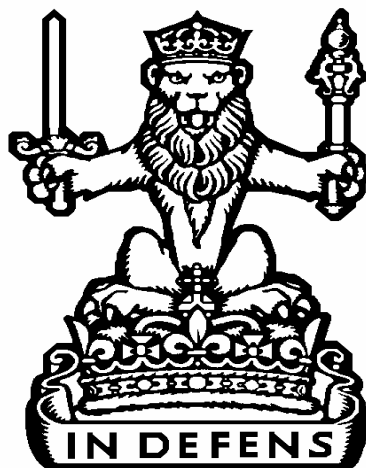


CROWN OFFICE AND PROCURATOR FISCAL SERVICE



CENTRAL AREA BUSINESS PLAN

2007-08

A Department of the Scottish Executive

Version / Status Control

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EXECUTIVE SUMMARY

Central Area will continue to work with our partners in the Criminal Justice system to deliver a professional service to victims, witnesses and our local communities. Our aim is to act in a fair and consistent manner and always in the public interest.

2007/08 will see major challenges for the Area with the implementation of Phase 3 of the Vulnerable Witnesses (Scotland) act 2004 in April 2007 and the introduction of the Summary Justice reforms in the final quarter of 2007/08. In addition, the continuing pressures of disclosure and the increased complexity and numbers of serious crimes being reported will place additional pressures on our existing resources.

Externally we will continue to develop our working relationships with the Police, Courts and, importantly, with the wider community.

We are committed to build on the many positive responses received in this years staff survey report and to promote a supportive training and development environment within the Area. In addition to the 2 Area Training Days we will require to have relevant staff trained on VWA phase 3, and Summary Justice reforms. In addition we will continue to provide resources to participate in Police training at force level, agencies involved with child protection and vulnerable victim/ witnesses. The Area will also support the mini trials initiative and other local community projects.

The Area is heavily involved with corporate activities, with staff committed to the Vulnerable Witness Phase 3 implementation, Best value, Health and Safety, Staff development and IIP.

The Area has been at the forefront of the Departmental Change agenda in recent years with the Contact Centre pilot, Sheriff and Jury disclosure pilot, the introduction of FOS2 in December 2006 and the Centralised printing of Personal citations in January 2007. 2007/08 will see the introduction of electronic citing and countermanding of Police Officers.

We will also carry out a number of process reviews in order to improve our methods of working and also to develop the skills of the staff participating in them.

1. BACKGROUND

1.1 INTRODUCTION

This document is the Business Plan for the Central Area of the Crown Office and Procurator Fiscal Service for 2007/08. The Plan is intended to inform staff of the Area's objectives and targets for the forthcoming year, and the context within which these are set. The plan should be used as a reference when offices and teams are preparing local business objectives and when Managers and staff are preparing objectives for inclusion in Performance Agreements.

The Area's objectives and the activities to be undertaken in pursuance of them support corporate aims and objectives by focusing on delivering further improvements in efficiency, delivery and quality of service provided. The Area will strive to meet all COPFS corporate objectives and continue to exceed key operational targets if the working environment and staffing resources allow. We will be assisted in this by the successful implementation of further IT improvements to help streamline our work processes.

Our plan commits us to working effectively with our business partners to improve delivery across the criminal justice system in the Central area. In taking forward this work, we will continue to work with the Criminal Justice board and build on existing productive relationships with Central Scotland Police, Scottish Courts Service, colleagues within the Criminal Justice Services and the local bar. This will assist us to implement successfully the changes introduced by the Criminal Procedure Amendments Act 2004, the Vulnerable Witness (Scotland) Act 2004 and the Criminal Proceedings (Reform) (Scotland) Act 2007.

We will undertake a programme of activities to support the overarching Scottish Executive objective of increasing people's sense of security, by engaging with the community and their representatives to explain our role and listen to their concerns. We will take steps to address the particular needs of ethnic minority communities and other minority groups, by ensuring that these activities meet all reasonable needs of the communities represented.

Key to the delivery of the commitments in our plan is the performance of the staff in the Area. We will continue to support them with training and development opportunities and fair and honest performance appraisal to ensure that they are assisted to reach their full potential.

A common theme is the increase in volume of business and the associated need to ensure that the Area has sufficient numbers of trained and experienced staff operating efficiently and effectively; and, critically that we have appropriate resilience arrangements in place within the Area. The further development of resilience will be a management objective for 2007/08.

1.2 CORPORATE CONTEXT

The following section summarises the corporate context for the Crown Office and Procurator Fiscal Service. This is more fully considered in the COPFS Strategic Plan 2006-08 and supporting annual Business Plans.

1.2.1 COPFS CORPORATE AIM

Serving the public interest, prosecuting cases independently, fairly and effectively.

1.2.2 FUNCTIONS OF COPFS

The functions of the Crown Office and Procurator Fiscal Service are:

- *To provide the sole public prosecuting authority;*
- *To investigate sudden and suspicious deaths and, where appropriate, conduct public inquiries;*
- *To investigate independently all complaints of criminal conduct by police officers.*

We work closely with our criminal justice partners to help make Scotland a safer place. The Department plays a pivotal role within the criminal justice system in maintaining the security and confidence of all communities in Scotland in the criminal justice system. Our **core values** are impartiality, integrity, sensitivity, respect and professionalism.

1.2.3 CORPORATE OBJECTIVES

As published in *Building a Better Scotland – Spending Proposals 2005-08*, the following are the key objectives to be pursued during the planning period in support of corporate commitments. A summary of the published corporate objectives and targets and supporting internal targets is provided in [Annex I](#). The Objectives & Risk Register are considered more fully in [Annex II](#). This document outlines how we plan to deliver each objective together with target completion dates, resources, controls and key risks.

Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

Area Objectives

- To continue to meet and exceed the current 5 week Departmental target for take and implement decisions by 5%
Timescale - March 2008
- Work with Police towards achievement of the 80% of cases being reported to us within 28 days of caution and charge
Timescale – August 2008

- Ensure sufficient numbers of staff receive appropriate training in advance of the introduction of the Summary Justice reforms
Timescale – Sept / Dec 2007.
- Implement a continuous programme of Process Review
Timescale – Ongoing
- Engage with community groups and organisations to promote the work of COPFS .
Timescale – Ongoing
- Work with the local Criminal Justice board and Criminal Justice Liaison Officers group to implement the local Criminal Justice Business Plan
Timescale - Ongoing
- Work with our staff to address the issues raised in the staff survey report in order to improve the working environment of staff and increase efficiency.
Timescale - Ongoing

Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

Area Objectives

- Deliver the objectives of the High Impact Crime Protocol (Persistent Offenders) by targeting and prioritising appropriate offenders in partnership with Central Scotland Police
Timescale – Ongoing
- Develop and implement a strategy for the better management of Solemn cases for the identification and prioritisation of S76 cases.
Timescale – June 2007
- Develop and implement a strategy to increase the throughput of Precognition work.
Timescale – September 2007

Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

Area Objectives

- Providing assistance and advice to victims of crime, their families and vulnerable witnesses and to liaise with relevant agencies
Timescale – Ongoing
- Ensure that all relevant staff are aware of the implications of VWA phase 3
Timescale – April 2007

Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

Area Objectives

- Deliver training to Doctors in the Area on the role played by the Procurator Fiscal in sudden deaths
Timescale – December 07
- Organise a liaison event with local church and faith groups to explain the role of the Procurator Fiscal in sudden deaths
Timescale – March 08
- Attend quarterly Forensic Pathology contract meetings with staff from University of Dundee in order to monitor performance of the contract.
Timescale - Ongoing

1.3 LOCAL CONTEXT

1.3.1. LOCAL AIMS & OBJECTIVES:

The Central Area is responsible for

- Considering, and taking appropriate action on, reports in respect of crimes committed in Central
- Investigating sudden deaths which occur in Central
- Investigating all complaints alleging criminal conduct by Police Officers in Central
- Providing assistance and advice to victims of crime, their families and assisting vulnerable witnesses to liaise with relevant agencies

1.3.2 STRUCTURE OF THE CENTRAL AREA

The Central Area encompasses three District PF offices: Alloa, Falkirk and Stirling. The Alloa office does not have a resident District Procurator Fiscal. The District Procurator Fiscal for Stirling holds a commission for both offices. A Procurator Fiscal Depute is permanently based at Alloa. There is a resident District Procurator Fiscal at Falkirk. Each resident DPF is assisted by Legal and support staff.

The Area Procurator Fiscal is based at Carseview House in Stirling and is supported by the Area team comprising of the Area Business Manager, Area PA, Procurator Fiscal Depute and Area Fiscal Officer.

1.3.3 SCALE OF ACTIVITY

Nationally the Central Scotland area accounts for approximately **5.5%** of new reports received by COPFS, **6.8%** of High Court, **5.9%** of Sheriff and Jury Disposals, **6.8%** of Sheriff Summary Disposals and **6.6%** of District Court Disposals. The area also accounts for **4.8%** of Legal staff within COPFS and **5.9%** of support staff.

A total of 19,058 reports were received by the Area during 2006/7. A total of 563 remained on petition which is a **27%** increase on the previous year.

1.3.4 SUMMARY ORGANISATION CHART:

See [Annex III](#)

1.3.5 RESOURCES

Area Budget Allocations

	<u>2003/04</u>	<u>2004/05</u>	<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>
Salaries	£1,786,000	£1,776,000	£1,955,000	£2,155,000	£2,216,000
Office	£131,000	£128,000	£141,000	£168,000	£193,000
Case Related	£527,000	£540,000	£536,000	£506,000	£727,000
Total	£2,444,000	£2,444,000	£2,632,000	£2,829,000	£3,136,000

Number of Posts covered by the Budget Allocation:

Perm Staff	64.7	61.6	66.6	68	68
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The figures for 2005/6 & 2006/07 include 4 VIA staff transferred in Feb 06
The figure for 2007/8 excludes 1 ad hoc PO

1.3.6 LOCAL STAKEHOLDERS

Central Scotland Police provide policing services throughout the three local authority areas of Clackmannanshire, Falkirk and Stirling. There is an Area command in each of the three local authority areas. Management of local policing issues is further devolved to twelve local command units, which are located in the main centres of population throughout the force areas. In addition to these units, there are a number of smaller offices serving local communities. **Safer Central** is the over riding philosophy by which Central Scotland Police carries out its day to day business. The Safer Central philosophy is implemented by five initiatives:

- Operation Safeguard Tackling violent crime
- Operation Reassurance Making people feel safer
- Operation Tundra Making our roads safer
- Operation Overlord Tackling the dealers
- Operation Advance Moving the force forward

Central Scotland Police detect 59% of all reported crimes.

The number of serving **Police Officers** in the force has risen from 731 in April 2003 to 826 in November 2006 an **increase** of **13%**. In addition to this there are currently 125 Special Constables in the force.

In recent years the force has strengthened several specialist units designed to enhance the use of intelligence in dealing with crime issues i.e. the Financial Crime Unit, Computer Crime Unit, Fraud Unit, and the Family and Domestic Abuse Unit.

The latest Police reporting statistics (February 2007) indicate that Central Scotland Police submit **84%** of reports to PF offices within the 28 day target. This compares favourably with the **68%** reported for the same period last year. Police national target is **80%** within **28 days**.

We continue to have good working relations with **Scottish Court Service** colleagues. COPFS staff meet with SCS colleagues on a monthly basis to discuss current and future court programming issues. COPFS and SCS Managers attended a joint process mapping training exercise in August 2006 and a joint COPFS / SCS desktop Business Continuity exercise was conducted in September 2006. Both COPFS and SCS are active members of the Central Area Criminal Justice board and Criminal Justice Implementation Officers group.

The Central Scotland Criminal Justice board was established in August 2004 and is composed of the following – Sheriff Principal, Area Procurator Fiscal, Chief Constable and Assistant Area Director of SCS. The aim of the board is to “Oversee the performance of the criminal justice system in the Area and to secure effective joint working by sharing information, building on good practice, identifying any inter – agency issues impeding the best possible performance of the system and agree measures to tackle these”. The board are supported in their work by the **Central Criminal Justice Implementation group (CCJIG)**. The Implementation group comprises representatives from each of the 3 partner organisations.

The board and Implementation group have undertaken work on a range of business topics and these have included: -

- Review of the West Lothian and Grampian (Clean stream) criminal justice projects in order to try and identify problem areas / bottlenecks within the criminal justice system in the Central area.
- Exchange of No Pro marking information between District PF's and Divisional commanders in order to improve quality of Police reports.
- Local COPFS input to Police probationer training.
- Work carried out to identify the effectiveness of Intermediate diets and to identify best practice.
- COPFS / Central Scotland Police joint training programme developed include visits to PF offices by Police Sergeants and Inspectors.
- Exchange visits between COPFS (and VIA) staff with SCS counterparts.
- COPFS / SCS joint Business Continuity desktop exercise conducted.

- A Process Mapping training exercise run jointly between COPFS, SCS and Central Scotland Police.
- Court Open days and Mini Trials have been organised and each of the agencies have participated.
- The Criminal Justice board and Implementation group have identified the successful introduction of the Criminal Justice reforms as a key piece of work which will require careful consideration and planning before implementation in December 2007. In addition to this 2007 will also see the introduction of the Vulnerable Witness Act phase 3 and the revised protocols for processing warrants.

1.3.7 OTHER LOCAL ISSUES

The Central Scotland Area covers the 3 local authority areas of Clackmannanshire, Falkirk and Stirling. The Area covers a population of approximately 280,000 persons split as follows:

Falkirk – 149,150 increase of 1.1% since 2004

Stirling – 86,930 increase of 0.6% since 2004

Clackmannanshire – 48,630 increase of 0.8% since 2004

The Area covers 2643 square kilometres and comprises a mix of urban (in the south around Falkirk and Stirling) and rural (to the north and west) areas.

There are 3 Procurator Fiscal offices at Alloa, Falkirk and Stirling.

Criminal business is conducted at the Sheriff and District Courts in Alloa, Falkirk and Stirling. High Court cases from the Area are held either in Glasgow or Edinburgh.

There are 3 penal institutions within the Area, Corntonvale, Polmont YOI and Glenochil.

There has been a significant increase in the number of migrant workers from Eastern Europe. Recently produced figures from the DWP show that the number of “Registered Migrant Workers” in the Area stands at **1,310**. The highest proportion of migrant workers within the Area are Polish (**30.5%**), especially in the Clackmannanshire area where they make up almost half of the non UK workforce. Polish is now the most common language requested in relation to interpreting services.

2 OPERATIONAL ISSUES

2.1 KEY PROCESSES

FOS (Future Office System) and FOS2 (introduced on 4th December) continue to transform our working procedures for marking, managing new reports and the processing of Summary business. Legal staff deal with new reports electronically and generate case related documents. FOS and FOS2 have streamlined our case processing systems and facilitates greater efficiency. Furthermore FOS enables us to better manage the workload to ensure that targets are achieved while the audit function provides a mechanism for quality assurance. FOS2 is assisting in the better management of cases involving repeat offenders.

Project Solemn Renewal and the **Bonomy Reforms** have revolutionised the approach to Solemn Work. The demands of Disclosure and other additional work which requires to be done at preparation stage has significantly increased the work required in the processing of Solemn cases. This has however resulted in benefits when cases have reached court stage, reductions in the number of High Court adjournments, an increase in pleas of guilty and less inconvenience for witnesses. The challenge for us in 2007/08 will be to continue to work towards ensuring that we receive early intimation of pleas of guilty and avoid unnecessary work in both High Court and Sheriff and Jury cases.

2.2 OPERATIONAL PRIORITIES AND BUSINESS RISKS

Please see [Annex I](#) – Corporate Aim, Objectives and Targets.

2.3 RISKS

Please see [Annex II](#) – Objectives and Risk Register – listed below are a number of the key risks identified.

- Delays in recruiting and replacing staff
- Unsustainable levels of experienced staff turnover
- Availability of staff for training
- Demand for court time outstrips availability
- Poor quality Police reports and statements
- Adverse criticism of the Area if a sensitive case is lost or alternatively if witnesses or victims are dealt with inappropriately
- Volumes of complaints increase
- Continued increase in serious crime in particular Computer / Internet based crime, historical sexual abuse cases and complex frauds.
- Impact of flu pandemic of both work and staffing levels.
- Levels of sickness absence experienced in 2006/07 continues into new FY

2.4 CASELOAD

<u>Central</u>	<u>COPFS</u>	<u>% of Reports</u>	
2000/01	15,376	284,633	5.4
2001/02	16,817	275,803	6.1
2002/03	17,574	308,255	5.7
2003/04	18,746	325,461	5.8
2004/05	18,964	328,365	5.8
2005/06	18,752	339,415	5.5
2006/07	19,058	335,621	5.7

During the period **2000/01 – 2006/07** reports received by the **Central area** have **increased by 24%** in comparison with the **national average of 18%**.

Our caseload in terms of reports received from the Police and other agencies has remained at approx the 19,000 mark for the last 4 years. We expect to see a reduction in the numbers of reports being received as a result of the roll out of the Police Conditional Offer. It is difficult at this stage to provide a forecast in terms of overall numbers but a 2-3% (350-550) reduction might be realistic. These are cases at the lower end of the disposal avenues which we would probably have marked for non-court disposal.

We do not expect the numbers of cases being dealt with by Sheriff Summary or District Court disposals to alter significantly in advance of Summary Justice reforms in December 2007. There may be a slight impact on the final quarter of 2007/08.

There has been a significant increase in Solemn business within the last year (see statistical info below for Area totals). In particular the number of cases remaining a petition rose sharply in Alloa and Stirling with increases of 48% and 50% being recorded. Precognitions reported to Crown Office have increased by 23%. Even with these best efforts the precognition work in hand figure at the end of March 2007 was 272 which is the highest recorded by the Area. Significant effort / resources will have to be deployed during 2007/8 in order to reduce the current work in hand levels.

We do expect to see an increase in Solemn disposals as the Area tackles the precognition work in hand figure of 272 (end of March). It is also anticipated that the level of serious crime being reported by the Police will continue to rise as it has since 2000/01.

Numbers of cases remaining on Petition:

	<u>Central</u>	<u>COPFS</u>	<u>%</u>
2000/01	224		
2001/02	291	5,579	5.2
2002/03	299	6,228	4.8
2003/04	327	7,180	4.5
2004/05	314	6,346	4.9
2005/06	444	6,481	6.8
2006/07	573	8,453	6.8

2.5 WORKLOAD AND STAFFING FORECAST

2006/07 Forecasts based on April to November actual data.

Non Court Disposals

2005/06 Actual – 6,486 – Non Court rate 34.5%

2006/07 Actual – 5,753 – Non Court rate 30.2%

2007/08 Forecast – 5,600 – Non Court rate 29.8%

2007/08 Forecast – Reduction in numbers of No Pro's as a result in improvement in quality and timeous reporting of SPR's. Initial reduction in numbers of warnings and Fiscal Fines as a result of introduction of Police Fixed penalty scheme. However towards the end of 2007/08 we should begin to see a rise in the number of Fiscal Fines once Summary Justice Reforms are fully implemented and use of direct measures increases. Increase in numbers of Diversion cases as more information is made available to Deputes re Diversion schemes offered by local authorities. Increased numbers of associate disposals as a result of introduction of FOS2 (easier to roll up cases) and High Impact crime protocol.

No Proceedings

2005/06 Actual – 3,014 – No Pro rate 16.1%

2006/07 Actual – 2,528 – No Pro rate 13.3%

2007/08 Forecast – 2,300 – No Pro rate 12.5%

2007/08 Forecast – It is anticipated that continued liaison between District PF's and Divisional Commanders will result in further improvements in the quality and timeous reporting of SPR's and this ensures that the No Pro rate is maintained at an acceptable level.

Sheriff Summary Disposals

2005/06 Actual – 5,694 – total disposals

2006/07 Actual – 5,710 – total disposals

2007/08 Forecast – 5,850 – total disposals

2007/08 Forecast – Slight increase in pleas at pleading diet, intermediate diet and at trial and fewer trials evidence led.

District Court Disposals

2005/06 Actual – 3,141– total disposals

2006/07 Actual – 2,563 – total disposals

2007/08 Forecast – 2,600 – total disposals

2007/08 Forecast – Slight overall reduction forecast.

Sheriff and Jury Disposals

2005/06 Actual – 262– total disposals (including S76s)

2006/07 Actual – 251 – total disposals (including S76s)

2007/08 Forecast – 264 – total disposals (including S76s)

2007/08 Forecast – Overall increase anticipated, particularly in relation to S76's and pleas at Preliminary diet. Area Objective to increase number of S76's disposals.

High Court Disposals

2005/06 Actual – 43 – total disposals (including S76s)

2006/07 Actual – 58 – total disposals (including S76s)

2007/08 Forecast – 80 – total disposals (including S76s)

2007/08 Forecast – Overall increase anticipated. Area Objective to increase number of S76s disposals.

Fatal Accident Inquiries

2005/06 Actual – 1

2006/07 Actual – 3

2007/08 Forecast – 3

2007/08 Forecast – Increase anticipated.

Deaths Reported by PF

2005/06 Actual – 54

2006/07 Actual – 56

2007/08 Forecast – 60

2007/08 Forecast – Increase anticipated

Complaints against the Police reported to PF

2005/06 Actual – 90

2006/07 Actual - 73

2007/08 Forecast – 75

2007/08 Forecast – Current levels of reporting anticipated

Staffing

As you will have seen from Section **1.3.5 Resources**. The number of Permanent posts allocated to the Area remains the same at **68**. Funding has been secured to enable us to retain the Ad hoc Precognition Officer post within the Area for the duration of 2007/08.

Unfortunately we have been advised that we require to lose **3 Band B posts** from within the Area by the **end of December 2007**. 2 posts will be lost by the end of September with the 3rd and final post being lost by the end of December. Funding has only been secured for these posts until the dates specified above. If we are unable to affect the savings by the dates specified then the salary costs attributed to these posts will have to be met from the Area Resilience budget. The Area Resilience budget is the sum of money which we use to pay overtime, on call payments, ad hoc deputies, agency staff etc.

District PF's and Managers have been advised of the staff savings which required to be made and the timescale involved.

2.6 PERFORMANCE MEASURES

Current Performance against Operational Targets (April – March 2007)

Custody cases: - Serve High Court Indictments – 100% by 80th Day
Compliance 100%

Custody cases: - Serve Sheriff & Jury Indictments – 100% by 80th Day
Compliance 100%

Bail cases: - Serve Sheriff & Jury Indictments – 60% by 8 months
Compliance 83%

Bail cases: - Serve Sheriff & Jury Indictments – 80% by 9 months
Compliance 94%

Bail cases: - Serve High Court Indictments – 80% by 9 months
Compliance 70% - Failed to meet target.

Bail cases: - Serve High Court Indictments – 100% by 10 months
Compliance 100%

Take and Implement Decisions – Process 75% within 5 weeks
Compliance 87%

Routine Deaths – Investigate 80% within 6 weeks
Compliance 96%

Investigate Deaths – Investigate 80% within 12 weeks
Compliance 82%

CAP's – Area PF's – Close in 10 weeks 60% of cases
Compliance 88%

CAP's – Area PF's – Close in 12 weeks 90% of cases
Compliance 90%

2.7 PROCESS REVIEWS

A number of Process Reviews have been conducted during the reporting year and this will continue throughout 2007/08.

DVD Protocol – introduced with effect from 5 February 2007.

High Impact Crime Protocol – Introduced with effect from 3rd January 2007

VIA Electronic Files (Paperless office) – Process Review – May 2007 to be conducted by Helen Bruce.

Staff Rotation and Succession Planning – Process Review – May 2007 to be conducted by ABM.

Process reviews will be added as and when identified during the course of the reporting year.

3 ENVIRONMENT & STAKEHOLDERS

3.1 CRIME TRENDS

Source: Central Scotland – Force Crime Statistics 1st April – 31st March 2007

Group 1 Crimes – Non – sexual crimes of violence – 519 crimes have been committed during the period. This is an increase of 7.7%. The current detection rate is 94.4%. The above figures include 3 murders and 61 attempted murders.

Group 2 Crimes – Crimes involving Indecency – 390 crimes have been committed during the period. This is an increase of 4.3%. The current detection rate is 94.8%. The above figures include: -

78 Rapes

14 Assaults with intent to Rape

116 Indecent assaults

119 Lewd and Lib

Group 3 Crimes – Crimes involving Dishonesty – 8680 crimes have been committed during the period. This is an increase of 5%. The current detection rate is 49.5%.

Group 4 Crimes – Fire raising, Malicious and Reckless Conduct – 6965 crimes have been committed during the period. This is an increase of 18.3%. The current detection rate is 41%.

Group 5 Crimes – Other Crimes – 4558 crimes have been committed during the period. This is an increase of 8.2%. The current detection rate is 99.1%.

Group 6 Crimes – Disorder – 11205 crimes have been committed during the period. This is an increase of 13.8%. The current detection rate is 91.2%.

Reference – Central Scotland Police – Crime Statistical Review

3.2 LEGAL, LEGISLATIVE AND OTHER EXTERNAL INFLUNCES

The Bonomy reforms of the High Court has introduced significant change to all practices in relation to the preparation of High Court cases and, significantly the disclosure requirements (and the need to provide a clear audit trail for this work) increased the workloads of solemn teams. However, there have been significant benefits in terms of reducing the level of adjournment of High Court cases and in securing earlier pleas of guilty and consequently reducing inconvenience to witnesses.

There is little we can now do to reduce High Court adjournments as the Crown requires to have all evidence in place prior to the preliminary hearing and with witness availability being checked in advance this means that trial diets are chosen to best suit the witnesses. Experience of Bonomy High Court cases indicate that it is the

defence who are seeking adjournments of preliminary hearings but that once a trial is fixed it is generally going ahead as scheduled. The Area will ensure that our cases are fully prepared for the preliminary hearing, we will comply with all the disclosure requirements and ensure that witness availability will all be carried out in accordance with departmental instructions. In relation to the early resolution of cases the area is taking a more robust attitude to bail as experience has shown that pleas are more likely to be tendered in advance of precognition where the accused is in custody.

In relation to Summary Justice Reforms the local Criminal Justice board and Criminal Justice Implementation Officers group will be responsible for ensuring that the necessary changes to working practises are co-ordinated and successfully introduced at the end of 2007.

3.3 DISCLOSURE

In 2005/06 the disclosure regime introduced in the High Court under the Bonomy reforms was extended to Sheriff and Jury cases. The introduction of the Disclosure regime for Solemn cases in April 2005 has had the following impact on numbers of early pleas being received across the Area.

	2004/05	2005/06	2006/07
High Court pleas at Prem/1 st diet	0	14	17
Sh & Jury pleas at Prem/1 st diet	71	101	97
High Court S76's		6	12
Sheriff & Jury S76's		31	65

Following the decision of the Privy Council in Holland and Sinclair it was necessary for COPFS to further extend disclosure to Summary cases. This was fully implemented from 1st September 2005 and again there was a significant resource requirement. A sum of £26k was allocated to the Area to assist Disclosure in Summary cases. This money was used to recruit 2 permanent Band B staff to provide additional assistance to legal colleagues.

Disclosure in Summary cases has had the following impact on the number of pleas received at Intermediate diet.

	2005/06	2006/07
Sheriff Summary pleas at Intermediate Diet	1,414	1,557

3.4 VULNERABLE WITNESS ACT

Phase 1 of the Vulnerable Witness (Scotland) act was implemented in April 2005 in relation to child witnesses in Solemn cases reported after that date. The act provided for special measures for vulnerable witnesses and requires prosecutors and VIA staff to work closely to identify the appropriate special measure necessary to assist the vulnerable witness.

Phase 2 was introduced in April 2006 and extended the availability of special measures to vulnerable adult witness in Solemn cases.

Phase 3 was introduced in April 2007 and will further extend the availability of special measures for child witnesses in Sheriff Summary cases. It is recognised that the introduction of Phase 3 will have significant resource implications for VIA staff. In recognition of this the Department is preparing a Business case to the SE in an attempt to secure additional resources as part of the next Spending Review.

3.5 GOVERNMENT INITIATIVES – MODERNISATION AND BEST VALUE

We intend to meet our Partnership agreements to the modernisation of the Department by continuing to develop and implement modernisation programmes, enhancing business processes and encouraging staff to adopt appropriate behaviours, leading to improved delivery, better standards of service and improved working relationships with colleagues, customers and business partners.

3.6 OTHER INITIATIVES

The Area has been piloting the **Centralised printing of Personal citations** (Sheriff and Jury, Sheriff Summary and District Court) since from Monday 29th January 2007. From that date all Personal citations will be printed and dispatched from the Centralised Printing Unit at Ballater Street in Glasgow. Citation packs have been prepared by colleagues in BIU / ISD together with revised guidance for Legal and support colleagues. Guidance has also been issued to the Police on how the citation packs should be served and what where the execution of service should be returned to.

The Area has been in discussion with Central Scotland Police regarding the introduction of **electronic citing and countermanding of Police officers**. It is hoped that this initiative will be introduced early in the new financial year.

High Impact Crime Protocol has been recently introduced. The purpose of the protocol is to address crime which has a high impact on local communities. The protocol will reflect steps which will be taken to ensure that the proceedings reflect the offending pattern and the impact of the crime. The protocol will typically cover: -

- Repeat offending by an individual or group of individuals
- Crime which is impinging on quality of life in a particular area

- Repeat victimisation

The protocol will provide a menu of options for consideration by reporting officers and Fiscals; it will require personal communication between the reporting officer and Fiscal to agree a strategy. Thereafter the protocol will require close liaison so that the Police and the Fiscal are aware of developments.

Police Liaison Officer has been based in the Stirling PFO since May 2006. The Police Officer has been based within the Initial Processing/Summary unit carrying out the role of Report checker and PLO. The post has resulted in significant reductions in the time between requests for, and information being received i.e. requests for additional information, excusal requests. The post has also contributed towards an improvement in the quality of Police reports as queries can be discussed between the Report checker and the marking deposes prior to submission of reports. A review report was completed after the initial 6 month pilot period ended in November. The report has been approved by the Divisional Commander and the Assistant Chief Constable. The post will continue in its current form in 2007/8. Discussions have begun with Central Scotland Police colleagues about the possibility of extending the initiative to the PFO Falkirk.

3.7 STAKEHOLDERS

Parliament

We will play a full part in implementing the new initiatives of the Scottish Parliament e.g. Proactive approach to Vulnerable Witness legislation, recognition of the government's concerns re quality of offences and commitment to deal effectively with associated reports and to work with partners (especially the Police) to develop more effective ways of dealing with such crimes. Willing to engage with MSP's.

Scottish Courts Service

- Seeks ways of making effective use of court time
- Implement protocols
- Joint training / exchange initiatives

Public

- Outreach work, involvement in meeting local groups in responding to concerns.

Victims

- Develop links with Women's Aid, Rape Crisis, Witness Service etc
- Respond to the concerns of victims and implement Vulnerable Witness legislation.

Defence Agents

- Provide liaison / viewing facilities
- Assist them insofar as we can properly do so
- Work with Court User groups to look for ways of improving court efficiency

4 HR PLAN

4.1 STAFFING PLAN

4.1.1 KEY PERSONNEL

Geraldine Watt

Central Area Procurator Fiscal

06/08/2002	ARPF	Area Procurator Fiscal	PF Office, Stirling
02/05/2000	AS	Assistant Solicitor	Policy
17/07/1997	APF	Assistant Procurator Fiscal	PF Office, Glasgow
01/07/1997	APF	Assistant Procurator Fiscal	Management Information Div.
05/09/1994	SD	Senior Depute	Management Information Div.
04/05/1992	SD	Senior Depute	PF Office, Glasgow
01/09/1984	SLA	Senior Legal Assistant	PF Office, Glasgow
01/02/1980	LA	Legal Assistant	PF Office, Glasgow

Kenny Donnelly

District Procurator Fiscal, Falkirk

24/10/2005	DPF	District Procurator Fiscal	PF Office, Falkirk
06/09/2004	DPF	District Procurator Fiscal	PF Office, Kilmarnock
04/07/2004	PRD	Principal Depute	PF Office, Glasgow
01/03/2004	APF	Assistant Procurator Fiscal	PF Office, Glasgow
30/06/2003	PRD	Principal Depute	PF Office, Glasgow
01/08/2002	PRD	Principal Depute	Appeals Unit
29/05/2000	PRD	Principal Depute	Appeals Unit
18/01/1999	PRD	Principal Depute	PF Office, Glasgow
01/04/1997	PRD	Principal Depute	PF Office, Glasgow
01/07/1994	SLA	Senior Legal Assistant	PF Office, Glasgow
06/07/1992	LA	Legal Assistant	PF Office, Glasgow

Ruth McQuaid

District Procurator Fiscal, Stirling

04/11/2002	DPF	District Procurator Fiscal	PF Office, Stirling
19/08/2002	PRD	Principal Depute	PF Office, Hamilton
01/08/2002	SD	Senior Depute	PF Office, Edinburgh
29/07/2002	SD	Senior Depute	PF Office, Edinburgh
18/03/2002	APF	Assistant Procurator Fiscal	PF Office, Edinburgh
08/10/2001	SD	Senior Depute	PF Office, Edinburgh
15/03/1999	PRD	Principal Depute	PF Office, Edinburgh
01/09/1996	SLA	Senior Legal Assistant	PF Office, Hamilton
01/09/1992	LA	Legal Assistant	PF Office, Hamilton

4.1.2 STAFF MIX & EXPERIENCE

For table of current Area structure and staff complements – see [Annex III](#)

- In the Area there is a mix of experience and length of service within each of the staff groups (Legal, Precognition and Support).
- Each of the Deputes (with the exception of 1 depute in Stirling who has only 3 months experience) within the Area has at least 1 years experience within the service.
- Of the 6 Precognition staff within the Area, 2 have less the 2 years experience and 1 has been newly promoted.
- Each of the Band C Summary / Office Managers within the Area have over 18 months experience.
- Both of the Band D Solemn Managers in the Area are very experienced, each with over 20 years service.
- The Band E Area Business Manager has over 29 years service, 23 years as a Manager within the Department.
- The Band B and A staff are a mix of experienced staff who were previously Administrative Officers/ Assistants and Typists and new members of staff recruited into the Band B grade following unification of the grades in 2002. There are 5 Band B staff who have less than 12 months experience within the Department.
- Professional skills for government – all staff at Band F and above have completed their self-assessment forms and Personal development plans.

4.1.3 OTHER STAFFING ISSUES

At the beginning of the new financial year in April the Area will have to deal with the absence of 3 members of Legal staff on maternity / annual leave. As a result of the increase in maternity entitlements from the spring of 2007 it is expected that these 3 members of staff will be absent from the Area for approx 10 months each.

2006/07 saw an increase in the number (8) of long-term sickness absences (7 weeks +) within the Area. It is hoped that 2007/08 will see a return to the low level of sickness absence experienced prior to 2006/07.

There have been no difficulties recruiting good quality Band B staff within the Area during the last 12 months.

Difficulties have been experienced when key members of staff have resigned, been transferred or promoted out of the Area and no suitable replacements have been

identified. This has resulted in the recruitment of ad hoc deputies, POs and support staff and the subsequent financial and efficiency implications.

There are a large number of new and inexperienced staff within the Area and this will inevitably lead to a significant training commitment during the new financial year.

District PFs have identified “key” and “development” posts within their respective commands. This will assist with succession planning within the Area and ensure that we develop sufficient numbers of staff capable of filling those posts in the future.

4.1.4 LOCAL PLANS/INITIATIVES

Local office plans are in place to ensure staff rotate across the current 3 team structure on a regular basis. This will ensure that we have sufficient numbers of trained and experienced staff operating efficiently and effectively; and, critically that we have appropriate resiliency arrangements across the Area.

4.1.5 CONSULTATION

Preparation of the Business plan has involved consultation with Managers and staff across the Area. The Area Management meetings focus on measures which could be implemented that would lead to an improvement in performance and ensure that the available resources are used to best effect. The results of these discussions are reflected in the Business Plan.

4.2 TRAINING & DEVELOPMENT PLAN

As an organisation, we have undertaken to: *“train and develop staff to their full potential while valuing their contribution and fostering team working in order to achieve our business objectives and improve our performance.”*

Induction and Diversity

All new members of staff will attend Departmental Induction and Diversity Courses.

Area Training Days

We have 2 Area Training Days allocated by the Sheriff Principal each year in September and March. The topics for these 2 days have yet to be decided but in the past these have been used for a wide range of training subjects including, team building, Bonyony awareness, domestic abuse, racist attacks and harassment, staff survey results and feedback.

The Area training day on **23rd March 2007** was used to promote the Departmental Diversity agenda. The Training days as designed to enable **all members of staff** to participate.

The Area Training Day on **28th September 2007** will partly be used for a joint “mock trial” event with SCS and CSP colleagues. Similar to an event organised in recent

months by colleagues in Lanarkshire. The event will demonstrate the special measures available under the Vulnerable Witness Act.

Leadership Development

All Managers within the Area will have completed the Departmental Leadership Development course by the end of 2007/08. This is a progression from the Management Development courses run for Managers in recent years.

Core Legal and Precognition training

All new Legal and Precognition staff will attend the core Legal and Precognition induction training events throughout the course of 2007/08.

Local Desk Training

Given the comments earlier under the heading “Staff mix and experience” re the numbers of new and inexperienced members of staff there will be a significant amount of local desk training carried out by Managers and experienced colleagues throughout 2007/08.

Vulnerable Witness Act Phase 3

VIA colleagues will require to be fully trained on the implications of the introduction of Phase 3 of the VWA in the spring of 2007.

Summary Justice Reform

Legal and support staff will require to be trained on the implications of the new Summary Justice reforms prior to introduction at the end of 2007. At the present time it is estimated that the training commitment for every member of staff will be and will be a mix of e-learning and attendance at a formal training course. The Area will be expected to meet the cost of ad hoc cover from the Area Resilience budget.

Linets

All new Legal, PO and PA staff will receive training on Linets by the end of 2007/08.

RAIB – Railway Accident Investigation Branch Desktop Exercises

APF, DPFs, ABM and Principal Deputes will attend one of the 3 desktop exercises to be organised throughout 2007.

Cashier training

All new Band B staff will attend Departmental Cashier’s training. Course run periodically by the department throughout 2007/08.

5 INFRASTRUCTURE

5.1 ACCOMMODATION ISSUES

The PF office at Stirling is 3 years into a 15 year lease at Carseview House. Installation of air conditioning remains an issue and the subject of correspondence between the Area Business Manager and Estates Division.

The PF office at Falkirk has recently been refurbished and no estates issues are anticipated with the exception of minor maintenance costs.

The PF office at Alloa was refurbished at the beginning of 2006. The refurbishment has resulted in improved storage, security and precognition facilities. However the accommodation is far from ideal for the 6/7 members of staff who occupy the PFO on a daily basis. The level of business being processed at Alloa would suggest that in the medium long term the department should be looking for alternative and larger accommodation out with the Sheriff Court building.

5.2 IT & COMMUNICATION ISSUES

The Area is hoping to see an extension of the video conferencing facility to the Falkirk office early this financial year. The introduction of the unit would lead to a reduction in T &S expenditure and staff travelling time. The unit based at Stirling is used on a regular basis and has allowed staff to remotely link with colleagues in Crown Office, Dundee, Glasgow and Kirkcaldy.

A broadband connection has been installed connecting the PF accommodation at Stirling Sheriff Court and the server at Carseview House. This has resulted in faster access to office applications for legal colleagues working at the court.

The Area has been experiencing difficulties throughout the last year with the viewing and playing of DVD's supplied by Central Scotland Police and others. This is in part due to format difficulties and in part to a lack of appropriate playback equipment in PF offices and Courthouses. These problems are being resolved due to the fact that Central Scotland Police have purchased equipment which will reformat all DVD's into an ISCJIS compliant format. This will allow COPFS staff to playback the DVD's on office PC's (which now have built in DVD players) and Laptops which can be taken into courtrooms and linked to the Sheriff Clerks media presentation units.

A new protocol between COPFS and Central Scotland Police for the requesting of DVD evidence was introduced from the 5 February 2007.

6 FINANCE PLAN

6.1 BUDGET PROPOSALS

2006/07 - Original & Revised Budget Allocations and Forecast spend

	Original Budget	Revised Budget	Forecast Spend
Salaries	£2,145,000	£2,155,000	£2,224,000
Office	£168,000	£168,000	£204,000
Case Related	£570,000	£506,000	£719,000

2007/08 – Budget Allocations

Salaries	£2,216,000
Office	£193,000
Case Related	£727,000

7 OTHER ISSUES

7.1 PLANNED CHANGES IN 2007/08

The Area will examine the feasibility of introducing an Area High Court Unit. PF Falkirk has been asked to undertake this.

The Area will examine the feasibility of introducing an Area Deaths Unit. Principal Depute, Falkirk has been asked to undertake this.

7.2 POTENTIAL FUTURE CHANGES

7.2.1 2008/09

The future of PFO Alloa will have to be reviewed. Given the current volume of serious crime and the subsequent resource implications the current accommodation (refurbished in early 2006) is not practicable for 6/7 permanent members of staff. Alternative accommodation will either have to be found in the Alloa area or alternatively moving staff on a permanent basis to Stirling might have to be considered.

7.2.2 2009/10

8 CONCLUSIONS

The Area has experienced a particularly busy and challenging year in 2006/07. Without exception everyone played their part in ensuring that all business was disposed of quickly and in the most appropriate manner. 2006/07 was a particularly difficult year in the Area due to a number of factors: -

- Significant increase in Solemn business and associated disclosure work
- Unprecedented levels of sickness absence
- Key members of staff leaving the Area and no immediate replacements available (particularly Legal staff)
- Operation Niche

Despite the above the Area succeeded in meeting all Departmental Operational Targets (with the exception of the service of High Court bail indictments (see 2.6 Performance measures). In order to do so the Area has had to employ Ad hoc Temp Fiscals, Precognition staff and Agency typing staff. Without the assistance of these individuals compliance with operational targets would have been seriously effected.

2006/07 saw the: -

- Area at the forefront of the Departmental Change agenda with the Solemn Disclosure pilot at the beginning of the year and the FOS2 and Centralised printing of Personal citations pilots in December 2006 and January 2007 respectively.
- The successful integrating of VIA staff into the Area staff complement.
- The refurbishment of the PFO at Falkirk

We have excellent working relationships with our Criminal Justice partners and other important stakeholders and we will build on these relationships during 2007/08.

We are also committed to becoming further involved with the local community during 2007/08. An example of this is the Area objective to “Organise a liaison event with local church and faith groups to explain the role of the Procurator Fiscal in sudden deaths”.

Good relations exist between Managers and staff within the Area. This was demonstrated by the results of the staff survey report which was published at the beginning of 2006/07. We want to build on many of the positive response which were recorded in the survey report and a Staff Survey Focus group will take this work forward in 2007/08. Area and District Management are dedicated to providing a supportive training and development environment for all of our staff.

2007/08 will be another challenging year for the Area. We are forecasting a further increase in numbers of Solemn cases. In order to continue to achieve Solemn Operational targets additional resources will have to be allocated to this area of the business.

Operation Niche continues to impact on the performance of the Stirling and Alloa offices. The Principal Depute in Stirling is still spending approximately 1 day per week on the preparation of this case. Two Fiscal Officers continue to spend time on a weekly basis dealing with witness and disclosure issues. This is expected to continue until the trial diet on 20 August 2007. It is anticipated that the trial itself will last 6 to 8 weeks. It is expected that the Principal Depute and one of the Fiscal Officers will be in attendance for the duration of the trial.

We hope that the unprecedented levels of sickness absence experienced during 2006/07 are not repeated in the coming year.

The end of 2007 will see the introduction of the Summary Justice Reforms. There will be a significant training commitment prior to introduction of the reforms. Summary Justice Reforms will have a significant impact in the way in which we do our business but we are unlikely to see any impact until 2008/09.

9 ANNEXES

[ANNEX I](#) Corporate Aim, Objectives & Targets

[ANNEX II](#) Objectives & Risk Register:

[ANNEX III](#) Area Structure and Staff Complements 2007/08

ANNEX I: CORPORATE AIM, OBJECTIVES AND TARGETS (2007-08)

Strategic Aim

Serving the public interest, prosecuting cases independently, fairly and effectively.

Objective 1: To secure the confidence of our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime

Target 1 (published): 60% of Sheriff Summary and District Court cases disposed of within 26 weeks of the date of caution and charge by March 2008 [Joint target with Justice Portfolio]

Current Supporting Internal Targets:

To take action in 75% of crime reports within 5 weeks of receipt

To issue 90% of complaints for service at least 3 weeks before a pleading diet.

To complete investigation of complaints of criminal conduct by police officers and advise complainer of outcome within 10 weeks of report to Procurator Fiscal in 60% of cases and within 12 weeks in 90% of cases.

PF to provide initial response to preliminary report of CAP within seven days.

To achieve a 100% approval level of the quality of investigation and decision making in the random selection of complaints against the police case examined annually by the Inspectorate.

Target 2 (published): To implement agreed recommendations of COPFS Inspectorate's Review of the prosecution of racial crime by March 2006 and other agreed recommendations of COPFS Inspectorate's Reviews within two years of such agreement.

Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.

Target 3: Serve indictments in 80% of Sheriff and Jury cases that involve bail within eight months of first appearance on petition by March 2008.

Current Supporting Internal Target:

PF offices to report 75% of custody cases to CO by 60th day from full committal and 95% by the 70th day (subject to meeting last service dates)

Target 4 (published): To serve all High Court indictments that involve bail within 10 months of first appearance on petition and 80% within nine months of first appearance on petition by March 2008.

Current Supporting Internal Targets:

PF offices to submit 80% of well prepared High Court bail cases to Crown Office within 8 months of CFE date.

PF Offices to submit 100% of well prepared High Court bail cases to Crown Office within 9 months of CFE date.

Target 5 (published): In partnership with Justice portfolio, reduce by 10% the level of High Court trial diet adjournments by March 2008.

Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.

Target 6 (published): To communicate court bail decisions within 24 hours to 90% of victims in cases in which the accused has appeared from custody by March 2008.

Current Supporting Internal Target:

To achieve 85% customer satisfaction levels amongst survey respondents.

Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

Target 7 (published): In deaths which require further investigation, to conclude investigation and advise next of kin of outcome within 12 weeks in 80% of cases by March 2008

Current Supporting Internal Targets:

PF offices to conclude enquiries in 80% of deaths not requiring further investigation within 6 weeks.

CO to issue instructions within 5 working days of receipt in 80% of cases.

PF to hold mandatory FAI within 24 weeks of report received in 95% of cases.

PF to hold discretionary FAI within 16 weeks of receipt of Crown Counsel's instructions.

ANNEX II: OBJECTIVES AND RISK REGISTER (2007-08)

Risk Register

Objective 1: To secure the confidence of all sections of the community in the prosecution system by improving the delivery of justice through the timely, efficient and effective prosecution of crime

1	Defined	<p>Target 1 (published): 60% of Sheriff Summary and District Court cases disposed of within 26 weeks of the date of caution and charge by March 2008 [Joint target with Justice Portfolio]</p> <p>Supporting Internal Targets:</p> <ul style="list-style-type: none"> • To take action in 75% of crime reports within 5 weeks of receipt. • To issue 90% of complaints for service at least 3 weeks before a pleading diet. • To complete investigation of complaints of criminal conduct by police officers and advise complainer of outcome within 10 weeks of report to Procurator Fiscal in 60% of cases and within 12 weeks in 90% of cases. • PF to provide initial response to preliminary report of CAP within seven days. • To achieve a 100% approval level of the quality of investigation and decision making in the random selection of complaints against the police case examined annually by the Inspectorate. <p>Target 2 (published): To implement agreed recommendations of COPFS Inspectorate's Review of the prosecution of racial crime. Other agreed recommendations of COPFS Inspectorate's Reviews within two years of such agreement.</p>
2	Key Activities	<p>Work with Criminal Justice partners (Criminal Justice board and Criminal Justice Implementation Officers group) to identify ways of improving efficiency within the area; contribute to the training programmes of other criminal justice partners.</p> <p>District PF's and Divisional Commanders will meet on a regular basis to discuss issues in relation to quality and</p>

		<p>timeous receipt of Police reports.</p> <p>We will seek out opportunities to improve the confidence of the public generally, and the ethnic minority communities in particular – RAHMAS group and outreach work.</p> <p>We will implement all identified actions arising from the various Customer Service Delivery groups.</p> <p>Implementation of FO2 phase 2 from 4th December 2006, will result in increased efficiency in the overall case marking and summary prosecution process.</p> <p>To manage the agreed national protocols with Scottish Courts Service and Police.</p> <p>To work with Criminal Justice partners to ensure effective operation of the Forensic Science protocol.</p> <p>Make best use of FOS and FOS2 to transfer work across the area in order to ensure that the overall Area Targets are met.</p> <p>In anticipation of the implementation of some of the major proposals of the McInnes report, steps are already being taken to enhance the use of undertakings throughout the area</p> <p>Review approach taken to Intermediate diet in Stirling and Alloa. This follows the successful experiment in Falkirk.</p> <p>Senior representatives from the Area will attend public meetings and meet with local MSP's, councilors when required.</p> <p>Develop links with local journalists/ media in an effort to improve relations and to enhance their awareness of the work carried out by COPFS.</p> <p>The Area Diversity group will promote and ensure that Departmental policy in relation to race and diversity issues is implemented. Membership of the Central Scotland RAHMAS (Racial Attacks and Harassment Steering Monitoring group) creates a closer link between COPFS and the local black, ethnic and other minority communities.</p> <p>The Area Diversity group will host at least one event locally aimed at developing links with local black, ethnic and other minority groups.</p> <p>The mini trials initiative involving High School children from across the Area is now an annual fixture in the Autumn court calendar. The initiative is run in conjunction with the</p>
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		local High Schools and criminal justice partners.
3	Resources	<p>Staffing levels as at 1st April 2007 will be SCS (2), Band G (1), Band F (2), Band E Legal (12.6), Band E (1), Band D (10 incl VIA), Band C (6), Band B (32.5 incl VIA) and Band A (1) = Total 68.1 (incl 4 VIA) + 1 Ad hoc PO</p> <p>The allocation of CO Trainees to the Area is an essential part of the Legal staffing within the area. The withdrawal of this annual resource would cause severe operational difficulties within the area.</p> <p>Availability of key personnel as attendance at a number of the above meetings are outside normal office hours.</p> <p>Staff within the Area appointed to work on the Area Diversity group will undertake work resulting from the group or RAHMAS meetings.</p>
4	Controls	<p>Area PF and ABM will carry out quarterly office visits to ensure that Business practices i.e. Task instructions, local protocols have been implemented.</p> <p>Introduction of Task instructions included in the Band C and D Managers performance agreements.</p> <p>Regular meetings with Police, SCS and other Criminal Justice partners at a local and Area level. Local Criminal Justice board, Criminal Justice Liaison officers and Court User groups.</p> <p>Area Diversity group minutes circulated to local Managers. Action points identified and addressed.</p> <p>Monitoring of EF67 Data</p> <p>Evaluation of data from Respond software in respect of complaints from customers</p>
5	Key Risks & Probability and Impact	<p>1. Delay in recruiting and replacing (Particularly experienced) staff Impact 5, Likelihood 4 = I * L 20</p> <p>2. Availability of staff for training Impact 3, Likelihood 2 = I * L 6</p> <p>3. Demand for court time outstrips availability Impact 3, Likelihood 2 = I * L 6</p> <p>4. Poor quality of Police reports / statements Impact 4, Likelihood 3 = I * L 12</p>

		<p>5. Office space limitation impacts on performance targets Impact 3, Likelihood 2 = I * L 6</p> <p>7. Adverse criticism of the Area if a sensitive case is lost or alternatively if witnesses or victims are dealt with inappropriately Impact 4, Likelihood 3 = I * L 12</p> <p>8. Volume of complaints increases Impact 4, Likelihood 3 = I * L 12</p> <p>9. The effect of the Flu pandemic on our ability to maintain services due to staff shortages (approx 50%) Impact 5, Likelihood 3= I * L 15</p> <p>10. The effect of a large Terrorism investigation and our ability to maintain services due to key staff having to be seconded to the investigation team Impact 5, Likelihood 2 = I * L 10</p> <p>11. Levels of sickness absence experienced during 2006/07 continues into new FY Impact 5 – Likelihood 3 = I * L 15</p>
6	Risk Controls	<p>Performance against targets discussed at monthly Management meetings and at team briefings held locally. Performance against targets to be discussed during Area PF / ABM office visits.</p> <p>Information relating to compliance against targets is held on the Departmental Intranet accessed by all members of staff.</p> <p>Close liaison with Crown Office departments should minimise above risks 1, 2 and 5.</p> <p>Working closely and following introduction of the recent COPFS / SCS protocols should reduce the risk relating to 4 above.</p> <p>Quality of Police reports and statements and timeous receipt of these are issues regularly discussed with Police colleagues at an Area and local level thus reducing the risk in relation to 4 above.</p> <p>District PF's and local Managers working closely with the Area Management team will ensure that staff are available to attend relevant training events by identifying suitable replacements i.e. casual staff, temp fiscals. This will reduce the risk relating to 2 above.</p>

		<p>Periodic monitoring of race cases – initial marking / court procedures/ use of interpreters.</p> <p>Volume of complaints can be monitored using Respond software application.</p> <p>Use national database (FOS and SOS) to allocate workload where capacity exists. Area and District Management teams to identify work priorities in the event of significant staff shortages.</p>
7	Evaluation of Outcome	<p>Area will comply with Corporate Objective 1 and related operational targets.</p> <p>Quality of Police reports and statements will improve as will the timeous reporting.</p> <p>Positive feedback from black, ethnic and other minority communities on how they view the COPFS.</p> <p>Volume of complaints received from members of the public.</p> <p>Criminal Justice board will monitor progress towards joint 26 week targets using new Management Information system.</p>

Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and crimes by persistent offenders.

1	Defined	<p>Target 3: Serve indictments in 80% of Sheriff and Jury cases that involve bail within eight months of first appearance on petition by March 2008.</p> <p>Supporting Internal Target:</p> <ul style="list-style-type: none"> • PF offices to report 75% of custody cases to CO by 60th day from full committal and 95% by the 70th day (subject to meeting last service dates) <p>Target 4 (published): To serve all High Court indictments that involve bail within 10 months of first appearance on petition and 80% within nine months of first appearance on petition by March 2008.</p> <p>Supporting Internal Targets:</p> <ul style="list-style-type: none"> • PF offices to submit 80% of well prepared High Court bail cases to Crown Office within 8 months of CFE date.
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		<ul style="list-style-type: none"> • PF Offices to submit 100% of well prepared High Court bail cases to Crown Office within 9 months of CFE date. . <p>Target 5 (published): In partnership with Justice portfolio, reduce by 10% the level of High Court trial diet adjournments by March 2008.</p>
2	Key Activities	<p>We will comply with each of the Published and Internal supporting Targets relating to Solemn Business.</p> <p>We have implemented the CSP / COPFS protocols relating to the reporting of serious crime and on persistent offenders. District PF's and Divisional Commanders will meet regularly to discuss the recently introduced High Impact crime protocol (persistent offenders) in order that a coordinated approach can be taken in dealing with these cases.</p> <p>Implement Departmental guidance in relation to disclosure.</p> <p>Local office Solemn Teams to develop plans on how to ensure that national reporting targets are met.</p>
3	Resources	<p>Office Complements as at 1st April 2007 – 68.1 staff + 1 Ad hoc PO</p> <p>Alloa - 1 Band C Manager & 4 Band B Support staff Total 5</p> <p>Falkirk – 1 SCS District PF, 1 Band F Principal Depute, 6 Band E Deputes, 1 Band D Manager, 3 Band D PO's, 1 Band D VIA Manager, 1 Band C Manager, 1 Band C Personal Assistant and 15 Band B Support staff Total 30</p> <p>Stirling – 1 Band G District PF, 1 Band F Principal Depute, 5.6 Band E Deputes, 1 Band D Manager, 3 Band D PO's, 1 VIA Band D Manager, 1 Band C Manager, 1 Band C Personal Assistant, 12.5 Band B Support staff (incl Contact Centre) & 1 Band A Support staff Total 28.1 + 1 ad hoc PO</p> <p>Area Team – 1 SCS Area PF, 1 Band E Depute, 1 Band E ABM, 1 Band C Personal Assistant, 1 Band B Support staff (Area Team) – Total 5</p>
4	Controls	<p>Local office Solemn Teams will develop plans on how to ensure national reporting targets are met. These Plans should be monitored monthly and reviewed during the quarterly</p>

		<p>office visits by the Area PF and ABM.</p> <p>Individual Performance Agreements should be linked to achievement of local office and Area plans.</p> <p>The Area Solemn workload (new petitions/ reported precognitions and work in hand) will be monitored and reviewed at the monthly Central Scotland Management meetings.</p> <p>High Impact crime protocol will be discussed at monthly Area Management meetings.</p>
5	Key Risks & Probability and Impact	<p>Unsustainable levels of experienced staff turnover Impact 4, Likelihood 3 = I * L 12</p> <p>Solemn business continues to rise at current levels Impact 4, Likelihood 4 = I * L16</p> <p>Poor quality (timeliness, accuracy, completeness) of Police reports & statements Impact 4, Likelihood 2 = I * L8</p>
6	Risk Controls	<p>Review the experience profiles when allocating staff to District offices and individual teams.</p> <p>Ensure that all staff receive the appropriate levels of training.</p> <p>Review of CSP / COPFS protocol on persistent offenders to be carried out each quarter.</p> <p>Monitor precognition output per office on month basis. Recruit ad hoc PO staff if possible and if available.</p>
7	Evaluation of Outcome	<p>Meet national targets relating to reporting dates.</p> <p>Monitor productivity of Precognition staff in each office.</p> <p>Reduction in the level of repeat offenders being reported by the Police.</p>

Objective 3: To provide services which meet the information needs of victims, witnesses and next of kin, in co-operation with other agencies

1	Defined	<p>Target 6 (published): To communicate court bail decisions within 24 hours to 90% of victims in cases in which the accused has appeared from custody by March 2008.</p> <p>Supporting Internal Target:</p>
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		<ul style="list-style-type: none"> To achieve 85% customer satisfaction levels amongst survey respondents.
2	Key Activities	<p>Support the VIA services throughout the Central Scotland area.</p> <p>Maintain and improve links at local level with Criminal Justice partners and support agencies e.g. the witness service, Victim Support, Women's Aid etc.</p> <p>Prepare High Court and Sheriff and Jury cases in line with Bonomy recommendations, providing full witness information and passing information to witnesses.</p> <p>Implement the agreed recommendations of the Sexual Offences Review Report, including enhanced training and guidance for staff, enhanced monitoring of preparation of these cases by Legal Managers and increased liaison with the Police.</p>
3	Resources	<p>2 Band D VIA Officers based in Falkirk and Stirling.</p> <p>2 Band B VIA Support Officers based in Falkirk and Stirling.</p>
4	Controls	<p>Area Team have line Management responsibility for VIA staff and will monitor performance on a regular basis. Quarterly meetings will be arranged with the WS to discuss operational and policy issues. VIA will participate in Police probationer training and will attend the Police FLO Family Liaison Officer training.</p>
5	Key Risks & Probability and Impact	<p>Inadequate cover provided for VIA staff absences Impact 4, Likelihood 3 = I * L 12</p> <p>Increase in workload likely as a result of Disclosure related work plus new legislation in relation to Vulnerable witnesses. Impact 4, Likelihood 4 = I * L 16</p>
6	Risk Controls	<p>Regular communication between VIA staff and Area Management.</p> <p>Ensuring adequate numbers of staff are trained in relation to High Court and Sheriff and Jury disclosure work.</p> <p>Ensuring that all staff are aware of the Departmental guidance in relation to the VWA and in particular the introduction of VWA 3 in the spring 2007.</p> <p>Area and District Management to ensure that all appropriate staff received training and guidance on the Sexual Offences Review Report recommendations.</p>

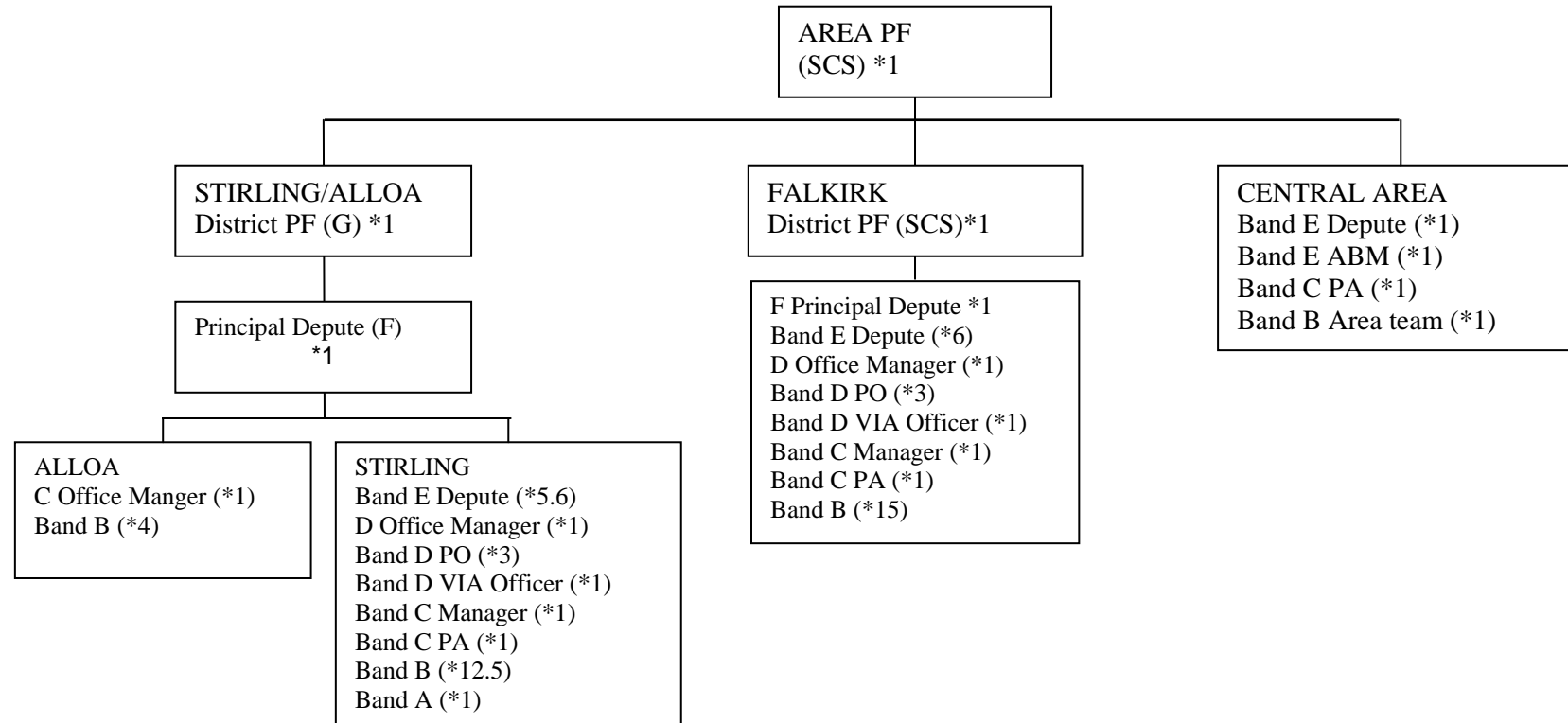
7	Evaluation of Outcome	<p>Regular monitoring by the Area Team particularly in relation to the Sheriff and Jury cases.</p> <p>Monitoring of Response software re number of complaints received.</p>
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Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

1	Defined	<p>Target 7 (published): In deaths which require further investigation, to conclude investigation and advise next of kin of outcome within 12 weeks in 80% of cases.</p> <p>Supporting Internal Targets:</p> <ul style="list-style-type: none"> • PF offices to conclude enquiries in 80% of deaths not requiring further investigation within 6 weeks. • CO to issue instructions within 5 working days of receipt in 80% of cases. • PF to hold mandatory FAI within 24 weeks of report received in 95% of cases. • PF to hold discretionary FAI within 16 weeks of receipt of Crown Counsel's instructions.
2	Key Activities	<p>Area will aim to achieve the published and supporting internal targets within the required timescale</p> <p>Maintaining best practice in accordance with current departmental guidance. In addition, training in bereavement counseling will be examined with a view to providing a better service to next of kin.</p> <p>Make best use of the new Forensic Pathology arrangement which were introduced on the 1st July 2006.</p>
3	Resources	<p>1 Band E Depute based in the Area Team has been assisting in the investigation of a number of historical deaths. A number of these have resulted in FAI's having to be held. Staff within District PF offices have also reported a total of 57 deaths to Crown Office.</p>
4	Controls	<p>Monitor performance against published and supporting internal targets</p> <p>Area Team will closely monitor the use of the new Forensic Pathology contracts which was introduced with effect from</p>

		<p>1st July 2006.</p> <p>Close liaison with the Police, Dundee University, Tayside Mortuary and local NHS staff</p>
5	Key Risks & Probability and Impact	<p>Service providers (Police, NHS or University staff) fail to provide reports to us timeously Impact 4, Likelihood 1 = I * L 4</p> <p>Increase in Area workload may impact on available time to investigate deaths Impact 4, Likelihood 3 = I * L 12</p> <p>Increase in Solemn business may impact of available court time for scheduling FAI's within target period Impact 2, Likelihood 4 = I * L 8</p> <p>Impact of Pandemic – increase in number of death reports reported and our ability to deal with these Impact 4 Likelihood 1 – I * L 4</p> <p>New Pathology arrangements will require time to settle and some local difficulties may result Impact 3 Likelihood 1 – I * L 3</p>
6	Risk Controls	<p>Monitor performance of NHS, University and the Police service providers particularly in relation to the provision of PM reports and Laboratory reports.</p> <p>District PF's to monitor performance against Targets.</p> <p>Area Team to target resource where deficiencies become apparent.</p> <p>District and Area PF to liaise with SCS colleague re court programming</p>
7	Evaluation of Outcome	<p>Compliance with operational targets.</p> <p>Monitoring of Respond software – number of complaints received</p>

ANNEX III: AREA STRUCTURE AND STAFF COMPLIMENTS 2007-8



Total Staffing for Central – 68

Alloa and Stirling (inc. Contact Centre) – 31

Falkirk – 28

Area Team (inc. VIA) – 9

