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HM Crown Prosecution Service Inspectorate

**HMICA**  
HM Inspectorate of Court Administration



**HM**  
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Her Majesty's  
Inspectorate  
of Probation

# THE JOINT INSPECTION OF THE NORTHUMBRIA CRIMINAL JUSTICE AREA

May 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 Northumbria criminal justice area. This inspection builds on previous joint inspection work and is part of a programme of area joint inspections undertaken during 2005/06. This shows the continuing 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 (CJS).

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. In particular, they evaluate 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 CJS, 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 2006/07.

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 (OCJR) 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 have undertaken during this business year has been subject to rigorous evaluation to ensure that there is a continuous improvement in our processes.

The framework used for this inspection has been developed and utilised throughout the joint inspections undertaken during 2005/06 and focuses on three objectives:

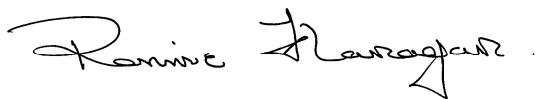
- increasing public confidence in the criminal justice system
- bringing offenders to justice
- reducing ineffective trials.

Within the framework we address issues of corporate governance arrangements and the strategies and policies of the Northumbria Criminal Justice Board, together with the effectiveness of inter-agency co-operation on those matters which affect overall performance from the point of charge through to passing of sentence. The framework draws on standards and guidance produced by the National Criminal Justice Board, the OCJR, or the individual agencies themselves.

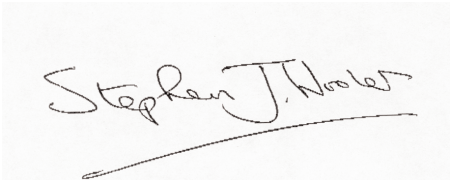
This inspection was carried out in accordance with the principles of inspection set out by the Office of Public Service Reform and examined issues so far as practical from a user perspective – particularly that of victims and witnesses. The inspection team worked closely with colleagues from the Quality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

Our intention is that this report will inform the people of Northumbria about how effectively the local CJS works, by highlighting the strengths of inter-agency working and identifying where further improvement can be made. It will also 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 Northumbria for the considerable assistance rendered to them during the course of this inspection. We also thank those who come into contact with the criminal justice system for giving up their time to inform us of their experiences.



**Sir Ronnie Flanagan, GBE, MA**  
HM Chief Inspector of Constabulary



**Stephen J Wooler, CB**  
HM Chief Inspector  
of the Crown Prosecution Service



**Eddie Bloomfield**  
HM Chief Inspector  
of Court Administration



**Ms Anne Owers, CBE**  
HM Chief Inspector of Prisons



**Andrew Bridges**  
HM Chief Inspector of Probation

## 1. INTRODUCTION

### Northumbria local background

- 1.1 Northumbria is divided between two counties, Northumberland and Tyne and Wear. Northumberland is one of the largest and least populated counties in England and Wales, with only 0.6 people per hectare. It has its own flag, tartan and dialects. Northumberland is made up of six districts: Alnwick District; Berwick-upon-Tweed Borough (including Holy Island); Blyth Valley Borough; Castle Morpeth Borough; Tynedale District and Wansbeck District. A major source of employment and income for the county is tourism, with over 1.1 million UK visitors and 50,000 foreign tourists each year contributing £162 million to the area.
- 1.2 In contrast, Tyne and Wear is far more densely populated with 19.9 people per hectare, which is well above the national average of 3.4 people per hectare. Tyne and Wear comprises five metropolitan districts: Newcastle upon Tyne; North Tyneside; South Tyneside; Gateshead and Sunderland. There has been an enormous change in the employment base over the past three decades with traditional skills such as engineering and shipbuilding adapting to meet offshore and marine technologies. In addition, the area has emerged as a location for major employers in the automotive industry, customer services and information technology.
- 1.3 Northumbria's population is predominately white with just 2.4%<sup>1</sup> of residents being from minority ethnic groups.
- 1.4 The total offences per 1,000 of the population in Northumbria were down from 114 in 2003/04 to 102 in 2004/05. In each category of crime offences per 1,000 were down in 2004/05 from 2003/04. These trends reflected the national pattern except for violent crime, which rose nationally, but fell in Northumbria.
- 1.5 Her Majesty's Court Service (HMCS) is based in the centre of Newcastle and has ten magistrates' courts across Northumbria as well as a Crown Court Centre in Newcastle. The Crown Prosecution Service (CPS) Area Headquarters is based on the Quayside in Newcastle; the Probation Service in Jesmond and Police Headquarters are at Ponteland. Within Northumbria, there is one category 'C' prison for male prisoners and one Young Offenders Institution (YOI); both are situated near Morpeth. The police force is divided into six basic command units (BCUs): Newcastle; Sunderland; Northumberland; South Tyneside; North Tyneside and Gateshead. There are also six youth offending teams (YOTs) which are coterminous with the BCU areas. Northumbria has eleven crime and disorder reduction partnerships (CDRPs) of which six together, are coterminous with Northumberland BCU and County Council (Alnwick, Berwick-upon-Tweed, Blyth Valley, Castle Morpeth, Tynedale and Wansbeck and Northumberland). The others, Newcastle, Gateshead, North Tyneside, South Tyneside and Sunderland are individually coterminous with BCUs.

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<sup>1</sup> Source: Northumbria CJB

## **Northumbria Criminal Justice Board**

1.6 The Government has established 42 criminal justice areas. Each has a Local Criminal Justice Board (LCJB). The Northumbria CJB formally assumed its responsibilities on 1 April 2003. All LCJBs are charged with agreeing and delivering, at local level, targets to support the achievement of national objectives for the criminal justice system that are designed to improve its overall efficiency and effectiveness. The national targets, which are drawn from the Ministerial Public Service Agreements (PSAs), for 2005/06, 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 2005-2006
- A reduction in 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 has detailed targets for each criminal justice area to assist them in contributing to the overall national targets.

### **Scope of inspection**

1.7 The inspection was a joint inspection by HM Inspectorate of Constabulary (HMIC), HM Crown Prosecution Service Inspectorate (HMCPIS), HM Inspectorate of Court Administration (HMICA), HM Inspectorate of Probation, and HM Inspectorate of Prisons. The Quality and Standards Department of Victim Support also assisted the joint inspectorate team.

1.8 The joint inspection focused on the criminal justice process from the point of arrest to sentence but did not consider or comment on matters for which the judiciary have a responsibility. It specifically looked at how effectively the criminal justice agencies – and partners such as Victim Support and the Witness Service – were working together in Northumbria to deliver the outcomes necessary to achieve the agreed performance targets. We considered the governance and strategy of the Northumbria CJB, and the joint response of criminal justice agencies and partners to crime from the point at which an arrest is made to the passing of sentence. This included an examination not just of the work of the Northumbria CJB, but also the interaction between criminal justice agencies and partners outside the Northumbria CJB framework.



## **Methodology**

- 1.9 Our methodology included a self-assessment by the Northumbria CJB against the inspection framework, which is based on PSA targets. We examined management information, plans and documentation from the Northumbria CJB. We visited the area for two weeks from 9 to 20 January 2006 and held interviews with criminal justice agency staff at all levels, criminal law practitioners and representatives of local community based organisations. Focus groups of victims and witnesses, police officers, agency case progression officers and magistrates were also held. The inspection team carried out observations on the quality of service delivery by the criminal justice agencies and partners at both the magistrates' courts and the Crown Court. This included an assessment of courthouse facilities for court users, including those in custody.
- 1.10 We examined a selection of CPS files in which there had been an unsuccessful outcome, and looked in particular at the level of witness care and the timeliness of the exchange of information between the prosecution team and other agencies.

## **Structure of report**

- 1.11 An executive summary of the main findings of the joint inspection will be found at the outset of the report. The main body of the report sets out the detailed findings of the inspection in relation to the topics inspected. These findings are based on an inspection framework which focuses on three aspects of performance for which there are Government targets, namely: increasing public confidence in the criminal justice system, increasing the number of offences brought to justice and reducing the rate of ineffective trials.
- 1.12 We identify strengths and aspects for improvement, draw attention to good practice and make recommendations. The recommendations identify the steps necessary to address significant weaknesses relevant to important aspects of performance, which we consider merit the highest priority by the Northumbria CJB and criminal justice partners.
- 1.13 The annexes set out some further performance results, the Board's supporting structure, acknowledgements and a glossary of terms.



## **2. EXECUTIVE SUMMARY**

### **Overview**

- 2.1 Northumbria is divided between two counties, Northumberland and Tyne and Wear. Both counties present different challenges to the Northumbria CJB. Northumberland is one of the largest and least populated counties in England and Wales and is made up of six districts. In contrast, Tyne and Wear is far more densely populated and comprises of five metropolitan districts. The population of Northumbria is predominately white, with 2.4% of people from ethnic minority groups.
- 2.2 Overall crime in Northumbria decreased, reflecting the national picture, with the exception of violent crime which rose nationally. Total offences per 1,000 of the population in Northumbria were down from 114 in 2003/04 to 102 in 2004/05. There were fewer recorded crimes in 2004/05 in all categories, apart from sexual offences, than in 2003/04. The number of recorded sexual offences rose from 1,360 in 2003/04 to 1,496 in 2004/05. The total number of offences dropped from 157,051 in 2003/04 to 142,122 in 2004/05.

### **Northumbria Criminal Justice Board**

- 2.3 The Northumbria CJB came into effect in April 2003 and has in the past twelve months seen a change of Chair and a number of Board members. The Board has recently recruited a performance officer and communications officer to provide a full complement in secretariat support.
- 2.4 The Board has focused its strategy on performance, which has seen some improving results, although some performance targets are not yet being achieved. The Board has members from external agencies – Government Office North East (GONE) and Legal Services Commission (LSC) – which is a welcome approach. However, the focus on performance limits the CJB agenda and these alliances are not being fully utilised.
- 2.5 The structure below the Board consists of an Operations Group, chaired by the Assistant Chief Constable (with portfolio responsibility for criminal justice), four sub-groups (covering the topics of proceeds of crime, victims & witnesses, prolific & priority offenders and communications) and six local delivery groups (LDGs). The communications sub-group also has responsibility for public confidence.

### **Public confidence and community engagement**

- 2.6 Confidence in the effectiveness of criminal justice agencies in Northumbria in bringing offenders to justice is 40% (Dec 05). This is below the local target of 47%. The Board currently has no cohesive strategy to address public confidence issues and is not maximising single agency work to full effect. However, the Board has identified that it needs to explore the drivers for confidence and at the time of the inspection was in the process of commissioning a piece of research to enable it to build a coherent strategy and apply resources efficiently.

- 2.7 The Board's focus on performance has limited the development of strategy and leadership in relation to the wider criminal justice agenda, in particular community engagement and public confidence. The Board recognises this and is beginning to take steps to modify the strategy which will enable it to engage further with the wider community within Northumbria.

### **Offences brought to justice**

- 2.8 The volume of offences brought to justice (OBTJ) has declined since 2003 along with a reduction in the number of recorded crimes. OBTJ Performance has been above target throughout 2005/06.
- 2.9 The statutory charging scheme has been implemented well and analysis of case files suggest decision-making is sound. There is some good single agency and joint agency work between the police and CPS being undertaken regarding specialist casework, although there are still some sensitive cases which are not dealt with in a timely manner. Poor quality police files cause delays in the progression of cases. Discontinuance rates in cases which are the subject of pre-charge advice are better than the England and Wales average.
- 2.10 Northumbria has been proactive in reducing priority offending through its own initiatives prior to the national roll out of the prolific and priority offender initiative. The Board has driven this project through and it has produced some good joint working across the agencies.
- 2.11 Persistent young offender (PYO) performance is good, with the Board and LDGs aware of, and responding to, some long running cases which may impact detrimentally on future performance results.

### **Reducing ineffective trials**

- 2.12 The monthly performance for ineffective trials in the Crown Court has been volatile, although the quarterly rolling average has usually achieved target. The Board needs to establish the reasons for the improved performance in order to maintain some level of consistency in performance. Although there is an overall trend of improvement in the magistrates' courts, consistent performance has not always been maintained. Case progression is not systematically applied in the courts and this may well explain the peaks and troughs in performance results.
- 2.13 As part of the Government's *No Witness, No Justice* initiative, six witness care units (WCUs), which are led by the police and CPS have been introduced across Northumbria. These are all in differing stages of development and there needs to be some level of co-ordination across the Area to ensure a systematic and consistent approach is adopted in the units. This will also enable the Area to establish and share good practice.

2.14 Victims and witnesses are treated well in Northumbria, as shown in recent victim and witness surveys, although communication between victims and police and CPS could be improved.

2.15 Defendants are treated appropriately and their rights respected in most cases, but there is a need to provide better support for those defendants with mental health, drug or alcohol related problems.

### **Key performance results**

2.16 The Board's performance against its key targets has seen some improvements, although some performance targets are still not being met.

- Improving confidence in the effectiveness of bringing offenders to justice is currently 40%, below Northumbria's target of 47%.
- Since April 2005 performance in bringing offenders to justice has increased and is achieving the target, with sanction detection rates also better than target.
- Ineffective trial rate is not consistently achieving target in both the magistrates' courts and Crown Court, although trial timeliness performance is good.
- PYO performance has been consistently better than target.
- Notification of FTA (failed to attend) warrant performance is patchy and is not hitting target. FTA warrant execution, however, shows improved performance.
- Fine enforcement performance is good with payment rate figures better than target.
- POCA performance (orders) has not reached target and future performance projections are below trajectory. Reducing the outstanding balance performance is good but the reduction in outstanding orders is below target.
- Community penalty breach warrant performance is good.

### **Strengths**

1. Good inter-agency working in relation to prolific and priority offenders (paragraph 4.19).

## **Aspects for improvement**

1. Northumbria CJB ensures the communications group considers and drives improvement in raising public confidence (paragraph 3.15)
2. Northumbria CJB takes steps to assure itself that there is a systematic and effective approach to equality and diversity (paragraph 3.18)
3. The Northumbria Criminal Justice Board identifies and develops a list of key community stakeholders, using this as a basis for engagement in the area (paragraph 3.24)
4. The Northumbria CJB examines why cases are dropped following charge or are subject to attrition at various points (paragraph 4.8)
5. Northumbria CJB should ensure that processes and procedures for handling sensitive and specialist cases are systematic and robust (paragraph 4.11)
6. Northumbria CJB should work with relevant agencies to ensure that there is appropriate and consistent provision for those held in court cells who have substance use and/or mental health problems, including formal diversion schemes (paragraph 5.24).

## **Recommendations**

1. Northumbria CJB develops a joint agency strategy and sets clear direction to bring about improvements in public confidence in the criminal justice system (paragraph 3.16)
2. Northumbria CJB reviews and strengthens its mechanisms for engaging with groups outside the LCJB in order to improve the quality of service delivery by:
  - capitalising on current single agency community initiatives
  - increasing their involvement in the work of the criminal justice agencies
  - increasing awareness and knowledge in relation to minority ethnic groups (paragraph 3.25)
3. Northumbria CJB builds on existing approaches to performance management and ensures:
  - analysis of performance leads to the implementation of action plans to bring about improvements in performance
  - the impacts of planned operational changes are assessed
  - good practice is identified and spread (paragraph 3.28).

4. Northumbria CJB secures Chief Officer agreement to ensuring full implementation of, and accountability for, the Effective Trial Management Programme (paragraph 5.11).
5. Northumbria CJB ensures that witness needs are assessed, prioritised and met by:
  - evaluating the work of the witness care units (WCU's) and taking action where required
  - ensuring WCU staff have clear lines of reporting
  - ensuring consistency in approach across the Area
  - identifying and sharing good practice (paragraph 5.19).





### **3. IMPROVING PUBLIC CONFIDENCE AND COMMUNITY ENGAGEMENT**

#### **Overview**

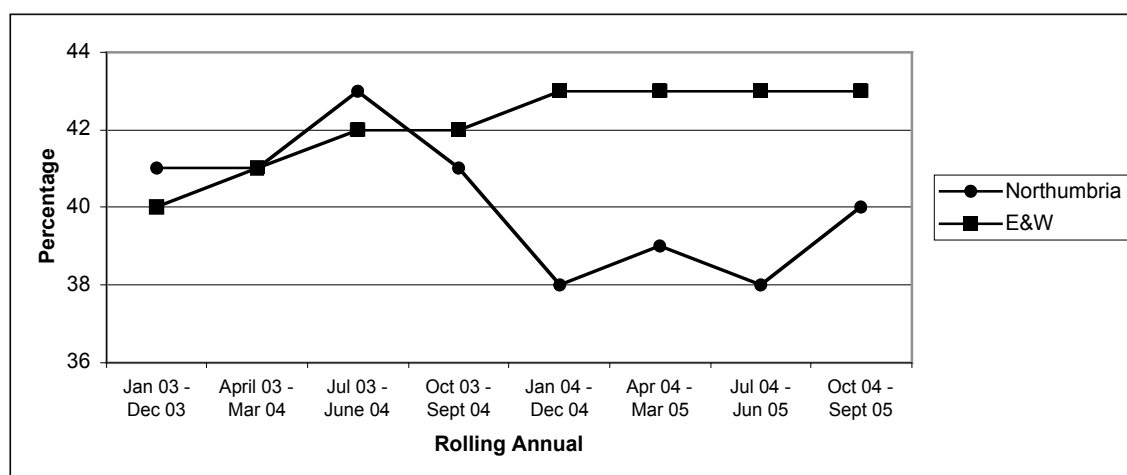
- 3.1 Northumbria Criminal Justice Board has focused its strategy around performance and has achieved some improving results. This has led to less focus on leadership and strategy from the Board in relation to the wider CJB agenda, such as community engagement and public confidence. The Board structure is at Annex B.
- 3.2 Membership of the Northumbria CJB includes the Chief Crown Prosecutor (Chair), HMCS Area Director, Assistant Chief Constable (ACC) with criminal justice portfolio, Director of Operations for the Probation Service, the North East Area Manager for HM Prison Service and a representative of the Youth Offending Teams (YOTs) across Northumbria. In addition, the Board has external members from Government Office North East (GONE) and Legal Services Commission (LSC). Inspectors were pleased to see some external partners included in the Board membership.
- 3.3 The structure below the Board includes:
- an Operations Group, chaired by the ACC and attended by key personnel from each agency who have responsibility and authority to action and implement Board initiatives and action plans
  - six local delivery groups (LDGs) for Sunderland, Northumberland, Gateshead, South Tyneside, North Tyneside and Newcastle. These groups meet monthly and include representatives from each agency. Police chair the majority of these LDGs
  - four sub-groups covering topics on victims and witnesses, proceeds of crime (POCA), prolific and priority offenders (PPO) and communications.
- 3.4 The Operations Group is chaired by the ACC with responsibility for criminal justice. At the time of the inspection, group members consisted of the Chief Superintendent for the Criminal Justice Department, YOT Manager, CPS Area Business Manager, a representative from GONE, Governor for HM Youth Offending Institute, Deputy Clerk to the Justices, Assistant Chief Officer Probation, Lead Court Manager, Magistrates' Court Case Progression Officer and the CJB Performance Officer, Liaison Officer, Communications Officer and Business Support Officer. A representative from LSC was to join the group from February 2006.
- 3.5 The Operations Group agenda includes performance, initiatives such as prolific and priority offenders and proceeds of crime, sub-group updates and local initiatives such as community engagement and use of DVDs in courts.

- 3.6 There is no separate sub-group for diversity as the Board sees this as being 'mainstreamed' into all other activity and initiatives. Confidence is also viewed in this way and is subsumed in the work of the communications sub-group, with overall sponsorship of the group being undertaken by the HMCS Area Director.
- 3.7 The local delivery groups, which are predominately chaired by police officers, are at different stages of development as they have been given local autonomy. However, this is changing with a member of the operations group sponsoring each LDG. This, together with the reporting framework will bring some level of consistency in approach across the area.
- 3.8 The Board is supported by a secretariat which has only recently been established at full strength. Both the performance officer and the communications officer took up their posts in late October 2005.
- 3.9 Some members of the Board see themselves as a 'corporate co-operative'. They want to avoid creating an additional layer of management or extra bureaucracy and seek to drive action from an individual agency perspective, seeing their individual responsibilities contributing to benefit the whole criminal justice process. Inspectors agree that the Northumbria CJB should not be, or be perceived as, another layer of management, but the Board needs to ensure that members work together to provide strategic leadership and direction in cross agency initiatives. Jointly, members of the Board need to focus on driving change, resolving matters such as competing priorities and setting the overall direction for the delivery of CJS initiatives and providing improved services.
- 3.10 The Board's strategy is primarily driven by a focus on performance with some improvement in results, although some performance targets are yet to be achieved. There has been less focus on wider issues, such as increasing public confidence. Whilst the Board focuses on performance matters, the benefits brought by including external partners within the Board structure, such as GONE, YOTs and LSC, cannot be fully utilised. The external perspective and understanding that other partners bring are not used to contribute fully and add value to the Board's agenda.
- 3.11 Some agencies represented on the Board feel they are not equal partners because the CJB performance targets are 'front-end' focused. Another member told inspectors that the Board is "concentrating on half the job and half the problem". There was a sense that the Board was unaware of the good work undertaken by Prisons, Probation and YOTs, leading to some frustration that the Board did not recognise this work.

## Increasing public confidence in the criminal justice system

- 3.12 One of the crucial factors in the success of the CJS is the level of confidence that the public has in the system. Public confidence is measured using responses in the British Crime Survey (BCS) which asks whether the public believes the criminal justice system is effective in bringing people who commit crime to justice.
- 3.13 The latest survey (Sept 2005) of confidence in the CJS showed that 40% of people in Northumbria had confidence in the Northumbria Criminal Justice System's ability to bring offenders to justice. This shows an increase from 38% (rolling annual figure up to June 2005) in the previous survey but is below the baseline figure set in March 2003 of 41% and is also below the current average for England and Wales of 43%<sup>2</sup>. Whilst the national target for confidence is 40%, Northumbria's local target is 47%.

### Confidence in the CJS to Bring Offenders to Justice



Source: British Crime Survey

- 3.14 Whilst the Board has placed less emphasis on public confidence compared with other aspects of performance, members of the Board recognise the need to work on public confidence and community engagement issues. The communications officer has begun to develop a marketing plan for the CJB in relation to confidence. Whilst we recognise that this is a positive step, we were concerned that this plan is not being informed by a clear strategic vision. The Board must ensure its expectations that the communications officer improves public confidence are adequately supported and directed. The Board needs to provide leadership on the confidence agenda, ensuring that the strategy has full approval and buy-in at Board level in all organisations.
- 3.15 This commitment to raising public confidence in the criminal justice system should be further emphasised at Board level by ensuring the communications group is closely driven by the Board and, in particular, by the Board member with lead responsibility for confidence.

<sup>2</sup> This figure has a confidence interval of  $\pm 4\%$

**Aspect for improvement**

Northumbria CJB ensures the communications group considers and drives improvement in raising public confidence.

- 3.16 Locally there is good single agency work being undertaken which could help to boost public confidence, such as: magistrates in the community, court open days and community beat managers in schools. However, there is no overarching strategy to ensure that the impact on confidence of these and other initiatives is fully realised. Many criminal justice agency staff have little knowledge of the work of the CJB and some managers have little recognition of which LCJB objectives in the business plan impact on public confidence or the important part that community engagement plays in developing public confidence. HMCS staff have received a presentation detailing the work of the LCJB and what their contribution is to its objectives. This is a good piece of work, but one which has not been shared across other agencies.

**WE RECOMMEND**

Northumbria CJB develops a joint agency strategy and sets clear direction to bring about improvements in public confidence in the criminal justice system.

**Equality and diversity**

- 3.17 Within Northumbria, each criminal justice agency has its own diversity plan, although there is no overall Northumbria CJB diversity plan. The Board indicated that it believed that mainstreaming diversity into individual CJS agencies was enough to ensure that the diversity agenda was adequately covered, and that any additional activity would just add additional burdens at local level that would not produce improvement. Whilst inspectors acknowledge the Board's keenness to mainstream diversity, there can be no assurance that there is a systematic and consistent approach to equality and diversity in Northumbria. We found little evidence of a joined-up or consistent approach to ensure that equality and diversity issues were recognised and addressed. The one example we were told of which highlighted joint working around the aspect of equality and diversity was about representation at a number of local events of the Asian community, and this seemed to focus more on community engagement rather than equality and diversity.
- 3.18 Inspectors found that there was little awareness of a Northumbria CJB equality and diversity agenda amongst staff. Although some valuable single agency work is ongoing through the police public protection unit (PPU), inspectors still consider that this is so one-agency focused that it cannot replace the benefit that any joint activity would bring.

### Aspect for improvement

Northumbria CJB takes steps to assure itself that there is a systematic and effective approach to equality and diversity.

#### Community engagement

- 3.19 The CJB currently has a low profile with external agencies. The recently drafted (since the recruitment of the new Board communications officer) marketing plan mentions the need to increase partnership working, indicating that this would be done by holding an annual conference. Whilst the plan includes future actions for improving community engagement, there was little else in the plan to support this statement of increased partnership working.
- 3.20 The CJB has held a number of conferences, the most recent being in December 2005 to which the crime and disorder reduction partnerships were invited to attend. This invitation was well received by CDRPs which had previously suggested (through inspection questionnaires prior to the December conference) that the Board was 'very poor' at engagement.
- 3.21 The recent conference was seen as a success. We recognise that an evaluation of the conference was being undertaken at the time of the inspection, with LDG action plans being presented to the Board at the end of January 2006. However, the Board had not yet given a clear steer on next steps following the conference. Some LDGs have grasped the opportunity and invited CDRPs to their meetings. However, the approach to further engagement with CDRPs needs to be led by the Board to ensure consistency within a framework of local structures and processes.
- 3.22 The Board undertook some good inter-agency work during *Inside Justice* week in October 2005. Events included court open days, work with the charity *Prison Me, No Way, the Justice Game*, public question and answer sessions with criminal justice agency staff as well as co-ordinated media promotions across the area.
- 3.23 The Board has yet to engage fully with ethnic minority communities and has just begun to develop this work through the new communications officer. The draft marketing plan suggests 'creating wider links with communities' but does not indicate how this will be done, by whom and when. The marketing plan is insufficiently detailed to give any reassurance that community engagement will take place in a systematic way and be strategically led by the Board.
- 3.24 The Board currently has no list of formal stakeholders from which it can contact individuals and groups who represent the wider community to begin to forge links, although single agencies do have their own lists. For example, the police currently have an independent advisory group (IAG) list which inspectors used to contact local community groups. Inspectors met with a small number of community groups who were keen to engage with the CJB.

### **Aspect for improvement**

The Northumbria Criminal Justice Board identifies and develops a list of key community stakeholders, using this as a basis for engagement in the area.

- 3.25 These community groups have a lot to offer the Board, including helping to assess the needs of the wider community and finding ways of improving public confidence. For example, the lesbian, gay, bisexual and transgender (LGBT) group expressed concerns that whilst, in Northumberland, there may be fewer incidents involving LGBT community members, services are more remote and attitudes are less cosmopolitan, giving rise to individuals feeling vulnerable and less confident. MESMAC (Men engaging in sex with men – action in the community) suggested a single point of contact to aid early development of effective communication structures between criminal justice agencies and the wider community. Without dialogue, the Board lacks information on what the community wants and how it can address the issues. The Board is missing substantial opportunities for engaging not just with minority groups, but also with the wider community.

### **WE RECOMMEND**

Northumbria CJB reviews and strengthens its mechanisms for engaging with groups outside the LCJB in order to improve the quality of service delivery by:

- capitalising on current single agency community initiatives
- increasing their involvement in the work of the criminal justice agencies
- increasing awareness and knowledge in relation to minority ethnic groups.

## **Performance management**

- 3.26 Northumbria CJB is clearly focused on performance and, despite being without a performance officer for a number of months until last October, has now developed its performance information, so that it is clear, concise and well presented. The data is supported by narrative from the performance officer which explains trends, dips or gains in performance and also offers an insight into projected performance.

3.27 Whilst the Board has concentrated its focus on performance this has not always been the case at a local level. The appointment of the new performance officer in October 2005 facilitated the introduction of LDG performance packs, making local groups more accountable for performance. The performance officer:

- has attended the LDGs to raise the profile of performance and to ensure the groups are aware of what action is expected from them;
- is challenging LDGs about their performance in order to ensure that local analysis and use of performance information results in improvement to local performance and so contributes to overall Area performance;
- is developing and expanding the CJB's performance information and analysis.

3.28 Data is collected at single agency level in relation to race hate crimes and stop and search, but this is not yet part of the Board's performance framework.

#### **WE RECOMMEND**

Northumbria CJB builds on existing approaches to performance management and ensures:

- analysis of performance leads to the agreement and implementation of action plans to bring about improvements in performance
- the impacts of planned operational changes are assessed
- good practice is identified and spread.





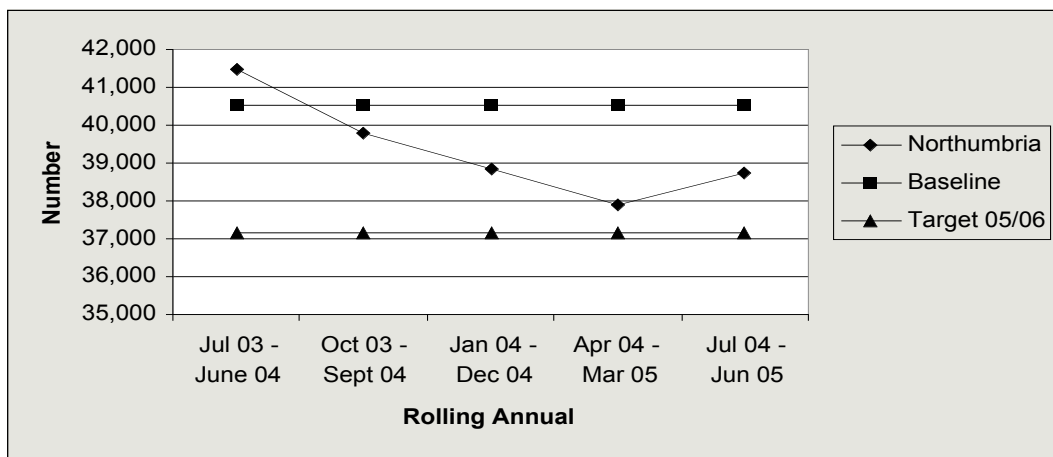
## 4. BRINGING OFFENDERS TO JUSTICE

### Overview

4.1 The volume of offences brought to justice<sup>3</sup> has declined since 2003 along with a reduction in the number of recorded crimes. OBTJ performance has been above target throughout 2005/06. Sanction detection performance is good. The statutory charging scheme has been implemented well although there is scope for further improvements in discontinuance rates. Specialist casework is jointly supported by a number of specific protocols and there is some good local single agency and bi-partite work been undertaken. Whilst the handling of sensitive cases by CPS was assessed as good by HMCPSI in a recent report, inspectors found that some sensitive cases take too long to come to court for the preliminary hearing. Special measures are appropriately applied for and supported by adequate facilities at court. Northumbria CJB has undertaken some good work around prolific and priority offenders and also shows some good persistent young offender performance in relation to timeliness.

### Offences brought to justice

**Number of Offences Brought to Justice – Rolling Annual – All Offences**  
(target shown is for 2005/06)



Source: Home Office

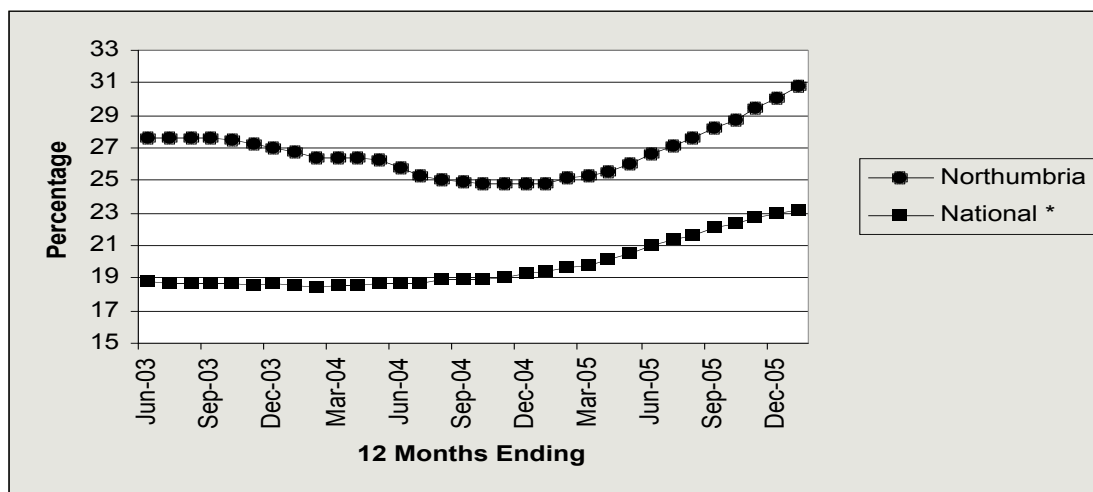
<sup>3</sup> An offence brought to justice is a successful outcome to the investigation of an offence and is comprised of five categories: convictions; cautions; fixed penalty notices (FPNs); offences taken into consideration (TICs) and formal warnings.

4.2 In March 2002, Northumbria had a baseline<sup>4</sup> figure of over 40,000 offences brought to justice. The target set for Northumbria in 2005/06 was 37,257 offences brought to justice. Northumbria's performance has been above target and the Area expects to deliver more than its target by the end of 2005/06. The methodology<sup>5</sup> employed by the Office of Criminal Justice Reform to calculate the target meant that Northumbria's target was set below the baseline and this was mirrored in a number of other Areas. Northumbria's target for 2006/07 is 39,488 offences brought to justice.

### Sanction detections<sup>6</sup>

4.3 As the graph below shows, overall sanction detection rate<sup>7</sup> is consistently above the target of 26.4%, currently reaching 34.08% (Dec 05).

**Sanction Detection Rate**



Source: Home Office

\*National figure excludes Hampshire due to lack of data

<sup>4</sup> Baseline – the reference point used as a basis for the comparison of subsequent performance – usually the point in time when measurement of performance against the target began.

<sup>5</sup> Offences brought to justice targets are calculated by using a formula based on expected crime level, expected sanction detection rate and expected conversion rate – hence targets set are not always above baseline.

<sup>6</sup> Sanction detections are recorded offences that were detected where an offender has: been charged; been reported for summons; been cautioned; been given a formal warning for possession of cannabis; been issued with a fixed penalty notice for certain offences and asked for an offence to be taken into consideration at court.

<sup>7</sup> Sanction detection rate is the number of sanction detections expressed as a percentage of the number of recorded crimes occurring over a 12 month period.

## Pre-charge advice and decision-making

- 4.4 Statutory charging<sup>8</sup> was introduced in ten charging centres throughout Northumbria in June 2004. HMCPSI recently undertook an overall performance assessment (OPA) of the CPS in Northumbria and found that there was regular monitoring of the quality of decisions and that most of the benefits of charging had been realised. However, there is still scope for improvement in discontinuance rates for those cases subject to pre-charge advice. The inspection team analysed a limited number of cases which had received pre-charge advice and it was evident that decision making was of a good standard.
- 4.5 Evidence from the HMCPSI overall assessment states that the police and CPS have worked well together throughout the implementation of the charging initiative. However, inspectors were presented with evidence which indicated that there was a problem with police file quality. Often timescales were extended as police officers failed to provide additional evidence requested during the pre-charge consultation. In one BCU, shift sergeants had been appointed to improve this lack of accountability in an attempt to improve the process of evidence gathering. Reading the files confirmed that a number of cases took a long time due to the police not providing timely evidence to allow the case to proceed. In many instances we found that cases had to be adjourned or even discontinued. Some personnel commented that there is not a joined up approach to prosecutions. The Board has recognised that timeliness of police evidence has been an issue and has taken action which has led to a steady improvement in file timeliness performance from 55% in August 2005 to 72% in January 2006.
- 4.6 In 2004 Northumbria police introduced the Offender Management Scheme in a number of BCUs. This should help to address the quality of police files and the initiative has won national recognition. The Northumbria CJB needs to ensure that processes are in place to improve police file quality across the Area, including the sharing of good practice. The current system of joint performance management (JPM) has been used to assist the Area in analysing the quality and timeliness of file submissions. The recent implementation of the Prosecution Team Performance Management (PTPM) regime in Northumbria should further develop this capability.
- 4.7 Discontinuance rates for cases the subject of pre-charge advice in the magistrates' courts are currently better than the national average, although further improvements are necessary to meet the national 2007 target. Northumbria has local targets (14.16% for magistrates' courts and 15.58% for the Crown Court) which it is currently achieving.

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<sup>8</sup> The Criminal Justice Act 2003 amended Section 37 of the Police and Criminal Evidence Act 1984 to make provision for crown prosecutors to take over from the police the responsibility for charging decisions. Under the Director Public Prosecutions' guidance this applies in more serious cases and those likely to be contested.

<b>DISCONTINUANCE RATES</b> (first three quarters of 2005/06)		
<b>Magistrates' Courts</b>		
<b>Northumbria</b>	<b>National Average</b>	<b>CPS Target</b>
14.1%	16.8%	11% by 2007
<b>Crown Court</b>		
<b>Northumbria</b>	<b>National Average</b>	<b>CPS Target</b>
15.0%	14.0%	11% by 2007

Source: CPS charging data – Central CPS Team

- 4.8 The figures above show the Crown Court discontinuance rates are worse than both the national target and the national average. One of the reasons contributing to the below par discontinuance rates in both the magistrates' and Crown Court is poor quality police files.

<b>Aspect for improvement</b>
The Northumbria CJB examines why cases are dropped following charge or are subject to attrition at various points.

### **Sensitive and specialist casework**

- 4.9 A small number of protocols exist for dealing with sensitive and specialist casework such as domestic violence, rape, liaison with the Witness Service and fatal road traffic collisions. These protocols and agreements are long-standing and not all are multi-agency. They have, however, been reviewed over time, but this has been done in isolation from the Northumbria CJB. Some CPS lawyers told inspectors that the domestic violence protocol is actively utilised by them in cases where defence solicitors are keen to see the court sentence defendants, without first seeing a pre-sentence report.
- 4.10 Although there were no concerns about the standards of casework, inspectors found that six out of eight (75%) of specialist cases were flagged correctly from their case file analysis. Sometimes the police and CPS do not identify a small number of those cases that fall under the agreed definition of domestic violence. The cases that were missed involved domestic violence between adults who are family members: for example, violence or abuse by adult children upon their parents.

- 4.11 Issues arising from sensitive and specialist cases are dealt with on an ad hoc and unsystematic basis. The success of this approach usually depends on individuals rather than robust processes and procedures.

**Aspect for improvement**

Northumbria CJB should ensure that processes and procedures for handling sensitive and specialist cases are systematic and robust.

- 4.12 The CPS has specialist lawyers, who have appropriate specialist skills and knowledge, to deal with sensitive cases. They provide guidance and supervision to other lawyers where necessary and often handle cases themselves. Police performance is inconsistent in case preparation and the CPS have experienced difficulties in contacting police officers when further information, or retraction information, is required. It is expected that the roll out of case management officers will alleviate some of these difficulties. CPS staff intimated that full file information is of better quality if the case is being heard at the Crown Court than in the magistrates' courts.
- 4.13 File quality in rape cases is good and there is a strong commitment from police officers and prosecutors to these cases. Some work has been undertaken at LDG level to analyse rape conviction rates, with the CPS rape co-ordinator sharing data with the police and Victim and Witness sub-group. A national review of CPS Rape Action Plans highlighted good practice in Northumbria.
- 4.14 There is performance monitoring of domestic violence cases by CPS, and analysis of hate crime cases where there has been a reduction or change of charge. Northumbria CJB has yet to incorporate analysis of sensitive and specialist crimes into its performance reports and needs to consider the concerns and needs of the wider community to help inform its work around sensitive cases.
- 4.15 Appropriate applications for special measures<sup>9</sup> are made and this is supported by the case file analysis undertaken during the inspection. Generally, courts are able to provide adequate facilities for special measures (although not all courts can accommodate every need) and, when necessary, cases are transferred to courthouses with the appropriate facilities.
- 4.16 There is no area protocol for prioritising sensitive cases, and long periods of time may elapse before cases come to court, which can greatly reduce the willingness of victims and witnesses to proceed. The agencies recognise that there is scope for improvement and are beginning to work together to try and ensure these cases are given appropriate priority.

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<sup>9</sup> Special measures are measures which can be put into place to provide protection and/or anonymity to a witness, for example a screen separating the witness from the accused or the use of a video link facility

## Priority offending

- 4.17 Northumbria has been proactive in reducing priority offending prior to the national implementation of prolific and priority offender (PPO) schemes. Project S.O.L.V.E. (Strategic analysis of Offender, Location, Victims and their Environment) was an initiative supported by Northumbria Police, National Probation Service (Northumbria) and North Tyneside Council, aimed at targeting prolific offenders who were responsible for a disproportionate amount of crime within the borough. The targeting scheme relies upon the pooling of information between the partner agencies and a range of interventions comprising supervision, diversion, surveillance and enforcement activity. The good work of this project was transferred under the remit of PPO schemes.
- 4.18 There are six prolific and priority offender schemes in Northumbria and these have been co-ordinated across the area through the PPO sub-group. A representative from GONE and Northumbria CJB undertook an audit of the six schemes in Northumbria. At an early stage of the development of the scheme, they found some inconsistencies and were able to highlight them. This proved useful as it enabled a more systematic and consistent approach across the Area. All criminal justice agencies worked well together to ensure initial problems were resolved. Knowledge and experience from project S.O.L.V.E. enabled agencies to enhance the national PPO scheme in particular areas, such as the identification of PPOs. CDRPs worked alongside criminal justice agencies throughout the roll out and continue to be an integral part of the scheme.
- 4.19 To support the work of the PPO schemes, joint agency protocols have been drawn up and the PPO sub-group still continues to meet. The terms of reference for the group were agreed back in 2002, under the remit of persistent offenders. The group has developed to take the lead on PPO work and acts as an advisory group to the CJB. The group also provides guidance and co-ordinates LDG PPO activity to ensure consistency and corporacy.

### Strength

Good inter-agency working in relation to prolific and priority offenders.

- 4.20 Performance in relation to the provision of reports for PPOs by Probation staff is below the 90% target. Thirteen out of 18 reports were completed on time (August to September 2005 – 75%). The Probation Service has only recently begun to measure this indicator and, whilst it recognises that Northumbria, along with many other areas, is not achieving target, it is hopeful that improvements will be made now that areas have to report performance routinely.

## Timeliness of handling persistent young offenders

4.21 In 1999 a national target of 71 days was set to complete persistent young offenders (PYOs)<sup>10</sup> cases from arrest to sentence. Northumbria has reduced the number of days from 88 in 1999 to 56 in 2005.

<b>TIMELINESS OF PYO CASES</b>		
<b>Date</b>	<b>Northumbria (days)</b>	<b>England &amp; Wales (days)</b>
<b>1999</b>	88	108
<b>2000</b>	77	93
<b>2001</b>	65	76
<b>2002</b>	63	68
<b>2003</b>	72	66
<b>2004</b>	70	69
<b>2005 (up to Oct)</b>	56	65

Source: [www.dca.gov.uk/statistics/crjust.htm](http://www.dca.gov.uk/statistics/crjust.htm)

4.22 Northumbria has maintained a steady PYO performance and has seen some very good results. However, there are currently some long running cases in the system, which may impact on performance. The performance officer and Board are alert to these long running cases and have raised concerns locally through LDGs to try and expedite these cases.

<sup>10</sup> A persistent young offender (PYO) is a young person aged 10 to 17 who has been sentenced by any criminal court in the UK on three or more separate occasions for one or more recordable offences, and within three years of the last sentencing occasion is subsequently arrested or has an information laid against them for a further recordable offence.





## 5. REDUCING THE LEVEL OF INEFFECTIVE TRIALS

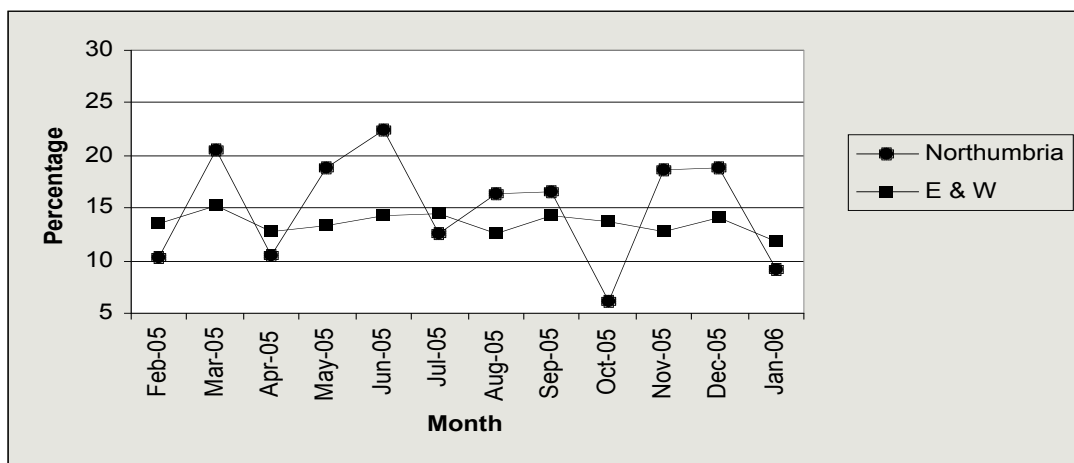
### Overview

- 5.1 Northumbria has made some progress in reducing ineffective trials, but unfortunately good performance is not always sustained. Analysis of performance across the courts is not systematic and good practice is not systematically identified and shared.

### Ineffective trials

- 5.2 Crown Court ineffective trial<sup>11</sup> performance has been fairly erratic from month to month. Quarterly performance has improved (Apr-Jun 05 17.2% and Jul-Sep 05 15.5%) and is better than the England and Wales target of 17%. Performance has recently been better than Northumbria's 2002 baseline of 13.4%, standing at 12.7% for the three-month rolling average to December 2005.

**Crown Court Ineffective Trial Rate**

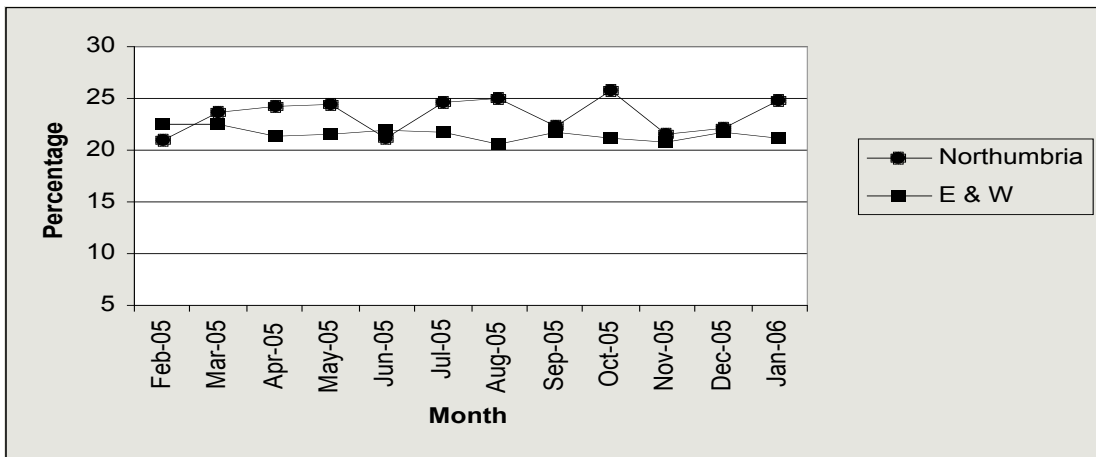


Source: HMCS

- 5.3 Magistrates' courts ineffective trial performance peaked at over 25% during the last year, but has also mirrored or bettered the England and Wales average on a number of occasions. However, improvements have been made from the Area's 2002 baseline of 29.6% down to the latest quarter of 23.9%. The England and Wales target is 23% and the Area still has to improve to meet and maintain this target. The inspection team found that there was an inconsistency in approach to case progression within the magistrates' courts across Northumbria. This inconsistency in approach may in some part explain the erratic performance highlighted in the graph and why the Area has failed to meet its target.

<sup>11</sup> An ineffective trial is one where, on the date of the trial, expected progress is not made due to action or inaction by one or more of the prosecution, the defence, or the absence of the defendant or of a crucial witness through illness (or, unusually, through lack of court time) and further listing for the trial is required

### Magistrates' Courts Ineffective Trial Rate



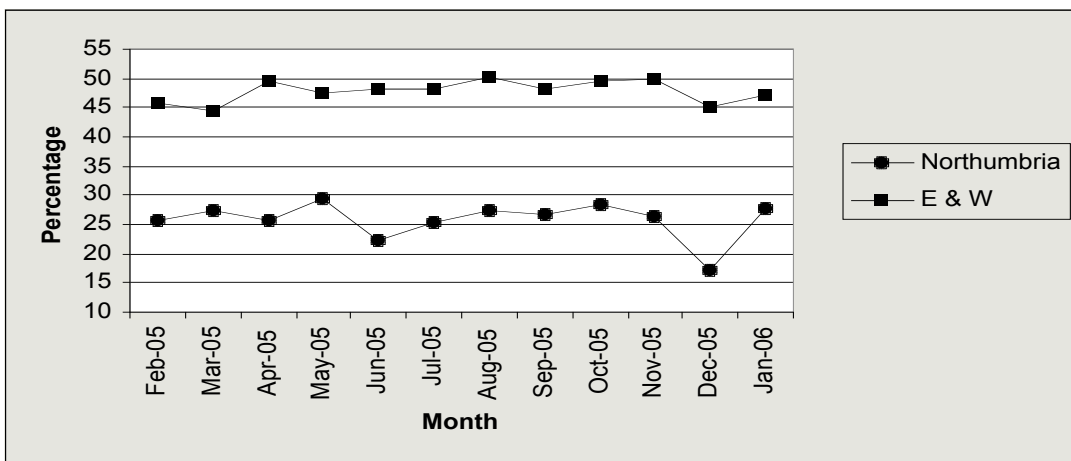
Source: HMCS

5.4 There are no local targets for ineffective trials, although the performance officer has considered this. He has carefully assessed the work involved, the validity of individual targets and differing workloads, and has taken the decision not to introduce separate targets for each of the local areas in Northumbria.

### Effective trials

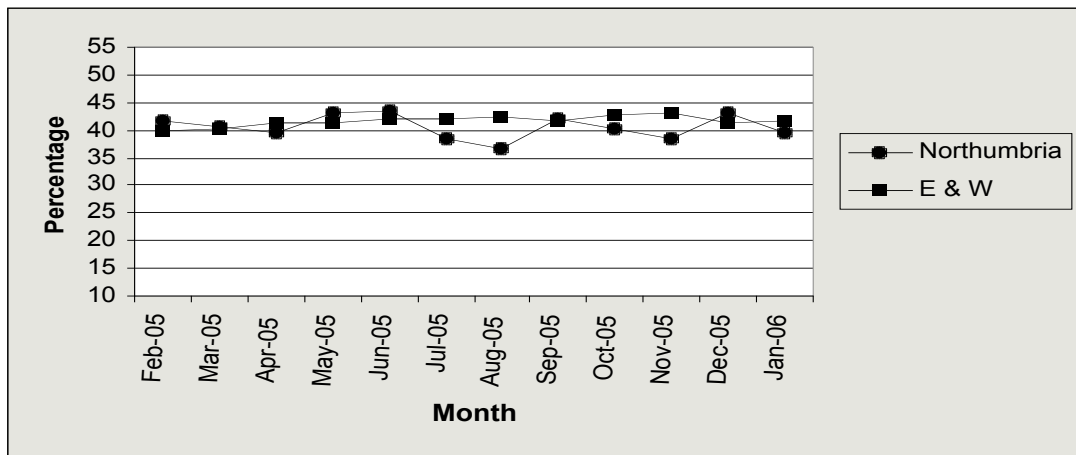
5.5 Effective trial rates within both the Crown Court and magistrates' courts have been inconsistent. The magistrates' courts' performance hovers around the England and Wales average of 43%, but has dipped below on a number of occasions. The Crown Court performance is worse than the England and Wales average of nearly 50% by some margin, sitting between 20% and 30% over the previous twelve months.

### Crown Court Effective Trial Rate



Source: HMCS

## Magistrates' Courts Effective Trial Rate



Source: HMCS

- 5.6 Inspectors found that there were conflicting views on case management, with some agencies saying there were good procedures in place to analyse ineffective trials, whereas others suggested this was ad hoc and fostered a 'blame culture'. Some analysis does take place, but this is not robust, systematic or formalised and therefore the Board cannot assure itself that action is taken to improve performance.
- 5.7 The CJB focus is on Northumbria's overall performance and, therefore, the analysis undertaken does not generate discussion or action as to why some local areas are performing significantly better than others. However, the recent introduction of the LDG reports will help focus the Area in assessing the underlying reasons for good or poor performance.

### Effective Trial Management Programme and case progression

- 5.8 Whilst the key ineffective trial measure has improved, there is little evidence to explain why. The Effective Trial Management Programme (ETMP), which should have been the vehicle for improving trial effectiveness, has not been systematically implemented and is operating with varying degrees of success. Inspectors found that not all criminal justice agency staff have grasped the ETMP initiative with enthusiasm. Whilst an independent evaluation by the Combined Case Management Programme in November 2005 identified that Northumbria had implemented the objectives set out in the Criminal Case Management Framework, it also stated further work is required in a number of areas, such as case progression, witness care units and defendant attendance.

- 5.9 Readiness for trial has improved but there are signs of continuing problems earlier in the trial management process before the initial court hearing. Preparation ahead of pre-trial reviews<sup>12</sup> (PTRs) is poor and this can lead to repeated hearings. There are also worrying signs of late decisions to discontinue cases – during 2004/05, 65% of discontinued cases were dropped at the third or subsequent hearing, compared to a national average of 54.9%.
- 5.10 The introduction of case progression officers in Northumbria is inconsistent across the agencies and the majority of CPOs have additional duties to undertake. The police do not have any dedicated case progression officers, but do have a person appointed in each criminal justice unit (CJU) who has responsibility for a number of tasks including case supervision. CPS caseworkers carry out their own case progression function and the courts have case progression officers. However, some court CPOs are assigned other duties and have no deputies to cover when they are on leave. This has affected the provision of a fully effective case management system and inspectors found that file quality and timeliness of court files were impacting on the efficiency of the court.
- 5.11 There were many conflicting opinions and views about case progression and analysis of ineffective trials. In some locations, case progression was clearly occurring, but in others, lip service was paid to it. Some staff told inspectors that agencies blamed each other, particularly in relation to reasons for ineffective trials, and avoided taking responsibility and action as a result.

**WE RECOMMEND**

Northumbria CJB secures Chief Officer agreement to ensuring full implementation of, and accountability for, the Effective Trial Management Programme.

**Victims and witnesses - witness care units**

- 5.12 A number of witness care units (WCUs) have been introduced by the police and CPS at: Bedlington; South Shields; Gateshead; Sunderland; Newcastle, North Shields. The Crown Court WCU is based at CPS offices in Newcastle. Some of the units have been operational since January 2005 and are therefore further advanced in the service they provide to victims and witnesses.

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<sup>12</sup> A magistrates' court pre-trial review takes place in advance of a trial and aims to anticipate problems that might prevent the trial going ahead on the date fixed and to identify other issues that assist in planning for the trial

- 5.13 Individual agencies have promoted the work of the WCUs and there has been a small amount of activity led by Northumbria CJB promoting these units within the wider community. Unfortunately, Inspectors found that there are still police officers who are not aware a WCU is in place and are still informing witnesses about their case coming to court. Witness Service staff expressed concern about their lack of initial involvement in WCU's. Whilst local WCU staff have worked hard to build relationships to overcome teething problems with partner agencies, the Board has done little to assess the impact of these units or to facilitate their identifying and sharing good practice.
- 5.14 Resources for the units are variable and not always sufficient. Workload is unbalanced and witness care is suffering as a result, with some units able only to offer witnesses notification of their trial date. Training has been limited with staff receiving little support. Some staff are not aware who their line manager is and feel isolated.

### **Treatment of victims and witnesses**

- 5.15 Inspectors found that victims and witnesses were treated fairly, but many of those we spoke to were unhappy about the lack of communication, particularly from the police. Whilst some praised aspects of police responsiveness and care in their case, some said they felt abandoned because, once they had made a statement, they did not hear from the police again. However, they praised the service provided by Victim Support and said they had used this service to keep up to date with developments in their cases.
- 5.16 Some WCU staff provide victims and witnesses with information about court results; however, some of the WCU staff were not aware of the 24 hour target for informing vulnerable and intimidated witnesses of case outcomes. The Witness Service also provides court results to victims, and this is well co-ordinated between the WCU staff and the Witness Service to ensure no duplication takes place.
- 5.17 There is currently no formal protocol or service level agreement between Northumbria CJB and Victim Support; however, the Board feels that the national Victims Charter fulfils the need for a protocol or service level agreement. The Area Director for Victim Support is a member of the victim and witness sub-group and feels he is able to participate as an equal member.
- 5.18 Most court buildings offer reasonable facilities for witnesses, but these vary considerably depending on the age and size of the building. Efforts have been made to ensure victim and witness needs are accommodated despite the physical restrictions imposed by the building. On occasions, appropriate cases are transferred to courts where victim and witness needs are better catered for.

5.19 Direct communication with victims (DCV) by the CPS is not consistent. Whilst the recent CPSI OPA report suggests improvements have been made resulting in high compliance regarding DCV letters, our file analysis showed that letters<sup>13</sup> were prepared and sent to victims by the CPS in only 50% of cases. When DCV letters were not sent this was predominately in cases which had been discontinued at a late stage. The WCUs are now beginning to sift court files to ascertain those which require DCV letters; this should improve performance in this area.

#### **WE RECOMMEND**

Northumbria CJB ensures that witness needs are assessed, prioritised and met by:

- evaluating the work of the witness care units (WCU's) and taking action where required
- ensuring WCU staff have clear lines of reporting
- ensuring consistency in approach across the area
- identifying and sharing good practice.

### **The rights of defendants**

5.20 Without exception, inspectors found good working relationships across the area between prison contract staff and police, courts and prisons. A service level agreement between the police, custody contractors and prisons is working well. Prisoners are rarely late arriving at court, owing to the commitment of custody contract staff and partner agencies.

5.21 Access and facilities for defendants with disabilities were available at most courthouses (Newcastle magistrates' court's cell accommodation was under refurbishment at the time of the inspection). Alternative arrangements could be made if necessary to accommodate defendant needs. Cell accommodation ranged from commendably clean at many courthouses to stained, scuffed and covered in graffiti. Sufficient interview facilities were available and these were adequately alarmed, or supervised by a custody officer outside the room.

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<sup>13</sup> Direct communication with victims is a scheme where the CPS will write to victims in cases of a certain type in circumstances where the charges in the cases have been downgraded or dropped, giving a reason for this change

- 5.22 The custody contractor monitors waiting times for defendants in custody. This data shows that some defendants in custody, particularly Bedlington magistrates' court, could wait long periods – up to six or seven hours – before their cases came to court. Defendants were not provided with reading materials and were left unoccupied for long periods of time.
- 5.23 Little information is provided to defendants in custody about the services or facilities available to them: for example, court procedures, possible length of waiting times, sanitary arrangements (particularly for women), help with medical or drug problems and how to complain. For those remanded into custody for the first time, information about the prison they were being sent to was not provided.
- 5.24 There were varying degrees of support and provision for those prisoners who were de-toxing or on methadone. One court had both a daily drugs worker and a community psychiatric nurse, another had a mental health nurse working with custody staff, whilst other custody suites utilise the services of local GPs.

**Aspect for improvement**

Northumbria CJB should work with relevant agencies to ensure that there is appropriate and consistent provision for those held in court cells who have substance use and/or mental health problems, including formal diversion schemes.

- 5.25 Once in court, most defendants are treated appropriately and respectfully. However, a number of prisoners raised concerns about not being able to hear what is being said in court if audio enhancement facilities are not in the secure dock. Some said they were reluctant to speak up and report difficulties in hearing court proceedings in case they were seen to be behaving in an awkward manner.
- 5.26 The availability of prison video links has increased greatly and was welcomed by custody staff. However, inspectors observed in one court that the phone to the prison was situated inside the courtroom near the courtroom door and was therefore not suitable for confidential conversations between solicitors and their clients as the discussions were clearly heard by those sitting in the courtroom despite the fact that the solicitor was in the vestibule.





**ACKNOWLEDGEMENTS**

We are most grateful to the following:

**Crown Court**

His Honour Judge T D Hodson  
Crown Court Manager  
Listing Officer  
Case Progression Officer

**Magistrates' Courts**

Bench Chairs  
Clerk to the Justices  
Senior Legal Advisers  
Case Progression Officers

**CPS**

CPS Unit Heads  
Charging Lawyers  
Business Unit Managers  
Case Progression Officers  
Secretariat Business Manager

**Police**

Head of Criminal Justice Unit  
Domestic Violence Unit Officers  
Race/Hate Crime Officers  
Custody Sergeants  
Corporate Development Department for their co-ordination of focus groups

**Crime and Disorder Reduction Partnerships**

CDRPs who responded to our questionnaire

**Legal Services Commission**

Nicola Thackray

**Defence Solicitors**

Defence Solicitors who responded to our questionnaire

**Prisoner Escort and Custody Service**

Staff at all courthouses in Northumbria

**Victim Support**

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Victim Support staff at local offices

**Witness Service**

Volunteers and co-ordinators at all courthouses and those who completed our questionnaire

**Witness Care Units**

Staff at WCUs in Bedlington, Sunderland and Newcastle  
Iain Groundwell – Project Manager

**Connexions**

Maggi Hunt – Chief Executive

**MESMAC**

Janet Owen – Regional Community Development Worker

**Drug Action Teams**

Sunderland DAT  
Morpeth DAT

**Government Office North East**

Wendy Dale  
Tony Reagan

**Youth Offending Teams**

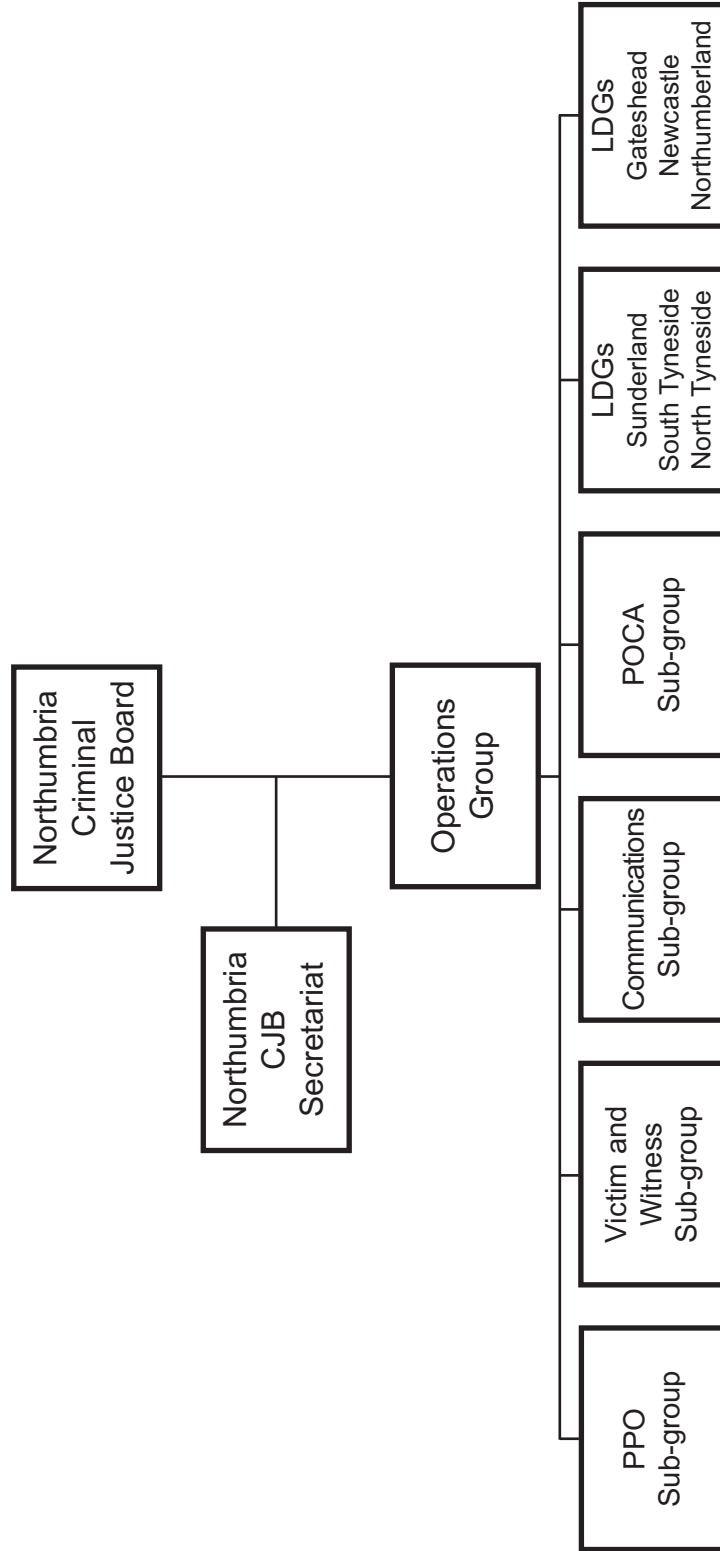
Judith Hay  
YOT managers who responded to our questionnaire

**LCJB Secretariat**

Inspector Andy Dale  
Tim Martin  
Sowmya Pulle-Daley  
Kim Hall

**Additionally, we thank the victims, witnesses and defendants who assisted this inspection.**

# NORTHUMBRIA CRIMINAL JUSTICE BOARD REPORTING FRAMEWORK





**ADDITIONAL PERFORMANCE STATISTICS**

<b>OBJECTIVE: NARROWING THE JUSTICE GAP</b>	
<p><b>TARGET</b></p> <p>Year ending March 2006: 37,257 Offences Brought to Justice</p> <p>Sanction Detection Rate required to meet Offences Brought to Justice target is 26.4%</p>	<p><b>PROGRESS</b></p> <p>Offences Brought to Justice: Aug 05: 3,179 Sep 05: 3,211 Oct 05: 3,457 Year to date against trajectory: +1,774</p> <p>Sanction Detection Rate: Nov 05: 32.6% Dec 05: 34.1% Jan 06: 35.1% Year to date: 31.4%</p> <p>Recorded Crime: Oct 05: 11,815 Nov 05: 11,111 Dec 05: 10,176 Jan 06: 10,942</p>
<b>OBJECTIVE: REDUCING INEFFECTIVE TRIALS – MAGISTRATES’ COURTS</b>	
<p><b>TARGET</b></p> <p>23% by March 2006</p>	<p><b>PROGRESS</b></p> <p>Oct 05: 25.8% Nov 05: 22.0% Dec 05: 22.1% Rolling quarter performance: 23.2%</p>

**OBJECTIVE: REDUCING INEFFECTIVE TRIALS – CROWN COURT**

**TARGET**

17% by March 2006

**PROGRESS**

Nov 05: 17.2%

Dec 05: 18.9%

Jan 06: 9.2%

Rolling quarter performance: 14.3%

**OBJECTIVE: TIMELINESS – MAGISTRATES' COURTS**

**TARGET**

80% of all magistrates' court cases to be handled within specific timescales

**PROGRESS**

*Youth Cases Jul – Sep 05:*

Initial Guilty Plea: 88%

Trials: 90%

Committals: 100%

*Adult Cases Jul – Sep 05:*

Initial Guilty Plea: 79%

Trials: 86%

Committals: 73%

**OBJECTIVE: TIMELINESS – CROWN COURT**

**TARGET**

78% of all Crown Court cases to be handled within specific timescales

**PROGRESS**

All Cases:

Sep 05: 86.8%

Oct 05: 90.4%

Nov 05: 85.8%

**OBJECTIVE: PUBLIC CONFIDENCE**

**TARGET**

Improve public confidence in the effectiveness of the CJS in bringing offenders to justice by 6% (47%)

**PROGRESS**

Year Ending Sep 05: 40.3%

**OBJECTIVE: PERSISTENT YOUNG OFFENDERS PLEDGE**

**TARGET**

Average arrest to sentence time of 71 days or less

**PROGRESS**

Arrest to Sentence:  
Aug 05: 56 days  
Sep 05: 52 days  
Oct 05: 62 days  
Nov 05: 61 days

**OBJECTIVE: FAILED TO APPEAR – WARRANT EXECUTION**

**TARGET**

Reduce to 855 by March 2006

**PROGRESS**

Outstanding FTA Warrants  
Oct 05: 915  
Nov 05: 835  
Dec 05: 773

**OBJECTIVE: FAILED TO APPEAR – WARRANT NOTIFICATION**

**TARGET**

90% notified in one day and 100% notified in three days

**PROGRESS**

*One Day Notification Rate:*  
Oct 05: 46.4%  
Nov 05: 76.0%  
  
*Three Day Notification Rate:*  
Oct 05: 100%  
Nov 05: 86.9%

**OBJECTIVE: FAILED TO APPEAR – FINE ENFORCEMENT**

**TARGET**

Payment Rate of 86.6% by March 2006

**PROGRESS**

Payment Rate:  
Oct 05: 111.5%  
Nov 05: 93.6%  
Dec 05: 100.3%

**REASONS FOR INEFFECTIVE TRIALS – MAGISTRATES’ COURTS**

**(APRIL 2005 – JANUARY 2006)**

	<b>England and Wales</b>		<b>Northumbria</b>	
Total trials in Area	152,574		5,069	
Prosecution not ready	2,143	1.40%	76	1.5%
Prosecution not ready (disclosure problems)	1,306	0.86%	51	1.0%
Prosecution witness absent - police	2,214	1.45%	91	1.8%
Prosecution witness absent - other	6,133	4.02%	169	3.3%
Defendant absent – did not attend	4,005	2.62%	160	3.2%
Defendant absent – ill	2,177	1.43%	84	1.7%
Defendant absent – not produced from custody	886	0.58%	21	0.4%
Defence not ready	3,416	2.24%	162	3.2%
Defence not ready - disclosure problems	1,144	0.75%	47	0.9%
Defence witness absent	1,566	1.03%	80	1.6%
Lack of court time/magistrate availability	2,775	1.82%	101	2.0%
Overlisting	3,152	2.07%	60	1.2%
Other	1,659	1.09%	94	1.9%



**REASONS FOR INEFFECTIVE TRIALS – CROWN COURT**

**(APRIL 2005 – JANUARY 2006)**

	<b>England and Wales</b>	<b>Northumbria</b>
Cases listed for trial	31,550	915
Ineffective rate	13.4%	14.8%
M1 Prosecution not ready – served late notice of additional evidence on defence	93	5
M2 Prosecution not ready – other	190	5
M3 Prosecution failed to disclose unused evidence	57	4
N1 Prosecution witness absent – police	45	2
N2 Prosecution witness absent – professional or expert	21	0
N3 Prosecution witness absent – other	364	15
O1 Prosecution advocate engaged in another trial	6	0
O2 Prosecution advocate failed to attend	14	0
P Prosecution increased time estimate – insufficient time for trial to start	27	0
Q1 Defence not ready – disclosure problems (including late alibi notice)	114	3
Q2 Defence not ready – other (including no instructions)	184	8
Q3 Defence asked for additional prosecution witness to attend	26	1
R Defence witness absent	48	1
S1 Defendant absent – did not proceed in absence (judicial discretion)	338	4
S2 Defendant ill or otherwise unfit to proceed	157	1

**REASONS FOR INEFFECTIVE TRIALS – CROWN COURT****(APRIL 2005 – JANUARY 2006)**

	<b>England and Wales</b>	<b>Northumbria</b>
S3 Defendant not produced by PECS	17	1
T Defence increased time estimate – insufficient time for trial to start	37	0
U1 Defence advocate engaged in another trial	8	0
U2 Defence advocate failed to attend	39	5
V Defendant dismissed advocate	61	3
W1 Lack of court time (poor time estimate and no other judge available)	19	0
W2 Judge/magistrate availability	37	0
W3 Overlisting (insufficient cases drop out/floater/backer not reached)	147	1
W4 Equipment/accommodation failure	11	0
W5 No interpreter available	3	0
X Insufficient jurors available	16	1
Y Outstanding committals in a magistrates' court	5	0
Z Outstanding committal in another Crown Court centre	1	0

**GLOSSARY OF TERMS**

ACC	Assistant Chief Constable
BCS	British Crime Survey
BCU	Basic Command Unit
CDRP	Crime & Disorder Reduction Partnership
CJB	Criminal Justice Board
CJS	Criminal Justice System
CJU	Criminal Justice Unit
CPO	Case Progression Officer
CPS	Crown Prosecution Service
DCV	Direct Communication with Victims
ETMP	Effective Trial Management Programme
FPN	Fixed Penalty Notice
FTA	Failed to Appear
GONE	Government Office North East
HMCS	Her Majesty's Courts Service
HMCPsi	Her Majesty's Crown Prosecution Service Inspectorate
HMIC	Her Majesty's Inspectorate of Constabulary
HMICA	Her Majesty's Inspectorate of Court Administration
IAG	Independent Advisory Group
JPM	Joint Performance Management
LCJB	Local Criminal Justice Board
LDG	Local Delivery Group
LGBT	Lesbian, Gay, Bisexual and Transgender

LSC	Legal Services Commission
MESMAC	Men Engaging in Sex With Men – Action in the Community
NCJB	National Criminal Justice Board
NWNJ	No Witness No Justice
OBTJ	Offences Brought to Justice
OCJR	Office for Criminal Justice Reform
OPA	Overall Performance Assessment
POCA	Proceeds of Crime Act 2002
PPO	Prolific and Priority Offender
PPU	Public Protection Unit
PSAs	Public Service Agreements
PTPM	Prosecution Team Performance Management
PYO	Persistent Young Offender
TIC	Taken into Consideration
VS	Victim Support
YOI	Young Offenders Institution
YOT	Youth Offending Team
WCU	Witness Care Unit
WS	Witness Service



HM Inspectorate of Constabulary  
Ground Floor, Ashley House, 2 Monck Street, London SW1P 2BQ  
Tel: 020 7035 2177, Fax: 020 7035 2176  
[www.inspectorates.homeoffice.gov.uk/hmic](http://www.inspectorates.homeoffice.gov.uk/hmic)



HM Crown Prosecution Service Inspectorate  
26 - 28 Old Queen Street, London SW1H 9HP  
Tel: 020 7210 1197, Fax: 020 7210 1195  
Email: [office@hmcp.si.gov.uk](mailto:office@hmcp.si.gov.uk)  
[www.hmcp.si.gov.uk](http://www.hmcp.si.gov.uk)



HM Inspectorate of Court Administration  
8th Floor, Millbank Tower, Millbank, London SW1P 4QP  
Tel: 020 7217 4343, Fax: 020 7217 4357  
[www.hmica.gov.uk](http://www.hmica.gov.uk)



HM Inspectorate of Prisons  
First Floor, Ashley House, 2 Monck Street, London SW1P 2BQ  
Tel: 020 7035 2136, Fax: 020 7035 2141  
[www.inspectorates.homeoffice.gov.uk/hmiprison](http://www.inspectorates.homeoffice.gov.uk/hmiprison)



HM Inspectorate of Probation  
Second Floor, Ashley House, 2 Monck Street, London SW1P 2BQ  
Tel: 020 7035 2207, Fax: 020 7035 2237  
Email: [HMIPenquiries@homeoffice.gsi.gov.uk](mailto:HMIPenquiries@homeoffice.gsi.gov.uk)  
[www.inspectorates.homeoffice.gov.uk/hmiprobation](http://www.inspectorates.homeoffice.gov.uk/hmiprobation)

