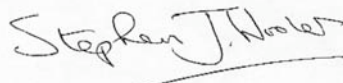
This inspection was carried out in accordance with the principles of inspection set out by the Office of Public Service Reform and examined issues so far as practical from a user perspective – particularly that of victims and witnesses. The inspection team worked closely with the Quality and Standards Department of Victim Support and their assessments have been incorporated into the overall report.

Our intention is that this report will not only inform the people of Gwent about how effectively the local CJS works, by highlighting the strengths of inter- agency working and identifying where further improvement can be made, but also that it will inform the policies, strategies and delivery of the wider criminal justice community.

Finally, the Chief Inspectors take this opportunity to thank the Chief Officers and staff of the criminal justice agencies in Gwent for the considerable assistance rendered to them during the course of this inspection. We also thank those from the wider Gwent community who come into contact with the criminal justice system for giving up their time to inform us of their experiences.



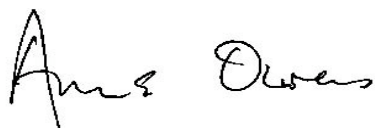
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1. INTRODUCTION

Local background

- 1.1 The County of Gwent covers the south east of Wales, an area with a resident population of just over half a million. The area covered is over 600 square miles (155,600 hectares) comprising valley communities as well as a number of larger towns, including Monmouth, Caerphilly, Pontypool and Ebbw Vale and the city of Newport. Newport experiences policing problems unlike those anywhere else in the county, as a result both of its multi-ethnic community and its vibrant social scene. The area's economy, once reliant on heavy industry and mining, has suffered considerably in recent years as these industries have declined or ceased. Within the county there are high levels of deprivation: the county borough councils (CBCs) of Caerphilly, Torfaen and Blaenau Gwent fall within the West Wales and Valleys Objective 1 area (which gives access to special grants from the European Community available for areas where, per capita, the gross domestic product is less than 75% of the EC average). In addition, all the wards in Newport City Council and 31 of the 36 wards in Monmouthshire County Council contain areas of economic hardship that qualify for funding under either Objective 2 or transitional programmes to support the economic and social conversion of areas.
- 1.2 Gwent Police HQ and HM Courts Service (HMCS) HQ are based in the county's administrative centre, Cwmbran, although the Crown Court Centre at Newport is administered from Cardiff in the South Wales criminal justice area. The Probation Service is based at Pontypool and the Crown Prosecution Service at Newport. There is one category 'C' prison in the county at Usk. The police force area is divided into three basic command units (BCU, known locally as divisions). These are Newport with a population of 138,826; Torfaen and Monmouthshire with a population of 175,900; and Caerphilly and Blaenau Gwent with a population of 239,600. Each BCU is co-terminous with one or more unitary authority's and community safety partnership. There are three Youth Offending Teams (YOTs) serving the county; Newport, Caerphilly & Blaenau Gwent and Torfaen & Monmouthshire.

Gwent Criminal Justice Board

- 1.3 The Government has established 42 criminal justice areas in England and Wales, each with a local criminal justice board which is made up of the chief officers of the criminal justice organisations of the area. The Gwent Criminal Justice Board (GCJB) formally assumed its responsibilities in April 2003. All local criminal justice boards are charged with establishing and delivering, at local level, targets to support the achievement of national objectives for the criminal justice system. The national targets are drawn from the Ministerial Public Service Agreements (PSAs) and include:
- increasing the level of public confidence in the criminal justice system to 40% by 2006;

- improving the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.15 million by 2005-06; and
- reducing the proportion of ineffective trials by 27% by March 2006, with the proportion of ineffective trials to be no more than 23% in Magistrates Courts and 17% in the Crown Court.

The Office of Criminal Justice Reform (OCJR) has suggested targets for each criminal justice area to assist them to contribute appropriately to the overall national targets.

Inspection

- 1.4 The joint inspection focused on the criminal justice process from the point of arrest to sentence. It specifically considered how the criminal justice agencies and their partners such as Victim Support and the Witness Service were working together in Gwent to achieve the targets set by the GCJB and deliver desirable outcomes for the community. The inspection team was on site in July 2005.

Methodology

- 1.5 The inspection methodology included a self assessment by the GCJB against the inspection framework, which is based on the PSA targets; examination of management information and consultation with relevant criminal justice partners. Interviews were conducted with criminal justice staff at all levels, criminal law practitioners and representatives of local community based organisations. Focus groups were held with police officers, victims and witnesses and staff from CPS and Courts. The inspection team carried out observations at police custody suites and observations on the quality of service delivery by the criminal justice agencies and partners at both the magistrates' courts and Crown Court. This included an assessment of courthouse facilities for court users including those in custody.

Report

- 1.6 A summary of findings and recommendations of the joint inspection can be found at the beginning of the report. The main body of the report is divided into four chapters which replicate the inspection framework and the three PSA targets (increasing public confidence in the criminal justice system, increasing the number of offences brought to justice and reducing the rate of ineffective trials). These chapters contain the detailed findings of the inspection team, while the Annexes set out the performance results, acknowledgements, and a glossary of terms.
- 1.7 The draft report was sent to the GCJB and the Board responded to this in October 2005. Administrative reasons and the translation into the Welsh language have meant that publication has taken longer than usual. Some events, such as the move to statutory charging on 19 December, have taken place in the intervening period. The recommendations and text have not been updated.

2. EXECUTIVE SUMMARY

Overview

- 2.1 The Gwent Criminal Justice Board (GCJB) has experienced significant discontinuity, with nearly all the chief officer board members changing in the 12 month period prior to the inspection. As a result, the Board members need to concentrate on 'bonding' and working effectively as a team. At the time of the inspection the delivery plan was incomplete and was being used as a working draft. There were no complementary action plans directing and influencing outcomes. Key staff at lower levels were therefore unaware of the GCJB objectives and aims. Had there been an effective delivery plan with action plans the 'movement' at Chief Officer level would not have been felt as adversely as it has. The Board has no permanent support staff and this has exacerbated the problems of business delivery, making it more difficult for new board members to 'pick up the reins' of their designated areas of responsibility and conduct business efficiently and effectively.

Key performance results

- 2.2 There had been improvement in performance against some of the PSA targets, especially in the Crown Court and magistrates' courts. The GCJB had a target to achieve a 9.2% improvement in bringing offences to justice (OBTJ) during 2004-05 against the baseline set during 2001-02. By the end of March 2005, the Area reported a decrease in performance of 16.4%; recognising this performance shortfall, the Area sought support from the OCJR and is working with PA Consulting to improve performance.
- 2.3 In the Crown Court the target of keeping the ineffective trial rate at or below 15% or less was met in every month in 2004-05. For the rolling quarter ending March 2005, the rate was an impressive 6.5%. In the magistrates' courts the rate has dropped to 24.8% in March 2005, against a target of 25%.
- 2.4 Recent performance in dealing with persistent young offenders (PYOs) from arrest to sentence has not been so promising. Since April 2004, the area has performed better than the national target of 71 days, but for the rolling quarter October/December 2004 the figure rose to 80 days. This is now reducing - the process in the last quarter of 2004-05 was taking 73 days from arrest to sentence. The GCJB believes that, because the actual number of PYOs in the area is relatively small, the figures look disproportionately bad when displayed in percentage terms rather than absolute numbers.
- 2.5 In the year to September 2004, 40% of the people surveyed in Gwent expressed confidence in the criminal justice system. However, by March 2005 this had fallen to 34% despite the engagement of a local public relations company to help improve public confidence.

Increasing public confidence in the CJS

- 2.6 There are positive single agency approaches to community engagement activities and these need to be harnessed by the GCJB for maximum effect. Public confidence in the criminal justice system is increased when there is an understanding that those who breach court orders or community penalties are dealt with effectively. The court service in Gwent is particularly good at fine enforcement and community penalty enforcement but have, on occasions, expressed some disappointment with their partners' support.
- 2.7 The area has some excellent initiatives in place, especially some undertaken by the Prison Service, but these are rarely planned and executed by the GCJB. Despite a major financial investment with a public relations company to improve performance in this area, confidence in the effectiveness of CJS agencies bringing offenders to justice dropped from 40% in September 2004 to 34% in March 2005. The lack of a cohesive Board membership, with robust objectives and targets, working within a well-documented and communicated planning framework, has impeded performance in this area. Plans need to take account of the diversity of the area and the GCJB needs to ensure equitable access to the CJS for the whole Gwent community.

Bringing offenders to justice

- 2.8 Shadow charging was re-launched in January 2005 and is due to become a statutory scheme in December 2005. A previously strong performing area, CJS agencies in Gwent have seen a decrease of 16.4% in offences brought to justice (OBTJ). This is partly attributed to introducing shadow charging without putting in place effective bail management arrangements, but better police investigative practice would also yield more successful prosecution outcomes. The GCJB identified these points and engaged with the OCJR in order to improve performance and to develop more effective data transfer systems.
- 2.9 The domestic violence project in Caerphilly is an example of good inter-agency working, with a positive arrest policy, which should be capitalised by the GCJB.
- 2.10 Persistent young offender (PYO)s performance has caused concern in the last two quarters of 2004/05 because the average time taken from arrest to sentence now exceeds the national target of 71 days.

Reducing ineffective trials

- 2.11 Performance in this area is good, with both the Crown Court and magistrates' courts meeting their targets. However, there is evidence that this reflects the successful efforts of individual agencies rather than the corporate drive of the GCJB. As part of the Government's No Witness, No Justice initiative, Gwent Police and the CPS have set up two witness care units in Gwent. The CPS manages the Crown Court witness care unit while the police force manages the magistrates' court witness care unit. Both units are well established; staff

demonstrate a personal commitment to their work but performance management information is disparate and not sufficiently robust. Anecdotal evidence suggests that witnesses and victims are overwhelmingly satisfied with the service they receive but systems need to be put in place which ensure that the GCJB understands fully its strengths and areas for improvement in order to meet the expectations of witnesses and victims.

Good practice

1. Regular joint meetings are held between the Crown Court team, police, CPS and Witness Service at Newport to review lists, share information about witness care and address the particular needs of witnesses prior to trial. The agencies also share details of Special Measures applications prior to trial date, and review them again one week before listing.

Recommendations

1. The GCJB should re-examine the purpose of the Board and the role of each member to promote effective leadership that delivers and communicates a coherent strategy for improving confidence in the effectiveness of the CJS agencies in Gwent.
2. The GCJB should use its 2005/06 business plan to drive improvements to criminal justice in Gwent; specifically, action plans need to be formulated as a priority, then implemented and monitored.
3. To increase public confidence in the effectiveness of the CJS, the GCJB should consult upon and then develop and implement a strategy to promote equality and diversity throughout the criminal justice system.
4. The GCJB should promote and publicise its activities within the CJS and the wider Gwent community.
5. The GCJB should conduct an evaluation of the current shadow charging scheme to ensure that systems, processes and compliance are all of an appropriate standard prior to moving to statutory charging in December 2005, so that the benefits of charging can be realised fully and in a timely way¹.
6. The GCJB should facilitate a more joined-up approach to witness care across the agencies work, given its importance as a PSA target; the adoption of relevant performance indicators could usefully promote improvement.

¹ The Area moved to statutory charging on 19 December 2005.

Strengths

1. Victim Support representation on the GCJB is very positive.
2. Engagement by the GCJB with the Criminal Defence Service is commendable.
3. Fine and Community Penalty enforcement in Gwent is effective and timely.
4. There is a high level of care and attention shown to detained persons by custody staff in police and court cells.

Aspects for improvement

1. The GCJB should communicate its vision for criminal justice to its staff and the wider community.
2. The GCJB should review the continued deployment of police resources in the Magistrates' Court administration office and discontinue the arrangement if there is no longer a significant benefit being realised.
3. A system needs to be put in place to ensure the automatic transfer of reliable and up to date information from court to Witness Care Units.
4. A suitably qualified person should be appointed to manage the bail system.
5. While acknowledging the work already undertaken by Gwent Police, more needs to be done by the GCJB to divert from police cells vulnerable persons such as those suffering from mental health illnesses and people subject to immigration control if they are not to be charged with a criminal offence.
6. The Effective Trial Management Programme (ETMP) is embryonic and all agencies need to commit resources to realise the benefits.
7. To improve the treatment of defendants, HMCS - in conjunction with Prison Escort Contractors and the Prison Service - should assess whether it would be beneficial and cost-effective to install a prison/court video link in Newport Crown Court.

3. GOVERNANCE AND STRUCTURE OF THE GWENT CRIMINAL JUSTICE BOARD

Overall assessment

- 3.1 At the time of the inspection, in July 2005, the GCJB had just reformed and was reorganising its business management under a new chair and with new chief officers representing most of the criminal justice organisations. There was some acknowledgement at chief officer level that insufficient progress had been made in the previous two years, and that structures and plans needed to be put in place to make GCJB more effective. The delivery plan was in draft format and the Board had been operating for almost a year without an Area Performance Officer. While performance in some key areas is good, inspectors found that this was the result of individual agency effort rather than a corporate drive from Board level. Considerable work needs to be done by the Board to realise and harness the potential that undoubtedly exists within the CJS in Gwent.

Governance

- 3.2 The Gwent Criminal Justice Board was established in April 2003 and was chaired from its inception until April 2005 by the Lord Lieutenant of the County, at the specific request of the Board members. There has been significant change of personnel at senior level during the past business year, with relatively new appointments to the key posts of Chief Constable, Deputy Chief Constable, Chief Crown Prosecutor and Area Director for HM Courts Service. In January 2005, the Board reviewed its approach and acknowledged that its structure, and the weaknesses evident among some sub-groups, was hindering progress. In April this year the role of chair was assumed by the Chief Constable; the Board decided to meet monthly rather than quarterly and planned to review the chairmanship one year hence.
- 3.3 The Gwent Criminal Justice Board membership is currently:
- Chief Constable Gwent Police – Chair
 - Chief Crown Prosecutor
 - Chief Officer, Probation Service
 - Area Director for HM Courts Service
 - Governor of HM Prison, Usk
 - Deputy Chief Constable, Gwent Police
 - YOT Manager
 - Area Manager, Victim Support
 - Superintendent, Criminal Justice Department (Gwent Police)
 - Justices Clerk, HM Courts Service
 - Lord Lieutenant of the County
 - Magistrate member of Gwent Courts Board (who is also a magistrate member of Gwent Police Authority)

- 3.4 The two non-executive members of the GCJB are the Lord Lieutenant and the magistrate. Board members describe the contribution of these non-executives as 'bringing independence and challenging views', but there could be benefit in clarifying their role. Because of the recent turnover in membership, group dynamics are still forming and the Board has not gelled as a team; it would benefit from specific work around team-building, with a focus on leadership.

WE RECOMMEND

The GCJB should re-examine the purpose of the Board and the role of each member, to promote effective leadership that delivers and communicates a coherent strategy for improving confidence in the effectiveness of the CJS agencies in Gwent.

Strengths

Victim Support representation on the GCJB is evidence of the Board's commitment to work with the voluntary sector and provide a good service to victims and witnesses.

- 3.5 The YOT manager on the Board represents the three YOT managers in the area, who provides a link with local community safety partnerships (CSPs). These links could be developed to provide closer alignment between CSP activity and GCJB targets.
- 3.6 Although at an early stage, it is encouraging to see that the GCJB has engaged with the Legal Services Commission to explore the provision of a constructive link with criminal defence practitioners.

Strengths

Positive engagement with the Criminal Defence Service at Board level.

The Board's support arrangement

- 3.7 There is no permanent secretarial support for the Board and consequently the secretariat function rotates with the chair (and thus currently provided by the Chief Constable's staff at Gwent Police HQ). If the chair of the Board rotates annually this arrangement could cause discontinuity in support, unless systems are put in place to ease the transition of business. At the time of the inspection the post of Area Performance Officer (APO) had been vacant for ten months. Efforts to recruit a replacement had been unsuccessful and the Board chose not to second an officer from one of the members agencies to fill the role temporarily. The absence of a dedicated APO has undoubtedly affected the Board's ability to assess and analyse performance, set targets and implement action plans.
- 3.8 Until June 2005, communications support and public relations work had been provided by Gwent Police but then moved to the newly-formed Confidence and Communications Group. To date, a considerable share of the GCJB budget has been spent on PR and confidence-building work contracted to a private company. There is a need to evaluate the outcome of this investment, especially as confidence has declined; the Board met its public confidence target in September 2004, with 40% of people in Gwent having confidence in the CJS but this figure dropped to 34% in March 2005.

Performance management

- 3.9 The substantial change in board members over the past year has resulted in a review of board structures, activities, roles and responsibilities and delivery plans. Currently, the GCJB is operating with a 'working draft' plan, which at the time of the inspection had not been formally signed off by the GCJB. The plan is restricted to the government's targets for the CJS; it does not reflect local community issues such as the treatment of people subject to immigration control, migrant workers in the community, vehicle crime and illegal drugs.
- 3.10 A good delivery plan would take into account other agency plans and the recommendations contained in thematic inspection reports relevant to CJB targets, such as those on the enforcement of community penalties and the supervision of priority offenders² (see paragraph 5.10). The plan as it stands is too basic to be fit for purpose.
- 3.11 Some individuals and agencies have been allocated responsibility for taking forward certain strands of the delivery plan. However there is still a lack of clarity as to who is responsible for what and when the action plans for delivery will be produced. The plan submitted to the Inspection team had a number of blank spaces and question marks in key areas and was incomplete. The process of allocating tasks has not been inclusive and some members of the board question their role within in it. A number of the delivery objectives are already being implemented across the CJ organisations and it appears that at this late stage the Board is trying to harness them into its delivery plan.

² *A Joint Inspection of the Enforcement of Community Penalties*, HMICA HMIC, HMI Probation, 2005 *Joint Inspection of Supervision of Serious Offenders*, HMI Probation 2004 and follow-up inspection *The Supervision of Serious Offenders (Gwent)*, HMI Probation and HMIC, June 2005

WE RECOMMEND

The Board should use its 2005-06 business plan to drive improvements to criminal justice in Gwent; specifically, action plans need to be formulated as a priority then implemented and monitored.

Structure

3.12 Below the main Board sit three newly formed sub-boards to manage specific aspects of business. Each is headed by a chief officer of the GCJB, to promote effective two-way communication with operational levels of activity. These sub-boards cover:

- confidence
- performance
- change management

3.13 A number of sub-groups then report to these sub-boards, as follows:

Performance sub-board:

- Narrowing the justice gap (incorporating offences brought to justice (OBTJ) group
- Persistent Young Offenders (PYOs) and Prolific and other Priority Offenders (POPOs) group
- Enforcement group

Confidence sub-board:

- Victims & Witnesses (incorporating No Witness, No Justice) group
- Diversity group
- Communications group

Change Management sub-board:

- Criminal Case Management (incorporating Effective Trial Management Programme and Charging) group

3.14 The effort to realign business has created a more clearly defined and accountable structure for business improvement . The new structures need to be communicated effectively to staff, as existing inter-agency meetings are still held to manage similar aspects of business – for example, on domestic violence and priority offenders . This has underlined the view held by one chief officer that GCJB arrangements have added to rather than rationalised existing cross-agency work.

4. IMPROVING PUBLIC CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM

Overview

- 4.1 At an early stage the GCJB identified increasing public confidence in the effectiveness of the CJS as a priority. Despite this, public confidence in the CJS in Gwent fell from 40% in September 2004 to 34% in March 2005 - the target for 2005/06 is to pull confidence levels back up, to 39% of respondents expressing confidence. The inspection identified some very good single agency work in progress, notably in the Prison Service and the CPS, to increase public confidence but there needs to be a corporate and determined effort in this area by the Board.
- 4.2 One activity flowing from the Board's priority was a considerable investment in corporate communications and consultation, undertaken by a public relations company engaged for the purpose. This area of activity accounted for almost 85% of the Board's budget for 2004/05 (figure 1). The company organised a series of seminars, aimed at target stakeholders, but it is not clear what these seminars delivered - the Board should evaluate this particular activity.

FIGURE 1 GCJB BUDGET, 2004-05		
	£	£
Income		
Grant		85,000
Expenditure		
Victim Support Gwent	10,800	
October Seminar	14,113	
April Seminar (Balance)	7,203	
Corporate Communications	43,146	
Miscellaneous Expenses	1,196	
Total Expenditure	76,457	
Balance of Grant		8,543

Source: GCJB

Communications

- 4.3 The GCJB has produced an information leaflet which explains the role of each agency within the criminal justice system . While helpful, the leaflet does not outline the GCJB aims for 2005/06 nor its vision for criminal justice in Gwent. Inspectors found the leaflet on display in only one of the CJ agencies premises visited during the inspection fieldwork.
- 4.4 Inspectors found a general lack of awareness among CJ agency staff about the Board's role and key activities - this was particularly apparent in the police force. The GCJB does have a web site but at the time of the inspection it was out of date, and some pages had not been updated since 2003.
- 4.5 The recently established Confidence sub-board will have a crucial role in increasing the positive perception of the CJB, and in increasing public confidence, and needs to address the above points with some urgency.

Aspects for improvement

The GCJB needs to communicate its vision for criminal justice in Gwent to its members' staff and the wider community.

Equality and diversity

- 4.6 GCJB does not have an Equality and Diversity plan, and the former sub-group with a remit for equality and diversity in the CJS never actually met. Inspectors found little evidence of any action co-ordinated by the CJB to increase confidence amongst ethnic minority communities, albeit specific work by the Chief Crown Prosecutor was noted . Fieldwork evidence indicates that some CJS staff do not fully understand that diversity encompasses more than black and ethnic minority issues, and there is limited awareness of issues around equal access to CJS services by diverse communities . For example, Newport has been designated as a government dispersal area for asylum-seekers, and several hundred are being housed. South East Wales Racial Equality Council has been consulted by the Board, through the confidence seminars, and assisted in setting a new target on the reporting of hate crime. (The London bomb attacks in early July 2005 sparked a rise in racially motivated incidents in Gwent, up to 49 from 30 in the same month last year.)
- 4.7 Concerns were voiced by CJS staff over the treatment and care of suspected immigration offenders. Police custody provision and police resources are being diverted to process people subject to immigration control, with little support from the Immigration and Nationality Directorate (IND) of the Home Office. Under Section 136 Mental Health Act, vulnerable people who have not committed criminal offences but who need assessment are taken into police custody rather than health care premises. Those with mental health problems are some of the most vulnerable people in our communities and their

detention in police cells can only add to their distress, as well as stigmatising mental illness. The Board should scope the problems relating to people subject to immigration control and those with mental health problems, and develop collaborative strategies with relevant agencies to divert them swiftly from the CJ system if they are not to be charged with criminal offences.

WE RECOMMEND

To increase public confidence in the effectiveness of the CJS, the GCJB should consult upon, and then develop and implement, a strategy to promote equality and diversity throughout the criminal justice system.

Enforcement of court orders and community penalties

- 4.8 Public confidence in the CJS is increased where there is demonstrable evidence that those who breach court orders or community penalties are dealt with expediently and effectively. The performance of the Gwent Criminal Justice agencies in this area is excellent – between 94% and 100% of community penalty enforcement (CPE) breach action occurs within ten days. HMCS has appointed three Court Enforcement Officers with dedicated responsibility for CPE warrants.

Proceeds of Crime Act (POCA)

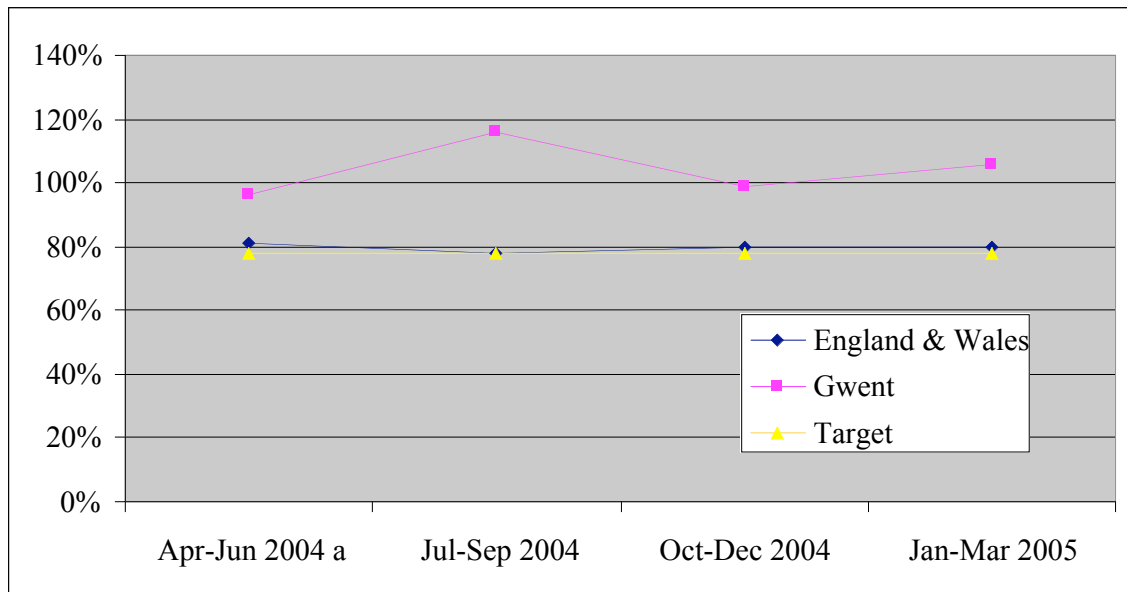
- 4.9 The performance of Gwent CJ agencies is a potential success story if it is effectively communicated to local people, who want to see that the CJS will be robust in penalising people who profit from criminal activities. In Gwent, 49 confiscation orders were granted in 2004/05 and a total of £422,671 worth of criminal assets seized. There is opportunity to capitalise more on POCA and highlight success in this area.

FIGURE 2 GWENT VOLUME AND VALUE OF CONFISCATION TARGETS 2005-06	
Volume	
Volume of COs Apr–Dec 2004	34
Projected volume of COs 2004-05	45
All reported crime 2003-04	59,296
Crimes per CO Index	1,308
Ranking	2
Increase for 2005-06	0.1
Area target 2005-06	50
Value	
Value of COs Apr-Dec 2004	£202,716
Projected value of COs 2004-05	£270,288
Average reported crime 2003-04	60,267
Average value of COs 2003-05	£141,389
Average value per crime 2003-05	£2
Rank	37
Increase for 2005-06	50%
Value target for 2005-06	£212,084

Fine enforcement

4.10. The Magistrates' Courts Service has a call centre in Cwmbran which follows up fine collection. This is particularly successful and an excellent source of intelligence, which is shared appropriately for enforcement purposes. As can be seen from the figures (Figure 3), Gwent maintains a consistently high performance in the collection of fines imposed by the courts. Operation Payback is a national joint enforcement initiative for fine enforcement. For this piece of work to be successful, it is essential that each partner agency delivers against its commitments. For one planned operation, Gwent Police undertook to supply an operational unit with the capability to force entry to premises if required, but on the day only three officers were assigned. This number was insufficient for the task and led to a loss of trust.

**FIGURE 3
TOTAL VALUE OF FINES COLLECTED AS A PERCENTAGE
OF THE VALUE OF FINES IMPOSED (EXCLUDING CONFISCATION ORDERS)
ACROSS LOCAL CRIMINAL JUSTICE BOARD AREAS;
LATEST QUARTER, JANUARY TO MARCH 2005**



Source: NCJB

Strengths

Effective and timely fine and community penalty enforcement.

Warrant enforcement

4.11 Historically, problems have existed with the timely transfer of warrants to the police and their prompt execution (Tables 1 and 2). At the beginning of July 2005 systems were put in place and all Fail to Appear (FTA) warrants are transferred to the police electronically within 24 hours of issue - this should assist with timely execution. Warrants are graded A, B, or C according to their urgency for execution.

TABLE 1 NUMBER OF FTA WARRANTS BY TRANSACTION TYPE			
	Apr 2005	May 2005	Jun 2005
Number of FTA Warrants received	152	121	106
Number of FTA Warrants executed	135	126	124
Number of FTA Warrants withdrawn by the courts	20	10	6
Number of outstanding FTA Warrants	353	333	305
Number of outstanding out of area FTA Warrants	25	40	45

TABLE 2 PERCENTAGE OF FTA WARRANTS NOTIFIED TO POLICE WITHIN TARGET TIME			
	Apr 2005	May 2005	Jun 2005
E&W % FTA Warrants notified to police within 1 working day	59.9	66.2	68.9
Target %	90	90	90
E&W % FTA Warrants notified to police within 3 working days	86.3	88.3	87.8
Target %	100	100	100
Gwent % FTA Warrants notified to police within 1 working day	16	0	0
Target %	90	90	90
Gwent % FTA Warrants notified to police within 3 working days	39	33.3	2.1
Target %	100	100	100

Court resulting

- 4.12 In order to overcome problems with court resulting, Gwent Police assigned three members of police staff in the Magistrates' court administration offices to input court results directly onto the police national computer (PNC). The staff input all cases that appear on the court registers, including adjournments, adjudication's, and breaches of Community Orders, but they are not authorised to make entries in certain sections of the persons record. There is an assumption that they are updating CPE warrants on PNC - which is technically correct - but the breach data they process is entered in the Disposal History (DH page) of the record, which is the conviction history. For it to be included as a 'Wanted' or 'Locate Trace' report (where FTA warrants are entered), a separate entry must be made on the Wanted/Missing page (WM). The PNC

inputters based in the courts office do not have the authorised access to perform this task and do not update warrants onto the Wanted/ Missing page of the PNC; this is carried out by a separate office, the PNC Bureau based in police HQ. This is common policy in several forces where these functions are performed by different staff.

Aspects for improvement

The GCJB should review the continued deployment of police resources in the Magistrates' Court administration office and discontinue the arrangement if there is no longer a significant benefit being realised.

- 4.13 There is often a need to inform witnesses and victims of case outcomes and bail conditions on the day of the hearing. Inspectors found that systems for providing prompt access to court results for Witness Care Unit (WCU) staff and others were not robust. HMCS managers accepted that there were times when they found it difficult to respond to large numbers of requests for such information while also producing court registers promptly. Efforts to manage this situation had not always had a good customer service focus – for example, telephones went unanswered, or callers were asked to write to the Unit in the hope that some callers would not do so. In other instances, callers were limited to asking about only one case per call.

Aspects for improvement

An information system needs to be put in place to ensure the automatic transfer of reliable and up-to-date information to WCUs.

Victim and witness care

Overview

- 4.14 The GCJB invited Victim Support (VS) to take up membership and has made a substantial financial contribution to the organisation. Gwent has been a pilot site for the Government's 'No Witness, No Justice' initiative and has received funding and support to establish witness care units. These units have dedicated staffing and their work has been well received by victims and witnesses. Although VS is a member of the GCJB, there is scope for improved communication and closer working between the voluntary sector and the statutory CJS agencies over their joint responsibility for victim/witness care.

- 4.15 All the agencies have an evident commitment to victim and witness care and have introduced systems and practical steps to improve each organisation's responsibility throughout the CJS process. Nonetheless, there is little evidence of a joined-up approach, and aspects of a silo mentality persist.

Witness care units

- 4.16 As part of the 'No Witness, No Justice' initiative, Gwent police and CPS in Gwent set up two witness care units. The CPS leads on Crown Court witness care and the force takes responsibility for witness care for the magistrates' court. Both units are due to merge. Inspectors found an element of competitiveness in Gwent, with agencies wanting to be seen as innovating. Individual agencies are then celebrating success without the GCJB oversight. One example is the CPS publicity for the launch of its Witness Care programme.
- 4.17 Performance management with regard to victim and witness issues is limited and there was poor planning within the new units. The Police and CPS victim/witness Crown Court and magistrates' courts teams are very committed but are not well integrated with their own organisations or with external agencies. WCUs outlined the difficulties they have in obtaining up-to-date court results to keep clients informed of outcomes.
- 4.18 Both units appeared to have been set up in isolation without detailed planning or the use of project management principles. This somewhat ad hoc approach has left staff without direction and a tendency to develop systems 'on the hoof'. Reporting mechanisms to senior managers lack detail and are not subject to interrogation. The limited information collected by both teams has not been collated or presented to the GCJB, thereby impeding an evaluation of performance save for anecdotal feedback by individual victims/witnesses (which is overwhelmingly positive).
- 4.19 GCJB did not establish performance management measures prior to co-location, such as key performance indicators (KPIs) for victim/witness care in CPS/Police units or access data held by Victim Support. The GCJB, via its relevant sub-board, should review victim and witness care across services, with particular emphasis on the flow of victim/witness information across the CJS interfaces. Some good practice is evident. Regular joint meetings are held between the Crown Court team, police, CPS and Witness Service at Newport to review lists, share information about witness care and address the particular needs of witnesses prior to trial. They also share details of Special Measures applications prior to trial date, and review them again one week before listing. However this good practice is not replicated in the Magistrates' Court witness unit.
- 4.20 Inspectors found evidence of limited staff engagement in support of the co-location for the police/CPS units. Communication by senior managers of the change process was poor; staff had genuine concerns about job security and perceived roles and responsibilities within the new units. Communication between the Crown Court and Magistrates' courts teams was patchy and there is considerable scope for joint work to facilitate the change process.

- 4.21 Effective planning for the co-location should form a discrete piece of work for both CPS and police victim/witness units, to facilitate their co-location in early 2006. Consideration should be given to team building to alleviate staff concerns and facilitate amalgamation. The introduction of joint staff meetings, shadowing of roles and joint KPIs are all worthy of consideration.

Referral to Victim Support

- 4.22 There has been a substantial decline in police referrals to VS in the last three years, due largely to police uncertainty over the provisions of the Data Protection Act. The large reduction in receipt of referrals impacted upon VS, which experienced a large decline in workload, demoralisation of staff and volunteer teams, and a perception that police did not value the service offered to victims and witnesses by VS. There is a concern among VS staff that CJS agencies have a negative view of VS credibility. As a matter of urgency, Gwent Police and VS need to agree a referral mechanism, with emphasis on direct data transfer. Statistics collated by VS could be used to monitor and enhance individual agencies' performance concerning victim/witness care. The GCJB has a clear remit to facilitate and direct a more joined-up approach to victim and witness care across the agencies' work, given its importance to the community and the Government's PSA target.

WE RECOMMEND

The GCJB should develop a more joined-up approach to victim and witness care across agencies, given its importance as a community need and PSA target, and should set KPIs to monitor that performance.

5. BRINGING OFFENDERS TO JUSTICE

Overview

- 5.1 The CPS and police in Gwent re-launched the shadow charging scheme in January 2005, this being the second attempt at implementation. Gwent Police has one of the highest sanction detection rates in England and Wales and inspectors found reluctance among some police staff to transfer the decision-making on charges to CPS lawyers. A number of problems are being experienced in relation to performance management systems and the area will need to find solutions to these before migration to statutory charging in December 2005.
- 5.2 Performance in bringing offences to justice (OBTJ) has deteriorated substantially. The GCJB had a target to achieve an improvement in OBTJ of 9.2% during 2004/05 against a baseline set during 2002/03. But by the end of March 2005 performance had slumped by 16.4% (Table 3). Across England and Wales over the same period OBTJs rose by almost 15%.

CJS areas	March 2002 a	March 2005	% Change
England and Wales	1,002,204	1,151,372	14.9%
Gwent	17,253	14,429	-16.4%

Source: National Criminal Justice Board

- 5.3 The GCJB has been concerned by the decrease in the OBTJs and has approached the Office of Criminal Justice Reform (OCJR) for assistance. One area identified for action was the incompatible data transfer systems that Gwent were using which caused data lags. At the time of inspection a private consultant was working with the Board on ways to improve performance.

Shadow charging

- 5.4 The area re-launched its shadow charging scheme in January 2005, using accepted project management principles. A previous attempt had been unsuccessful, largely due to under-resourcing. Three police charging centres are used – at Abergavenny, Newport and Blackwood – and the CPS provides one duty prosecutor each weekday from 9am to 5pm at Newport and Blackwood. Police officers from stations served by the Abergavenny charging centre must either attend the centre or telephone one of the other centres for advice. Advice given, either personally or by telephone, is confirmed in writing. A recently introduced appointments system seems to be working well in managing police and duty prosecutor time more effectively. There is a plan to provide advice by video link to more remote stations. Inspectors found that

the area had a low number of cases being dealt with under the shadow scheme as a proportion of the total caseload. The move to statutory charging, planned for December 2005, will provide both for mandatory referral by police, and the provision of a telephone out-of-hours service by CPS Direct.³

- 5.5 Awareness training was provided for CPS and police custody staff at the implementation stage, but ongoing changes to the project have not been communicated to police custody staff and negative perceptions are damaging the credibility of the scheme. Dedicated custody staff are crucial to the success of the scheme and they need to be included in planning the details of agreed further developments.
- 5.6 The project plan highlighted poor bail management as a risk to the success of the project, yet no bail manager had been appointed. At the time of the inspection there were some 700 cases involving defendants due to return on bail, and a custody sergeant was attempting to review the bail decisions in conjunction with his other responsibilities.

Aspects for improvement

A suitably qualified bail manager should be appointed to manage the bail system.

- 5.7 With the added burden of bail returns in some police charging centres, consideration is being given to opening a bail clinic. This could be a positive move but the site of the bail clinic needs to be chosen with care, and in consultation with stakeholders. The presence of the Criminal Defence Service at Board level will facilitate this consultation. The GCJB will need to carry out an equality impact assessment before a final decision on this location is taken.
- 5.8 The potential benefits of the charging scheme are not being realised in full. The discontinuance rate, guilty plea rates and attrition rates at Crown Court and magistrates' courts for cases that have been the subject of pre-charge advice are generally disappointing – all are below the national average and fail to meet CPS targets. The low take-up rate may adversely affect these figures.

³ The Area moved to statutory charging on 19 December 2005.

Compliance with CPS advice

- 5.9 Following advice from a CPS charging lawyer, the CPS completes its own records and then follows up the case with a reminder to the investigating officer if s/he has not completed any additional work within six weeks. The police supervision and oversight of this aspect of business is weak. For example, there are no systems in place to manage the process; it is quite possible that advice is not being adhered to and cases are not being progressed, thereby affecting the OBTJ figures. Inspectors found that, in some cases, CPS advice to charge or summons was ignored and the alleged offender was instead cautioned by a police officer, contrary to the scheme's principles.

WE RECOMMEND

The GCJB should conduct an evaluation of the current shadow charging scheme to ensure that systems, processes and compliance are all of an appropriate standard prior to moving to statutory charging in December 2005, so that the benefits of charging can be realised.

Serious and sensitive casework

- 5.10 Inspectors found that serious and sensitive casework is handled well by the CJS, but problems exist with police systems for identifying and tracking such cases; the force uses the NSPIS case and custody application but this needs upgrading. Officers are currently revising the force's hate crime policy to bring it into line with the ACPO Hate Crime Manual. The CPS has specialist prosecutors available for sensitive casework and the Domestic Violence Pilot in Caerphilly is operating successfully.

Prolific and other priority offenders

- 5.11 Whilst the Probation, Police and Prison Service in Gwent have policies and strategies to manage prolific and other priority offenders (POPOs), there has been little GCJB oversight of this key business area. HM Prison at Usk & Prescoed received a positive report from HM Inspectorate Prisons in 2005, which noted a high level of attention to public protection, involving good links with other agencies. However, two HM Inspectorate of Probation inspection reports have criticised the supervision of serious offenders in Gwent, the first in November 2004 with a follow-up in June 2005. The reports highlight serious shortcomings in the management and supervision of offenders by the probation and police services (Box A). Worryingly, neither report was discussed at the GCJB, and some chief and senior police officers with responsibility for public safety were unaware of their existence. The prison service has been working in isolation to raise public confidence in this area. Problems revealed by inspection include a female offender who removed her

tag and was reported to the police but managed to remain unlawfully at large for three months before being arrested. The role that the prison service can bring to the strategic management of POPOs and community safety has not been exploited by the GCJB. Currently, the only Community Safety Partnership (CSP) contact with the GCJB is through the YOT manager on the Board. CSPs would like more involvement and contact with GCJB, to take forward work streams of mutual interest such as prolific offending.

BOX A

PROBLEMS IN OFFENDER MANAGEMENT

Considerable public concern has been raised locally over the management and rehabilitation of sex offenders.

The principal offenders are detained at HM Prison Usk and Prescoed – some of those assessed as low risk are moved to a nearby open facility as part of their rehabilitation process. This procedure came to public notice and the prison governor organised a public meeting to allay concerns. Public anxiety had escalated to such a point that a government minister attended the meeting. While this was well managed by the prison service, there was no oversight by GCJB. This was clearly an area where the Board could have engaged more effectively and addressed public concerns.

Persistent young offenders

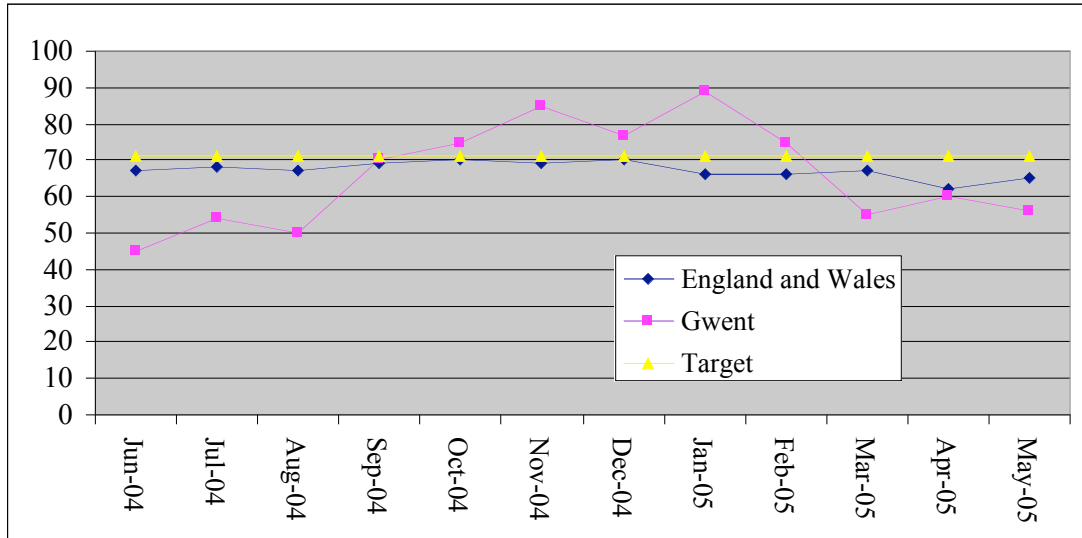
5.12 The national target from arrest to sentence for persistent young offenders (PYOs) is 71 days, and this target is included in the GCJB delivery plan. Gwent’s performance against this target was excellent up until September 2004, when it deteriorated sharply (Table 4 and Figure 4). Examples of poor performance in managing persistent and prolific offenders not only erode performance but undermine confidence between agencies (Boxes B and C).

**TABLE 4
PERFORMANCE ON TARGET OF NUMBER OF DAYS
FROM ARREST TO SENTENCE**

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
CJS areas	Apr-Jun 04 a	Jul-Sep 04	Oct-Dec 04	Jan-Mar 05
England and Wales	68	68	69	66
Gwent	57	59	80	73

NB: Target for all areas is for the average not to exceed 71 days.

**FIGURE 4
PERFORMANCE AGAINST PYO TARGET, 2004/05
TIME TAKEN TO COMPLETE PYO CASES IN ALL CRIMINAL COURTS IN
GWENT IN THE YEAR TO MAY 05**



Source: JPIT

BOX B

Gwent was on track to excel in this area until two PYOs breached bail. Warrants were issued by the Youth Court and transferred to Gwent Police for execution. It took over 250 days to arrest the first youth and the second youth was still at large, after 160 days, as the fieldwork ended. Needless to say, Gwent Police's failure to act promptly in these cases provoked considerable frustration among CJ partners, especially as HMCS had supplied intelligence on one of the youths. Neither youth had left the area; one had committed further offences and the other had been attending his appointments at the Youth Offending Team premises but the YOT, inexplicably, neither sought his arrest nor informed the police of his whereabouts.

BOX C

In one case, a PYO was arrested by Gwent police on 19 September 2004 and bailed the following day. A video interview took place in November 2004 and video identification was confirmed in February 2005. The youth was finally charged in April 2005 and the case came to court in May 2005. The delay was judged to be the result of lack of police expedience in the investigation.

The treatment of defendants

Overview

- 5.13 Public confidence in the treatment of detained persons in Gwent is commendably high at 79%, above the national target. The inspection team was impressed by the commitment and professionalism of staff, who evidently cared for the welfare and dignity of persons in their custody.
- 5.14 Good relationships exist across the county between the prison service, the prison escort contractors (Reliance) and Gwent Police. Custody staff were caring and alert to the needs of detained people, sometimes using their own resources to purchase reading material that alleviated the tension and boredom experienced by many young people in custody. Good working relationships also exist between police custody staff and defence solicitors, with one defence solicitor stating that the police “*did a difficult job well*”.

Strengths

There is a high level of care and attention shown to detained persons by custody staff in police and court cells.

- 5.15 But not all arrangements work well. One young man with severe autism was detained in police cells over a weekend with no health care facilities available. He was not suspected of committing any crime and was in a distressed state. The custody staff caring for him experienced considerable pressure and stress. Without training relevant to his condition, communication was near impossible and staff felt very uncomfortable with this situation.

Aspects for improvement

While acknowledging the good work that has taken place, especially by police officers, more work needs to be done by the GCJB to divert vulnerable persons from police cells.

- 5.16 At all levels, frustrations were expressed at the quality and standard of some magistrates’ court accommodation, which is not fit for purpose in the 21st century. This was highlighted in the HM MCSI inspection report on Gwent magistrates’ courts in 2002. A bid to build new courthouses under a private finance initiative (PFI) scheme has not yet been approved by the Treasury. The Police and CPS are planning new joint accommodation at Ystrad Mynach, and it is worth considering whether accommodation for court services could be incorporated as a fallback position if the PFI scheme is not agreed.

Video links to prisons at the courts

- 5.17 The Crown Court at Newport, unlike its partner court in Cardiff, has no video link facilities to prisons. Newport accounts for approximately 40% of the combined Crown Court work, including interim hearings, and some families of detainees experience severe financial hardship travelling to Cardiff.

Aspects for improvement

To improve the treatment of defendants HMCS, in conjunction with Prison Escort Contractors and the Prison Service, should assess whether it would be beneficial and cost effective to install a prison/court video link in Newport Crown Court.

6. REDUCING INEFFECTIVE TRIALS

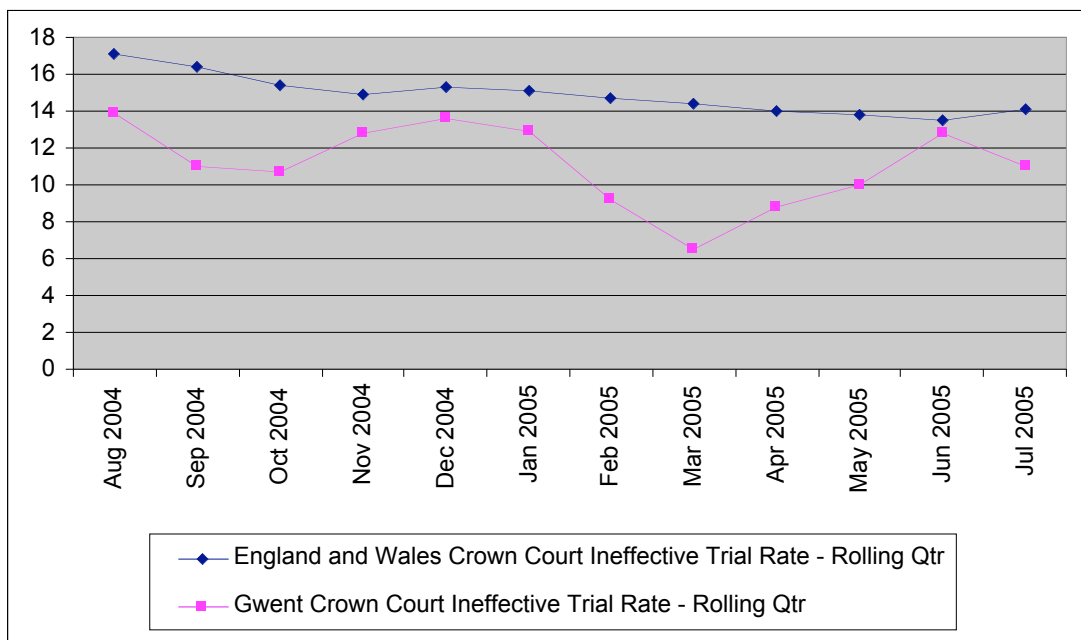
Overview

6.1 The area has made good progress in reducing the number of ineffective trials in the Crown Court and the magistrates' courts and increasing effective trials.

Crown Court performance

6.2 Newport and Cardiff Crown Court centres are treated as one court centre, making it difficult to disaggregate performance information and assess the effectiveness of Gwent trial processes. The ineffective trial rate target in the Crown Court is to not exceed 15%. The January to March 2005 quarter has shown the best performance to date, at 6.5% (Figure 5). This performance is Crown Court-driven and well managed, as opposed to GCJB driven. The Chief Crown Prosecutor takes an active interest in performance management and requires narrative reports on any case that is ineffective at Crown Court.

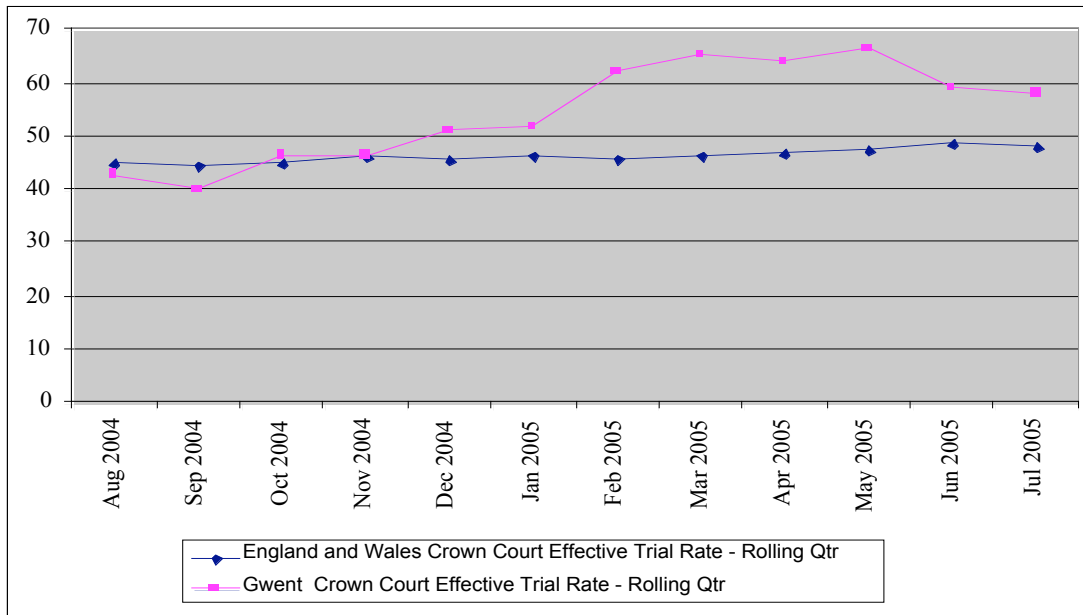
FIGURE 5
INEFFECTIVE TRIAL RATE IN CROWN COURT



NB - Gwent relates to police force area

Source: JPIT

**FIGURE 6
EFFECTIVE TRIAL RATE IN CROWN COURT**



NB - Gwent relates to police force area. The effective trial rate in Gwent Crown Court in the period to Jul 2005 - higher is better

Source: JPIT

Magistrates' courts performance

6.3 The GCJB performance target for the magistrates' courts is that the rate of ineffective trials is not to exceed 25%. Performance was on target from September 2004 until December 2004; in the quarter January to March 2005 the rate was 24.8% - just within target - but is now rising (Figures 7 and 8). Analysis suggests that the reasons lie outside prosecution performance.

**FIGURE 7
INEFFECTIVE AND CRACKED TRIAL RATES IN MAGISTRATES' COURTS**

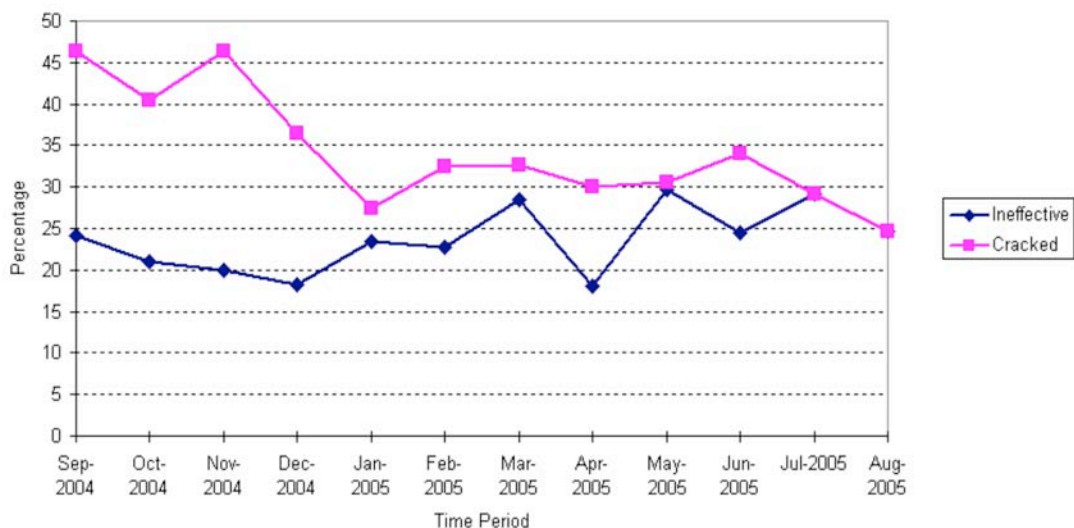
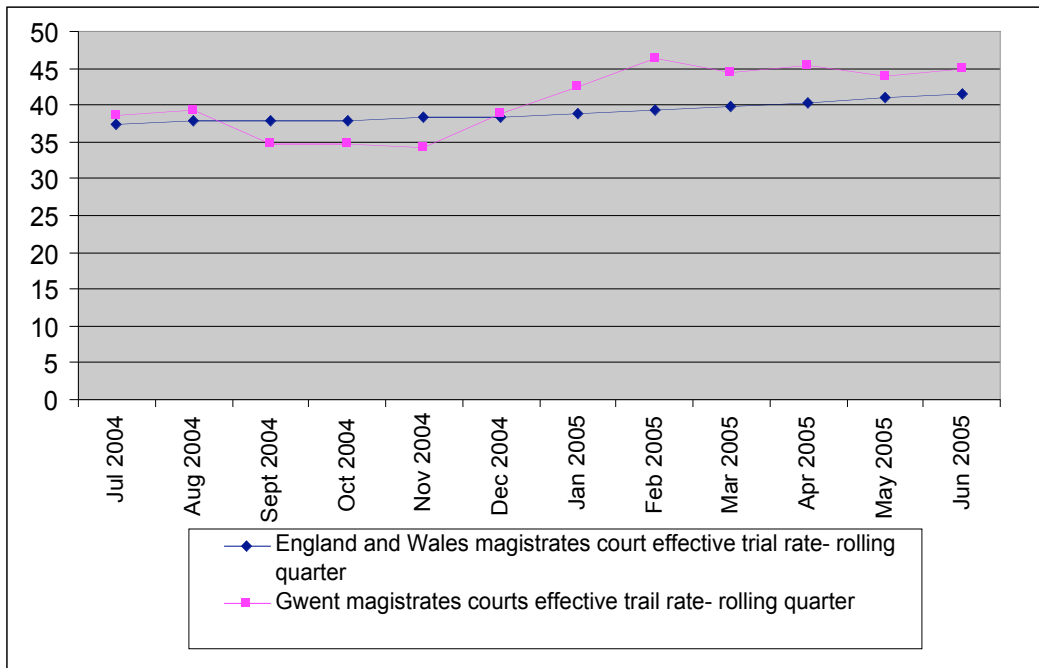


FIGURE 8
EFFECTIVE TRIAL RATE IN MAGISTRATES' COURTS



The effective trial rate in the magistrates' courts in Gwent in the period up to June 2005 - higher is better

Source: JPIT

6.4 Monthly meetings focusing on ineffective trials which are the responsibility of the prosecution, are held between the Justices' Clerk, CPS and Police with a target to halve the ineffective trial rate. There are two main reasons why trials are ineffective because of failings by the prosecution:

- the failure of prosecution witnesses to attend; or
- poor file quality in safety camera cases.

FIGURE 9 MAGISTRATES' COURT: REASONS FOR INEFFECTIVE TRIALS - MONTHLY %										
	Oct 04	Nov 04	Dec 04	Jan 05	Feb 05	Mar 05	Apr 05	May 05	Jun 05	Jul 05
Prosecution not ready (disclosure problems)	0.5	0.6	0.0	0.7	0.0	0.7	4.0	4.2	2.0	1.0
Prosecution witness absent – police	0.0	1.3	0.0	0.7	1.9	2.1	0.7	0.8	0.0	0.0
Prosecution witness absent – other	1.5	3.8	0.7	3.9	0.6	1.4	0.0	1.7	4.8	1.0
Defendant absent - did not attend	5.6	4.4	5.1	4.6	5.8	8.3	1.3	6.8	4.1	8.3
Defendant absent – ill	2.6	3.8	4.4	2.0	2.6	6.3	2.0	4.2	2.7	4.2
Defendant absent - not produced from custody	2.6	0.6	2.2	2.6	1.3	3.5	2.7	0.8	1.4	2.1
Defence not ready	2.1	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.7	0.0
Defence not ready (disclosure problems)	1.5	1.3	2.9	2.6	3.2	1.4	1.3	0.8	1.4	0.0
Defence witness absent	1.5	0.0	0.0	0.0	0.0	0.0	0.0	1.7	0.0	1.0
Lack of court time / magistrate availability	0.0	1.3	1.5	0.7	0.6	0.7	2.0	1.7	3.4	1.0
Overlisting	0.5	1.3	0.7	3.3	3.2	0.0	2.7	2.5	0.7	4.2
Other reason	1.0	0.0	0.0	0.7	0.0	1.4	0.0	0.8	0.7	0.0
	1.5	1.9	0.7	2.0	3.2	2.8	1.3	2.5	2.7	6.3

- 6.5 Even with the successful domestic violence pilot in Caerphilly, there is still a problem of witnesses failing to appear in domestic violence cases. A more effective police investigation process, focused on obtaining best evidence and corroboration, is needed. Guidance from the National Centre for Policing Excellence should be incorporated into police policies on investigating domestic violence.
- 6.6 The high volume of safety camera cases with deficient corroborative evidence affects the cracked and ineffective trial rates in the magistrates' court. Plans are in hand to provide training for safety camera staff to raise the quality of file preparation.
- 6.7 In cases where it is known in advance that witnesses will not turn up, the trial can be vacated. A new protocol has been drawn up to deal with vacated trials, which balances the vacated trial rate and the effective use of court resources by delegating the power to vacate to the court case progression officer. It is acknowledged that the vacated trial rate will rise as a result but there will be a reduction in ineffective trials.

- 6.8 Inspectors observed a number of court sittings in Gwent and identified a need for improvement in case preparation in by CPS prosecutors and police. For example, papers were missing from prosecutors' files even though the defence had copies; a CPS prosecutor in the youth court needed to ask for ten-minute adjournments to read files. Multiple pre-trial reviews are being held owing to police failure to comply with court directions. The police concede that there are no systems in place to monitor directions and ensure compliance, and that communications between CPS and police are poor.

Effective Trial Management Programme

- 6.9 The Justices' Clerk for Gwent is the GCJB senior reporting officer for the Effective Trial Management Programme (ETMP). This programme is designed to increase the quality of preparation in contested cases. Although not fully implemented at the time of the inspection, the introduction of the programme was communicated at senior level to all the agencies and the defence representatives, for whom specific training was arranged and delivered by the senior reporting officer.
- 6.10 A key feature of the programme is the role of case progression officers (CPOs). The Crown Court and magistrates' courts, Police and CPS were at various stages of appointing CPOs but there had been no meetings and the agencies had not discussed their training needs. ETMP is embryonic in Gwent and considerable work is required to realise the full benefits of the programme.

Aspects for improvement

The ETMP is embryonic and requires all agencies to commit resources fully to realise the benefits.

GWENT PSA TARGETS AND PERFORMANCE

Offences Brought to Justice	Target 2004-05	March 2002	March 2005	% Change
	9.2% (increase over March 02 baseline)	17,253	14,429	-16.40%
Rate of ineffective trials	Baseline Jul-Sep 2002 2004-05	Qtr ending Dec 2004	Qtr ending Mar 2005	Target 2004-05
Magistrates' Courts	31.6%	19.9%	24.8%	25%
Crown Court	13.3% - Baseline Jun-Aug 02	13.6%	6.5%	15%
Effective in bringing offenders to justice (public confidence)	Baseline Year ending March 2003	Year ending December 2004	Qtr ending March 2005	Target 2005-06
	33%	36%	34%	39%
Fine enforcement	Oct-Dec 2004	England & Wales Oct-Dec 2004	England & Wales average 2004-05	Year 2004-05
	99%	80%	80%	106%
Persistent Young Offenders	National Target	Months Oct-Dec 2004	Months Jan-Mar 2005	England & Wales average Jan-Mar 2005
	71 days	80 days	73 days	66 days

ACKNOWLEDGEMENTS

Inspectors would like to thank the chief officers and staff of the criminal justice organisations in Gwent for the co-operation and assistance provided to the inspection team.

We would also like to thank the many victims and witnesses who met with us and shared their experiences of the criminal justice system. The voluntary groups, statutory and non-statutory organisations, and community of Gwent without whose contribution the inspection would not have been possible.

GLOSSARY

ACPO	Association of Chief Police Officers
APO	Area Performance Officer
CEO	Civilian Enforcement Officer
CJS	Criminal Justice System
CPE	Community Penalty Enforcement
CPS	Crown Prosecution Service
ETMP	Effective Trial Management Programme
FTA	Fail to Appear
GCJB	Gwent Criminal Justice Board
HMCS	Her Majesty's Court Service
KPIs	Key Performance Indicator
NWNJ	No Witness, No Justice
OBTJ	Offences brought to justice
OCJR	Office for Criminal Justice Reform
PNC	Police National Computer
POPOs	Persistent or Priority Offenders
PSAs	Public Service Agreements
PYO	Persistent Young Offender
REC	Race Equality Council
VS	Victim Support
YOT	Youth Offending Team
WCU	Witness Care Units
WS	Witness Service



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