

Report of an Inspection

of the

North Wales

Magistrates' Courts Committee

carried out during

October 2003

MCSI Inspection of Court Services

MCSI has a remit to inspect and report to the Lord Chancellor on the administration and management of magistrates' courts in England and Wales. It aims both to provide the Lord Chancellor with information about the performance of MCC areas and to support Committees by endorsing good practice and making recommendations about possible improvements. These recommendations are, in the main, addressed to MCCs but may also, where appropriate, be directed to other bodies which impact upon the performance of the magistrates' courts service.

The Inspectorate is not empowered to comment on the judicial decisions of magistrates or their clerks in particular cases. Nor does it conduct audits of the courts it inspects. Inspectors make enquiries about whether systems are in place, are understood and are monitored, but do not test the systems themselves. MCSI reports do not, therefore, offer any assurance that satisfactory standards of probity have been achieved within the MCC area inspected.

Inspectors reach judgements about the MCC's performance and make recommendations which reflect the MCC's stage of development and other local circumstances. The number of recommendations contained in an inspection report is not, therefore, an indicator of the standards achieved by the MCC. Each MCC is asked to provide an action plan, published with the inspection report, setting out how it will respond to the recommendations. Implementation of the action plan is monitored by MCSI and the Chief Inspector reviews the progress made within 18 months of the end of the inspection period. A management letter, setting out the results of that review, is sent to the Lord Chancellor and to the paying authority(ies). The management letter is not published but is available to members of the public upon request.

Copies of this report may be obtained from:

MCSI Secretariat
8th Floor, Millbank Tower
Millbank
London SW1P 4QP

Telephone: 020 7217 4347
Fax: 020 7217 4357

Or via our website at <http://www.mcsi.gov.uk>

Contents

Chief Inspector's Foreword

Context	1
----------------	----------

Inspection Findings:

Strategic Management (with elements of Corporate Governance)	5
Administration of Cases	12
Care of Court Users	22

Annexes:

A	Methodology	29
B	North Wales MCC: key facts	30
C	North Wales MCC: performance data	32
D	North Wales MCC: adjournment analysis	38

Recommendations and North Wales MCC's action plan	41
--	-----------

Glossary	44
-----------------	-----------

Chief Inspector's Foreword

Our inspection of the North Wales Magistrates' Courts Committee (MCC) area focused on three topics:

- ◆ Strategic Management with elements of Corporate Governance (how well the Committee plans for the future, checks that plans are followed and conducts itself in carrying out its responsibilities)
- ◆ Administration of Cases (how well the courts organise cases and process information)
- ◆ Care of Court Users (the quality of services offered to people who use the courts, including the way people are treated, the information given to them and what is provided for them in the courthouses).

I am pleased to be able to report that North Wales MCC (NWMCC) is a very well managed organisation which has made good progress since the last inspection. The MCC demonstrates an excellent grasp of national and local priorities and is providing clear leadership and direction. It has taken constructive steps towards developing an appropriate organisational structure to deliver its strategy, there is a high standard of communication throughout the organisation and staff morale is good.

The MCC is making an excellent contribution to effective inter-agency working in the area. Together with partner agencies, it continues to participate in many, high-profile central initiatives that require close and joint working. For instance, North Wales has recently piloted extensions to the fixed penalty system and the Charging Initiative and is currently a pilot area for the Effective Trial Management Project. This has provided a sound basis for the work of the Local Criminal Justice Board that was officially launched in April 2003.

NWMCC is taking constructive steps to prepare for the transition to a Unified Courts Administration (UCA). In particular, it has been proactive in developing its accommodation strategy in close consultation with the Court Service. The MCC's Justices' Chief Executive also contributes to the central project board responsible for the implementation of the UCA in England and Wales.

Overall, the MCC is performing well. In particular, NWMCC is making a positive contribution to achieving the Government's priority of reducing delay in the criminal justice system. Overall case completion rates, and persistent young offender case completion times, are considerably better than the England and Wales averages. The recent move to a single clerkship has the potential to enhance performance further, although the MCC acknowledges that it has some way to go in developing a single corporate legal team and, as part of this, greater consistency in practices across the area.

In total we make four recommendations, designed to foster further improvement. One is concerned with developing the working of the MCC's newly formed Senior Legal Team and the effectiveness of its legal operational planning processes, and another is about further development of its listing policy and procedures. The third addresses the development of a more focused performance management system and the final recommendation covers important Health & Safety issues. In the context of the move towards a UCA, our recommendations focus on areas in which the MCC can make improvements in the shorter term. I am pleased to report that the MCC has responded positively and constructively to the recommendations made and is already making progress in implementing them.

This report is not intended as an assessment of all the activities undertaken by the MCC. The Committee exercises a number of important responsibilities that have not been examined during this particular inspection and it should not be assumed that statements contained in the report apply to MCC functions beyond the three upon which we have focused.

I am grateful to the Magistrates' Courts Committee, the magistrates and the staff for their co-operation throughout the inspection process. In particular I would like to thank Wendy Moore who, as the Liaison Officer, gathered together the briefing material and helped to arrange on-site activities.

A handwritten signature in black ink that reads "Stella Dixon". The signature is written in a cursive style with a large, prominent 'S' at the beginning.

Dr Stella Dixon
HM Chief Inspector, MCSI

February 2004

Context

- 1 The courts in North Wales serve mainly a rural population, covering the unitary authorities of Anglesey, Conwy, Denbighshire, Flintshire, Gwynedd and Wrexham. North Wales MCC covers one of the largest geographical areas, covering 1,554,858 acres, but in contrast is one of the smaller areas in terms of its population of 660,000. The area has a small ethnic minority population of 1.1%. Tourism is one of the major sources of employment and leads to a significant increase in the summer population. Agriculture is also a major source of employment across the area. In the northeast, the traditional industries of coal and steel have diminished and lighter industries now support the heavier concentration of population in Wrexham and Flintshire of over a quarter of a million.
- 2 Home Office statistics show that, between April 2002 and March 2003, there were 65,133 offences in the area. This corresponds to 98 offences per 1,000 population, significantly lower than the England and Wales average of 113. These figures translated into a weighted caseload for the MCC of 140,505 from July 2002 to June 2003, an increase of 12% on the previous year.
- 3 The six unitary authorities, in partnership with the North Wales Police, conduct regular crime and disorder audits. Crime patterns across the area show that vehicle crime, theft, damage and burglaries OTD (other than dwellings) are the main offences, although assault is also an offence type that features prominently. Crime hotspots are Holyhead, Caernarfon and Bangor, together with Llandudno town centre, Colwyn Bay, Kimmel Bay and Rhyl along the tourist coastal belt. The urban areas of Deeside and Wrexham town feature significantly in the east.
- 4 North Wales MCC shares common boundaries with North Wales Police, the Crown Prosecution Service and the Probation Service and over recent years these agencies have worked increasingly closely together. Inter-agency co-operation was given an increased focus in the establishment of a Local Criminal Justice Board for North Wales in November 2002, following the Government's White Paper, *Justice for All*.
- 5 The MCC comprises nine voting members and works with one main sub-committee. The Committee is supported by a Corporate Management Board (CMB) made up of a Justices' Chief Executive (JCE), Head of Legal Services/Justices' Clerk, Head of Corporate Services, Court Administration Manager and Finance Manager. In total it employs over 150 full-time equivalent staff in its three administration offices, Central Finance Office and Secretariat (known as the JCE's Office). A chart illustrating the overall structure is included in Figure 1.
- 6 The MCC operates through 12 courthouses across its six petty sessions areas (PSAs). With the exception of one small part of Denbighshire, which is in the Wrexham PSA, PSAs share the same boundaries as unitary authorities and police divisions. The six magistrates' benches in North Wales comprise over 380 magistrates who dispense justice across the area. The MCC has recently submitted an application for a full-time District Judge (Magistrates' Courts). Details of the area's courthouses and PSAs are contained in Annex B. The MCC has been proactive in agreeing its accommodation strategy in consultation with the Court Service. Plans are well advanced to build a new Magistrates' and Crown Courthouse at Caernarfon to

replace existing courthouses at Bangor and Caernarfon. This provides a good example of the close and productive working relationships between the two organisations.

- 7 In 2002/03, the MCC's budget was £4,478,394 and for 2003/04 is £5,117,827, an increase of 14%. Of this, 80% is provided by the Department for Constitutional Affairs (DCA), and the remainder by the six unitary authorities. Wrexham County Borough Council acts as the lead paying authority.
- 8 Annex A sets out details of the processes by which the inspection team gathered its evidence for this report. A summary of the key facts relating to the area can be found at Annex B. Annex C contains general information about North Wales MCC's performance as measured by Strategic Steer Indicators (SSIs) and Business Management Returns (BMRs). It also includes the MCC's performance against Core Performance Measures (CPMs) based on MCSI's *Thematic Review of Information for Management* (TRIM). MCSI's analysis of adjournments in a sample of cases completed in July and August 2003 is set out in Annex D.

Inspection Findings 1: Strategic Management (with elements of Corporate Governance)

This section assesses the degree to which the MCC has established a pertinent direction for its Service, complemented by a staged plan of action and mechanisms for implementation and review. Additionally, the section assesses the way the Committee conducts itself in carrying out its responsibilities.

In order to fulfil this key function, an MCC is expected to:

- ◆ *show leadership in determining and communicating strategic direction*
- ◆ *plan strategically for the management of transition to the Unified Courts Administration*
- ◆ *establish an effective organisational structure to deliver the MCC's strategy, including Government priorities*
- ◆ *identify key strategic issues and determine effective plans of action*
- ◆ *set and monitor standards of performance*
- ◆ *demonstrate adherence to appropriate principles of conduct in public affairs.*

Overall Assessment

Through its JCE, the MCC demonstrates clear leadership in determining and communicating its strategic direction. Although broad actions to achieve the MCC's aims are cascaded into team plans, legal team plans are insufficiently detailed. In moving to a single clerkship and administration team and a Central Finance Team, the MCC has taken constructive steps towards developing an appropriate structure, although the role of its Senior Legal Team is not yet clear. While the MCC monitors performance regularly, performance reports are not yet sufficiently focused on the differing needs of the Committee, managers and staff. There is a high standard of communication underpinned by effective training and morale is good. The MCC is taking positive and constructive steps to plan for the transition to the Unified Courts Administration and the Committee demonstrates a high standard of corporate governance. The MCC demonstrates strong commitment to the implementation of its Welsh Language Scheme.

Leadership in determining and communicating strategic direction

- | | |
|--|--|
| <p>1.1 Through its JCE, the MCC demonstrates clear leadership in determining its strategic and business direction. There is an appropriate planning cycle in place and since 1996/97, the MCC has produced a Strategic Plan, which is reviewed and updated annually.</p> | <p>1.2 The 2003/04 Strategic and Business Plan (SBP), is comprehensive, reflects well the Government's priorities for the Magistrates' Courts Service and the development towards UCA, and complements the Local Criminal Justice Board delivery plan. It lists 15 priority areas, including improving timeliness,</p> |
|--|--|

effective trial rates, witness waiting times, fines collection rate, implementing the persistent offender scheme, developing race equality and working towards a Unified Courts Administration (UCA). In each area relevant targets are set and broad actions to achieve these identified. Quarterly reviews of progress against the SBP are presented to the Committee and, although these are not in great detail, Members interviewed confirmed that they are sufficient for their needs.

- 1.3 Unlike previous plans, the current SBP lacks full articulation of the organisation's values, which were evident in practice, such as the MCC's clear commitment to its Welsh Language Scheme. The MCC accepted Inspectors' suggestion that incorporation of core values within its Plan would enhance the presentation of this key public document and aid effective communication with stakeholders.
- 1.4 During its development, the SBP was subject to appropriate internal and external consultation with criminal justice agencies (CJAs) and other key stakeholders, and the final document was communicated well. MCSI's survey of court users indicated a much higher than average level of satisfaction with information received from the MCC, and the opportunity to make views known, than was found in the last 24 inspections. However, there was a slightly lower than average level of satisfaction with the extent to which respondents believed their views were taken into account and their ability to influence the MCC's plans. The MCC should be aware of this and ensure that the reasons for decisions, particularly unpopular ones, are communicated effectively. In general though, key stakeholders surveyed and interviewed were supportive of the MCC's plans. While some CJAs would prefer the MCC to operate with fewer courthouses, which would be helpful in terms of resources,

they appreciate the reasons for the MCC wishing to retain its smaller rural courthouses.

- 1.5 One of the key aims in the 2002/03 SBP was 'to establish an effective communication system' and considerable efforts have been made to achieve this. Following a detailed review of communication in 2002, a revised communication policy was developed in early 2003, covering both internal and external communication. In particular, this incorporates a comprehensive internal meeting framework, which Inspectors found to be operating effectively. MCSI's survey and interviews with staff and magistrates indicated a high level of satisfaction with communication across the organisation, for which the MCC is commended. Staff interviewed also indicated that staff morale is good: an excellent achievement.
- 1.6 The MCC demonstrates a clear commitment to working closely with CJA partners and there is good evidence of effective inter-agency working. North Wales CJAs continue to participate in many high profile central initiatives that require joint working. For example, North Wales was one of the pilot areas for the Narey reforms. More recently, it has piloted extensions to the fixed penalty system and the Charging Initiative and is currently a pilot area for the Effective Trial Management Project. As a result, joint working at a strategic level is embedded in North Wales and this has provided a sound basis for the work of the Local Criminal Justice Board that was officially launched in April 2003. Work on the area delivery plan is progressing and two seminars have been held for senior managers across the agencies to support its implementation.

1.7 NWMCC demonstrates a strong commitment to the implementation of its Welsh Language Scheme (WLS) and Inspectors were very impressed with the handling of the Welsh language, both within the MCC and in courtrooms. An important step in implementing the WLS has been the employment since 2001 of a full-time translator, who is responsible for translating corporate documents and providing a simultaneous translation service – for example, at Committee meetings, which are conducted bilingually. The translator also provides services to other MCCs in Wales. In 2002, the translator undertook a comprehensive review of progress against the WLS commitments, and Inspectors were pleased to learn that the MCC accepted and is progressing the robust recommendations arising from this. Inclusion of the MCC's commitment to its WLS within its SBP would further enhance the profile of this important aspect of its work.

Establishing an effective organisational structure

1.8 The MCC has taken positive and constructive steps towards developing an appropriate organisational structure to deliver its strategy. Since 1997, the MCC has moved from a legal structure based on five clerkships to a single clerkship that came fully into effect in July 2003. The Justices' Clerk (JC), who is located at the Secretariat (known as the JCE's Office), is supported by a Deputy Justices' Clerk (DJC) and Principal Legal Adviser (PLA) at each of the three administrative offices. At the time of inspection, the single clerkship structure had only recently been put in place and the MCC acknowledged that there is some way to go in establishing a single corporate legal team across the area. Inspectors were concerned that the role of Senior Legal Team (SLT), which comprises the JC and DJCs, was unclear, particularly in its relation to the

Corporate Management Board (CMB) and in driving performance improvement. Inspectors recommend that the MCC develop clear terms of reference for the newly formed SLT that support and complement those of its CMB (see Recommendation 1 at paragraph 1.14). Inspectors were pleased to learn that an external consultant had already been engaged and had started to work with the SLT to assist its development, and the MCC is encouraged to continue to support this arrangement. As part of this ongoing development, it is suggested that the MCC review the roles of its DJCs and PLAs to ensure that they are clear, the roles complement each other and there is no overlap.

1.9 A Central Finance Office (CFO) was established in March 1999. While initially the manager's and team leaders' focus was on staffing the new office and developing consistent enforcement and collection practices across the MCC, considerable steps have been taken during the last couple of years to increase staffing levels and develop the overall structure. This now appears appropriate, although the high level of staff turnover remains a concern. Inspectors were told that this is largely due to better paid opportunities being available locally for trained staff, and consider the MCC is doing what it can to address the issue. Staff interviews indicated a clear sense of direction and corporateness in approach, and recently recast figures indicate that performance is improving.

1.10 There are administrative teams at each of the three area offices, managed by a Court Administration Manager based at Llandudno Courthouse. Good work has been undertaken to develop consistent administration practices across the MCC and interviews confirmed that administration staff work well as a single corporate team.

- 1.11 One of the objectives of the MCC in its last SBP was “to review the staff structure in view of workload patterns”. A comprehensive review was undertaken in 2002 and adjustments made to local team staffing levels as a result.
- 1.12 There is a high standard of staff training, which was commented on favourably by staff, although some legal advisers interviewed expressed a desire for more specialist legal training. There is a good Staff Review and Development Scheme in place, which makes appropriate links to team plans and objectives and feeds into the training plan. All staff interviewed had had regular performance reviews. Inspectors are pleased to note that the MCC’s Investors in People accreditation, originally achieved in 2000, was reconfirmed in 2002.

Strategic issues and plans of action

- 1.13 Key actions to achieve the MCC’s aims are set out in its SBP and these are cascaded into administration and CFO team plans, which are developed with a high level of staff involvement. Progress against these plans is monitored in team meetings on a regular basis. Administration and CFO staff interviewed had a strong sense of ownership of their team plans and were aware of the specific improvement actions pertinent to their roles.
- 1.14 Legal team plans, however, are of a relatively poor standard and were drawn up with little team involvement. While high level actions identified in the SBP are incorporated within legal team plans, they are insufficiently detailed and, most significantly, do not incorporate actions attributable to legal staff which are contained in other key plans - for example, actions detailed in the Narrowing the Justice Gap Plan and Case Preparation, Charging and Witness Pilots. In addition, the various plans that commit legal staff

to action are in different formats and, in the absence of a single plan, there is a lack of prioritisation, accountabilities, timescales and milestones against which progress can be monitored. Worryingly, many legal staff interviewed were not fully aware of their responsibilities for implementing the various plans.

Recommendation 1: that the MCC develop clear terms of reference for its Senior Legal Team and develop legal team plans to ensure:

- ◆ **the role of the SLT and other legal staff in driving performance improvement is clarified**
- ◆ **all improvement actions are integrated and prioritised in a single plan**
- ◆ **clear accountabilities, timescales and milestones are identified**
- ◆ **plans are regularly reviewed to check progress and reflect changing priorities.**

- 1.15 There is a good focus on race and diversity issues, and progress against the MCC’s Race Equality Scheme (RES), is reviewed regularly and reported to the Committee. Inspectors are pleased that work is under way to combine outstanding actions in the RES and the Race and Diversity Plan (which preceded the RES), into a single action plan identifying accountabilities and timescales. This will help ensure no outstanding actions are overlooked. It is suggested that the MCC also consider incorporating diversity actions within team plans to ensure that such issues are mainstreamed and given a high profile.
- 1.16 There is also a good quality Human Resources Plan in place, which is reviewed regularly.

Monitoring performance

- 1.17 Appropriate targets for key performance indicators are set in the SBP and other high level plans and the MCC monitors performance regularly. Performance data is collected and collated across all indicators and regularly reported to the Committee and the CMB, and extracts from these reports are communicated to staff teams.
- 1.18 Differing levels of staff within the organisation need different levels of performance data, analysis and narrative if reports are to be used effectively to drive performance improvement. While it is acknowledged that improvements are continuing to be made to the way in which data is presented, the MCC's comprehensive performance reports currently lack sufficient focus on the differing needs of the Committee, managers and staff. For example, Inspectors consider the quarterly reports provided to the Committee are overly detailed and would benefit from greater focus on key performance areas. This might include highlighting key areas where performance is particularly good or poor, accompanied by brief narrative to explain why and, importantly, actions being taken to improve poor performance and learn from good performance.
- 1.19 It is pleasing to note that staff interviewed in the administration and CFO teams were aware of their targets and what they needed to do to meet them. Legal staff interviewed were aware of overall targets and broad progress against them, but Inspectors were concerned that some were unaware of important trends in local area performance that more detailed analysis would reveal. This is covered in more detail in *Administration of Cases* where a recommendation is made (see paragraph 2.13).

- 1.20 Sentencing patterns are monitored and reported to the Committee and Bench AGMs and Inspectors consider this to be good practice.

Planning for the transition to the UCA

- 1.21 One of the MCC's priorities in its current SBP is to plan for the management of transition to the UCA and it is taking positive and constructive steps towards this. In preparation for the inspection, the MCC undertook a detailed and helpful self-assessment of its progress to date.
- 1.22 UCA is a standing item on all Committee and CMB agendas and the JCE, who as Chair of the Association of JCEs sits on the DCA's Programme Board, provides regular updates on progress. These are cascaded well throughout the organisation. Good efforts are also made to keep the Joint Consultative Council (JCC) informed and involved in developments. Magistrates and staff interviewed were also satisfied that they were kept well informed of developments and were not unduly concerned about changes ahead.
- 1.23 Inspectors were pleased to see that UCA issues are included in the Human Resources Plan for 2003/04, and that the Staff Training Plan 2003/04 includes management of change programmes to help staff prepare for the changes and opportunities ahead. As reported earlier, staff interviewed were positive about the training they receive, seeing this as important in preparing them for future opportunities. The MCC has also undertaken an assessment of risks posed by the potential loss of key staff and has taken appropriate actions to mitigate these, in consultation with the DCA.
- 1.24 Discussions and close consultation with the Court Service on accommodation issues have been ongoing since 2001/02, and as a result there are already constructive working relationships at a

senior level. More recently, senior MCC staff have attended management team meetings of the Court Service and vice versa. Senior staff are also beginning to work with their counterparts in the Court Service on UCA issues. For example, the Head of Corporate Services regularly meets with Court Service Human Resources personnel. At an operational level a number of staff have undertaken familiarisation visits to the Court Service, and staff exchanges are planned.

Appropriate principles of conduct

1.25 The Committee is corporate in its approach and demonstrates a high standard of governance in its undertakings. It has a good range of codes and practices in place that govern the activities of members. For example, the Committee has an appropriate code of conduct for members, scheme of delegation and standing orders. These are reviewed annually, and Inspectors saw clear evidence of them being put into effect. Although the Committee does not have a separate constitution, the role of the Committee is documented and members are aware of their role. Staff and magistrates interviewed were aware of the MCC's confidential reporting policy, declarations of interests is a standard Committee and CMB agenda item and the register of members interests was up to date. Inspectors were particularly impressed by the detailed code of conduct based on the Nolan principles of public life which senior managers are required to observe. The MCC plans to adopt a code of practice for staff once the national model is agreed.

1.26 There is a good induction programme for new Committee members, which was commented on positively by the one new member interviewed. This included spending time with officers at the

Secretariat, visits to courthouses subject to major developments and to the CFO. The latter was found particularly valuable in developing an understanding of the operation of the CFO and the role magistrates need to play in improving performance in the collection of fines. Inspectors were pleased to learn that as a result of positive feedback, it has been agreed that in future all new magistrates will spend some time at the CFO as part of their general induction.

1.27 The MCC has developed excellent procedures for ensuring that the Management Assurance Programme is implemented and quarterly reports are provided to the Committee enabling it properly to assure itself of compliance. Now that compliance is at a consistently good level, it is planned to move to exception reporting.

1.28 Although the Committee carries out its responsibilities appropriately, some are not fully documented. For example, although the Committee properly conducts an annual review of the performance of its JCE using the Staff Review and Development Scheme, the Committee's responsibilities for this are not currently documented. While the Committee agrees its annual audit plan and assures itself that any recommendations arising from audits are responded to appropriately, these responsibilities are insufficiently defined in its Financial Regulations. Finally, although members have been appointed to the Appeals Sub-Committee, the role and remit of this Sub-Committee is not documented. It is suggested that relevant documents are updated when next reviewed.

1.29 All Committee meetings are open to the public and dates of meetings are advertised in the local press and public libraries, although disappointingly few members of the public attend in practice. An open day, in association with other CJAs, was held at Llandudno in 2002. It was considered a great success, with over 900 members of the public attending. Another is planned for 2004.

Inspection Findings 2: Administration of Cases

This section assesses the extent to which the MCC processes cases and information promptly and accurately, taking into account the needs of other court users.

In order to fulfil this key function, an MCC is expected to:

- ◆ *ensure that cases are completed within an appropriate time*
- ◆ *manage performance effectively*
- ◆ *schedule court business appropriately*
- ◆ *manage court business effectively on the day*
- ◆ *reduce delay in the Youth Justice System*
- ◆ *ensure that IT contributes to the effective administration of cases*
- ◆ *meet the needs of other agencies for prompt and accurate information*
- ◆ *deploy trained magistrates in accordance with the Lord Chancellor's directions and to meet the demands of the workload.*

Overall Assessment

Overall case completion rates are considerably better than the England and Wales (E&W) average and the percentage of cases finalised at first appearance is good. Court business on the day is effectively managed, with a clear commitment to progress cases. However, case throughput per court sitting hour is poor and significantly worse than the E&W average. Although performance is regularly monitored, as yet performance management is underdeveloped. The MCC has an overall listing policy but this is insufficiently detailed and further work is required to achieve consistent application. The MCC performs well in reducing delay in the youth justice system, and persistent young offender (PYO) case completion is consistently better than the E&W average. Provision of information to other agencies is improving but is not yet fully consistent. There is a high average sitting level in one PSA and a high percentage of benches sitting with two magistrates in two other PSAs.

Case completion

2.1 NWMCC is making a positive contribution to achieving the Government's priority of reducing delay in the CJS. Time Interval Survey (TIS) results (see Figure 2) show that overall case completion times are very good and considerably better than the E&W average. In the last survey for which figures are available (March 2003) the MCC was ranked 5th out of the 42 MCCs. The overall percentage of cases completed

at first appearance compares well with the E&W average, and the percentage of cases completed within target is much better than the E&W average.

2.2 MCSI conducted an analysis of all adult cases completed during one week in August 2003, and all youth cases completed during this and the preceding three weeks. The results of this are

included in Figure 2. They indicate that improvement has been made since the last TIS in March and provide further evidence of good case management.

- 2.3 However, good overall case completion rates mask significant variations in performance between case types. Performance in indictable and either way cases is good; in summary motoring it is excellent and considerably better than the E&W average. However, performance in summary non-motoring cases is erratic and in two recent TIS was much worse than the E&W averages. There are also significant variations in performance between the local areas.

Figure 2: North Wales MCC case completion data (figures for England and Wales in brackets)

All cases				
	Average number of days from first listing to completion	Percentage of cases finalised at first appearance	Percentage of cases completed within target	Number of defendants in survey
March 2002 TIS	36 (34)	42 (54) %	74 (75) %	351
September 2002 TIS	19 (32)	66 (56) %	82 (75) %	497
March 2003 TIS	24 (33)	56 (56) %	79 (75) %	502
MCSI survey	18	64%	84%	498
Indictable and either-way cases				
	Average number of days from first listing to completion	Percentage of cases finalised at first appearance	Percentage of cases completed within 56 days	Number of defendants in survey
March 2002 TIS	57 (56)	27 (27) %	66 (67) %	131
June 2002 TIS	48 (54)	25 (28) %	66 (67) %	93
September 2002 TIS	42 (54)	39 (30) %	74 (66) %	99
December 2002 TIS	57 (54)	33 (29) %	63 (66) %	100
March 2003 TIS	45 (57)	30 (29) %	70 (67) %	98
June 2003 TIS	47 (55)	31 (30) %	75 (66) %	72
MCSI survey	37	34%	75%	76
Summary non-motoring cases				
	Average number of days from first listing to completion	Percentage of cases finalised at first appearance	Percentage of cases completed within 28 days	Number of defendants in survey
March 2002 TIS	40 (21)	50 (70) %	66 (80) %	56
September 2002 TIS	19 (20)	69 (72) %	80 (80) %	108
March 2003 TIS	41 (21)	31 (72) %	57 (81) %	75
MCSI survey	18	74%	82%	141
Summary motoring cases				
	Average number of days from first listing to completion	Percentage of cases finalised at first appearance	Percentage of cases completed within 28 days	Number of defendants in survey
March 2002 TIS	19 (28)	51 (60) %	83 (76) %	164
September 2002 TIS	11 (29)	74 (60) %	86 (76) %	290
March 2003 TIS	15 (26)	70 (61) %	86 (77) %	329
MCSI survey	13	68%	88%	281

Figures based on LCD MCAD Time Elapsed Reports (TERs) dated 12 August 2003 and Time Intervals Surveys (TIS).

MCSI survey (four weeks' youth and PYO data)				
Case type	Average number of days from first listing to completion	Percentage of cases finalised at first appearance	Percentage of cases completed within target	Number of defendants in survey
Indictable/either way	24	46%	85%	33
Summary non-motoring	36	24%	60%	50
Summary motoring	15	53%	80%	15
All cases	29	36%	71%	98

PYOs	Cases completed in magistrates' courts only	Cases completed in magistrates' courts and Crown Courts
LCD figures extracted from Phoenix (police national computer)	Average number of days from arrest to sentence	Average number of days from arrest to sentence
April – June 2002	44 (60)	45 (68)
July – September 2002	54 (60)	54 (68)
October – December 2002	55 (61)	58 (70)
January – March 2003	58 (63)	59 (71)
April – June 2003	42 (56)	43 (64)
MCSI survey – number of defendants in survey = 17	40	

2.4 Inspectors also looked at the pattern of adjournments as part of the case file analysis (see Annex D). This shows that the overall percentage of standard procedural adjournments (effective hearings) was slightly better than the average for all other inspections completed since September 2000. However, of the 58 adjournments for pre-sentence reports (PSRs), over half were for more than the specified 15 working days and the MCC acknowledged that there have been difficulties in obtaining PSRs within timescale. It is, though, pleasing to note that the use of specific sentence reports (SSRs) is increasing year on year and has increased three-fold since 2000/01. Of the ineffective hearings, 33% were due to defendants not attending, higher than the average of 28% for previous inspections. The MCC readily meets its target of less than 60% of cases adjourned. In the MCSI analysis, 64% of the cases in the sample were completed at first appearance.

2.5 Improvements in case completion times and reducing cracked and ineffective trials continue to be organisational priorities. The MCC demonstrates a positive approach to improvement through its willing participation in many central pilots and, as part of this, in working closely with CJA partners. In April 2002, in partnership with the CPS and Police, the MCC took a proactive approach to improving overall area performance by developing a comprehensive tripartite case progression action plan. More recently, in spring 2003, the MCC agreed to be a pilot area for the Case Preparation Project, and the earlier work it had undertaken with partners provided a sound basis for this. Although the aims of this project (since renamed the Effective Trial Management Project) focus on reducing cracked and ineffective trials and improving service to court users, in particular victims and witnesses, it is also likely to have a positive impact on overall case completion times.

- 2.6 The MCC is making good progress in developing trial effectiveness and is contributing positively to the Government's PSA target. During 2002/03, 39% of trials in North Wales were effective, better than the E&W average of 32%, placing the MCC 11th out of the 42 MCCs. Performance was maintained at this level in the quarter ending June 2003. Efforts to reduce the percentage of ineffective trials have been particularly successful. During 2002/03, 21% of trials in North Wales were ineffective, much better than the E&W average of 31%, placing the MCC 6th. In the quarter to June 2003, performance had improved further to 18%. However, the percentage of cracked trials remains high. In 2002/03 40% of trials cracked, worse than the E&W average of 37% placing the MCC 27th. This increased to 43% in the quarter ending June 2003. The MCC still has some way to go to meeting its challenging targets of no more than 15% ineffective and 35% cracked trials.
- 2.7 There was generally good availability of trial dates at the time of inspection, although there were some longer waits in the central area where dates to the next available full-day adult trial ranged from 49 to 56 days across the three courthouses.
- 2.8 At the time of inspection, and as part of the pilot action plan, Case Progression Officers (CPOs) were being appointed in each of the three administration offices. Listing officers had previously taken on the combined role of listing and case progression, and the new appointment of dedicated CPOs provides good potential for improvement.
- 2.9 North Wales is also a pilot area for the Charging Initiative, which has focused on getting the charge correct at the outset of the case, resulting in cases being progressed at the earliest opportunity, a reduction in the rate of ineffective trials and contributing positively to the overall timeliness target for cases.
- 2.10 Case completion performance is subject to a series of challenging Public Service Agreement (PSA) targets to be achieved by March 2004. Inspectors were pleased to note the regular monitoring of performance against the targets within MCC performance reports. Performance during the quarter ending June 2003 is set out in Figure 3 below.

Figure 3: North Wales performance against PSA targets (to be achieved by March 2004) for the quarter ending June 2003

PSA target	NWMCC performance
80% of adult guilty pleas within 42 days	71%
80% of adult trials within 112 days	64%
80% of adult committals within 84 days	43%
80% of youth guilty pleas within 42 days	74%
80% of youth trials within 98 days	79%
80% of youth committals within 70 days	NA

Performance management

2.11 Overall case completion is considerably better than the E&W average and performance is regularly monitored but, as yet, the MCC's performance management system is not fully optimal. There is a sound basis for monitoring performance with a Performance Officer in place and, as reported in *Strategic Management* (paragraphs 1.17-20), a range of performance monitoring reports is produced on a regular basis. However, further work is required for the MCC to complete the performance management cycle consistently and in doing so, ensure that monitoring data is used effectively as a basis for driving further performance improvement.

2.12 While case administration performance is regularly discussed at, and noted in, minutes of the CMB and legal team meetings, roles and responsibilities of the SLT and legal staff in implementing development actions and driving performance improvement are unclear (see also paragraph 1.8, 1.14 and Recommendation 1). Performance reports provided to legal staff contain valuable information, but currently lack sufficient focus on the specific needs of legal staff at the various levels and in general there is limited analysis and narrative to assist in identifying improvement actions. Inspectors found that some legal staff in the individual offices are not aware of good local performance or how this has been achieved. Nor are they able to identify the root cause of poor local performance, as little further analysis is undertaken.

2.13 NWMCC's approach to performance management focuses on improving areas of overall poor performance, for example, in its concentration on weighted caseload per sitting hour. As the MCC develops its performance management further, it would be helpful for it to focus also on

overall good performance that may mask both very good and poor performance across the MCC, which further analysis would reveal. For example, further breakdown of summary motoring and summary non-motoring cases by local areas shows both very good and poor performance, and further analysis of the reasons for this would assist the MCC to identify practices and procedures that support and/or hinder good performance. This would also assist the MCC to develop greater consistency in practices across the area.

Recommendation 2: that the MCC develop further the effectiveness of its performance management system to ensure:

- ◆ **reports, which include data and narrative appropriate to users, are used to identify actions to improve performance**
- ◆ **clarity in roles and responsibilities for commissioning and implementing improvement actions**
- ◆ **the integration of improvement actions within team plans.**

Listing and scheduling

2.14 The MCC's listing policy, which has been discussed with key CJAs, is insufficiently detailed and, as acknowledged by the MCC in its self-assessment, as yet there is no overall approach to implementing the policy. For example, while the policy states "*block-listing will be used wherever possible*", it does not include any details about when and how block-listing should be used. Inspectors found inconsistencies in the use of block-listing – for example, in Wrexham cases were listed at 10:00, 11:00, 12:00 and 14:00, whereas in other courthouses day lists were used for cases other than PSRs, pre-trial reviews and non-police courts. While it is recognised that, in certain instances, there may well

be good reasons for differences, Inspectors were not confident that the rationale for these had been systematically evaluated and effective practice identified and shared. There is also no guidance on dealing with defendants in custody (see also paragraph 3.22).

- 2.15 However, the MCC is aware of these issues and is taking steps to ensure greater consistency in the application of its listing policy. At the time of inspection, the MCC had started to develop a listing manual in each of the three areas based on the manual currently used in the eastern area. The MCC accepted Inspectors' suggestion that a single listing manual should be developed, in consultation with key CJA partners, which incorporates any local variations. This will help encourage a more consistent and corporate approach to listing and scheduling.

Recommendation 3: that the MCC further develop its listing policy and procedures to ensure, where appropriate, greater consistency in practices across North Wales.

Management of business on the day

- 2.16 Case throughput, as measured by BMR 1 (average weighted caseload per sitting hour) is poor, and considerably worse than the E&W average. In 2002/03, NWMCC was the worst performing MCC in this measure. Performance varies across the MCC, with the best throughput being achieved in the western area. In its self-assessment, the MCC identified low case throughput as a key weakness and it has yet to meet its target for each area to achieve an average of ten cases per sitting hour. A working party was set up in the eastern area to identify the reasons for poor performance but, disappointingly, this group has proved unsuccessful. Inspectors consider that there has been insufficient analysis to identify the root cause of poor

and differing performance levels across the MCC. Different practices across the area may well contribute to this. For example, Inspectors' observations suggest that legal adviser roles differ across North Wales; in the eastern area, legal advisers tend to undertake more paperwork and this may well be one of a range of factors that impact on case throughput.

- 2.17 Inspectors observed slow starts in some courts. Magistrates are in court at 10:00, irrespective of whether cases are ready to be progressed, demonstrating a clear commitment by the MCC to progress business effectively on the day. However, prompt starts can be hindered by cases not being ready for a number of reasons. Inspectors were told that a reduction in the number of defence solicitor firms with Legal Aid (Representation Order) licences has resulted in fewer solicitors being available to deal with cases on the day. It is suggested that the MCC review how effectively its partner service level agreements and protocols are working in practice and take steps to ensure adherence by all parties.

- 2.18 Inspectors observed some good, proactive case management by legal advisers across the MCC, with good use made of delegated powers to progress cases during bench retirements. Inspectors were also encouraged to see that magistrates were keen to complete business on the day, rather than adjourn. For example, magistrates were observed exploring the reasons for, and length of, adjournment requests in detail and giving clear directions to defence and prosecution. There is also, as noted earlier, good use made of SSRs.

Reducing delay in the youth justice system

2.19 As a result of effective cross-agency working and a clear commitment by the MCC to meet the Government’s 71-day pledge, case completion times have improved considerably. North Wales first met the 71-day pledge in 2000, when it achieved an average completion time of 69 days, placing the MCC second of the 42 areas in England and Wales. Since then, performance has been consistently better than the national average. While the average number of days from arrest to sentence steadily increased from the quarter ending June 2002 to March 2003, performance in the quarter ending June 2003 was excellent. The average number of

days from arrest to sentence during this period was 43, placing North Wales joint 4th of the 42 MCCs.

2.20 MCSI’s survey of youth case completion data identified only one long-running youth case, which provides further evidence of the MCC’s commitment to good case management and reducing delay in the youth justice system.

2.21 The MCC is also making good progress towards PSA/Local Criminal Justice Board targets in terms of youth performance. In the quarter ended June 2003, it fell short of the target for all youth trials to be completed within 98 days by just one per cent (see Figure 3).

Figure 4: North Wales PYO performance. Average number of days from arrest to sentence for persistent young offenders for cases completed in magistrates’ courts and Crown Courts

	January – March 2002	April – June 2002	July – September 2002	October – December 2002	January – March 2003	April June 2003
England and Wales	69	68	68	70	71	68
North Wales	63	45	54	58	60	43
England and Wales ranking	13 th	3 rd	8 th	11 th	11 th	Joint 4 th

Use of IT

2.22 NWMCC uses the MCS system for its primary business functions and, in general, the system operates efficiently in supporting case administration processes. The MCC monitors downtime, which is minimal.

varying degrees across the area. A trial is under way in the eastern area to use in-court assistants in busier courts, such as motoring courts, to result cases in-court. At the time of inspection this trial was in its infancy, but positive feedback from staff indicated that this approach was working well. The trial was due to be completed in December 2003.

2.23 IT equipment is now available in all courtrooms across the MCC, with full access to all software programmes, the legacy system, e-mail and the Internet. These in-court computers have recently been installed and are being used in

2.24 At the time of inspection, secure e-mail facilities were being installed and it is hoped that this development will enable

agencies to transfer information more quickly and easily, improving timeliness of information exchange (see also paragraphs 2.25-2.27).

The production of information

2.25 The MCC is not yet meeting national guidelines for the provision of information to other agencies (CPM 3) on a consistent basis, although recent performance is showing good signs of improvement. In its self-assessment, the MCC acknowledges

“inconsistent delivery of information to other agencies” as a key weakness and has taken constructive steps to improve performance in this area. In particular, new posts of Validation Officers were introduced in each of the three offices in early Summer 2003 to help ensure accuracy and timeliness of register production. Feedback from interviews, and performance results since then, suggest that these posts are proving valuable and have made a positive contribution to improving performance in this area.

Figure 5: North Wales MCC production of information to other agencies (all figures are percentages)

Criminal court registers

NWMCC target 85%	January 2003	February 2003	March 2003	April 2003	May 2003	June 2003	July 2003	August 2003	September 2003
Wrexham	72	72	65	59	45	60	87	80	91
Llandudno	92	98	98	98	77	87	84	66	97
Caernarfon	62	63	77	91	98	99	100	99	100

Rights to representation orders

NWMCC target 99%	January 2003	February 2003	March 2003	April 2003	May 2003	June 2003	July 2003	August 2003	September 2003
Wrexham	93	93	65	84	98	69	94	99	95
Llandudno	99	100	100	100	100	100	100	100	100
Caernarfon	100	n/a	100	100	100	100	100	100	100

Committals

NWMCC target 85%	January 2003	February 2003	March 2003	April 2003	May 2003	June 2003	July 2003	August 2003	September 2003
Wrexham	86	86	89	95	74	88	95	98	96
Llandudno	100	100	100	100	100	100	94	100	100
Caernarfon	80	79	85	94	100	100	100	100	100

2.26 As illustrated in Figure 5, good progress has been made in respect of rights to representation orders and committals and performance in Caernarfon and Llandudno, in particular, is now consistently good. However, register production is still variable across the MCC area. While excellent results have been achieved at Caernarfon since April 2003, targets have not been achieved consistently at Wrexham. This was due largely to staff turnover and sickness absence. However, poor performance has been acknowledged and efforts made to overcome the staffing difficulties. This is reflected in the last three months' data, which show that performance is steadily improving.

2.27 Administrative staff interviewed demonstrated a good knowledge of targets for the production of information, and of current performance against these. Regular team meetings include discussion of performance and help to keep staff focused and up-to-date. Staff are keen to achieve targets, understand the need for further improvement and are open to sharing good practice through the Court Administration Officer meetings. Generally, there are good relations between legal and administrative staff, which contribute towards improving performance in this area.

Deployment of trained magistrates

2.28 Trained magistrates are generally deployed in accordance with the Lord Chancellor's directions, although there is a high average sitting level in Ynys Môn (Anglesey). In 2002 the average sittings level was 51, well above guidelines, indicating a shortfall in the number of magistrates required. The Advisory Committee Report for 2001/02 assessed that 43 magistrates were needed to achieve an average of 35 sitting, compared with a bench strength of 30 in 2002.

2.29 There is also a high percentage of benches sitting with two magistrates in two PSAs. During 2002 in Conwy, 15% of adult and 10% of youth courts sat with two magistrates. Over the same period in Denbigh, 16.6% of adult courts and 9.8% of youth courts sat with two magistrates. Shortages of magistrates may well be a contributory factor. In Conwy, for instance, the Advisory Committee assessed that 90 magistrates were required to achieve an average sitting figure of 35, against a bench strength of 67 in 2002.

2.30 Actions are being taken to recruit more magistrates. The MCC is also hopeful that its business case for a District Judge (Magistrates' Courts) will be successful and, if so, this should help to alleviate the difficulties above.

2.31 The magistrates' rota is computerised and magistrates interviewed told Inspectors that this is generally adequate for its purpose; although, in one area magistrates said that sitting days are not always evenly spread and the same magistrates often sit together.

2.32 A comprehensive training and development programme for magistrates is in place and magistrates interviewed reported a high standard of training for new and existing magistrates. Inspectors are pleased to note that over 140 magistrates had received recent training in case management, and further training is scheduled in the current training plan. A number of magistrates interviewed, who work full-time, said that obtaining time off to attend training was often difficult. It is suggested that the MCC consider arranging more evening training sessions to accommodate full-time working magistrates.

Inspection Findings 3: Care of Court Users

This section assesses the extent to which the MCC provides a quality service to the people who use the courts. It assesses the provision of facilities which allow all users to conduct their business in adequate comfort, privacy and safety; the provision of a courteous, helpful and appropriate service to all court users and the provision of sufficient, clear information about the court and its proceedings.

In order to fulfil this key function, an MCC is expected to ensure that:

Facilities:

- ◆ *all court users are able to enter and conduct their business within court buildings*
- ◆ *facilities for court users offer adequate comfort, taking into account the likely duration of any period of waiting*
- ◆ *all court users have access to facilities to conduct their business with appropriate levels of privacy*
- ◆ *court buildings offer adequate levels of safety and security for court users, staff and magistrates.*

Treatment:

- ◆ *court users are treated with courtesy and offered appropriate help*
- ◆ *waiting times on the day are kept to a minimum*
- ◆ *complaints are followed up and practices changed where necessary*

Written information:

- ◆ *court users receive, or have access to, appropriate and clear written information before and after court proceedings*
- ◆ *signs to, on and within the courthouse allow most users to find their destination unaided.*

Overall Assessment – Facilities

Most court users are able to enter court buildings and conduct their business with ease, although access and facilities for magistrates and prisoners with restricted mobility is more limited. Facilities for court users provide reasonable levels of comfort and privacy, with some good witness waiting facilities. Acceptable levels of safety and security are provided for most users, staff and magistrates. However, the delivery and collection of prisoners at one courthouse poses security risks, and a number of other safety and security issues cause concern.

Accessibility

- 3.1 Inspectors found that most court users are able to enter courthouses and conduct their business with ease. Except at Caernarfon, access to courthouses for most court users with disabilities is good. However, access for magistrates and prisoners with restricted mobility is more limited. In many of the courthouses that magistrates with restricted mobility can access, this is via public entrances and areas, although the MCC confirmed that a security guard would be made available to assist. Prisoners with restricted mobility are currently directed to Wrexham or Llandudno courthouses, which have the best access and facilities. No courthouse in the western area provides good access for prisoners with restricted mobility. However, Group 4 staff are not permitted to carry out manual lifting, which would be required if a prisoner in a wheelchair were directed to Llandudno. Inspectors are pleased to note that the MCC has identified improvements in access for prisoners with restricted mobility at Wrexham, Llandudno and Pwllheli as priorities in its capital bids for 2003/04. It also intends to ensure that the new courthouse to be built at Caernarfon provides full access for all court users.
- 3.2 NWMCC details the facilities available in each courthouse for court users with disabilities in its leaflet *A Guide to the Courts*, which is provided to court users before attendance at court, and registers of facilities are maintained at each courthouse. At least one courtroom in each courthouse is equipped with a hearing loop system. Front of house staff, i.e. ushers and security guards, have completed a commendable range of disability awareness courses and signage in both Welsh and English also facilitates accessibility.

- 3.3 The MCC assesses itself as compliant with the Disabled Court Users Performance Standard (DCUPS). While it does not have an overall disability policy setting out its arrangements for assisting court users with disabilities, each of its individual Health & Safety policies has sections devoted to this area. For example, its fire evacuation policy sets out procedures for evacuating court users with disabilities. The MCC should consider whether a single policy would help consolidate its arrangements and also identify any gaps in provision which need to be addressed.

Comfort

- 3.4 Facilities at courthouses provide a reasonable level of comfort in waiting areas and courtrooms. Recent surveys indicate a good level of satisfaction with facilities provided (BMR 7). In the last survey (April 2003), 71% of court users surveyed expressed satisfaction with facilities provided by the MCC against an England and Wales average of 72%, placing the MCC 26th out of the 42 MCCs.
- 3.5 Decoration is clean, bright and in good repair in most courthouses and graffiti is generally dealt with promptly. Waiting areas are clean and well-maintained and sufficient seats are available, given the number of courtrooms in each courthouse. A no-smoking policy is enforced well throughout the MCC. The temperature in courtrooms is conducive to sustained concentration; public waiting areas are maintained at a comfortable temperature; and adequate ventilation is provided throughout.
- 3.6 Refreshment facilities are variable across the MCC. While all courthouses have drinks vending machines, Mold, Prestatyn, Llandudno and Wrexham courthouses also have small cafés, although the café in Wrexham is not accessible to court users in wheelchairs. Facilities are provided for nappy changing

at Wrexham, Llandudno, Prestatyn, Dolgellau and Pwllheli. No provision is made for private religious observance.

Privacy

3.7 Court users have reasonable access to facilities to conduct their business with appropriate levels of privacy. In general there are sufficient interview rooms at each of the courthouses, although defence solicitors at one courthouse expressed concern regarding the availability of interview rooms. Inspectors are pleased to note that, when local solicitors requested further space at Prestatyn, the MCC responded positively by providing more interview rooms. While on busy days in some of the smaller courthouses there can be difficulties in finding sufficient interview rooms, and the separation of witnesses in these older buildings is not easy, MCC policies and practices are effective in minimising such problems. For example, interview rooms are used flexibly, doubling up as witness waiting rooms during trials. There are very good facilities available to accommodate confidential interviews at payment and enquiry counters.

3.8 Listing is used effectively to ensure that family and youth cases are separated from adult proceedings. The separation of defendants and witnesses in some courthouses is not easy given the age and layout of some of the court buildings; however, the MCC has worked hard to ensure that sufficient witness waiting facilities are now provided in all courthouses, with an excellent level of provision at Holyhead. Good facilities are also available for witnesses in family cases which are heard at the County Court in Caernarfon. The development of witness facilities was commented on positively by many respondents to MCSI's survey and is underpinned by effective capital bidding.

3.9 The MCC has a good relationship with the Witness Support Service, and at Caernarfon this has included co-operation with the Crown Court to ensure that witnesses are not required to pass through public areas. Systems are also in place to ensure that the Witness Service Coordinators receive court lists in advance. Although there are no dedicated facilities for defence witnesses, Witness Service personnel work in close co-operation with court staff to find appropriate facilities on the day as required. Special provision is made for child witnesses and Prestatyn, Llandudno and Wrexham have designated evidence video link rooms. A North Wales Victim and Witness Care Pilot has recently been initiated and this should assist the MCC in developing its witness care arrangements further.

Safety and Security

3.10 Court buildings offer acceptable levels of safety and security for most courts users, staff and magistrates. All courthouses generally have at least one security guard on duty during courthouse opening hours and in the larger courthouses there are sufficient numbers to provide good levels of cover. Many of the courthouses have security arches (although installation was not possible at some of the older buildings), security wands are available for use by security staff and all courthouses have CCTV facilities. There are panic alarms in all courtrooms and staff and magistrates interviewed understood how to use them. However, Inspectors identified some inconsistencies in practice that pose safety and security risks. These are detailed in a confidential annex to this report.

3.11 The MCC has a comprehensive and clearly written Health & Safety Policy, with additional policies covering specific security issues. The Health & Safety Committee meets twice a year.

Responsibilities for Health & Safety are well delineated and staff interviewed were aware of their roles. Procedures for fire and evacuation drills are detailed and drills are carried out regularly in all courthouses and court offices. There is good first aid provision available to court users, with all front of house staff trained in first aid.

3.12 However, Inspectors have serious concerns about arrangements for the delivery and collection of prisoners at one courthouse, which pose security risks, and a number of other security and safety issues cause concern. Details of these are contained in the confidential annex.

Recommendation 4: that the Committee review its Health & Safety and security risk assessments and take action to ensure:

- ◆ that security risks associated with the delivery and collection of prisoners at one courthouse are minimised
- ◆ the Health & Safety of all prisoners held in custody areas
- ◆ that all front of house staff work to safe operational standards.

Overall Assessment - Treatment

Court users are treated with courtesy and offered appropriate levels of assistance and guidance. There is excellent provision of services and information in the Welsh language to court users. Defendant and witness waiting times are around the England & Wales average, but the MCC is unable to demonstrate that appropriate priority is given to defendants in custody.

Courteous treatment and appropriate help

3.13 Front of house staff were observed to treat users with courtesy and offer appropriate levels of assistance and guidance. While differing practices across the MCC area mean that the amount of time ushers spend in waiting areas varies between courthouses, good co-operation between security officers and ushers ensures that most court users have access to adequate help and information.

3.14 Recently appointed Front of House Co-ordinators – one in each of the three MCC areas – are proving effective in ensuring that the front of house teams are well managed and communication is effective. Inspectors were also pleased to note that front of house staff have received appropriate training, including diversity and disability awareness training, and

were impressed that all staff interviewed had obtained National Vocational Qualifications in customer care.

3.15 Magistrates and legal advisers were also observed to treat defendants with appropriate courtesy and provide clear explanations to help ensure that participants understood the proceedings. This was particularly the case in the youth courts observed, where very good efforts were made to engage with youths and family members present, and ensure that they were clear about what was happening during the proceedings.

3.16 The MCC demonstrates a positive and proactive approach to the use of the Welsh language with the implementation of its excellent Welsh Language Scheme. Courts

in the western area were seen to use both Welsh and English during proceedings, and commendable efforts were made to ensure that court users were able to conduct their business in the language with which they felt most comfortable. Legal advisers were also observed identifying when bilingual benches and legal advisers or the MCC's own interpreter might be needed. The MCC also has thorough written guidelines for the booking of interpreters.

3.17 In the western area, where oath taking was observed, a useful form was completed prior to a defendant entering court, which established which holy book and form of oath or affirmation he or she wished to use. The form was handed to the legal adviser, who took the oath. Although notices about oath taking were produced appropriately in Welsh and English, they were not displayed in every courthouse. While Inspectors were pleased to learn that all staff have received diversity training, holy books were not always appropriately stored. For example, a Koran was produced without any covering and offered to a female Inspector who is not of the Islamic faith.

3.18 The MCC's comprehensive Courts Charter sets out the general, and some specific, standards of service that a wide range of court users can expect. It is published in Welsh and English. Although the Charter is clearly displayed throughout the MCC, and copies are available, the MCC does not measure its performance against all the standards set, although aspects of the quality standards are covered in the court user surveys. The MCC should consider how all standards in its Charter can be monitored and reviewed on a regular basis.

Waiting times on the day

3.19 While appropriate targets are set for average waiting times, and performance against these is monitored and reported to the MCC and CMB on a regular basis, results are not displayed to court users on notice boards.

3.20 Overall witness waiting times, as measured by BMR 3 (percentage of witnesses waiting one hour or less) are currently around the E&W average. In the last survey of witness waiting times (June 2003), 48% of witnesses surveyed waited one hour or less, just below the E&W average of 50%, placing the MCC 23rd out of the 42 MCCs, and some way below the MCC's own target of 60%. The average waiting time for a witness, having improved to 81 minutes in the November 2002 survey, deteriorated to 88 minutes in the June 2003 survey against an E&W average of 83 minutes, placing the MCC 28th. The MCC, however, is performing very well in relation to unnecessary witness attendance, the percentage of unnecessary attendance having improved from 42% in the November 2002 survey, to 25% in the June 2003 survey, against an E&W average of 51%, placing it 3rd.

3.21 Overall defendant waiting times, as measured by BMR 4 (percentage of defendants who wait one hour or less), are also around the E&W average. In the last survey (April 2003), 63% of those surveyed waited an hour or less, slightly better than the E&W average of 61%, placing the MCC 17th out of the 42 MCCs. Although this was an improvement on the previous survey, performance is still short of the MCC's own target of 65%.

3.22 The MCC cannot assure itself that appropriate priority is given to defendants in custody. Interviews and observations indicated that courts do not always give sufficient priority to prisoners, or to the timely provision of warrants for prisoners.

For example, in one courthouse Inspectors observed a legal adviser asking magistrates to retire for coffee even though a solicitor had confirmed the readiness of a custodial case. This issue has been raised in many Prison Escort and Custody Service (PECS) risk assessments, yet Inspectors could find no evidence of systematic monitoring of prisoner waiting times, including time waiting for warrants. Although there may be valid reasons for delays in calling on remand cases, as part of Recommendation 2 (see paragraph 2.15) the MCC should periodically monitor prisoner waiting times, to ensure that prisoners are given appropriate priority.

- 3.23 NWMCC has an appropriate complaint procedure in place, with clear guidance to staff for dealing with written and oral complaints. Registers of complaints are kept at each of the administration offices,

the Central Finance Office and the JCE's office, and performance against internal standards set for timeliness of responses, as well as the subject of complaints, is reported to the MCC on a regular basis. Notices outlining the complaints procedure are displayed on notice boards in all court houses and forms are available for completion, although in one courthouse up-to-date forms were not available. Several letters written in response to complaints, which Inspectors reviewed, were considered a little harsh in tone. The MCC acknowledges that its existing procedure lacks any quality assurance and accepted a suggestion that this should be developed. Inspectors noted one occasion where the MCC modified a policy as a result of a complaint, although the MCC does not yet display examples of improvements that have been made as a result of complaints and suggestions as it states in its Annual Report.

Overall Assessment – Written information

Court users receive good and clear written information before and after attendance at court. Road signage is generally poor, but internal signage within courthouses is of a high standard.

Access to appropriate and clear written information

- 3.24 Court users receive good and clear written information before and after attendance at court. The MCC produces a commendable leaflet entitled *A Guide to the Courts*, in Welsh and English, which is provided to court users before their hearings. The guide contains much useful information including the availability of public transport and parking, facilities available in courthouses, (including those for people with disabilities) contact numbers, an explanation of court procedure and restrictions on child access to the courtrooms. The quality of the maps included in the Guide could be improved.
- 3.25 Public notice boards display a good range of useful information about the work of the MCC and its courts. Another useful source of information is the MCC's website. While Inspectors were very impressed by the availability of information in both Welsh and English, it is of some concern that information is not yet available in any other community languages. Inspectors suggest that the MCC should continue to explore and put in place arrangements for court users who require information in languages other than Welsh or English. It is pleasing to note that quality of service surveys indicate a high level of customer satisfaction with information provided by

the courts (BMR 7). In the last survey for which information is available (April 2003), 91% of court users surveyed indicated satisfaction with information provided, just above the national average of 90%, placing the MCC 19th out of the 42 MCCs.

- 3.26 Inspectors were impressed by the regular monitoring of the pre-court information issued by the police and other enforcement agencies on behalf of the MCC. Each administration office keeps a log of returned summonses and other official forms, which are reviewed to check that relevant MCC information was included. There is then a quarterly review across the three areas and an annual report to the CMB. There was also evidence of actions taken as a result of reviews.

Signs to, and in, courts

- 3.27 There are very few signs directing either road users or pedestrians to court buildings across the MCC area. Court users who were unfamiliar with the locations of the courts told Inspectors that they had difficulty in finding their way unaided. The MCC is aware of this shortcoming and it is suggested that it continues to raise this issue with local authorities with a view to improving signage.
- 3.28 Signage within courthouses is good and significant locations, such as interview rooms, courtrooms and toilet facilities, are clearly marked, enabling court users to find their way around with ease. All court staff were observed wearing badges detailing name and function, and some courthouses displayed useful courtroom layout plans indicating the location of key participants and the public gallery. The MCC should consider extending courtroom layout plans to all its courthouses.

Methodology

North Wales MCC was given approximately five months' notice of the start of the inspection process and of the topics to be inspected. The MCC provided the inspection team with documentary evidence together with its own analysis of performance in the three topic areas. A wide selection of professional users of the North Wales magistrates' courts was identified and questionnaires, telephone and face-to-face interviews were used to gather information about their views and concerns. In addition, Inspectors observed proceedings in the MCC's courthouses.

The inspection team visited each of the MCC's three administration offices to inspect the files of all adult cases completed during the week commencing 4 August 2003 and all youth cases during the four weeks commencing 14 July 2003, together with corresponding court registers. As part of the exercise, over 500 crime files were analysed using methodology comparable with that of the LCD Time Interval Surveys. This analysis produced the case completion information included in Figure 2 within the body of this report. The team also analysed the history of each of the casefiles, looking at the length of each adjournment together with the recorded reason (if any) for the adjournment. The resulting data is set out in Annex D.

Having assessed all the available evidence, the inspection team planned and carried out a series of interviews with MCC members, staff and magistrates. This five day on-site period was used to fill in gaps in the evidence, corroborate written information and test hypotheses.

The North Wales MCC has seen the report in draft form and any comments on factual inaccuracies have been taken into account in this final version.

The following members of MCSI were involved in the North Wales MCC inspection:

Kika Bowen
Lori Buckley
Helen Floyd
Sarah Merchant
Caroline Sage
Caroline Wilson

North Wales MCC: key facts

Clerkship	Petty sessions areas	Magistrates (as at December 2003)	Courthouses (administration offices in bold)	Courtrooms (source LCD courthouse survey 2002)	Staff (full-time equivalent as at January 2003)	Weighted caseload (July 2002/ June 2003)
North Wales	Conwy	67	Llandudno ¹	3	33.2	140,505
	Denbighshire	60	Prestatyn	3		
			Denbigh	1		
	Wrexham Maelor	91	Wrexham ²	4	36.3	
	Flintshire	73	Mold	3		
			Flint	1		
	Gwynedd	60	Caernarfon ³	1	30.5	
			Bangor	2		
			Dolgellau	1		
			Pwllheli	1		
Ynys Môn/Anglesey	30	Llangefni	1			
		Holyhead	2			
Secretariat – based at Rhos on Sea						
Central Finance Office – based at Denbigh						
MCC total		381		23	156.0	

¹ **Llandudno** is the administration office for **Llandudno**, Prestatyn and Denbigh Courthouses.

² **Wrexham** is the administration office for **Wrexham**, Mold and Flint Courthouses.

³ **Caernarfon** is the administration office for **Caernarfon**, Bangor, Dolgellau, Pwllheli, Llangefni and Holyhead Courthouses.

⁴ Figure includes the LCJB Performance Officer and staff under 'Arrive Alive' and enforcement scheme.

Expenditure 2002/03 (£000s) – Unaudited	
Staff	3,207
Premises	683
Supplies & services	596
Local authority charges	48
Magistrates' expenses	270
Magistrates' training	18
Gross expenditure	4,822
Income	281
Net expenditure	4,541

Weighted caseload		
July 2000/ June 2001	July 2001/ June 2002	July 2002/ June 2003
137,158	125,043	140,505

North Wales MCC: performance data

Strategic Steer Indicators 2002/03

(Shaded = better or equal to national average)

Strategic Steer Indicator	National data			North Wales MCC (ranking of 42 MCCs)
	Best	Worst	Average	
SSI 1 - Effective, Ineffective and Cracked Trials (previously NPI 8)				
April 2002 – March 2003				
Effective trials as a proportion of total number of trials	49.0%	24.5%	31.9%	39.1% (11)
Ineffective trials as a proportion of total number of trials	13.2%	39.6%	30.6%	21.0% (6)
Cracked trials as a proportion of total number of trials	30.5%	46.6%	37.5%	40.0% (27)
SSI 2 Timeliness (previously NPI 2)				
June 2003 survey				
Average number of days from first listing to completion for defendants in indictable and either-way cases	31 days	104 days	55 days	47 days (11)
March 2003 survey				
Average number of days from first listing to completion for all defendants in all criminal cases	17 days	64 days	33 days	24 days (5)
SSI 3 – Persistent Young Offenders				
April 2002 – March 2003				
Average number of days from arrest to sentence for PYOs sentenced in all courts	45 days	91 days	69 days	54 days (7)
Average number of days from arrest to sentence for PYOs sentenced in magistrates' courts only	42 days	83 days	61 days	53 days (10)

Strategic Steer Indicator	National data			North Wales MCC (ranking of 42 MCCs)
	Best	Worst	Average	
SSI 4 - Enforcement of Financial Penalties (payment rate including confiscation orders) (previously NPI 4)				
Rolling average July 2002 – June 2003				
Completion rate indicator: Impositions collected, written off and cancelled as a proportion of all impositions	136%	42%	87%	108% (6)
Payment rate indicator including confiscation orders: Amount collected for every £100 imposed	79%	29%	54%	65% (15)*
Write off rate indicator: Write offs as a proportion of impositions	2%	59%	16%	21% (34)
Cancellation rate indicator: Cancellation of impositions as a proportion of all impositions	0%	56%	18%	21% (30)
Balances ratio indicator: Length of time to clear all debts if no further impositions made (1=1 year)	0.40	4.31	1.45	0.73 (5)
Arrears ratio indicator: Proportion of balances owed which are collected in arrears (100%= nothing collected on time)	6%	87%	57%	6% (1)
SSI 4 – Enforcement of Financial Penalties (payment rate excluding confiscation orders)				
Rolling average April 2002 – March 2003				
Payment rate indicator excluding confiscation orders: Amount collected for every £100 imposed	89%	38%	61%	53% (38)
SSI 5 – Community Penalty Breach Warrants (previously NPI 9)				
Rolling average July 2002 – June 2003				
Proportion executed/withdrawn within target	64%	10%	31%	27% (22)

* At the time of inspection, performance figures for 2003 were being recast and revised figures for all MCCs were not available. However, NWMCC's recast figures indicate a much better payment rate – in the quarter ending June 2003, the recast payment rate was 128% and for the quarter ending September 2003, was 81%.

Business Management Returns 2002/03

(For BMRs 1 to 4 ,6 and 7, shaded = better than or equal to the national average.)

Business Management Return	National data			North Wales MCC (ranking of 42 MCCs)
	Best	Worst	Average	
BMR 1 - Cost Efficiency (previously NPI 1) figures are estimated				
April 2002 – March 2003				
Cost per unit of weighted caseload	£20.40	£47.52	£30.36	£32.92 (33)
BMR 2 - Courtroom Utilisation (previously NPI 3)				
Rolling average July 2002 – June 2003				
Total actual court sitting hours as a proportion of calculated availability	81.1%	41.0%	67.4%	64.3% (24)
BMR 3 – Witness Waiting Times & Unnecessary Attendance of Witnesses (previously NPI 6)				
June 2003 survey				
Proportion of witnesses waiting one hour or less	74%	25%	50%	48% (23)
Average witness waiting time	0h:49m	2h:23m	1h:23m	1h:28m (28)
Proportion of witnesses who attended and did not give evidence	20%	69%	51%	25% (2)
BMR 4 – Defendant Waiting Times (previously included in NPI 5)				
April 2003 survey				
Proportion of defendants who waited one hour or less	77%	44%	61%	63% (17)
BMR 5 – Ethnicity of MCC Staff and Committee Members (previously NPI 7)				
as at 31 March 2003				
Comparison of the ethnicity of magistrates' courts staff and Committee members with the ethnicity of the North Wales population	Population		Staff	Committee Members
	White	99%	100%	100%
	Black	0%	0%	0%
	Asian	0%	0%	0%
	Other	1%	0%	0%

Business Management Return	National data			North Wales MCC (ranking of 42 MCCs)
	Best	Worst	Average	
BMR 6 – Vacated trials (previously included in NPI 8)				
April 2002 – March 2003				
Vacated trials as a proportion of total trials	1.0%	27.0%	11.0%	24.0% (38)
BMR 7 Quality of Service (previously included in NPI 5)				
April 2003 survey				
User reaction survey Proportion of users who rated facilities or information as satisfactory or very good				
Facilities	84%	47%	72%	71% (26)
Information	97%	74%	90%	91% (17)

Core Performance Measures

In its *Thematic Review of Information for Management* – published in June 1997 and updated April 1999 – MCSI identified the following 12 core performance measures (CPMs) as enabling MCCs to assess performance across the range of their responsibilities.

	July 2002 - September 2002	October 2002 - December 2002	January 2003 - March 2003	April 2003 - June 2003	MCC target
Days	Indictable/ either way Summary	Indictable/ either way Summary	Indictable/ either way Summary	Indictable/ either way Summary	Indictable/ either way Summary
CPM 1 – Average length of cases from first listing to completion	Central	61	70	71	
	Eastern	52	70	75	
	Western	47	42	45	
	MCC	53	61	64	56
					28
CPM 2 – Percentage of defendants waiting one hour or less	-	64.6%	57.0%	-	65%
CPM 3 – Percentage of cases for which information is provided within prescribed timescales	Central – Registers	93%	93%	96%	87%
	Eastern – Registers	94%	83%	70%	55%
	Western – Registers	70%	87%	67%	96%
	Central – Committals	98%	98%	100%	100%
	Eastern – Committals	95%	95%	87%	86%
	Western – Committals	84%	87%	81%	98%
	Central – Representation	99%	99%	100%	100%
	Eastern – Representation	82%	94%	84%	84%
	Western – Representation	100%	99%	100%	100%
	MCC – Registers	86%	88%	78%	79%
	MCC – Committals	92%	93%	89%	95%
	MCC – Representation	94%	94%	95%	95%
					85%
					85%
					99%
CPM 4 – Arrears as a proportion of outstanding balances	66%	61%	51%	50%	55%

		July 2002 - September 2002	October 2002 - December 2002	January 2003 - March 2003	April 2003 - June 2003	MCC target
CPM 5 – Write-offs as a proportion of impositions	MCC	14%	13%	39%	11%	5%
CPM 6 – Occupied court sitting hours as a proportion of the number of planned hours of court time	Central Eastern Western MCC	86% 92% 83% 87%	93% 88% 85% 89%	78% 68% 86% 77%	74% 86% 98% 86%	80%
CPM 7 – Weighted caseload per sitting hour	Central Eastern Western MCC	8.25 7.45 8.55 8.00	8.90 7.80 9.90 8.80	9.00 8.00 11.00 9.03	8.80 7.90 9.90 8.68	9.50
CPM 8 – Percentage of user satisfaction <i>*Surveys conducted in April and October</i>	Facilities Information MCC	75% 90% 83%	- - -	74% 90% 82%	- - -	80%
CPM 9 – Staff cost per weighted case	MCC	£24.67	£22.71	£20.79	£24.34	No target
CPM 10 – Weighted caseload per member of staff	MCC	225	246	284	210	No target
CPM 11 – Total revenue cost per weighted caseload	MCC	n/a	£32.26	£29.55	n/a	No target
CPM 12 – Actual court hours as a proportion of capacity	Central Eastern Western MCC	59% 69% 45% 58%	65% 72% 45% 61%	63% 78% 49% 63%	59% 72% 55% 62%	50%

North Wales MCC: adjournment analysis

Reason for adjournment	Length of adjournment (calendar days)						Total adjournments for reason specified	*MCSI comparison
	Less than 8	8 to 14	15 to 21	22 to 28	29 to 56	More than 56		
Standard procedural adjournments								
To prepare for trial/pre-trial review	11	20	19	32	29	2	113	42% 7,853 41%
For reports prior to sentence	7	7	12	22	9	1	58	22% 3,772 20%
Miscellaneous (e.g. defendant was ill)	10	4	3	3	-	-	20	7% 1,513 8%
To serve concise witness statements	-	-	3	-	-	-	3	1% 732 4%
To prepare for committal	3	8	7	1	5	-	24	9% 1,557 8%
For defendant to be informed that s/he faces disqualification from driving	1	1	16	5	-	-	23	9% 1,945 10%
To tie in with other matters	6	4	6	1	2	1	20	7% 1,500 8%
For a full file after unexpected not guilty plea	1	-	-	3	2	-	6	2% 85 0%
Subtotals	39	44	66	67	47	4	267	100% 18,957 100%
Ineffective hearings								
Defendant did not attend	17	20	9	8	4	5	63	33% 4,122 28%
Subtotals	17	20	9	8	4	5	63	33% 4,122 28%
Defence – other reasons								
To take further instructions	14	15	9	3	1	-	42	22% 3,094 21%
Defendant had not applied for legal aid	-	-	-	-	-	-	-	0% 137 1%
Advance information had not been requested	-	-	-	-	-	-	-	0% 96 1%
Committal papers received but not considered	-	-	-	-	-	-	-	0% 32 0%
Advance information received but not considered	-	-	-	-	-	-	-	0% 118 1%
To review tape or video evidence	1	1	-	-	-	-	2	1% 376 3%
Subtotals	15	16	9	3	1	-	44	23% 3,853 26%

Reason for adjournment	Length of adjournment (calendar days)						Total adjournments for reason specified	*MCSI comparison	
	Less than 8	8 to 14	15 to 21	22 to 28	29 to 56	More than 56			
Court									
Details of previous driving convictions not available	3	6	-	-	-	-	9	628	4%
Application for legal aid not processed	-	-	-	-	-	-	-	15	0%
Insufficient court time	-	1	-	-	-	-	1	492	3%
Subtotals	3	7	1.5%	0%	0%	0%	10	1,135	8%
Prosecution									
To make further enquiries	8	8	2	2	1	-	21	1,275	9%
Advance information not provided on time	-	1	-	-	-	-	1	273	2%
Committal papers not provided on time	-	-	-	-	-	-	-	89	1%
Summons not served	-	1	1	-	1	-	3	603	4%
Concise witness statements not served	-	1	-	-	1	-	2	82	1%
Prosecutor unable to produce file in court	1	4	2	2	-	-	9	442	3%
To consider the appropriateness of the charges	-	3	2	-	1	-	6	849	6%
Subtotals	9	18	3.9%	4	0.9%	0%	42	3,613	24%
Third party									
Witness did not attend	1	-	-	1	-	-	2	92	1%
Subtotals	1	0%	0%	1	0.2%	0%	2	92	1%
Probation service									
Pre-sentence report requested but not provided	-	-	-	1	1	-	2	85	1%
Subtotals	-	0%	0%	1	0.2%	0%	2	85	1%

North Wales MCC: adjournment analysis – continued

Reason for adjournment	Length of adjournment (calendar days)						Total adjournments for reason specified	*MCSI comparison
	Less than 8	8 to 14	15 to 21	22 to 28	29 to 56	More than 56		
Prison Service/Prisoner Escort								
Prisoner Escort and Custody Service failed to produce prisoner	–	–	–	–	–	–	–	13 0%
Subtotals	– 0%	– 0%	– 0%	– 0%	– 0%	– 0%	– 0%	13 0%
More than one party								
Defendant not made aware of hearing/ issued with defective summons	–	–	1	–	1	1	3	216 1%
For prosecution and defence to liaise	–	1	1	–	–	–	2	375 3%
Subtotals	– 0%	1 0.2%	2 0.4%	– 0%	1 0.2%	1 0.2%	5 3%	591 4%
Miscellaneous								
Other miscellaneous reasons	10	6	3	–	2	–	21	684 5%
Unable to identify the reason for adjournment	1	–	1	–	–	–	2	675 5%
Subtotals	11 2.4%	6 1.3%	4 0.9%	– 0%	2 0.4%	– 0%	23 12%	1,359 9%
Total	95 20.7%	112 24.5%	97 21.2%	84 18.3%	60 13.1%	10 2.2%		

Sample case size:

179 cases with one or more adjournments

319 cases completed at first hearing

498 cases in sample

*Source: Consolidated data from 31 MCSI inspections completed between September 2000 and July 2003

Recommendations and North Wales MCC's action plan

- 1 That the MCC develop clear terms of reference for its Senior Legal Team and develop legal team plans to ensure:
- ◆ the role of the SLT and other legal staff in driving performance improvement is clarified
 - ◆ all improvement actions are integrated and prioritised in a single plan
 - ◆ clear accountabilities, timescales and milestones are identified
 - ◆ plans are regularly reviewed to check progress and reflect changing priorities.

MCC response

The Committee will:

- ◆ ensure that a comprehensive review of the role of the senior legal team is undertaken
- ◆ ensure that a single legal team plan is produced which will interlink with the finance and administrative plans
- ◆ ensure regular (quarterly) reviews of all plans
- ◆ ensure that all team plans are clearly linked to the delivery of the Committee's business plan.

Improvement target: Clarity of roles and uniformity of planning.

By date: 1 April 2004

2 MCSI recommendation:

That the MCC develop further the effectiveness of its performance management system to ensure:

- ◆ reports, which include data and narrative appropriate to users, are used to identify actions to improve performance
- ◆ clarity in roles and responsibilities for commissioning and implementing improvement actions
- ◆ the integration of improvement actions within team plans.

MCC response

The Committee will:

- ◆ receive and agree a performance plan which will include recommendations for identifying and implementing improvement actions
- ◆ ensure that all team plans are consistent with the Committee's business plan and include clear improvement actions with clarity of responsibility
- ◆ receive clear, user-friendly, quarterly performance reports which will include an evaluation of actions required.

Improvement target: Consistency of performance reporting appropriate to levels of responsibility and accountability.

By date: 1 April 2004

3 MCSI recommendation:

That the MCC further develop its listing policy and procedures to ensure, where appropriate, greater consistency in practices across North Wales.

MCC response

- ◆ The MCC will ensure that its listing policy is reviewed to take particular account of all current initiatives.
- ◆ The JCE will ensure that a single listing manual is produced with the aim of providing a consistent approach to listing by all staff.
- ◆ The JCE will initiate a regular annual review of the listing policy and manual, with the aim of identifying areas for improvement after appropriate consultation.

Improvement target: Consistency of approach to listing.

By date: 1 April 2004

4 MCSI recommendation:

That the Committee review its Health & Safety and security risk assessments and take action to ensure:

- ◆ **that security risks associated with the delivery and collection of prisoners at one courthouse are minimised**
- ◆ **the Health & Safety of all prisoners held in custody areas**
- ◆ **that all front of house staff work to safe operational standards.**

MCC response

- ◆ The Committee is content that any security risks associated with the delivery and collection of prisoners at one courthouse have been appropriately reviewed to the satisfaction of the Prisoner Escort and Custody Service.
- ◆ Where appropriate, remedial/up-grading work will be implemented as a matter of priority in custody areas.
- ◆ Clear revised instructions have been issued to all front of house staff.

Improvement target: Reduction in security risks.

By date: Subject to capital being made available, April 2004

Glossary

<i>Advisory Committees</i>	Advisory Committees are local, non-departmental public bodies which, amongst other things, are responsible for determining the number of magistrates to be appointed and recruiting suitable candidates
<i>Block-listing</i>	A system for allocating cases to a time block during court sitting hours by reference to the stage the case has reached, or by some other clear criteria
<i>Business Management Returns (BMRs)</i>	See National Performance Indicators below
<i>Clerkship</i>	An administrative unit comprising one or more petty sessions areas for the geographic area which is the responsibility of a single Justices' Clerk
<i>Commission area</i>	Every magistrate is appointed to a commission area, which is subdivided into one or more petty sessions areas (see below). Summary offences must be dealt with in the commission area where they occurred. Commission areas do not necessarily coincide with MCC areas
<i>Core Performance Measure (CPM)</i>	In its <i>Thematic Review of Information for Management</i> – published in June 1997 and updated April 1999 – MCSI identified 12 Core Performance Measures which should allow MCCs to assess their performance in key areas of their responsibility
<i>Court register</i>	All courts are required to keep a register of adjudications
<i>Cracked trial</i>	On the trial date, the defendant offers acceptable pleas or the prosecution offers no evidence. A cracked trial requires no further trial time. See also Ineffective and Vacated trials
<i>Criminal justice system (CJS)</i>	The expression used to describe all the many agencies involved in the administration of justice who are parties to HM Government's strategies, aims and objectives for criminal justice in England & Wales
<i>Department for Constitutional Affairs (DCA)</i>	The DCA (prior to 12 June 2003, the Lord Chancellor's Department) is the government department which is responsible for magistrates' courts and funds 80% of the activity of MCCs
<i>Disabled Court Users Performance Standards</i>	Since 1998 MCCs are required to meet certain minimum standards with regard to disabled court users
<i>District Judge (Magistrates' Court)</i>	Full time, professional judge who sits in a magistrates' court. The District Judge has the same powers as a bench of two lay magistrates, i.e. he or she may sit alone, except in the Family Court. Until 2000, they were known as Stipendiary Magistrates

<i>Either-way cases</i>	Cases that can be dealt with either in the magistrates' court or committed to the Crown Court
<i>Financial regulations</i>	A written code of procedures intended to provide a framework for proper financial control. Financial regulations usually set out rules on accounting and audit, and detail administrative procedures and budgeting systems
<i>Indictable cases</i>	Serious cases which have to be sent forthwith, at the EAH, to the Crown Court
<i>Ineffective trial</i>	On the trial date expected progress is not made due to an error or omission by one or more of the organisations or individuals involved in the case and a further listing for trial is required. See also <i>Cracked and Vacated trials</i>
<i>Lead paying authority</i>	The local authority designated to co-ordinate the funding of the MCC, subject to cash-limited grant from the LCD (see below). The lead paying authority liaises with the other paying authorities (if any) within the MCC area. Local paying authorities fund 20% of the MCC's activities, the other 80% being funded by the LCD
<i>Libra</i>	The new national computer system for the magistrates' courts service of England & Wales
<i>Local Criminal Justice Board (LCJB)</i>	These committees, one in each of the 42 areas, look at local strategic issues and implement the directions of the National Criminal Justice Board. Local criminal justice agencies are represented on the committee at chief officer level
<i>Lord Chancellor's Department (LCD)</i>	The LCD is the government department which is responsible for magistrates' courts and funds 80% of the activity of MCCs
<i>Magistrates' Courts Committee (MCC)</i>	The 42 independent administrative bodies in England & Wales responsible for providing magistrates' courts. Eighty per cent of MCC funding comes direct from central government (the LCD) and the balance from local authorities within the area. Each MCC comprises a Committee of up to 12 lay magistrates selected from within the area, although up to two non-magistrates may be co-opted onto the Committee. (The Greater London Magistrates' Court Authority is differently constituted.) The Committee is responsible in law for the effective and efficient administration of the magistrates' courts in its area
<i>Management Assurance Programme (MAP)</i>	Issued by the LCD in May 1997. Designed to assist MCCs in ensuring financial probity within Fines & Fees accounts
<i>Narey report</i>	Report Reducing Delays in the Criminal Justice System on speeding up justice, named after its author, Martin Narey, which prompted a number of reforms including EAHs and EFHs, often known as "Narey courts"

<i>National Performance Indicators (NPIs)</i>	National indicators, published by the LCD for the first time in June 2000, used to measure progress in achieving Public Service Agreement (see below) targets
<i>Nolan Principles</i>	The Nolan Report (1995) set out seven principles for the guidance of holders of public office: selflessness, integrity, objectivity, accountability, openness, honesty and leadership
<i>Persistent young offender (PYO)</i>	A young person aged 10 to 17 years who has been sentenced by any criminal court in the UK on three or more occasions for one or more recordable offences, and within three years of the last sentencing occasion is subsequently arrested or has information laid against him or her for a further recordable offence
<i>Petty sessions area</i>	England & Wales are divided into areas known as petty sessions areas (formerly petty sessional divisions). Magistrates are appointed to a specific petty sessions area and become members of the bench for that area
<i>Pre-sentence report (PSR)</i>	A report produced by the probation service or youth offending team at the request of the magistrates to assist them in determining the most appropriate sentence for offenders found guilty. The case is normally adjourned while the report is prepared
<i>Pre-trial review (PTR)</i>	May be conducted in advance of a trial. The aim is to anticipate problems that might prevent the trial going ahead on the date fixed and to identify other issues that assist in planning for the trial
<i>Public Interest Disclosure Act 1998</i>	The Public Interest Disclosure Act 1998 provides protection for workers who properly make disclosures about wrongdoing – often referred to as ‘whistle-blowing’
<i>Public Service Agreement (PSA) and Service Delivery Agreement (SDA)</i>	The LCD Public Service Agreement was published in the government White Paper ‘ <i>Spending Review 2000 - Public Service Agreements 2001-2004</i> ’, in July 2000. The PSA contains the high-level departmental targets for the period and the SDA includes the lower-level targets and key commitments to improve and modernise the service.
<i>Service Level Agreement (SLA)</i>	An agreement, usually written, between two parties setting out the terms on which one party (the service provider) will provide a service to the other (the customer)
<i>Specific sentence report (SSR)</i>	Where a probation officer or member of the youth offending team is in court and the defendant’s situation and history is already known, or there has been a recent pre-sentence report (PSR) prepared, the magistrates may request this abbreviated report to be produced on the day, instead of adjourning for a full PSR
<i>Strategic Steer Indicators (SSIs)</i>	See National Performance Indicators above
<i>Summary cases</i>	Cases which must be tried in the magistrates’ court

<i>Time Intervals Survey (TIS)</i>	A quarterly survey conducted by the LCD which measures the timeliness of magistrates' courts criminal proceedings
<i>Trials Issues Group (TIG)</i>	The Trials Issues Group – originally the Pre-Trial Issues Working Group – is a national group which includes representatives of the LCD, the Home Office and all agencies in the criminal justice system. It was set up to look at ways of reducing delays in criminal court proceedings – and is currently overseeing implementation of the Crime and Disorder Act 1998. Each MCC area has a local TIG sub-group
<i>Unified Courts Administration (UCA)</i>	A single, executive agency responsible for the administration of all courts below the House of Lords. It is expected that it will operate from April 2005 and be in shadow form during the previous year.
<i>Vacated trial</i>	Prior to the trial date, a request to vacate the trial date is granted. A further listing for trial may or may not be required and the court time vacated may or may not be filled with other case(s). See also Ineffective trial and Cracked trial
<i>Validation of court registers</i>	Computerised registers are regarded as the permanent record of court adjudications when 'validated' – a stage usually reached after a series of checks has been undertaken to ensure that the record entered is accurate

A summary version of this report in your language can be made available, on request, from the address below.

يمكن الحصول على ملخص لهذا التقرير باللغة العربية عند الطلب من العنوان أدناه.

Rezime izvještaja na bosanskom jeziku možete zatražiti na dolje upisanoj adresi.

如果您需要，我们可以提供中文版的这份报告的总结，请将您的要求寄到以下给出的地址。

Sažetak izvješća na hrvatskom jeziku možete, na zahtjev, dobiti na niže navedenoj adresi.

شرح خلاصه ای از این گزارش به زبان فارسی به هنگام درخواست شما از آدرس زیر در دسترس می باشد.

Une version abrégée de ce rapport peut vous être fournie en français si vous en faites la demande à l'adresse indiquée ci-dessous.

Auf Wunsch ist von nachstehender Adresse aus eine zusammengefasste Version dieses Berichts in deutscher Sprache verfügbar.

Μπορείτε να πάρετε μια σύντομη ελληνική έκδοση αυτής της έκθεσης, κατόπιν αίτησης, από την παρακάτω διεύθυνση.

इस रिपोर्ट का संक्षिप्त हिन्दी अनुवाद प्रार्थना करने पर नीचे दिए गए पता से उपलब्ध कराया जा सकता है।

Un sommario di questa relazione è disponibile, su richiesta, in lingua italiana all'indirizzo indicato di seguito.

本報告書の要約(日本語)をご希望の場合は下記住所までご請求下さい。

Pode obter, sob pedido e através da morada seguinte, uma versão resumida deste relatório em português.

ਇਸ ਰਿਪੋਰਟ ਦਾ ਸੰਖਿਪਤ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਹੇਠ ਲਿਖੇ ਪਤੇ ਤੋਂ ਨਿਵੇਦਨ ਕਰਨ ਤੇ ਮਿਲ ਸਕਦਾ ਹੈ।

Краткую версию данного доклада на русском языке можно получить по приведенному ниже адресу.

Qoraalkaan oo ah warbixin la soo koobay kuna qoran Afsoomaali waxaad ka heli kartaa haddii aad la xiriirto ciwaanka hoos ku qoran.

En sammanfattad version av denna rapport finns, på begäran på nedanstående adress, tillgänglig på svenska.

Muhutasari wa ripoti hii unapatikana katika lugha ya kiswalihi, tafadhali peleka maombi katika anuani iliyopo hapa chini.

บทสรุปเป็นภาษาไทยของรายงานฉบับนี้สามารถติดต่อขอได้จากที่อยู่ข้างใต้

Podemos proporcionarle un resumen de este informe en español si lo solicita a la dirección abajo reseñada.

Bu raporun Türkçe bir özetini aşağıdaki adresten isteyebilirsiniz.

درخواست کرنے پر اس رپورٹ کا خلاصہ درج ذیل ایڈریس سے اردو زبان میں دستیاب ہو سکتا ہے۔

Bài tóm tắt chữ Việt của bản báo cáo này đã sẵn có, nếu cần, xin theo địa chỉ dưới đây dò hỏi.

Alaye kukuru lori iwe yi ni ede Yoruba wa ti e ba fe, lati oju ile ati adugbo ti a ko si isale iwe yi.

如果您需要，我的可以提供中文版的這份報告的總結，請將您的要求寄到以下給出的地址。

Publications Section, MCSI, Block 2, Government Buildings, Burghill Road,
Westbury-on-Trym, Bristol BS10 6EZ.

Or via our website at <http://www.mcsi.gov.uk>