

Area Assurance Inspection of CPS Thames and Chiltern

July 2017

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1 Headlines

1.1 We set out here our headline findings in respect of our inspection of the Crown Prosecution Service (CPS) Thames and Chiltern Area. Its performance as assessed against the criteria of the inspection framework was as follows:

Criteria	Score
<i>Part A: The success of CPS people</i>	
Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Fair
Senior managers work effectively and are influential with criminal justice partners	Fair
The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good
Overall score for the success of CPS people	GOOD
<i>Part B: Continuously improving</i>	
The Area's key performance data is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Poor
Resources are systematically managed and deployed effectively	Fair
Joined-up working is effective and delivers improvements in outcomes for users	Fair
Overall score for continuously improving	FAIR
<i>Part C: High quality casework</i>	
Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (magistrates' courts)	Poor
Case preparation and progression is effective and timely (magistrates' courts)	Fair
Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (Crown Court)	Fair
Case preparation and progression is effective and timely (Crown Court)	Fair
Overall score for high quality casework	FAIR

Criteria	Score
<i>Part D: Public confidence</i>	
Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Poor
The views and interests of the victim, witnesses and public are reflected and protected by the appropriate use of remand or bail conditions, Victim Personal Statements and ancillary orders at sentencing	Fair
The Area is responsive to community groups, victims and witnesses, complainants, other stakeholders and the public and uses their feedback robustly to identify strengths and weaknesses and to improve service delivery	Poor
Overall score for public confidence	POOR

1.2 Senior managers are viewed as approachable by staff and generally demonstrate a commitment to CPS values and equality and diversity policies. The Area is geographically large and does not appear to consider itself as one Area, with a clear divide between Thames Valley and Hertfordshire/Bedfordshire staff. There are significant concerns about the impact on lawyers due to resourcing issues in the administration teams. There are significant issues with recruiting and retaining staff, particularly for administration roles based in the Reading office. This shortage is causing issues across a range of work, including managing tasks and case progression, and impacts generally on staff. Key posts are vacant creating resilience issues, with some staff covering the responsibilities of two roles.

1.3 Whilst still below the CPS average, Thames and Chiltern has done a significant amount of work on improving its staff engagement, which has resulted in an improvement of five percentage points since the previous year. The Area actively encourages staff to use their Individual Learning Account budget to attend relevant training courses. Lawyers in the magistrates' court unit are conducting both reviews and court work to prevent deskilling. The average number of working days lost to sickness compares favourably to the CPS national average. Stress related absence remains low and generally staff morale is high which, given the staff shortages, is impressive.

1.4 Managers have regular contact with their staff, the majority of whom are given feedback on their performance. There is a growing split between the business and legal units which needs to be addressed. This is concerning given the current existing divide between Thames Valley and Hertfordshire/Bedfordshire staff. Performance improvement is needed in various aspects of casework. At present there is very limited analysis of the results of compliance checks conducted by managers, which prevents the Area identifying ways to improve. Bench marking itself against other Areas would enable it to identify ways to improve by using their good practices.

1.5 There is a formal structure of regular meetings between criminal justice partners at the strategic and operational level, but there are some differences in approach across the police forces. Two police forces in the Area are currently merging their Criminal Justice Unit with a third police force outside the Area, which is impacting on strategic stakeholder engagement. Thames and Chiltern is represented at multiple criminal justice groups and has a good working relationship with stakeholders. It needs to consider whether the more operational meetings are attended by the right level of staff.

1.6 The quality of files submitted by the police is not sufficiently high, which impacts on the Area's performance and is not sufficiently challenged. Despite the Area raising the issue of file quality improvement with the police there are still significant issues. However, Thames Valley Police have made file quality a priority for 2017-18. The Area also needs to ensure that cases are subject to a robust and timely initial review. Case preparation and progression in the magistrates' courts is problematic and there is little evidence of 'grip' or effective judgement in casework.

1.7 Reviews in the Crown Court are missed or, when completed, are not done in a timely manner. In-house advocates do not always utilise effectively the case management system Hearing Record Sheet, which causes difficulties trying to locate a full case history as there are often duplicates on the system. The Area is not properly adhering to the Standard Operating Practice for the Crown Court Better Case Management initiative and the use of the Digital Case System (DCS), which leads to duplication of work. Papers are prepared and uploaded onto DCS for the Pre-Trial Preparation Hearing, but then uploaded again for formal service. Requests to extend the time required for complying with Crown Court judges' orders are made routinely. The Crown Court successful outcome rate has deteriorated since 2015-16. Despite these issues the Area has made improvements in some outcomes since 2015-16, for example magistrates' court successful outcomes and discontinuance rates. Utilisation of Crown Advocates compares very favourably with other Areas.

1.8 There are significant issues with the communication with victims. The Area fails to inform the Victim Liaison Unit when letters should be sent to victims which results in them either not being sent, or not in a timely manner.

1.9 The Area needs to improve levels of performance in reflecting the views of, and protecting the interests of, victims and the public. Applications for appropriate special measures are generally made, but the timeliness of applications requires improvements.

1.10 The Area does not have a focussed approach to its community engagement and has not demonstrated how it links to improved outcomes. There is a reliance on the police to facilitate external engagement and no evidence of any strategic planning around external engagement priorities.

Good practice

1.11 We identified the following good practice:

1 The Area's RASSO unit analyses the results of Individual Quality Assessments and uses them as a holistic tool to improve their team's overall performance and the effectiveness of the unit (paragraph 2.24).

2 RASSO unit managers provided training to the police on file submission quality (paragraph 4.29).

Strengths

1.12 We identified the following strengths:

1 The Area ensures staff have access to training by consistently encouraging them to use their Individual Learning Accounts, which has resulted in a high uptake amongst staff (paragraph 2.21).

2 The Area's highly effective utilisation of its Crown Advocates (paragraph 3.20).

Issues to address

1.13 The following issues need to be addressed by the Area:

- 1 The Area needs to instil a one Area ethos (paragraph 2.8).

- 2 The Area needs to review the level of managers attending stakeholder meetings to ensure operational managers can contribute effectively to improving casework performance (paragraph 2.20).

- 3 The Area should evaluate whether there is sufficient oversight and sharing of information across the business and legal teams at a strategic and operational level (paragraph 3.4).

- 4 The Area should develop a strategy for improving recruitment (paragraph 3.13).

- 5 The Area needs to address the resourcing issues which are impacting adversely on the work-life balance currently experienced by some staff (paragraph 3.14).

- 6 The Area needs to work with, and challenge where necessary, the police forces to improve the quality of police files submitted (paragraph 4.6).

- 7 The Area needs to ensure cases are being reviewed and progressed in a timely manner in the Crown Court and magistrates' court (paragraphs 4.13 and 4.30).

- 8 The Area needs to improve the handling of unused material and ensure that decisions are recorded on the Disclosure Record Sheet where appropriate (paragraph 4.16).

- 9 The Area must ensure case management system Hearing Record Sheets are being used to record all court hearings accurately (paragraph 4.33).

- 10 The Area must improve the timeliness of its communications with victims and ensure a letter is sent to the victim in every case in which it is required (paragraph 5.6).

- 11 The Area should review its engagement strategy and identify further avenues in order to address community issues and demonstrate how this leads to improvements in casework quality (paragraph 5.23).

Context

1.14 CPS Thames and Chiltern has offices in Reading and St Albans, plus a small team of administrators based in Liverpool. It is aligned with Bedfordshire, Hertfordshire and Thames Valley police forces. The Area covers 11 magistrates' courts and six Crown Court centres. This includes Cambridge Crown Court which, whilst outside the geographical area of Thames and Chiltern, receives a significant amount of its work from north Hertfordshire. In the 12 months to March 2017 the Area had the full-time equivalent of 237.1 staff and its budget for 2016-17 was £21,290,144.

1.15 In the 12 months to March 2017 the Area finalised 30,663 magistrates' court cases and 5,094 Crown Court cases. Although there are a high number of cases per prosecutor (337.1 compared to the national average of 275.0) the overall caseload of both the magistrates' courts and the Crown Court has declined.

1.16 During the same period Thames and Chiltern secured convictions (either after trial or by a guilty plea) against 83.3% of defendants in magistrates' court cases and 77.6% of defendants in the Crown Court. Magistrates' court performance is below national performance (84.7%), as is Crown Court performance (78.8%).

1.17 Further information on the Area's performance data is at annex D.

Methodology

1.18 Inspectors examined 120 magistrates' court and Crown Court files finalised between November 2016 and January 2017. We refer at the relevant parts of the report to the key findings from this examination. The full findings, together with a detailed breakdown of the file sample, can be found at annex C.

1.19 Our fieldwork took place in May 2017. We spoke with members of the judiciary, representatives of partner agencies and CPS staff, both formally and informally. Court observations were undertaken to assess the effectiveness of case progression.

1.20 We set out at annex D key Area performance data, compared against CPS national average performance. Where available, the most recent performance data is for the 12 months to March 2017.

1.21 The report sets out our findings in respect of each section of the inspection framework. The framework, including the more detailed sub-criteria, is set out at annex B.

Scoring

1.22 Inspectors assessed how well the Area met the expectations in each section of the framework as assessed against the criterion and the sub-criteria. Performance against each of the criteria was assessed as excellent, good, fair or poor. A glossary of the terms used in the report is at annex A.

2 Part A: The success of CPS people

Performance expectation

The Area is led and managed effectively to ensure it has the right people equipped with the appropriate tools and skills for the job to deliver a high quality service. This is achieved by ensuring all staff have the right technology, systems and skills, to enable decisions to be made fairly, at the right time and at an appropriate level.

Criteria	Score
<i>Part A: The success of CPS people</i>	
Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Fair
Senior managers work effectively and are influential with criminal justice partners	Fair
The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good
Overall score for the success of CPS people	GOOD

Performance against the Part A criteria

Criteria	Score
A1 Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service	Fair

Summary: Senior managers are viewed as approachable by staff. Staff do not consider themselves to be part of one Area but work separately, which impacts on delivery. There is a growing split between the business and legal units which needs to be addressed. Managers have regular contact with their staff and the majority are given feedback on their performance.

2.1 Her Majesty's Crown Prosecution Service Inspectorate's (HMCPsI) survey of Area staff found that 58.8% of respondents felt that all or most senior managers (level D or above) act as role models and demonstrate commitment to CPS values and equality and diversity policies. However, 10.8% said they could not answer the question as they have little contact with senior managers. This is consistent with the Civil Service People Survey 2016 results which found 57% of staff believed the actions of their Chief Crown Prosecutor (CCP),

Deputy Chief Crown Prosecutor (DCCP), Area Business Manager (ABM) or Head of Directorate/ Division are consistent with CPS values. Whilst further improvement would be welcomed, this does represent an increase of 11% from the previous year.

2.2 Staff are able to work from home and there was clear evidence that senior managers support flexible working, although there is an inconsistent approach to how this is applied. A failure to fully embrace flexibility in the age of digital working limits how the Area can utilise its staff.

2.3 The CCP and ABM are generally seen as being approachable, but staff gave mixed feedback on how well they actively engaged. Inspectors found there was variation in the visibility of the DCCPs, partly due to them being based in an office on a different floor. There is a weekly newsletter informing staff of developments, staff changes and key messages. Senior managers are based in the Reading office but will make staff in St Albans aware when they are visiting. When visiting, the ABM will sit with her staff instead of a separate office, which staff appreciated. She also visits the staff based in Liverpool. When the Area closed the Cowley (Oxfordshire) office staff affected were offered one-to-one meetings with senior managers to discuss their concerns.

2.4 Whilst still below the national average of 59%, the Area's Employee Engagement Index on the Civil Service People Survey 2016 was 55%, an increase of five percentage points from the previous year. The Leadership and Managing Change score in the survey measures what staff think about their managers, for example their effectiveness at giving staff feedback on performance, motivating them or being open to their ideas. The score for Thames and Chiltern was 36%, a slight increase of 2% from the previous year, but still seven percent below the CPS national average.

2.5 Inspectors found the Area has made concerted efforts to engage with their staff, with quarterly engagement sessions for staff to meet the ABM and CCP to discuss issues. After these meetings the ABM provides staff with an update on what has happened as a result of their discussions. Twenty five out of 45 submissions by staff related to digital issues impacting on work. The ABM has also provided regular articles on the intranet on the staff survey results, asking staff to contribute ideas on improvement options. There is a staff engagement strategy in place and all managers are required to have an employee engagement objective in their annual personal development report.

2.6 Our survey of Area staff found, encouragingly, that 76.5% of respondents were clear on all or most of the national CPS vision and values, and Service-wide and Area priorities, as outlined in the CPS 2020 and annual local plan.

2.7 Inspectors did not find a 'one Area' ethos, with a clear divide between the Reading office, who saw themselves as Thames Valley staff and the St Albans office (Hertfordshire/Bedfordshire). Physical divides appear to have been created in one office by separating lawyers and paralegal officers, which does not encourage team working.

2.8 We found that there was a divide between the legal and business work streams. This appears to be a relatively new development with the CCP leading on the legal side, as well as having an oversight of the business aspects, and the ABM leading on the business stream. This continues further down the management structure with no inter-team meetings. At present the Area is relying on existing working relationships to facilitate communication between the two work streams, however this will not be maintained as personnel change.

Issue to address

The Area needs to instil a one Area ethos.

2.9 Managers congratulate their staff on good work or results but more can be done in this respect to create motivated teams. There remains a perception that only negative feedback is received, for example staff said they had worked very hard to clear a backlog of one particular type of work but the only feedback they received was to be asked why they had not cleared another backlog as well. In contrast a manager in the Rape and Serious Sexual Offences (RASSO) unit contacted a judge to highlight the work lawyers had done on a particular case, resulting in the judge commending the lawyers.

2.10 HMCPSI's staff survey found 65.3% of respondents believed inappropriate behaviour is challenged by managers all or most of the time. 85.0% felt their line manager proactively encouraged their staff to adhere to the CPS values and equality and diversity policies all or most of the time.

2.11 We also found that 69.6% felt they were adequately supported by their manager when they raise issues or concerns. Across the Area, 61.2% of staff had regular monthly or quarterly meetings with their manager to discuss their performance. However there was a significant disparity between the offices in the survey response, with 73.2% of staff in Reading having these regular meetings but only 45.2% of staff in St Albans.

2.12 Some staff also believed that they are never asked for their opinions on operational matters and we found an over reliance on emails to communicate with staff, some of which were too long or not in a reader friendly format. The number of regular team meetings was variable between teams and senior managers did not appear to have a

handle on what meetings were taking place and how often. When staff were given briefings by managers they were not encouraged to debate issues and felt it was a one-way exchange of information. Inspectors were provided with examples of poor communication around process changes, for example in one team, the majority of staff were not aware a new process had been introduced until they were later told to stop its use.

Criteria	Score
A2 Senior managers work effectively and are influential with criminal justice partners	Fair

Summary: The Area is represented at the relevant criminal justice meetings and has a good working relationship with stakeholders. It needs to consider whether the operational meetings are attended by the right level of staff.

2.13 The CCP sits on all three Local Criminal Justice Boards (LCJBs) and so has an overview of issues across the three police force areas. Board priorities are directly relevant to the CPS core business.

2.14 The data prepared for the LCJBs is rated to show where performance lies in regards to targets, so it is clear where the Area is not meeting targets set. It shows the comparison between the Area police forces and the averages for police forces nationally.

2.15 All three LCJBs have a number of sub-groups which focus on aspects of concern, including one for joint performance. The Thames Valley LCJB has a programme management sub-group, which in turn has thematic sub-groups including a Victims and Witnesses Delivery Group. The CCP chairs the programme management sub-group. The sub-groups are responsible for delivery of improved performance and the Crown Court DCCP chairs the Victims and Witnesses Delivery Group.

2.16 The two Local Criminal Justice Groups in the Thames Valley area operate on a county basis. The aim of these groups is to deliver improvements to local performance and consider local delivery requirements in support of the LCJB priorities.

2.17 The structure for the Hertfordshire Criminal Justice Board has changed for 2017-18 with a Performance and Programme Monitoring Group/Efficiency Group and various themed sub-groups. The Bedfordshire LCJB has a simpler structure with three sub-groups to enable them to concentrate on key issues. Despite all of these meetings, the Area was unable to demonstrate any significant improvements in performance as a result of what was discussed at these forums.

2.18 The CCP meets the Chief Constables for all three forces on a quarterly basis and the Police and Crime Commissioners (PCCs) on a quarterly basis. The DCCPs meet with the police Superintendents for the force Criminal Justice Units monthly. Due to the June 2017 amalgamation of the police Criminal Justice Units for Hertfordshire and Bedfordshire, which are covered by CPS Thames and Chiltern, and Cambridgeshire, which is outside the Area, there has been some disengagement. Attempts to resolve this with the police at the strategic level have not yet been fully successful. Operationally there appears to have been some disengagement. Hertfordshire and Bedfordshire police have competing commitments elsewhere and there is little evidence of attempts to resolve this at a strategic level, with the plan appearing to be to wait to see if it resolves itself.

2.19 The CCP and DCCP meet the Crown Court Resident Judges on a regular basis. The CCP and magistrates' court DCCP meet the Bench Chairs, District Judges and Clerks to the Justices at the Judicial Business Group, when invited.

2.20 Feedback from staff was that DCCPs appear to attend a number of more operationally focussed groups, which creates additional work for them when they should be focussing on the more strategic aspects. District Crown Prosecutors attend a number of operational meetings including Court Users and Cracked and Ineffective Trial meetings.

Issue to address

The Area needs to review the level of managers attending stakeholder meetings to ensure operational managers can contribute effectively to improving casework performance.

Criteria	Score
A3 The Area is committed to CPS values , equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale	Good

Summary: The Area has undertaken a significant amount of work on improving its staff engagement, which has resulted in an improvement since the previous year. The Area actively encourages staff to use their Individual Learning Account budget to attend relevant training courses. The average number of working days lost to sickness compares favourably to the CPS national average.

2.21 HMCPSI's survey of Area staff found 77% had had the opportunity to utilise their Individual Learning Account (ILA), but only 49% said it had assisted in their development. The Area provided a training plan which listed courses completed or scheduled. It made no reference to equality of training, social mobility considerations or secondment opportunities. The Civil Service People Survey score for Learning and Development was 50%, up seven percentage points from the previous year. This is a measure of whether staff feel they have access to the right training which helped their performance and that there are opportunities to develop their career. The result is a reflection of the Area spending over £45,000 on learning and development in 2016-17 and 263 courses being attended by staff. Thames and Chiltern enabled some staff to pool their ILA funding to arrange a course on social media law. Due to the high usage of the scheme the Area made a successful bid for more ILA funding from CPS Headquarters.

2.22 However, inspectors observed clear examples of gaps in knowledge, with some staff unaware of where to find templates or legal guidance. There were copious emails to staff on processes, which may be indicative of staff being inundated to the point they are unable to absorb all of the instructions. Staff commented that they would prefer someone talked them through changes in processes instead of emails. This would require regular team meetings to be held across the Area.

2.23 Lawyers in the magistrates' court undertake a mixture of advocacy and review work to ensure they maintain their relevant skills. It also gives the Area greater flexibility in staff deployment.

2.24 The RASSO unit's use of Individual Quality Assessments (IQAs) is impressive. As well as being used to provide feedback to individuals on their work, managers use it as a holistic tool to improve the team's overall performance and use their analysis of the results to inform team objectives. Unfortunately this is not replicated across the Area, with shortfalls in the number of required assessments.

Good practice

The Area's RASSO unit analyses the results of Individual Quality Assessments and uses them as a holistic tool to improve their team's overall performance and the effectiveness of the unit.

2.25 Thames and Chiltern had an Inclusion and Fair Treatment score of 70% in the Civil Service People Survey, two percentage points below the CPS nationally. Also from the 2016 survey 11% of staff stated they had personally experienced bullying or harassment at work, which is the same as the CPS national average. The Area has been running a campaign to reduce the level of bullying and to encourage staff to speak up if they are affected. The Inclusion and Community Engagement Manager arranged a training course on preventing bullying and harassment for the Area Board and managers as a result of comment in the survey. Induction days have been introduced for new staff and induction plans include an outline of appropriate behaviours. The 2016 survey showed 12% of staff had personally experienced discrimination in the workplace. People Survey workshops were introduced to give staff the opportunity to meet with someone external to the organisation to raise any issues in confidence.

2.26 The Area has voluntary welfare support courses available to all employees. Stress related absence is 24.5%, which compares favourably against the CPS national average of 33.0%. The average number of working days lost to sickness is 6.2 days, compared to the CPS national average of 7.7 days. These figures are excellent, but given the high workloads the Inspectorate is concerned that this trend may not continue. From the Civil Service People Survey 2016 the Resources and Workload score was 61%, compared to a national average of 68%. This is a measure of whether staff feel they have clear objectives, an acceptable workload and get the information they need to do the job. Managers are provided with bespoke support to manage complex sick absence cases with oversight from the ABM and the Area encourages phased returns to work or flexible arrangements.

2.27 The Area uses the national CPS rewards and recognition scheme effectively and at performance meetings managers are encouraged to nominate staff for awards where they have completed good work. In addition, the CCP hand delivers personal thank you letters to staff when managers have recommended that their work is worthy of recognition.

2.28 Managers were found to have regular contact with their staff, with 80.4% of respondents to our staff survey stating they had contact with their manager on most days of the week, or at least once a week. The majority of staff received feedback on their performance but felt that positive feedback was rare. In our staff survey 61.2% said they had meetings at least once a month or once a quarter to discuss their performance. However, of concern was the 17.4% who said they had no discussion about performance outside of their appraisal meetings and two members of staff who said they did not have appraisal meetings. Our survey found 91.9% of staff were given individual or team objectives, with 39.4% given objectives either weekly or monthly.



3 Part B: Continuously improving

Performance expectation

The Area continuously improves how it works, deploying resources to work effectively and using efficient processes.

Criteria	Score
<i>Part B: Continuously improving</i>	
The Area's key performance data is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Poor
Resources are systematically managed and deployed effectively	Fair
Joined-up working is effective and delivers improvements in outcomes for users	Fair
Overall score for continuously improving	FAIR

Performance against the Part B criteria

Criteria	Score
B1 The Area's key performance data is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement	Poor

Summary: The Area needs to improve a number of aspects and bench marking itself against other Areas would help identify ways to improve. There is very limited analysis of the current compliance checks, which could further identify aspects for improvement.

3.1 Thames and Chiltern conducts a large number of checks and collates data but there is a lack of analysis to assist in driving up performance. The Area has visited other Areas to identify good practice but with the exception of Police Led Prosecutions, which has resulted in some resource savings, it is too early to assess whether there are other identified better ways of working or improved performance.

3.2 Managers at all levels have access to the monthly performance pack which outlines the high weighted performance measures and provides trends in performance. The Performance Manager post is currently vacant which has led to delays in the provision of performance information.

3.3 The monthly performance meetings are aligned with the Area Performance Review (APR) meetings, which are held with CPS Headquarters. Senior managers and the Performance Manager meet with the CCP and ABM prior to the APR meetings. Before the inspection there were three separate monthly performance meetings chaired by the DCCPs and attended by the District Crown Prosecutors (DCPs) and Unit Business Managers. These were for magistrates' court unit performance, Crown Court unit performance and a combined meeting.

3.4 Managers across both the legal and business teams expressed concerns about an increasing split between business and legal as they feel this leaves limited room for input on each other's aspects of work, which could lead to competing priorities and a loss of focus on the core functions of the Area.

Issue to address

The Area should evaluate whether there is sufficient oversight and sharing of information across the business and legal teams at a strategic and operational level.

3.5 Inspectors accept some results have shown an improvement since 2014-15, for example guilty plea at first hearing in the Crown Court, but there has not been consistent improvement across the measures.

3.6 The Area has been trying to implement a strategic approach to its review of performance, but lacks the detailed analysis of its performance data in order to inform decision-making. A strategic decision was made to review cases thematically, with domestic abuse and hate crime cases being reviewed alternately each quarter, together with offences against the person. At the operational level there was some concern about the rationale for this decision, as domestic abuse results had seen some recent improvements and there were other aspects of work which were felt to be of a higher priority. This suggests that the reason for the targeted approach may not have been communicated effectively.

3.7 Many managers were not aware of the performance of Thames and Chiltern compared to other Areas. At the strategic level the Area is aware that it is one of the lower performing but does not inform its staff of this, instead focussing on any upward trends to give a positive message. The majority of staff were told about Area performance at team meetings and generally told us they thought that the Area was improving. Staff were unaware about how to find the performance information to see how they compared to other Areas. In our staff survey, whilst 72.3% of respondents responded positively, over a quarter stated that they rarely or never had performance information shared with them in a format that was accessible and easy to understand.

3.8 There was limited evidence of strategic or operational managers conducting bench marking exercises against other Areas, or searching for best practice to help them improve. A review of jury acquittals takes place in the Area but there were a significant number of reminders to staff to submit reports on these cases. There was evidence of some consideration of cracked and ineffective trials, with some remedial action taken as a result of the analysis.

3.9 There are mechanisms in place to conduct assurance checks on compliance, timeliness and accuracy in accordance with the national Standard Operating Practices (SOPs). However the Area appears to make very little use of the results of these checks. Managers conduct checks on Resource and Efficiency Measures (REM) inputting, flagging, flexi-time recording, Transforming Summary Justice (TSJ), Better Case Management (BCM) and SOP compliance, but felt these were burdensome with little return for the effort. They were unable to determine where changes could be made to improve performance because of a lack of analysis of their checks. Other than some training needs being identified, the Area was unable to demonstrate any significant positive changes as a result of these checks. From our staff survey, 62.7% of respondents felt there were mechanisms in place to capture information and lessons learned, but only 48.0% felt these had led to improvements. Staff also felt that REM recording took up a disproportionate amount of time compared to the benefits, as they had not observed any increase in staff numbers. Additionally, there is concern in the Area around the accuracy of the REM data being recorded.

Criteria	Score
B2 Resources are systematically managed and deployed effectively	Fair

Summary: Utilisation of Crown Advocates is highly effective. However, the Area is suffering from a high turnover of staff and severe difficulties in recruiting for certain posts. This has left key posts vacant and is creating extra pressure on existing staff.

3.10 At the start of 2016-17 the Area's allocated budget was £21,290,144 and at the end of the year was underspent by £277,000. Despite a number of vacancies in the Area the Non-Ring Fenced Administration Costs were only underspent by £30,000, due to most of the underspend being used to cover overtime costs to deal with backlogs. The Area also took advantage of digital working by sending work to other Areas who had some surplus capacity. However weekend administration overtime then created backlogs in work needing lawyer input. The Very High Cost Cases budget was 64.2% spent, partly due to one case being transferred to CPS London's budget. The ABM and Finance Manager produce a report highlighting expenditure and forecasting anticipated expenditure for each Area Board. There

is a clear awareness amongst staff about who holds financial authorities and the delegated limits. Assurance systems were in place to check authorities, along with counter-signatories. There was a substantial backlog of unpaid counsel fees in 2015-16 but the Area undertook work to bring them up-to-date and currently has no backlogs.

3.11 The Area has a clear strategic approach to its work force planning but is struggling to recruit and retain staff. It developed a Strategic Resource Plan for 2016-17 outlining its required structure and staffing levels in line with its casework. This was delivered to the Area Board in the second quarter of 2016-17. A Strategic Resource Plan for 2017-18 has also been produced. However, the allocated budget for 2017-18 is £20,802,430, which is below that which the plan projects is required. The Area is in discussion with CPS Headquarters in respect of some of the criteria used to assess its budget. Prosecutors make up 44.7% of staff in the Area, compared to a national figure of 46.8%, and administrative staff 55.2%, which is slightly higher than the national average of 53.2%, however it is running vacancies across both lawyer and administrator posts.

3.12 Staff turnover is 14.5%, more than double the national average. The Area is struggling to keep staff across a variety of grades. The key posts of Performance Manager and Finance Manager are vacant, which raises resilience issues. We found that staff across the Area and across the grades had very substantial workloads. Whilst this was addressed in part by paid overtime it was clear that staff, and in particular lawyers, were carrying out very substantial out of hours work. This demonstrates their commitment to doing a good job, but while on-site we were concerned at the impact this was having on individuals' overall wellbeing.

3.13 Staff worked additional hours and were unable to take the time off due to the number of excess hours worked. Feedback from the courts was that the lack of paralegal assistant or paralegal officer coverage results in trials being delayed whilst counsel and the officer in charge deal with matters.

Issue to address

The Area should develop a strategy for improving recruitment.

3.14 The Area has been unsuccessful in attracting the right calibre of applicants for lawyer vacancies, but has been more successful in respect of administrators. However, there is still a significant shortfall of administrators in the Reading office. There are lots of applicants for administrative posts in St Albans and a small administrative team based in Liverpool. The Liverpool based team has been expanded from three to seven staff and handles a mix of digital work. The Area is content to accommodate most working patterns

and this assists in recruitment. There were some issues with staff shortages on specific days of the week due to working patterns, but the Area feels it has this under control. With the options that digital working offers the Area does not appear to be thinking innovatively to manage the staffing issues in Reading. Inspectors believe the Area could be allocating more work to St Albans, where it is easier to recruit staff. Consideration could also be given to further expanding the Liverpool team.

Issue to address

The Area needs to address the resourcing issues which are impacting adversely on the work-life balance currently experienced by some staff.

3.15 The Area has a high contested caseload; on average 36.4% of cases dealt with by prosecutors in the magistrates' court are contested, compared to 26.2% nationally. Since 2014-15 the number of completed magistrates' court cases dealt with has fallen by 11.2% nationally but only by 6.9% in Thames and Chiltern. Significantly, the number of contested cases (which require more resource) in the Area has increased by 16.3% in the same period, compared to 2.1% nationally.

3.16 Since 2014-15, in the Crown Court the number of completed cases has fallen by 12.8% nationally, but only 8.3% in the Area. In the same period the number of contested cases has decreased by 5.7% in Thames and Chiltern but increased by 1.1% nationally. Despite this, prosecutors in the Area are dealing with an average contested caseload of 12.7, compared to 8.1 nationally.

3.17 The overall spend per completed case in 2016-17 was £588, compared to £657 nationally, even though the overall spend per full-time equivalent staff member remains higher than nationally (partly due to overtime costs and the London weighting allowance paid to St Albans staff).

3.18 Nationally, associate prosecutors cover 6.72 court sessions per week. In Thames and Chiltern there has been an increase in sessions covered, from 6.91 in 2014-15 to 7.05 in 2016-17. This equates to 27.6% of court sessions available in the magistrates' court in the Area, which is below the national average of 35.3%. Overall, Area staff covered 62.9% of magistrates' court sessions in 2016-17, which again is fewer than the national average of 69.4%. In 2016-17, agent usage was 37.1%, compared to 30.6% nationally. This high use of agents is in the main due to the Area's recruitment issues. Feedback from stakeholders found the quality of agents was mixed.

3.19 Lawyers are being severely impacted by the shortage of administrators in Reading, which leads to them having to undertake administration work to progress cases. The Area does not appear to have fully embraced digital working in the Crown Court, which is also increasing the workloads. The duplication of work this is causing is discussed in chapter 4.

3.20 Utilisation of Crown Advocates (CAs) in 2016-17 was 81.7%, which is excellent compared to the national average of 53.1%. CA savings based on CPS figures is significantly above the national average and has been for the last three years. However, when compared to the salary costs of CAs, the Area made a notional loss of £193,000 for 2016-17. One CA was on maternity leave which would have impacted this measurement and the Area has utilised some CAs to undertake some RASSO work, which saves the cost of getting counsel to provide pre-charge advice, but this is not included in the CA savings calculation. The Area's savings per CA was £75,696 in 2016, compared with the national average of £63,163.

Strength

The Area's highly effective utilisation of its Crown Advocates.

Criteria	Score
B3 Joined-up working is effective and delivers improvements in outcomes for users	Fair

Summary: There is a formal structure of regular meetings between criminal justice partners at the strategic and operational level within the Area, but there are some differences in approach with the regional police forces.

3.21 The Area has Prosecution Team Performance Management (PTPM) meetings with each of the three police forces; monthly with Thames Valley Police and quarterly with Hertfordshire and Bedfordshire combined. The meetings with Thames Valley Police appear to be more successful, partly because Hertfordshire and Bedfordshire are merging their Criminal Justice Unit with Cambridgeshire Police, which sits in a different CPS Area. This is impacting on efforts to improve file quality with little discussion on trends or lessons learned, though file quality forms are forwarded on to police managers. Discussions with Thames Valley Police are more in-depth and appear to be yielding results around improved file quality.

3.22 There is a consistent level of representation at the meetings, with the DCCPs, senior business managers and the Performance Manager attending for the CPS, along with senior police managers.

3.23 The Performance Manager prepares a data pack for PTPM which includes a narrative and 'direction of travel' to assist understanding. It has been agreed by all parties that this will be the data with which they work. The data is broken down to police force level within the Area and shows national ranking. Minutes from the meetings show discussions focus on aspects of concern highlighted by the data. File quality assurance is also a standing item on the PTPM agenda. A log of issues is provided to the meeting, though the police do not always fully agree with the CPS's assessment of file quality. A number of themes have been identified in the discussions, for example missing witness statements and timescales. The Area has also raised the issue of failing to redact data protected witness details, which has resulted in some security breaches. Lawyers were asked to provide to the DCP examples of cases classed as Guilty Anticipated Pleas by the police where the defendant pleaded not guilty in court, so they could be discussed with the police. The result of these discussions was not clear. The guilty plea at first hearing rate in the magistrates' court has declined since 2014-15, although with a slight improvement in 2015-16.

3.24 The courts are not represented at the PTPMs but have telephone conference call meetings with the DCPs, police, District Judges and representatives from Witness Care Units. At these meetings priority issues are identified using the Area's performance data. The majority of the discussions are around cracked and ineffective trials and disclosure issues, in particular service of disclosure on the day of the trial. There appears to be a willingness to take prompt action when issues are identified, although there was some feedback that the CPS representatives are not always fully prepared and agree to unrealistic time targets. Despite this, stakeholders felt the meetings were very useful.

3.25 In addition to these meetings there are some ad hoc meetings to resolve issues. For example, the RASSO managers arranged a meeting with Detective Inspectors in the Thames Valley Police to discuss quality of advice files. The Area was able to provide the police with specific examples of poor quality, which led to the police taking action to improve quality.

3.26 There are good escalation processes in place between the police and operational level managers which enables both parties to resolve issues. In our survey of staff, 63.7% of applicable respondents felt the working relationship with the police was good or excellent and 59.8% felt the working relationship with the courts was good or excellent. In addition, 75.3% thought that partnership working was delivering positive results, although only 15.8% could provide any examples.



4 Part C: High quality casework

Performance expectation

The Area delivers justice through excellent, timely legal decisions, casework preparation and presentation, leading to improved outcomes.

Criteria	Score
<i>Part C: High quality casework</i>	
Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (magistrates' courts)	Poor
Case preparation and progression is effective and timely (magistrates' courts)	Fair
Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (Crown Court)	Fair
Case preparation and progression is effective and timely (Crown Court)	Fair
Overall score for high quality casework	FAIR

Performance against the Part C criteria

4.1 In accordance with the Director's Guidance on Charging 5th edition¹ cases may be charged by the police without reference to the CPS, or as directed by CPS Direct (CPSD) or Area based lawyers. In assessing Area performance in this aspect, including compliance with the Code for Crown Prosecutors (the Code),² we only consider those cases where the charge is directed by an Area lawyer. However, in order to give a full picture we comment on the quality of all charged cases, regardless of how initiated.

¹ Director's Guidance on Charging (5th edition); CPS; May 2013.
www.cps.gov.uk/publications/directors_guidance/index.html

² Code for Crown Prosecutors; CPS; January 2013.
www.cps.gov.uk/publications/code_for_crown_prosecutors/

Criteria	Score
C1 Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (magistrates' courts)	Poor

Summary: The quality of files submitted by the police is not of a sufficiently high quality, which impacts on the Area's performance. There is insufficient challenge either by the prosecutors or management. The Area needs to ensure that cases are subject to a robust and timely initial review.

4.2 In our file sample there were 36 police charged cases and the Code was applied correctly at that stage in 88.9%. In the remaining 24 cases the charging decision was taken by CPSD lawyers, who applied the Code correctly in 20 cases (83.3%).

4.3 Post-charge, the Code was applied correctly in 47 out of 55 applicable cases (85.5%).

4.4 In magistrates' courts cases police files were generally submitted within the prescribed timescales, with 75.5% delivered on time. Inspectors found that fewer than a quarter (23.5%) of the files fully complied with the National File Standard (NFS)³ at the time of submission to the Area. Poor file quality was exhibited by all three police forces. One common reason for this lack of compliance included file 'overbuild' by the police, accounting for 30.8% of failings in the magistrates' court. This excessive work adversely impacts both the police and CPS resources. A failure to provide Victim Personal Statements (VPSs) is a significant problem, with 23.1% of file sample cases submitted by the police lacking a VPS.

4.5 The Area has recognised there are real issues with police files not being built to the NFS and the police failing to comply with national naming conventions in respect of the material they submit digitally to the CPS.

³ *National File Standard*; CPS; May 2015.
www.cps.gov.uk/publications/directors_guidance/dpp_guidance_5_annex_c.pdf

4.6 Despite these issues, inspectors found little evidence of the police file quality being challenged. Prosecutors should complete File Quality Assessment forms when issues are identified, which should then be sent to the police. In only six (19.4%) of the 31 relevant cases in our file sample did the prosecutor raise the lack of NFS compliance. Managers confirmed that police file quality is a problem, but said police forces are responding to the issues. This is not reflected in the file sample, which provides evidence that the service provided by the police is not of a sufficiently high standard.

Issue to address

The Area needs to work with, and challenge where necessary, the police forces to improve the quality of police files submitted.

4.7 In our examination of 60 magistrates' court files, the decision to charge was made by either CPSD or the police. Seven of these cases (11.7%) did not comply with the Code. In each of them there was insufficient evidence for there to be a realistic prospect of conviction. At the review stage the Area rectified the situation in two of these cases by promptly discontinuing them. Three of the seven were discontinued, but at a very late stage. The remaining two cases proceeded to trial where one defendant was acquitted and the court found there was no case to answer in the other.

4.8 Five cases in the file sample were found to have been charged by the police in breach of the Director's Guidance on Charging and should have been referred to the CPS for a charging decision. There was no evidence that the breach of the Director's Guidance had been identified by the Area and raised with the police.

4.9 When the Area reviews a case once it has been charged by the police or CPSD, it should be adding value. In our file sample the Area failed to apply the Code test correctly after charge in eight out of 55 relevant cases (14.5%). This failure to identify and promptly discontinue cases where there is no realistic prospect of a conviction is a drain on already stretched resources.

4.10 A timely, proportionate initial review is critical if a case is to proceed effectively at the first hearing in the magistrates' court in accordance with the principles of Transforming Summary Justice (TSJ). In our file sample there had been a proper and proportionate review in only 25 out of 57 cases (43.9%). Inspectors found that no reviews had been carried out at all in 23 cases and a further nine cases reviews were considered to be inadequate. This contrasted with our magistrates' court observation where 18 out of 22 relevant cases had been reviewed prior to the first hearing, although not always in a timely manner.

4.11 In an effort to address performance, contested cases in the magistrates' court are allocated to individual lawyers to create a sense of 'ownership', with the aim of improving quality. However, in our file sample initial reviews were carried out in a timely manner in only 58.8% of relevant cases, with late reviews being at an unacceptably high level. This creates additional pressure on the lawyers at court. Stakeholders confirmed that late reviews by the Area were a significant problem and had led to cases being discontinued at a very late stage in proceedings.

Case study

In one shoplifting case there had been a strong identification of the defendant from CCTV by two reliable witnesses. However the case was handled poorly as one of those witnesses was not warned for trial and a bad character application to adduce the defendant's previous convictions had not been made. The defendant was acquitted at the second trial. The poor handling was compounded by there being a lack of a Hearing Record Sheet from the first trial listing. The trial was lost due to poor case preparation.

4.12 The average number of hearings in magistrates' court contested cases is 3.08, compared to the CPS level of ambition of 3.00 or below. This is a significant improvement from 3.72 hearings per case in 2013-14. In the Thames Valley Police force area it is 3.36, which is significantly higher than the rest of the Area and is impacting on its overall average number of hearings. The average number of hearings in guilty plea cases is 1.76 for the Area as a whole, compared to the CPS level of ambition of 1.75 or below. This has steadily improved since 2014-15, but again, in Thames Valley the number of hearings is higher, at 1.82.

4.13 Inspectors found evidence that reviews and decisions are quality assured by managers in the magistrates' court team. They conduct compliance checks, including IQAs, on the lawyers they are responsible for and dip sample individual cases. However these checks were not always completed as frequently as they are required, or leading to evidence based improvements in performance.

Issue to address

The Area needs to ensure cases are being reviewed and progressed in a timely manner in the magistrates' court.

4.14 The findings on the overall quality of the handling of unused material in our magistrates' courts file examination were:

Venue	Excellent	Good	Fair	Poor
Magistrates' courts	0%	20.0%	52.5%	27.5%

4.15 In the file sample, inspectors found that Area prosecutors fully complied with initial disclosure in 34.1% of relevant magistrates' court cases and the disclosure was carried out in a timely manner in 48.8% of cases. Issues identified included prosecutors endorsing completely inadequate Streamlined Disclosure Certificates. With regard to continuing disclosure, the file reading revealed prosecutors fully complied with their duty in none of the eight relevant cases, partially complied in three (37.5%) and failed to comply in five (62.5%). There was a complete failure to disclose material that met the test in three out of 30 relevant cases (10.0%), however none of these cases led to a potential miscarriage of justice.

4.16 An effective disclosure process is reliant on an audit trail of actions and decisions on the Disclosure Record Sheet (DRS), unless the prosecutor endorses the file to state that it is not required. The file examination revealed that, where completion of a DRS was required, this was only done in 17 out of 41 relevant cases (41.5%) and of those 17 DRSs, only four (9.8%) were completed to a fully satisfactory standard. These findings do not concur with views expressed by Area managers and prosecutors, who believed there were no issues with disclosure practices. However, stakeholders confirmed that disclosure was often not dealt with well by the prosecution and in some cases this failure impacted on the effectiveness of trials. This view, supported by evidence from the file reading and coupled with the Area's lack of awareness about the issues, indicates the current manner in which disclosure is dealt with in the magistrates' court exposes the Area to significant risk.

Issue to address

The Area needs to improve the handling of unused material and to ensure that decisions are recorded on the Disclosure Record Sheet where appropriate.

Criteria	Score
C2 Case preparation and progression is effective and timely (magistrates' courts)	Fair

4.17 Inspectors found that case preparation in the magistrates' court was an issue with a lack of prosecution input, strategy or preparation of files. Whilst the Area's outcomes in most key aspects are assessed as fair, which is reflected in our assessment, this section shows nevertheless an unacceptable number of aspects of poor performance.

4.18 In the file examination the prosecution were assessed as fully exercising sound judgement and grip in just ten out of 44 relevant magistrates' court cases (21.7%) and failing to do so at all in 32.6% of relevant cases. Stakeholders agreed there was a lack of grip displayed by the prosecution between the first hearing and trial. In our file sample only 19.0% of relevant cases were fully compliant with court directions. When the prosecution took the decision to stop cases proceeding to trial in the magistrates' court, discontinuance was timely in only 63.6% of the relevant cases.

4.19 Inspectors conducted 'reality' checks on task lists which revealed the magistrates' courts unit has excessive backlogs of tasks on the case management system (CMS). In May 2017 there were 213 escalated tasks in the check new correspondence task list for one magistrates' court unit, with one dating back to December 2016. In another unit there were 210 escalated tasks out of 333 cases for check new police information. At the time of the reality check there were 599 cases where record hearing outcomes were older than 48 hours and had not been dealt with. It is clear the Area is failing to properly manage task lists and update hearing outcomes. We accept the backlog is partly due to a lack of administrative resources, which is discussed in chapter 3.

4.20 TSJ requires engagement between the prosecution and defence in advance of the first hearing in Not Guilty Anticipated Plea (NGAP) cases, where the defence have been identified before that date. The file examination found a substantial number of cases where details of the defence representatives had been provided to the CPS on the police file, but we were unable to find evidence of any attempt at engagement with the defence.

4.21 An important aspect of TSJ is the progression of cases at the first hearing; in the file examination inspectors found the prosecution fully prepared the case effectively to ensure progress at the first hearing in just over half (54.1%) of the relevant magistrates' court cases. Despite this, the first hearing was effective in only 80.0% of those cases. The CPS was responsible for 33.3% of the ineffective hearings. It would appear that prosecutors at trial have to resolve issues that should have been dealt with before the case reached

court, for example serving CCTV. Observations conducted by inspectors in the NGAP courts found prosecutors were generally well prepared. They attended court in good time to make themselves available for discussions with the defence, to progress cases before the start of court. In interviews with stakeholders they generally spoke highly of CPS prosecutors and their willingness to progress cases. However there was a common observation that prosecutors often did not make appropriate legal applications at the first hearing, for example to admit evidence of a defendant's bad character.

4.22 Stakeholder views on the standard of agents that the CPS engage varied across the Area. Concern was also raised about the amount of court time wasted because of agents needing to take instructions around pleas. This could be avoided if cases were reviewed fully, with a trial strategy set out, including what pleas are acceptable.

4.23 An examination of the data reveals some improvements in the performance of the magistrates' court casework, but the Area remains below the average national performance figures and CPS level of ambition on the following measures:

- the conviction rate for domestic abuse has improved from 70.9% in 2013-14 to 72.1% 2016-17. This is below both the national average of 75.7% and level of ambition of 75.0%
- the magistrates' court effective trial rate has improved from 44.5% in 2013-14 to 45.8% 2016-17. This is significantly lower than the national performance of 47.0% in 2016-17 and the CPS level of ambition of 55.0%.

4.24 The following performance measures have deteriorated:

- the guilty plea rate at first hearing has declined in the three years since 2014-15, when it stood at 68.6%, to 66.8% in 2016-17. The Area remains below the national rate (70.0%) and is 5.7% below the CPS level of ambition.
- successful outcomes in the magistrates' court have deteriorated since 2013-14, with a decline from 84.6% to 83.3% in 2016-17. Nationally there has also been a fall from 85.6% to 84.7% over the same period. The Area has been consistently lower than the national average for the last four years and also remains below the CPS level of ambition of 85.0%.
- the number of trials which are cracked or ineffective due to prosecution reasons have deteriorated from 20.6% in 2013-14 to 23.3% in 2016-17. This is worse than the national figure of 22.4% and significantly worse than the level of ambition, which is 20.0% or below.
- unsuccessful outcomes due to victim issues have deteriorated over the past three years, albeit there has been a marginal improvement over the previous 12 months, and stands at 31.3% in 2016-17, which is worse than national performance of 30.5%.

Criteria	Score
C3 Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction (Crown Court)	Fair

Summary: Poor compliance with the National File Standard by the police is not challenged by the Area and creates more work. Reviews are missed or, when completed, are not completed in a timely manner. Our file reading found the CMS Hearing Record Sheet is not fully utilised, which causes difficulties trying to locate a full case history as there are duplicates on the system.

4.25 In our file sample the Code was applied correctly at the charging stage in 51 out of 55 CPS charged Crown Court cases (92.7%). There were five police charged cases and the Code was applied correctly at that stage in each. The Code was applied correctly in seven of the eight Area charged cases (87.5%).

4.26 Post-charge, the Area applied the Code correctly in 96.7% (58 out of 60) of the Crown Court cases.

4.27 Only one of the five police charged cases complied with the Director's Guidance on Charging and the other four should have been referred to the CPS. None of the breaches were challenged by the CPS. However, Better Case Management (BCM) reality checks conducted by inspectors on live cases found each of the police charged cases complied with the Code and Director's Guidance.

4.28 There are issues with NFS compliance in Crown Court cases across the Area. The NFS was only fully met in 18.0% of the cases (nine out of 50), partially in 76.0% (38 cases) and not at all in 6.0% (three cases). As with the magistrates' court, the main failings were overbuild in 48.8% of cases (20 out of 41) and missing VPSs in 29.3% (12 cases). There were differences between the police forces. This was supported by BCM reality checks, as it was highlighted on the PTPH forms reviewed on a number of cases at Reading Crown Court that the VPS would be provided post-conviction. Inspectors found little evidence of challenge to the police when they failed to comply.

4.29 CPS staff identified issues that impact on their workload as being duplicate entries on CMS, key items missing and digital file naming conventions not being followed, but the most significant issue is data breaches requiring almost every statement to be edited and Body Worn Video (BWV) to be viewed. It seems that despite the file standard being a standing issue at the PTPM meetings, and the awareness that management have of the impact it has on their staff, improvements are not being made. This is therefore creating more work for the staff as they have to chase, sort and edit the material. The RASSO team managers, however, have been more proactive by providing training to the police on file submission quality and they are working closely with the relevant teams to ensure it is monitored and improving.

Good practice

RASSO unit managers provided training to the police on file submission quality.

4.30 There was a proper and proportionate initial review in 46.6% of the Crown Court cases examined (27 out of 58). However, a review was not done in 41.4% (24 out of 58). BCM reality checks on live files found the review fully met the required standard in 11 out of 16 cases (68.8%) and partially in the remaining five. The main failing for the Area is the timing of the reviews; in the file sample the review was timely in only 58.8% of cases (20 out of 34). This remains an ongoing issue as the reality checks revealed that there was only a timely review in one of the 16 cases (6.3%) and lawyers accept themselves that the SOP timescale is unachievable in the Area. This is compounded by lawyers having to undertake administrative tasks in Reading, which impacts on their ability to review cases within the five day target. This is worrying when, out of those 16 cases, ten had defendants in custody. Management are aware that there are challenges in the Area which includes the time available to conduct reviews due to conflicting priorities.

Issue to address

The Area needs to ensure cases are being reviewed and progressed in a timely manner in the Crown Court.

4.31 In the files sampled by inspectors, the reviews post-charge rarely contained a proper case analysis or trial strategy, save for when they were RASSO cases. The Area have informed inspectors that RASSO lawyers have pre-charge conferences on the more complex cases and are holding more conferences in general. Of the files sampled, sound judgement and grip was only seen fully in 26.7% (16 out of 60 cases), partially in 58.3% (35 cases) and not met in 15.0% (nine cases).

Case study

Two defendants were charged with section 20 wounding on a joint enterprise basis by CPS Direct. Evidentially there was not a realistic prospect of conviction against one of the defendants. Post-charge there were no Code test reviews by the reviewing lawyers and no advice from counsel. The case against that defendant was stopped after the judge directed acquittal.

4.32 Managers are completing IQA and adverse outcome spread sheets feeding back to lawyers on issues that arise. Some managers find them to be a useful tool so they can feedback in real time on cases and the RASSO unit used them to identify trends. Some managers, however, are of the view that they are undertaking too many compliance checks which add no real value, as nothing was implemented or changed as a result. Some strategic level managers accepted that, due to dealing with operational matters, they may not have had the opportunity to take a step back and undertake strategic analysis of the Crown Court teams.

4.33 PTPH forms are being completed but they are not being sent to the court in accordance with the BCM timescales. Reality checks found that out of 16 cases, only seven were uploaded on time to the Crown Court Digital Case System. With regards to the HRS, inspectors found in the files examined that they were completed accurately, contained sufficient information and were uploaded on time, in only 28 out of the 60 cases (46.7%), partially in 24 (40.0%) and not at all in eight (13.3%). It was observed by inspectors that the in-house advocates complete their own template HRS and do not utilise the CMS one. This results in it being difficult to locate a full case history as there is not a single rolling HRS on the case. As there is little CPS administrative coverage in court the same issues are arising in HRSs completed by counsel. Stakeholders confirmed that counsel, for these reasons, could not give a full chronology of the case.

Issue to address

The Area must ensure case management system Hearing Record Sheets are being used to record all court hearings accurately.

4.34 From the file examination inspectors found that the overall handling of disclosure was as follows:

Venue	Excellent	Good	Fair	Poor
Crown Court (out of 49 applicable cases)	0%	40.8% (20 cases)	53.1% (26 cases)	6.1% (3 cases)

4.35 The police did not always fully comply with their disclosure duties, which were partially met in 29 of the 60 cases (48.3%) and not met in one (1.7%). The main failings were poor descriptions on the relevant schedules in 17 of the 30 cases (56.7%) and a lack of schedules in six (20.0%).

4.36 Of the Crown Court files examined, the CPS complied with the duty of initial disclosure fully in 30 out of 49 applicable cases (61.2%), partially in 18 (36.7%) and not at all in one case, although there was no failure to disclose material that met the disclosure test. Continuing disclosure requirements were complied with fully in 26 out of 35 applicable cases (74.3%), partially in eight (22.9%) and not at all in one. Timeliness was again an issue, with only 53.1% of the relevant cases (26 out of 49) being dealt with in a timely manner. There are issues with the CPS dealing with defence statements promptly, resulting in continuing disclosure only being resolved at trial by counsel.

4.37 Stakeholders indicated, however, that although non-disclosure is a frequent issue it is not necessarily always the fault of the CPS.

4.38 With regards to sensitive material, only 14 of the cases sampled had such material, which was dealt with appropriately in eight (57.1%). Third party material was dealt with appropriately in 44.4% (four out of nine), partially in 33.3% (three out of nine) and not at all in 22.2% (two). A Disclosure Record Sheet (DRS) was properly completed in 46.9% of the relevant cases (23 out of 49) and partially in 53.1% (26 out of 49). Therefore each case had a DRS, although the standard was variable.

4.39 Stakeholders expressed a view that there are issues with the handling of third party material in RASSO cases. Lawyers suggested this was as a result of a lack of understanding by some police officers. The team has, however, delivered some training to the police and there are improvements being made.

Criteria	Score
C4 Case preparation and progression is effective and timely (Crown Court)	Fair

Summary: The Area is not properly adhering to the SOP for BCM and the use of the Digital Case System. Judges' orders appear to be managed by requesting extensions to the deadlines, as opposed to complying with the initial timescale. Despite this, the Area has achieved some acceptable outcomes.

- 4.40** The overall rape conviction rate is 53.5%, compared to a national average of 57.6%. However in the Thames Valley Police force area the conviction rate is much better, at 63.0%.
- 4.41** The average number of Crown Court hearings per case for contested hearings is 5.44, compared to the national average of 5.25.
- 4.42** 19.5% of cases in the Crown Court were unsuccessful due to victim issues, which compares favourably with the national average of 22.9%.
- 4.43** From the file sample, the decision to discontinue a case was made and put into effect in a timely manner in 66.7% of relevant Crown Court cases examined.
- 4.44** Inspectors found that the Area is not properly adhering to the SOP for BCM or using the Digital Case System (DCS) effectively, to its detriment. This is particularly impacting on case progression in the Reading office, as lawyers are undertaking work of an administrative nature by completing housekeeping tasks on cases in order to complete their review. They are then undertaking the role of the paralegal officer by uploading the papers onto DCS, along with the PTPH form and indictment, as most of the paralegal officers believe their involvement only starts at the later point of service of the prosecution case. This does not appear to be happening in cases handled by the St Albans office.
- 4.45** In addition, the Area is duplicating work with respect to the service of papers, as a full set of papers are often prepared and uploaded for the PTPH by the lawyer. At the PTPH a date is set regardless of what has been uploaded and the paralegal officers will use that date to formally serve the case under section 51. This means the papers may have been served twice. The Area should clarify with staff that they are aware of the correct processes.

4.46 Lawyers should only be adding the indictment and PTPH form onto DCS. The RASSO team recently identified that the Crown Court teams in the offices are working differently, but they are ensuring that they comply with the SOP. This is of concern as it should have been identified as an issue by senior management. The Crown Court administrators are still copying paper jury bundles, often the day before a trial is listed, which is taking up an inordinate amount of their time.

4.47 Inspectors found during the BCM reality checks that relevant applications were prepared in only one of the 16 cases (6.3%), unused schedules had been provided in 14 out of 16 (87.5%), but disclosure duties were complied with fully or partially in only seven of those 14 (50.0%). PTPH forms were completed along with indictments, but these were served outside of the BCM timescales in half of the cases observed. Stakeholders confirmed that material is not uploaded onto DCS within the timeframes. In our file sample, only 35 out of 51 relevant cases (68.6%) were prepared in accordance with the requirements of BCM.

4.48 Most PTPH hearings are effective, but prosecutors were not robustly challenging the basis of not guilty pleas. This may be impacting adversely on the guilty plea at first hearing rate which in 2016-17 was 37.9%, lower than the national average of 39.9%. Although Thames and Chiltern is achieving the CPS level of ambition, it was one of the lower performing Areas. Inspectors found some evidence of defence engagement. The Area will request a PTPH is adjourned if it is not ready for an effective hearing.

4.49 There were mixed stakeholder views with regards to the Area's compliance with judges' orders, with a view that invariably extensions are sought. This is supported by our file examination where we found a number of extension applications. The CPS recorded data for compliance is good, indicating a compliance rate of 88.6% in 2016-17 which is higher than the national average of 84.4%. However, this is measured against the final deadline. Judges' orders are seen as a priority and the Area has a duty paralegal officer covering these each day. However, this is not effective as they are only being looked at on the date they are due. There is concern that the higher than national compliance with judges' orders is solely due to the number of extension applications. Stakeholder feedback is that large cases and those coming within the RASSO category tend to be prepared well; it is the 'volume' work that is not so well prepared.

4.50 The trial effectiveness rate was good at 55.8% in 2016-17; this rate was higher than the national average of 50.7% and in this respect Thames and Chiltern is one of the better performing Areas. The same applies for cracked and ineffective trials due to prosecution reasons, which was 10.6% against the national average of 12.5%. Trial readiness certificates are completed, but we were told that these do not always reflect the actual position and issues have to be resolved at trial, for example with the compatibility of digital media. On occasion this can be compounded by the pressures on paralegal officers, who may not have the capacity to deal with matters promptly.

4.51 The Area experiences difficulty with instructions to counsel being returned late, and new counsel having to be briefed at short notice. This gives the new counsel little time to prepare, which can impact adversely on case presentation. The RASSO unit has implemented a number of initiatives to address this issue.

4.52 The overall conviction rate in Crown Court cases in 2016-17 was 77.6%, which is lower than the national average of 78.8%. The rate has declined from 78.3% in 2015-16 and Thames and Chiltern is one of the lesser performing Areas.

4.53 In the past two years the Area has had two custody time limit (CTL) failures and some systems have been strengthened to stop this happening again. However our CTL reality checks in the Reading office found that, although the Area is adhering to the CTL regime, there is an issue with the process. They are being overly cautious by entering expiry dates every week for four to five weeks prior to the expiry date. This over recording is creating more work and too many entries, which may result in a date which is due to expire being overlooked.

4.54 Our spot checks revealed that there were a number of overdue and escalated tasks across the Crown Court teams, except in the RASSO unit where they were well managed. Task lists need to be used more effectively to manage cases and, additionally, there appears to be confusion amongst staff in one office about whether paralegal officers can reassign tasks to lawyers. This means that CMS is not being used fully effectively.

5 Part D: Public confidence

Performance expectation

The service to victims and witnesses is central to the work of the Area. It ensures that decisions are appropriately explained and its interaction with victims and witnesses takes account of their needs, is open and direct, and shows empathy. The Area works with and learns from local communities to build confidence in the criminal justice system.

Criteria	Score
<i>Part D: Public confidence</i>	
Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Poor
The views and interests of the victim, witnesses and public are reflected and protected by the appropriate use of remand or bail conditions, Victim Personal Statements and ancillary orders at sentencing	Fair
The Area is responsive to community groups, victims and witnesses, complainants, other stakeholders and the public and uses their feedback robustly to identify strengths and weaknesses and to improve service delivery	Poor
Overall score for public confidence	POOR

Performance against the Part D criteria

Criteria	Score
D1 Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard	Poor

Summary: The Area fails to inform the Victim Liaison Unit when letters should be sent to victims which results in them either not being sent, or sent out late.

5.1 Comments from stakeholders and our court observations highlighted issues about the provision of witness dates to avoid for the relevant hearings. This raises the risk of trials being ineffective or having to be vacated.

5.2 Although processes had been improved there was evidence that witness issues were being addressed too close to the trial date. There was evidence that Witness Care Units were having to contact the court listing teams to obtain information because they were unable to contact the CPS.

5.3 The Area utilises the services of the Victim Liaison Unit (VLU) based in London. Inspectors spoke to staff there but they were unable to comment substantively on Thames and Chiltern's service as they cover work for a number of different Areas. The VLU will only be aware that a letter needs to be sent if they are notified by the Area via email. A review of the VLU report provided by Thames and Chiltern found letters are not being sent to victims when required and, when they are sent, this does not always happen in a timely manner. There has been some improvement in the percentage of letters sent from the second quarter to the fourth quarter of 2016-17, which needs to be maintained. Inspectors were unable to find any evidence of managers taking steps to resolve these issues. Letters to vulnerable and intimidated victims are only timely in 76.7% of cases, which is lower than the national average of 81.4%.

5.4 There are significant issues with the timely return of HRS forms. These forms specify if a letter is required so Area administrators can notify the VLU team. In addition, as previously referred to there are significant shortages within the administrative team, which results in backlogs. With limited staff in the Crown Court cases may not be finalised in a timely manner, which results in the VLU team not being notified of letters required. Inspectors found confusion amongst Area prosecutors as to who should be emailing the VLU, either them or administrators. In one case a decision was made in the magistrates' court to drop a case, but it was left to a lawyer in the office to inform the VLU.

5.5 The VLU team draft the letters and should be provided with an appropriate paragraph by the lawyer explaining in clear, unambiguous terms why the case has been dropped. This is not happening and administrators are having to work out the reasons from the HRS. Not all letters are quality checked but their work is dip sampled by managers. From the file examination, when a letter was sent it was timely in 61.9% of cases. However, in 28.6% of cases no letter was sent. We found that 33.3% of letters were of a high standard. Letters to bereaved families are written by lawyers on the Area, which is standard practice.

5.6 The number of complaints received as a proportion of finalised cases is 0.46%, which is much higher than the national average (0.28%). The Area's performance is declining, having been 0.40% in 2013-14. In 2016-17, only 63.6% of complaints were responded to within the required timescales, which is significantly below the national average (72.4%). There are similar timeliness issues in respect of responses to Victims' Right to Review requests.

Issue to address

The Area must improve the timeliness of its communications with victims and ensure a letter is sent to the victim in every case in which it is required.

5.7 In the light of our findings the Area needs to consider whether there is sufficient resource allocated to manage this important aspect of work.

5.8 Inspectors found no evidence of any additional training being provided in the Area beyond the national initiatives. This is of concern, as the Area clearly has issues in identifying when letters to victims are required and in ensuring these letters are sent out in a timely manner.

Criteria	Score
D2 The views and interests of the victim, witnesses and public are reflected and protected by the appropriate use of remand or bail conditions, Victim Personal Statements and ancillary orders at sentencing	Fair

Summary: Performance is mixed, with the Area experiencing difficulties in delivering consistent levels of performance in reflecting and protecting the views and interests of victims and the public. The Area generally makes applications for appropriate special measures, but the timeliness of applications requires improvements.

5.9 The MG3 (record of charging decision) should cover any victim and witness issues in all appropriate cases. Inspectors found relevant applications and ancillary matters were partly or fully considered in 71.4% (five out of seven) cases. This was lower than CPSD performance, where they were partly or fully considered in 95.7% of cases. In the two cases where these issues were not addressed, one involved an allegation of rape and the other a fatal road traffic collision.

5.10 Cases charged by the Area are likely to be of a serious and/or sensitive nature in comparison to the volume work dealt with by CPSD, so it is a matter of concern that victim and witness issues were not adequately addressed.

5.11 As stated previously, we also found a problem with the police provision of Victim Personal Statements (VPSs). More than a quarter (26.3%) of police files provided to the Area did not comply with the police file standard due to the lack of a VPS. There was little evidence that the Area escalates the matter of missing VPSs with the police and this was supported in court observations, where the VPS was often not included on the prosecution file.

5.12 Inspectors found there were appropriate and clear instructions to advocates in the MG3 and Preparation for Effective Trial (PET) and PTPH forms. Court observations confirmed that prosecutors were generally well prepared, making applications for special measures where appropriate. One prosecutor was observed making an effective oral application for special measures which was granted by the court. The file examination found that, overall, appropriate special measures were applied for in 93.1% of relevant cases. However, applications were only timely in 66.7% of those cases. Area prosecutors were also seen to make appropriate applications to the court when defendants were sentenced.

5.13 Where applicable, prosecutors took account of the rights, interests and needs of victims in 93.7% of cases in the file sample. During court observations no issues or concerns were identified, with prosecutors making applications to oppose bail or seek proportionate bail conditions where appropriate.

5.14 Most stakeholders thought that Thames and Chiltern considers the needs of victims and witnesses and the CPS's awareness of the issues is generally good. However, there could be issues when agents prosecuted courts around the provision of accurate details of compensation and not having firm instructions about applications for restraining orders. The Area has a protocol agreed for police officers to give evidence via live link, but this appears to be under utilised by the CPS.

5.15 The National Speaking to Witnesses at Court (STWAC)⁴ process has assisted witnesses at court. The Area held mandatory training for agents who were considered to be under performing on the process. However, the Area has not done any detailed analysis on the STWAC feedback received, or made any changes to improve the service.

5.16 The file sample did show that the Area is proactive in facilitating the attendance of victims at court, with prosecutors taking some steps to secure victim engagement in the court process in 57 out of 61 appropriate cases (93.4%). However, the proportion of unsuccessful outcomes in the Area due to victim reasons is 29.0%, which is a downward trend since 2013-14. There is still a lot of work that the Area needs to do to improve this. As stated, we found that it is not always acting quickly enough in response to communications from the Witness Care Units.

⁴ *Speaking to Witnesses at Court*; CPS; March 2016.
www.cps.gov.uk/Publications/Prosecution/speaking-to-witnesses-at-court-guidance-mar-2016.pdf

Criteria	Score
D3 The Area is responsive to community groups, victims and witnesses, complainants, other stakeholders and the public and uses their feedback robustly to identify strengths and weaknesses and to improve service delivery	Poor

Summary: The Area does not have a focussed approach to its community engagement and has not demonstrated how it links to improved outcomes.

5.17 Thames and Chiltern has set out its public confidence priorities for 2016-17 and onwards, which demonstrates a willingness to increase public confidence in the Area. There were a number of measures to achieve this, including:

- treating victims and witnesses with respect and care and responding to their individual needs
- improving the quality and timeliness of complaint handling
- publicising successful cases via the Area website
- identifying and sharing good practice in domestic abuse prosecutions
- improving the quality and timeliness of letters issued to victims explaining the decision to stop cases or substantially alter charges
- ensuring that all RASSO cases are reviewed and presented in court by trained sexual offences prosecutors.

5.18 However, as evidenced in previous parts of this report it is some way off achieving many of these commitments. A large number of the complaints received are related to victim and witness issues.

5.19 The Area's website has received the highest number of 'hits' when compared to other Areas. This may be indicative of community response to local initiatives or publicity, but it is not possible to identify why the website is accessed. In the six months to December 2016 Thames and Chiltern published substantially more press releases than other Areas.

5.20 Our staff survey did reveal some positives, with 70.5% of staff who responded saying they felt the Area prioritises sensitive cases and 54.6% felt the standard of service given to victims and witnesses is excellent or good.

5.21 Senior managers from the Area attend both the Thames Valley Local Scrutiny Panel (LSIP) and Hertfordshire/Bedfordshire LSIP. The LSIP memberships include representatives from the wider local communities, with the strategic and operational meetings taking place quarterly. Inspectors were told that lessons learned were identified at these meetings and fed back to Area staff. However, there was limited evidence that this had led to any noticeable improvement in performance. Feedback was mixed from some partners, with comments that one LSIP does not adequately reflect the views and interests of the public, but also that representatives from the CPS are efficient in delivering actions. There were also comments that the Area is not responsive to community groups, and lacks visibility.

5.22 The Area does have a presence at other formal and ad hoc meetings with community groups and partners, for example the Bedfordshire Hate Crime Partnership. The CCP has also given presentations and talks to some groups.

5.23 The Area's public confidence lead is the CCP, who works with the Inclusion and Community Engagement Manager (ICEM) in developing the strategy to establish effective links with community groups. However, senior managers need to be more involved in directing the work of the ICEM to support the Area's strategy and priorities. There was no indication of how the Area targeted specific organisations in order to reflect community concerns, or drive forward improvements in performance or public confidence. Thames and Chiltern is a large, diverse area but there appeared to be a reliance on asking the police and other stakeholders for invitations to events, or advice on which organisations to contact. Inspectors found very limited evidence of the Area taking any steps to identify and then engage with and prioritise those at greatest risk of exclusion and discrimination. The reporting of disability hate crimes or incidents in Bedfordshire increased from 35 to 80 in 2016-17, which the Area suggests is down to work they have done. However, when asked, the Area struggled to provide any meaningful evidence of the business benefits resulting from its community engagement activity, or how this activity improved casework.

Issue to address

The Area should review its engagement strategy and identify further avenues in order to address community issues and demonstrate how this leads to improvements in casework quality.

6 Part E: Efficiency and value for money

Performance expectation

The Area ensures it delivers the maximum benefit for users and stakeholders with the resources available. It has the right people doing the right things at the right time for the right cost, and delivering the right outcome. It is focussed on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

6.1 Despite staffing issues the Area did not fully utilise its budget and returned around £200,000 to CPS Headquarters in 2016-17. With the ongoing staff shortages in Reading, the Area has failed to fully grasp opportunities to find solutions through moving work digitally, or using temporary staff for straightforward administrative tasks. Some advantage has been taken of short term or remote digital working, with work being undertaken by other Areas to help Thames and Chiltern with their backlogs of administrative tasks. With additional staff in Liverpool and St Albans, the Area also needs to consider how it can further utilise these staff to manage the workload better on a longer term basis.

6.2 The lack of administrators in Reading is negatively impacting on lawyers who have to take on administrative tasks, which is not value for money. Any overtime conducted by administrators is done at weekends, which results in a large amount of outstanding work for lawyers on the following Monday morning.

6.3 The lack of Area identity is adding to a divide between the two office locations and the work they do. The reduction in interaction between the business and legal teams will make it more difficult to rectify these problems and may further perpetuate the divide.

6.4 The Area has not fully grasped the SOP for BCM and the Digital Case System, which means they are duplicating work. This, in turn, impacts on the timeliness and quality of casework. There are significant issues with reviews not being undertaken or carried out late, which creates unnecessary effort where inappropriate cases are brought to court. There are considerable backlogs in task lists and being unable to process these leads to duplication of correspondence from stakeholders.

6.5 Despite undertaking a large amount of compliance checks and collating results, the lack of analysis means they are not using the data to drive improvement and inform decision-making.

6.6 However, some of Thames and Chiltern's outcomes are better than the national outcomes, for example completed cases per prosecutor are much higher than the national average (337.1 compared with 275.0). The overall spend per completed case in 2016-17 was £588 compared to £657 nationally. The Area has the highest utilisation of its Crown Advocates in the CPS, which creates savings.

6.7 There are good working relationships with stakeholders, but partnership working does not appear to be having any significant impact on outcomes for the Area.

Annexes

A Glossary

Agent

Agents are lawyers who are not employed by the CPS but who are booked, usually on a daily basis, to prosecute cases in court on its behalf. They are not empowered to take decisions under the Code for Crown Prosecutors and have to take instructions from CPS lawyers in this regard.

Allocation and sending

The methods by which cases move from the magistrates' court to the Crown Court. Indictable only offences are sent and either way offences which are too serious to remain in the magistrates' court are allocated to the Crown Court. See also *indictable only offences* and *either way offences*.

Area Assurance Programme (AAP)

HMCSI rolling programme of inspection of CPS Areas.

Area Business Manager (ABM)

The most senior non-legal manager at CPS Area level.

Area Performance Review (APR)

A review of key performance indicators to assess an Area's performance which is used to drive improvement.

Associate prosecutor (AP)

A CPS employee who is trained to present cases in the magistrates' court on pleas of guilty, to prove them where the defendant does not attend, or to conduct trials of non-imprisonable offences.

Bad character

In some circumstances evidence of the defendant or witness' previous bad behaviour, which includes convictions for offences, can be put before the court at trial.

Barrister/counsel

Member of the independent Bar who are instructed by the CPS to prosecute cases at court.

Basis of plea

When the defendant pleads guilty to the charge, but does not agree the full facts as set out by the prosecution. The prosecution must then decide whether to accept the basis on which the defendant is pleading guilty.

Better Case Management (BCM)

The single national process for case management of Crown Court matters. It is led by Her Majesty's Courts and Tribunals Service (HMCTS) and involves the CPS and police. The aim is to deal with cases more efficiently.

Case management system (CMS)

IT system for case management used by the CPS. Through links with the police systems CMS receives electronic case material.

Casework Quality Standards

Set out the benchmarks of quality that the CPS seeks to deliver in prosecuting crime for the public. They cover treatment of victims and witnesses, legal decision-making, casework preparation and advocacy.

Charging decision

The process by which the police and the CPS decide whether there is sufficient evidence for a suspect to be prosecuted. The process is governed by the Director's Guidance on Charging 5th edition which came into effect in May 2013.

Chief Crown Prosecutor (CCP)

The most senior legal manager at CPS Area level and the person who is held to account for its assurance controls and performance.

Code for Crown Prosecutors (the Code)

The public document that sets out the framework for prosecution decision-making. Crown prosecutors have the Director of Public Prosecutions' (DPP) power to determine cases delegated, but must exercise them in accordance with the Code and its two stage test – the evidential and public interest stages. Cases should only proceed if, firstly, there is sufficient evidence to provide a realistic prospect of conviction and, secondly, if the prosecution is required in the public interest.

Contested case

A case where the defendant elects to plead not guilty, or declines to enter a plea, thereby requiring the case to go to trial.

Court orders/directions

An order or direction made by the court at a case progression hearing requiring the prosecution to comply with a timetable of preparatory work for a trial. These orders are often made under the Criminal Procedure Rules. See also *Criminal Procedure Rules*.

CPS Direct (CPSD)

The CPS Area which takes the majority of CPS decisions as to charge under the charging scheme. Lawyers are available on a single national telephone number so that advice can be obtained at any time.

Cracked trial

On the trial date, the defendant offers acceptable pleas or the prosecution offers no evidence. A cracked trial requires no further trial time, but as a consequence the time allocated has been wasted and witnesses have been unnecessarily inconvenienced, thus impacting confidence in the system. See also *offer no evidence*.

Criminal Procedure Rules (CPR)

The Criminal Procedure Rules determine the way a criminal case is managed as it progresses through the criminal courts in England and Wales. The rules apply in all magistrates' courts, the Crown Court and the Court of Appeal (Criminal Division). See also *court orders/directions*.

Crown Advocate (CA)

A lawyer employed by the CPS who has a right of audience in the Crown Court.

Custody time limit (CTL)

The statutory time limit for keeping a defendant in custody awaiting trial. May be extended by the court in certain circumstances.

Digital Case System (DCS)

An online system used in the Crown Court which reduces the paper flowing through the criminal justice system by enabling all parties to access the same electronic case file.

Director of Public Prosecutions (DPP)

Senior Civil Servant who is the head of the CPS.

Disclosure

The prosecution has a duty to disclose to the defence material gathered during the investigation of a criminal offence, which is not intended to be used as evidence against the defendant, but which may undermine the prosecution case or assist the defence case. There are various regimes and the type of case determines which one applies. See also *Manual of Guidance (MG) forms: MG6 series, streamlined disclosure and Streamlined Disclosure Certificate*.

Discontinuance

The formal dropping of a case by the CPS through written notice (under section 23 Prosecution of Offences Act 1985).

Effective trial

The trial goes ahead as a contested hearing on the date that it is listed.

Either way offence

Offences of middle range seriousness which can be heard either in the magistrates' court or Crown Court. The defendant retains a right to choose jury trial at the Crown Court, but otherwise the venue for trial is determined by the magistrates.

Guilty Anticipated Plea (GAP)

A Guilty Anticipated Plea involves a case whereby the defendant is expected to admit the offence at court following an assessment of the available evidence.

Hate crime

An offence aggravated by hostility based on race, disability or sexual orientation.

Hearing Record Sheet (HRS)

A CPS electronic record of events at court. If completed correctly it acts as a continual log of court proceedings and court orders.

High weighted performance measures

Measures of performance CPS Headquarters specifically regards as highly important.

Indictable only offence

Cases involving offences which can be heard only at the Crown Court (e.g. rape, murder, serious assaults). The details of the charge(s) are set out in a formal document called the indictment.

Individual Learning Account (ILA)

The ILA gives every member of CPS staff access to £350 a year for professional development to ensure all staff have the tools and skills to do their job.

Individual Quality Assessment (IQA)

The CPS scheme to assess the performance of individuals and compliance with the CPS's Casework Quality Standards. See also *Casework Quality Standards*.

Ineffective trial

The trial does not go ahead on the trial date due to action or inaction by one or more of the prosecution, defence or the court and a further listing for trial is required.

Judge directed acquittal (JDA)

Where the judge directs a jury to find a defendant not guilty after the trial has started.

Judge ordered acquittal (JOA)

Where the judge dismisses a case as a result of the prosecution offering no evidence before a jury is empanelled. See also *offer no evidence*.

Local Criminal Justice Board (LCJB)

There are a number of Local Criminal Justice Boards (or partnerships) in England and Wales, which bring together the chief officers of all the criminal justice agencies and partnerships in order to co-ordinate delivery of the criminal justice system. The National Criminal Justice Board is the primary forum for setting direction for the criminal justice system.

Manual of Guidance (MG) forms

National forms used by the police and CPS to prepare a case file.

MG3: used to record the charging decision.

MG5: used to detail the police report – a case file summary setting out the circumstances of the offence(s) and the evidence that is relied upon in the case.

MG6 series: used to schedule the unused material in a Crown Court case and are endorsed with decisions as to whether the material should be disclosed:

- *MG6C* covers non-sensitive material and is served on the defence
- *MG6D* covers sensitive material and is not served on the defence
- *MG6E* is the police disclosure officer's report which details their view as to what should be disclosed. See also *disclosure, streamlined disclosure* and *Streamlined Disclosure Certificate*.

National File Standard (NFS)

This document details what must be included in the police file for particular types of cases. The latest version was published in May 2015.

No case to answer

Where magistrates dismiss a case at the close of the prosecution evidence because they do not consider that the prosecution have made out a case for the defendant to answer.

Non-ring fenced budget

Money which the CPS is free to allocate to any service that requires it.

Not Guilty Anticipated Plea (NGAP)

A Not Guilty Anticipated Plea involves a case whereby the defendant is expected to deny the offence at court following an assessment of the available evidence.

Offer no evidence

Where the prosecution offer no evidence in relation to an offence for which the defendant has been arraigned. This results in a finding of not guilty.

Paralegal officer/assistant

A member of CPS staff who deals with, or manages, day-to-day conduct of a prosecution case under the supervision of a Crown Prosecutor and, in the Crown Court, attends court to assist the advocate.

Police and Crime Commissioner (PCC)

PCCs are elected by their constituents. Their primary role is to set the strategic direction of local policing and to hold the Chief Constable to account for the performance of the police force. They now also have responsibility for the commissioning of support services for victims.

Pre-charge decision (PCD)

The process by which the police and CPS decide whether there is sufficient evidence for a suspect to be prosecuted. The process is governed by the Director's Guidance on Charging.

Pre-Trial Preparation Hearing (PTPH)

This is a first hearing before the Crown Court at which cases should be effectively managed and listed for trial. There is a specific PTPH form which should be completed as far as possible prior to the hearing and completed at that hearing. This is part of the BCM initiative

Preparation for Effective Trial (PET) forms

Completed by the defence, prosecution and the court, they are used in the magistrates' court to manage cases due for trial.

Prosecution Team Performance Management (PTPM)

Joint analysis of performance by the CPS and police locally. It is used to consider the outcomes of charging and other joint processes.

Rape and Serious Sexual Offences (RASSO)

Includes rape, sexual assault, sexual activity offences, abuse of children through prostitution or pornography, and trafficking for sexual exploitation.

Resource and Efficiency Measures (REM)

Created a standardised way of measuring the resources needed to carry out work across the CPS. By measuring how long tasks take and how many are processed a CPS Area can obtain an overview of the resources required to complete key processes.

Review (initial, continuing, summary trial, full file etc)

The process whereby a crown prosecutor determines that a case received from the police satisfies and continues to satisfy the legal test for prosecution in the Code for Crown Prosecutors. One of the most important functions of the CPS. See also *Code for Crown Prosecutors*.

Section 51 Crime and Disorder Act 1998

Covers service of the evidence by the Crown (CPS) under the Crime and Disorder Act 1998 (Service of Prosecution Evidence) Regulations 2005 (SI 2005 No 902).

Sensitive material

Any relevant material in a police investigative file not forming part of the case against the defendant, the disclosure of which may not be in the public interest. See also *disclosure*.

Special measures applications

The Youth Justice and Criminal Evidence Act 1999 provides for a range of special measures to enable vulnerable or intimidated witnesses in a criminal trial to give their best evidence. Measures include giving evidence through a live TV link, screens around the witness box and intermediaries. A special measures application is made to the court within set time limits and can be made by the prosecution or defence.

Standard Operating Practices (SOPs)

National CPS processes that apply consistency to business practices. They provide a set procedure for all Areas to adhere to. Examples of SOPs are those for Transforming Summary Justice, Better Case Management and custody time limits.

Streamlined disclosure

The new streamlined disclosure process was introduced as part of Transforming Summary Justice. The main principle is that an unused material report is to be available for the defence at the first hearing in magistrates' courts cases:

- in GAP cases, a standardised form of written confirmation is to be provided to the defence, which confirms that the prosecution understand their common law duties
- in NGAP cases, there is to be early provision of unused material. An unused material report, called the Streamlined Disclosure Certificate (SDC), replaces the MG6 series and is served as soon as a not guilty plea is entered. See also *disclosure, Manual of Guidance (MG) forms: MG6 series and Streamlined Disclosure Certificate*.

Streamlined Disclosure Certificate (SDC)

This certificate replaces the MG6 disclosure forms for NGAP cases which are dealt with in the magistrates' courts. See also *disclosure, Manual of Guidance (MG) forms: MG6 series and streamlined disclosure*.

Summary only offence

Offences which can only be dealt with in the magistrates' courts, e.g. most motoring offences, minor public order and assault offences.

Transforming Summary Justice (TSJ)

A cross-criminal justice agency initiative which aims to reform the way in which criminal casework is undertaken in the magistrates' courts and to create a swifter criminal justice system, with reduced delay and fewer hearings. The initiative is based on ten characteristics to be implemented by all the agencies to achieve its aims.

Unsuccessful outcome

Cases which result in an acquittal or are discontinued.

Unused material

Material collected by the police during an investigation but which is not being used as evidence in any prosecution. The prosecutor must consider whether or not to disclose it to the defendant. See also *disclosure*.

Vacated trial

A trial that has been given a date for hearing and, following a successful application by the prosecution, defence or the court, is taken out of the list before the date of trial. The key factor is that the trial will not go ahead on that day. All parties are notified that the trial will not go ahead as planned and witnesses are de-warned. The trial time is available to be reused. A further listing for the vacated trial may or may not be required.

Victim Communication and Liaison scheme (VCL)

A CPS scheme under which victims are informed of decisions to discontinue or alter substantially any charges. The CPS must notify the victim within one working day if they are vulnerable or intimidated and within five working days for all other victims. In some case categories a meeting will be offered to the victim or their family to explain these decisions.

Victim Liaison Unit (VLU)

A dedicated team of CPS staff in every Area responsible for all direct communication with victims, administering the Victims' Right to Review scheme, complaints, and for overseeing the service to bereaved families.

Victim Personal Statement (VPS)

This gives victims a voice in the criminal justice process by helping others to understand how a crime has affected them. If a defendant is found guilty, the court will take the VPS into account, along with all the other evidence, when deciding upon an appropriate sentence.

The Code of Practice for Victims of Crime (the Victims' Code)⁵

A statutory code of practice for the treatment of victims of crime, with which all criminal justice agencies must comply. Its aim is to improve victim contact with the criminal justice agencies by providing them with the support and information they need.

Victims' Right to Review scheme (VRR)

Under the scheme a review of the following CPS decisions can be sought: not to charge; to discontinue (or withdraw in the magistrates' courts) all charges thereby ending all proceedings; to offer no evidence in all proceedings; and to leave all charges in the proceedings to "lie on file" (this is the term used in circumstances where the CPS makes a decision not to proceed and requests that the charges be allowed "to lie on the file" marked 'not to be proceeded with without the leave of this Court or the Court of Appeal').

Vulnerable and intimidated witnesses

Witnesses who may be vulnerable or intimidated for the purposes of special measures assistance include, all child witnesses (under 18) and any witness whose quality of evidence is likely to be diminished because they are suffering from a mental disorder (as defined by the Mental Health Act 1983) or have a significant impairment of intelligence and social functioning, or have a physical disability or are suffering from a physical disorder. Complainants to sexual offences are automatically defined as an intimidated witness unless they wish to opt out.

Witness Care Unit (WCU)

Unit responsible for managing the care of victims and prosecution witnesses from the point of charge to the conclusion of a case. Staffed by witness care officers and other support workers whose role it is to keep witnesses informed of progress during the course of their case. Units may have a combination of police and CPS staff (joint units), but most no longer have CPS staff.

⁵ *The Code of Practice for Victims of Crime* [the Victims' Code]; Ministry of Justice; December 2015. www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime



B Area Assurance Programme inspection framework

Introduction

The framework is split into five sections: The success of CPS people; Continuous improvement; Delivering high quality casework; Ensuring public confidence; and Efficiency and value for money. Each section has a performance expectation and a number of criteria against which evidence will be gathered. Sub criteria have been identified for each section which can be used as a guide to help assess performance.

The framework aligns significantly with the current CPS priorities and takes account and considers other key initiatives such as Standard Operating Practices (SOPs), Transforming Summary Justice (TSJ) and Better Case Management (BCM).

Overall, inspectors are looking to see that the CPS delivers the maximum benefit for users and stakeholders with the resources available. This means the right people doing the right things at the right time for the right cost, and delivering the right outcome. The focus will be on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

Part A: The success of CPS people

Performance expectation

The Area is led and managed effectively to ensure it has the right people equipped with the appropriate tools and skills for the job to deliver a high quality service. This is achieved by ensuring all staff have the right technology, systems and skills, to enable decisions to be made fairly, at the right time and at an appropriate level.

Criteria

- 1 **Senior management demonstrates effective leadership and engages with staff to identify and utilise opportunities to deliver a quality of service.**
 - 1.1 Senior managers act as role models demonstrating commitment to CPS values and equality and diversity policies.
 - 1.2 Senior managers have effective engagement with staff on strategic and operational matters.
 - 1.3 Senior managers effectively communicate the vision, values and direction of the CPS.
 - 1.4 All managers motivate staff, build effective teams, and challenge inappropriate behaviour.

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- 1.5 All managers understand and take responsibility for implementing senior management decisions.
 - 1.6 Regular and open dialogue occurs through team meetings, with feedback to senior managers of relevant information.
 - 1.7 Senior managers take time to make themselves available to staff at key points in the business calendar or during change processes.
- 2 Senior managers work effectively and are influential with criminal justice partners.**
- 2.1 Senior managers promote an open and constructive approach with criminal justice colleagues.
 - 2.2 The Area works effectively with Local Criminal Justice Boards (or similar where applicable).
- 3 The Area is committed to CPS values, equality and diversity policies and staff development to deliver improvement in staff engagement, effectiveness, well-being and morale.**
- 3.1 The Area has integrated equality into all relevant strategies and plans, including the Area training plan, and there is equality of access to training.
 - 3.2 The Area is implementing a plan to improve staff engagement levels which is delivering results.
 - 3.3 Sick absence reduction targets have been set and actions taken to meet them.
 - 3.4 Good performance is identified and rewarded, and poor performance tackled appropriately.

Part B: Continuously improving

Performance expectation

The Area continuously improves how it works, deploying resources to work effectively and using efficient processes.

Criteria

- 1 The Area's key **performance data** is analysed effectively and used to inform resource allocation, to robustly identify the Area's strengths and weaknesses and to drive improvement.

- 1.1 There is regular and robust analysis of performance by the Area Management Team, which is based on reliable and timely performance data and other relevant information.
- 1.2 Analysis of performance informs decision-making and resource allocation, leads to remedial action being taken where appropriate, and contributes to improving performance.
- 1.3 There is effective benchmarking of performance across the Area, with other Areas, national performance and CPS levels of ambition, which informs decision-making and resource allocation.
- 1.4 Performance information is disseminated in a readily understood format to staff.
- 1.5 Area quality assurance and performance monitoring measures identify aspects for improvement and good practice, which are shared with staff and which drive improvements in service delivery.
- 1.6 Teams are held to account for their performance.
- 1.7 Senior managers assess performance robustly, using regular reality checks (such as dip samples, reviews of failed cases and court observations) to inform their understanding of front-end delivery levels.
- 1.8 The APR process is applied robustly and openly and used to improve performance.

2 Resources are systematically managed and deployed effectively.

- 2.1 The Area's budget is systematically controlled through appropriate delegation, proper monitoring, and accurate knowledge of committed expenditure.
- 2.2 The Area's budgetary allocation and planning support strategic and operational delivery.
- 2.3 The Area has an effective and transparent system of allocating funds to budget holders. There are clear financial delegation limits, which are understood by staff.
- 2.4 Area managers are effective in negotiating financial matters with Headquarters and partners.
- 2.5 The Area has effective systems for assessing the most appropriate staffing structure and staffing levels across the Area, which are used to ensure that work is conducted by staff at the right level.
- 2.6 The balance between in-house prosecutors and agents' usage represents a good use of resources.

3 Joined-up working is effective and delivers improvements in outcomes for users.

- 3.1 There are effective arrangements for joint performance management with criminal justice partners, which include robust quality assurance processes.
- 3.2 Relevant performance information, areas for improvement and good practice are shared between criminal justice partners and used to identify strengths and weaknesses.
- 3.3 Joint improvement strategies are implemented, actions are followed up and improvement results.

Part C: High quality casework

Performance expectation

The Area delivers justice through excellent, timely legal decisions, casework preparation and presentation, leading to improved outcomes.

Criteria

Magistrates' courts casework

- 1 Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction.**
 - 1.1 The Area checks that all files received from the police comply with National File Standard and the principles of Transforming Summary Justice (TSJ). Unresolved issues are escalated when appropriate.
 - 1.2 The Area feeds back effectively to the police where they do not comply with the Code for Crown Prosecutors or the Director's Guidance on Charging (5th edition).
 - 1.3 The Area ensures that there is a timely and proportionate review in all cases requiring one, which is appropriately recorded.
 - 1.4 Reviews and decisions comply with the Code and any relevant policy or guidance; include a prosecution case theory or trial strategy to maximise the prospects of a successful outcome; and identify when ancillary orders or additional information may be requested at sentencing.

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- 1.5 Reviews and decisions are robustly quality assured.
 - 1.6 The Area complies with its duties of disclosure in relation to unused material.
 - 1.7 Disclosure is robustly quality assured, aspects for improvement are identified, and performance improves as a result.

2 Case preparation and progression is effective and timely.

- 2.1 Area systems support the effective progression of cases, including compliance with the Criminal Procedure Rules and SOPs.
- 2.2 The Area ensures that cases progress at the first magistrates' court hearing in accordance with TSJ principles.
- 2.3 The Area ensures that the number of effective trials and successful outcomes are increasing through effective case preparation and progression.
- 2.4 The Area has an effective system for the management and monitoring of custody time limits.
- 2.5 CMS task lists and reports are used robustly to manage, monitor and improve case progression.

Crown Court casework

3 Reviews and decisions (including charging decisions, the use of applications, and acceptance of plea) are proportionate; properly recorded; comply with the Code for Crown Prosecutors and any relevant policy and guidance; include consultation with the police; and contribute to successful outcomes and victim and witness satisfaction.

- 3.1 The Area checks that all files received from the police comply with National File Standards and the principles of BCM. Unresolved issues are escalated when appropriate.
- 3.2 The Area feeds back effectively to the police where they do not comply with the Code for Crown Prosecutors or the Director's Guidance on Charging.
- 3.3 The Area ensures that there is a timely and proportionate review in all cases requiring one, which is appropriately recorded.
- 3.4 Reviews and decisions comply with the Code and any relevant policy or guidance; include a prosecution case theory or trial strategy to maximise the prospects of a successful outcome; and identify when ancillary orders or additional information may be requested at sentencing.
- 3.5 Reviews and decisions are robustly quality assured.

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- 3.6 The Area complies with its duties of disclosure in relation to unused material.
 - 3.7 Disclosure is robustly quality assured, aspects for improvement are identified, and performance improves as a result.

4 Case preparation and progression is effective and timely.

- 4.1 Area systems support the effective progression of cases, including compliance with the Criminal Procedure Rules and SOPs.
- 4.2 The Area ensures that cases progress in the Crown Court in accordance with BCM principles.
- 4.3 The Area ensures that the number of effective trials and successful outcomes are increasing through effective case preparation and progression.
- 4.4 The Area has an effective system for the management and monitoring of custody time limits.
- 4.5 CMS task lists and reports are used robustly to manage, monitor and improve case progression.

Part D: Public confidence

Performance expectation

The service to victims and witnesses is central to the work of the Area. It ensures that decisions are appropriately explained and its interaction with victims and witnesses takes account of their needs, is open and direct, and shows empathy. The Area works with, and learns from, local communities to build confidence in the criminal justice system.

- 1 **Communications with victims under all applicable initiatives, the Victims' Code or policies (including consulting victims on discontinuance or pleas, letters under the Victim Communication and Liaison scheme, communications with bereaved families, and the Victims' Right to Review) occur where required, and are timely and of a high standard.**
 - 1.1 The needs of victims and witnesses are fully considered and there is timely and appropriate liaison and support throughout the prosecution process.
 - 1.2 The Area ensures compliance with the requirement to consult victims in appropriate cases, including discontinuance and acceptance of pleas.

- 1.3 The Area ensures that communications with victims and bereaved families are sent where required and are of a high standard, with reference to sources of support or additional rights (including the Victims' Right to Review) where appropriate.
 - 1.4 Area training plans give appropriate priority to training on victim and witness issues and relevant policies and guidance.
- 2 The views and interests of the victim, witnesses and public are reflected and protected by the appropriate use of remand or bail conditions, Victim Personal Statements and ancillary orders at sentencing.**
- 2.1 The Area ensures that victim and witness issues are considered at the pre-charge stage and clear instructions are provided to advocates for all hearings.
 - 2.2 The Area ensures that applications to refuse bail, seek bail conditions or appeal the grant of bail are appropriate and proportionate and are effective in protecting the victim and the public.
 - 2.3 The Area ensures that the opportunity to make a Victim Personal Statement has been provided in applicable cases and that prosecutors take the necessary steps to present it to the court in the way that the victim chooses, as far as possible.
 - 2.4 Area processes ensure that the right ancillary orders are sought at sentencing or other disposal to protect the victim, witnesses or public.
- 3 The Area is responsive to community groups, victims and witnesses, complainants, other stakeholders and the public and uses their feedback robustly to identify strengths and weaknesses and to improve service delivery.**
- 3.1 Senior managers are committed to engaging with, and securing the confidence of, victims and witnesses, other stakeholders and the public.
 - 3.2 The needs of victims and witnesses are identified, addressed and incorporated into the core business of the Area.
 - 3.3 The Area prioritises engagement with stakeholders or community groups at the greatest risk of exclusion and discrimination.
 - 3.4 Complaints, Victims' Right to Review communications, and other feedback from stakeholders, community groups and the public are used to identify aspects for improvement.
 - 3.5 Actions identified from feedback are implemented effectively and followed up robustly.

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- 3.6 The Area can demonstrate improvement in service delivery, engagement or community confidence as a result of actions taken on feedback received.
 - 3.7 The Area engages effectively with Witness Care Units, victim and witness support agencies, and other criminal justice partners to deliver improvements in victim and witness care at court.

Part E: Efficiency and value for money

Performance expectation

The Area ensures it delivers the maximum benefit for users and stakeholders with the resources available. It has the right people doing the right things at the right time for the right cost, and delivering the right outcome. It is focussed on ensuring that successful outcomes and quality service delivery are achieved through proper governance, casework quality, the effective use of resources, and efficient and effective processes that avoid unnecessary, duplicated or additional work.

- 1.1 Area managers actively promote the concept of value for money throughout the Area.
- 1.2 Effective and efficient case progression is avoiding duplication and minimising waste by ensuring that only appropriate cases are brought to court in an expedient manner.
- 1.3 High quality casework is maximising the likelihood of a successful result.
- 1.4 Partnership working is delivering positive results in outcomes for users.
- 1.5 The Area, through effective management, makes best uses of its resources to optimise their effectiveness and delivers successful outcomes.

C File sample composition and examination findings

Question	Answer	All cases
Pre-charge decision by the police		
The police decision to charge was compliant with the Code test	Yes	92.7%
	No	7.3%
The police decision to charge was compliant with the Director's Guidance	Yes	78.0%
	No	22.0%
The police MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	78.0%
	No	22.0%
Pre-charge decision by the CPS		
The CPS decision to charge was compliant with the Code test	Yes	89.9%
	No	10.1%
The MG3 included proper case analysis and case strategy	Fully met	30.4%
	Partially met	51.9%
	Not met	17.7%
The MG3 made reference to all relevant applications and ancillary matters	Fully met	52.6%
	Partially met	41.0%
	Not met	6.4%
There were appropriate instructions and guidance to the court prosecutor contained in either the MG3 or the PET or PTPH created with the MG3	Fully met	48.1%
	Partially met	44.3%
	Not met	7.6%
The CPS MG3 correctly identified whether a guilty or not guilty plea was anticipated	Yes	75.6%
	No	24.4%
The action plan met a satisfactory standard	Fully met	34.7%
	Partially met	54.7%
	Not met	10.7%

Question	Answer	All cases
For CPS charged cases rate the overall quality of the MG3 including the action plan	Excellent	1.3%
	Good	30.4%
	Fair	48.1%
	Poor	20.3%
Code compliance after charge		
The police file submission complied with the National File Standard for the type of case	Fully met	20.8%
	Partially met	69.3%
	Not met	9.9%
The main failing in the police file was in relation to	VPS	26.3%
	MG5	1.3%
	MG11	8.8%
	Overbuild	40.0%
	Other	23.8%
Police file submission was timely	Yes	74.0%
	No	26.0%
All review decisions after charge applied the Code correctly	Yes	91.3%
	No	8.7%
Initial case review and preparation for the first hearing		
The case received a proper and proportionate initial case review where appropriate	Fully met	45.2%
	Partially met	13.9%
	Not met	40.9%
The initial case review was carried out in a timely manner	Yes	58.8%
	No	41.2%
The prosecutor prepared the case effectively in accordance with TSJ/BCM to ensure progress in court at the initial hearing(s)	Yes	62.5%
	No	37.5%

MG5 Police report including case file summary

MG11 Statement made by a witness to be used as evidence

Question	Answer	All cases
The prosecutor identified and raised with the police any lack of compliance with TSJ/BCM	Yes	22.6%
	No	77.4%
The first hearing was effective, complied with TSJ/BCM expectations (where appropriate) and resolved all outstanding issues	Yes	80.3%
	No	19.7%
Any issues with the effectiveness of the TSJ/BCM hearing were primarily occasioned by whom	Police	34.8%
	CPS	34.8%
	Court	4.3%
	Defence	26.1%
Case progression after the first hearing		
The lawyer or team exercised sound judgement and grip on the case	Fully met	24.5%
	Partially met	52.8%
	Not met	22.6%
There was timely compliance with court directions or judges' orders	Fully met	34.8%
	Partially met	42.0%
	Not met	23.2%
Any decision to discontinue was made and put into effect in a timely manner	Yes	65.2%
	No	34.8%
The decision to accept pleas or a basis of plea was sound	Yes	100%
	No	0%
Any basis of plea was in writing and signed by the prosecution and defence	Yes	0%
	No	0%
	Not known	100%

Question	Answer	All cases
Disclosure		
The police complied with their disclosure obligations	Fully met	55.0%
	Partially met	40.0%
	Not met	5.0%
The main failing in the police disclosure was in relation to	Listing items wrongly	9.3%
	Poor description of items	42.6%
	Lack of schedule	18.5%
	Wrong schedules	5.6%
	Witness previous convictions	3.7%
	Other	20.4%
The prosecutor complied with the duty of initial disclosure, including the correct endorsement of the schedules (but not including timeliness of disclosure)	Fully met	48.9%
	Partially met	44.4%
	Not met	6.7%
The prosecutor complied with the duty of continuing disclosure (but not including timeliness of disclosure)	Fully met	60.5%
	Partially met	25.6%
	Not met	14.0%
The failure to comply with the duty of disclosure was a complete failure to disclose undermining or assisting material (late disclosure is not a complete failure)	Yes	5.8%
	No	94.2%
The prosecution complied with its duty of disclosure in a timely manner	Yes	51.1%
	No	48.9%
Sensitive unused material was dealt with appropriately	Fully met	57.1%
	Partially met	35.7%
	Not met	7.1%

Question	Answer	All cases
Third party material was dealt with appropriately	Fully met	44.4%
	Partially met	33.3%
	Not met	22.2%
The DRS was properly completed with actions and decisions taken on disclosure	Fully met	30.0%
	Partially met	43.3%
	Not met	26.7%
Rate the overall quality of handling of unused material by the CPS	Excellent	0%
	Good	31.5%
	Fair	52.8%
	Poor	15.7%
Victims and witnesses		
Hearing Record Sheets were completed accurately, contained sufficient instructions to progress the case and were uploaded to CMS in a timely manner	Fully met	54.2%
	Partially met	35.8%
	Not met	10.0%
Where appropriate the prosecutor took all necessary steps to secure victim engagement in the court process	Fully met	75.4%
	Partially met	18.0%
	Not met	6.6%
The prosecutor took account of the rights, interests and needs of victims and witnesses including consulting with them where appropriate	Fully met	59.5%
	Partially met	34.2%
	Not met	6.3%
There was a timely Victim Communication and Liaison (VCL) when required	Yes	61.9%
	No	9.5%
	Not done	28.6%
The VCL was of a high standard	Fully met	33.3%
	Partially met	46.8%
	Not met	20.0%

Question	Answer	All cases
Rate the overall quality of the service from the police	Excellent	0.8%
	Good	28.3%
	Fair	58.3%
	Poor	12.5%
Rate the overall value added by the CPS	Excellent	0%
	Good	22.2%
	Fair	53.8%
	Poor	23.9%
Were the appropriate special measures applied for	Yes	93.1%
	No	6.9%
Was the application timely	Yes	66.7%
	No	33.3%

D Area performance data

Outcomes	National		Thames and Chiltern				Variance 2014-15 to 2016-17
	2014-15	2015-16	2016-17	Variance 2014-15 to 2016-17	2014-15	2015-16	
Magistrates' court							
Successful outcomes	84.2%	83.8%	84.7%	-	81.8%	82.8%	83.3%
Discontinuance	10.5%	10.3%	9.6%	-	11.7%	10.8%	10.1%
Crown Court							
Successful outcomes	79.4%	79.2%	78.8%	-	78.1%	78.3%	77.6%
Judge ordered acquittals	12.5%	12.2%	11.6%	-	11.3%	11.5%	11.0%
Charging volumes							
Number of pre-charge decisions	307,037	276,696	265,275	-13.6%	17,653	16,508	16,504
Magistrates' court							
Guilty pleas	71.2%	71.2%	72.5%	-	67.1%	69.0%	68.7%
Attrition	22.4%	21.8%	20.5%	-	26.3%	23.6%	23.0%
Crown Court							
Guilty pleas	71.9%	71.4%	70.2%	-	66.2%	65.6%	65.6%
Attrition	20.5%	20.6%	21.0%	-	21.9%	21.8%	22.4%

Efficiency, costs and quality	National			Thames and Chiltern			Improvement/ deterioration 2015-16 to 2016-17	Comparison to national average 2016-17
	2014-15	2015-16	2016-17	2014-15	2015-16	2016-17		
Efficiency								
Completed cases per administrator (FTE)	239.3	254.8	242.1	215.6	250.8	272.9	Imp	Better than
Completed cases per prosecutor (FTE)	293.0	298.7	275.0	339.6	344.0	337.1	Det	Better than
In-house magistrates' court sessions	72.4%	70.5%	69.4%	72.0%	68.8%	62.9%	Det	Worse than
Associate prosecutor magistrates' court sessions	27.0%	25.1%	24.5%	23.2%	21.5%	17.3%	Det	Worse than
Cases dropped at 3rd or subsequent hearings (magistrates' court)	34.1%	30.5%	29.6%	35.6%	36.0%	33.3%	Imp	Worse than
Average sessions per associate prosecutor per week	5.59	6.50	6.72	6.91	7.59	7.05	Det	Better than
Hearings per magistrates' court case (guilty plea)	1.87	1.80	1.69	1.96	1.88	1.76	Imp	Worse than
Hearings per Crown Court case (guilty plea)	3.84	3.97	3.65	3.84	3.94	3.66	Imp	Worse than
Percentage of magistrates' court guilty pleas at first hearing	70.8%	70.7%	70.0%	68.6%	68.1%	66.8%	Det	Worse than
Percentage of Crown Court guilty pleas at first hearing	33.1%	31.8%	39.9%	30.1%	30.5%	37.9%	Imp	Worse than
CPS savings per Crown Advocate	£65,389	£65,550	£63,193	£74,511	£75,883	£75,696	Det	Better than

Efficiency, costs and quality	National			Thames and Chiltern			Comparison to national average 2016-17
	2014-15	2015-16	2016-17	2014-15	2015-16	2016-17	
Cost							
Prosecution cost per defendant (Crown Court)	£1,080	£1,124	£1,223	£1,387	£1,339	£1,280	Worse than
Overall spend per completed case	£588	£602	£657	£598	£587	£588	Better than
Overall spend per total staff (FTE)	£77,404	£82,767	£84,641	£78,809	£85,167	£88,618	Worse than
Outcomes							
Magistrates' court successful outcomes	84.2%	83.8%	84.7%	81.8%	82.8%	83.3%	Worse than
Crown Court successful outcomes	79.4%	79.2%	78.8%	78.1%	78.3%	77.6%	Worse than
Magistrates' court discontinuances	10.5%	10.3%	9.6%	11.7%	10.8%	10.1%	Worse than
Crown Court judge ordered acquittals	12.5%	12.2%	11.6%	11.3%	11.5%	11.0%	Better than

FTE Full-time equivalent

Staffing and caseload changes						
	2014-15	2015-16	% change 2014-15 to 2015-16	2016-17	% change 2015-16 to 2016-17	2 yr average % change 2014-15 to 2016-17
Areas and CPS Direct plus Proceeds of Crime						
Staff in post	4,983.7	4,585.1	-8.0%	4,513.6	-1.6%	-9.4%
Prosecutors in post	2,240.3	2,110.7	-5.8%	2,113.0	0.1%	-5.7%
Administrators in post	2,743.4	2,474.5	-9.8%	2,400.6	-3.0%	-12.5%
Magistrates' court						
Completed cases	557,887	534,121	-4.3%	495,235	-7.3%	-11.2%
Contested cases	54,167	59,964	10.7%	55,323	-7.7%	2.1%
Contested cases proportion of completed cases	9.7%	11.2%	1.5	11.2%	-0.06	1.5
<i>Contested cases with conviction</i>	33,075	37,513	13.4%	35,685	-4.9%	7.9%
Proportion of contested cases resulting in conviction	61.1%	62.6%	1.5	64.5%	1.9	3.4
Contested cases per prosecutor*	24.2	28.4	4.2	26.2	-2.2	2.0
Crown Court						
Completed cases	98,505	96,338	-2.2%	85,881	-10.9%	-12.8%
Contested cases	16,847	17,351	3.0%	17,028	-1.9%	1.1%
Contested cases proportion of completed cases	17.1%	18.0%	0.9	19.8%	1.8	2.7
<i>Contested cases with conviction</i>	9,568	9,862	3.1%	9,675	-1.9%	1.1%
Proportion of contested cases resulting in conviction	56.8%	56.8%	0.0	56.8%	-0.0	0.0
Contested cases per prosecutor*	7.5	8.2	0.7	8.1	0.1	0.6

* Contested cases figures include mixed plea cases

Staffing and caseload changes						
	2014-15	2015-16	% change 2014-15 to 2015-16	2016-17	% change 2015-16 to 2016-17	2 yr average % change 2014-15 to 2016-17
Thames and Chiltern						
Staff in post	291.9	253.3	-13.2%	237.1	-6.4%	-18.8%
Prosecutors in post	113.3	106.8	-5.8%	106.1	-0.7%	-6.4%
Administrators in post	178.6	146.5	-18.0%	131.0	-10.5%	-26.6%
Magistrates' court						
Completed cases	32,935	31,266	-5.1%	30,663	-1.9%	-6.9%
Contested cases	3,318	3,782	14.0%	3,858	2.0%	16.3%
Contested cases proportion of completed cases	10.1%	12.1%	2.0	12.6%	0.5	2.5
<i>Contested cases with conviction</i>	1,892	2,332	23.3%	2,431	4.2%	28.5%
Proportion of contested cases resulting in conviction	57.0%	61.7%	4.6	63.0%	1.4	6.0
Contested cases per prosecutor*	29.3	35.4	6.1	36.4	1.0	7.1
Crown Court						
Completed cases	5,553	5,465	-1.6%	5,094	-6.8%	-8.3%
Contested cases	1,424	1,395	-2.0%	1,343	-3.7%	-5.7%
Contested cases proportion of completed cases	25.6%	25.5%	-0.1	26.4%	0.8	0.7
<i>Contested cases with conviction</i>	848	870	2.6%	794	-8.7%	-6.4%
Proportion of contested cases resulting in conviction	59.6%	62.4%	2.8	59.1%	-3.2	-0.4
Contested cases per prosecutor*	12.6	13.1	0.5	12.7	-0.4	0.1

* Contested cases figures include mixed plea cases



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