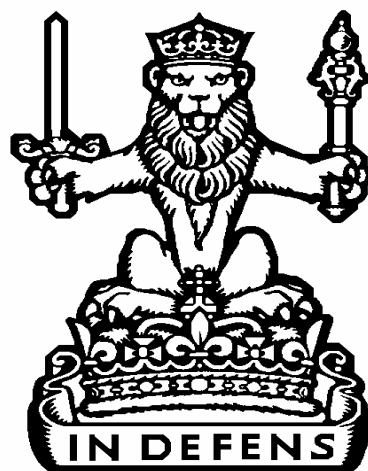


**CROWN OFFICE AND
PROCURATOR FISCAL SERVICE**



**DUMFRIES AND GALLOWAY
AREA
BUSINESS PLAN**

2007-08

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A Department of the Scottish Executive

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EXECUTIVE SUMMARY:

This document is the 2007/08 Business Plan for the Dumfries and Galloway Area of the Crown Office and Procurator Fiscal Service.

Background

Whilst the Dumfries and Galloway Area covers a large geographical area in the South West of Scotland it is the smallest Area within COPFS in terms of the volume of reports received and accounts for about 4% of the department's caseload. The Procurator Fiscal offices are based in Dumfries and Stranraer and serve the Sheriff Courts in Dumfries, Kirkcudbright and Stranraer as well as District Courts in these towns and additionally in Annan and Lockerbie. The Area Management Team is based in the Dumfries Office. We are served by Dumfries and Galloway Constabulary based at Police HQ in Dumfries.

The Area's population has increased 1% in the current financial year, partly caused by the influx of foreign migrant workers. There has been a continued and consistent increase of both serious crime and persistent lower level offending.

The Area has once again continued to respond well to a period of considerable change, driven by legislation, court decisions and internal structural change.

2006/07

This has been a very challenging year for the Dumfries and Galloway Area. We introduced revised processes to facilitate the full disclosure of evidence following the Holland and Sinclair judgement but this has involved our staff in considerable additional work. After a delay in implementation, we have now beginning to see the benefits of a new IT system of Decision Support that is assisting with the marking of the more routine offences.

We have experienced a 5% increase in the number of Criminal Reports received but there has been a 45% increase in net petitions for the Area. Whilst our compliance with performance targets has been much more challenging due to the additional work from disclosure we have continued to meet all operational targets.

We recruited a number of permanent and casual admin staff at the beginning of the year and this has clearly had an initial operational impact on our administration effectiveness and a considerable amount of time has been spent in shadowing and training.

Both ICP and the Summary teams were restructured following a process review to reflect the principles of the Change Management ethos.

The department implemented the Learning Academy to manage performance appraisal and staff development along with a new system to record staff working

hours and we have commenced the planning for the roll out of the second Phase of the Future Office Scotland (FOS) IT system.

The Local Criminal Justice Board has continued to meet on a quarterly basis and an Action Plan has been prepared to ensure that progress is being made in a co-ordinated manner with the aim of increasing our overall effectiveness.

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Priorities for 07/08

Our main priorities for 07/08 will be to prepare the Area for the impending procedural and legislative changes arising from the reform of Summary Justice by improving the quality of our data, undertaking several process reviews to improve their effectiveness and encouraging our staff to undertake refresher training where beneficial in advance of this roll out. We continue to improve our processes for disclosure.

We anticipate a further increase of 20% in total reports received with an associated 20% increase in solemn casework. 15% of this general caseload increase is as a result of previous under reporting from DVLA and TV Licensing and a projected increase from speeders as the police revert to the Lord Advocate's guidance on reporting this particular category.

It will be critical that we have effective management of this workload and the introduction of a Solemn Principal Depute would ensure this was carried out accordingly and release the Dumfries District Fiscal to concentrate on his other managerial duties and the increased pressures from partnership working and community engagement.

We will be working to identify the best way to develop our staff utilising the new appraisal system and the Learning Academy and the increasing opportunities for staff training when the new training facility in Legal House, Glasgow opens. Clearly this will have a significant impact on both our own and Training Divisions T and S expenditure.

An issue for the area is the difficulty in recruitment of professional staff and in securing temporary cover when required and whilst we have a complete compliment at present it may be that one or two existing legal posts could be vacated during 07 – 08, however we have identified these posts as suitable for the Talent Management and Succession Planning programme.

Prepare and implement a programme to support the potential refurbishment of the Dumfries Office to ensure minimal disruption to the operational effectiveness of both the District and Area business.

We have 38 staff including part-time staff working within the Area and a budgeted posts complement of 32.1 at 1 April 2007.

Our associated total allocated budget for 06 – 07 was £1,328,000.

1. BACKGROUND

1.1. INTRODUCTION:

This document is the Business Plan for the Dumfries and Galloway Area of the Crown Office and Procurator Fiscal Service for 2007-08. It is an integral part of the corporate plan, therefore mirrors the strategic aims and objectives of COPFS. The preparation of the Business Plan has involved consultation with staff across the Area. The issue of “Business Planning” was the main item at our Area Training Day in October 2006. The targets set within this document will be used to inform the objectives of all staff within the Area and as a reference point for basing our Strategic Vision.

As well as demonstrating the area’s ability to deliver corporate objectives it explores the area’s focus on local objectives and initiatives developed with our criminal justice partners. This document is a communication tool for our customers and as a plan for Dumfries and Galloway to deliver its accountability to its Stakeholders.

As the number of criminal reports in Dumfries and Galloway is on the increase for the 8th successive year, we must increase our efforts during 07-08 to work with our Criminal Justice Partners and play our part in tackling crime and re-offending within our community.

Main successes in 2006-07

- We effectively implemented the new procedures for the disclosure of evidence despite the extremely challenging timeframe following on from the judgment in the Holland and Sinclair case
- In order to meet the mandatory targets that were set on data quality, we undertook considerable activity to clear many of our historical data and have invested time in training staff on the importance of data quality.
- We continued to make a financial commitment on an adhoc basis to using an agency typist to work on Dumfries Solemn PI Tapes.
- We received an upgrade to our computer hardware to facilitate faster processing and provide larger screens to assist staff in viewing several software applications at the same time
- Implemented changes to the operational structure within the Dumfries Office ICP and Summary teams.
- The Solemn team set up in Dumfries has continued to perform very successfully despite the ever-increasing workload.
- As part of the process in both Solemn and Summary all casework has been very much front loaded to ensure that crucial work is carried out as early as possible and early pleas, particularly Section 76 pleas are pursued vigorously. This has been demonstrated in both the Summary and Solemn Unit’s performance. 73% of Summary casework was dealt with at the pleading diet whilst 50% of Sheriff and Jury cases and 42% of High Court were resolved by Section 76 pleas. These rates are as high as any achieved by any other Area in the country.

Main challenges for 2007-08

- Ensure that our staff are trained effectively in the FOS2 IT System which is due to go live in early summer 07 whilst assuring the continued delivery of an effective service to customers during this period
- Implement the provisions of the Vulnerable Witnesses (Scotland) Act 2004 to summary cases
- Continue to address the ongoing review of the Disclosure process

- Work with our Criminal Justice Partners to identify improvements to the quality of our processes and the elimination of inefficient practices, particularly in relation to the adjournment rates of cases within courts
- Continue to address the issues raised by staff in the Staff Survey 2005 as part of an Area Action Plan
- Implement the agreed recommendations of the Sexual Offences Review, which are likely to include the need for guidance and training for staff, enhanced monitoring of preparation of these cases by Legal Managers and increased liaison with the police.
- Ensure the continued operational effectiveness of the Dumfries Area and District business during the proposed refurbishment of the Dumfries Office.
- Liaise with Dumfries and Galloway Education Authorities regarding work experience for pupils between 3rd and 6th year and participate in the delivery of a programme to 1st and 2nd year pupils called “Citizenship and the Law”.

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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 and further information can also be found on our website www.crownoffice.gov.uk

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.

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

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

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

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

1.2.4. Stakeholders:

We will continue to work with our main stakeholders throughout 07-08 to ensure that Dumfries and Galloway delivers the required service for its community. These include:-

- Scottish Parliament Justice Committees 1 & 2
- Scottish Executive Justice Department
- Criminal Justice Partners – Police, the Judiciary, Scottish Court Service, Scottish Prison Service, Local Authorities
- The General Public
- Victims & Witnesses
- Defence Agents
- Representatives of minority communities
- MSPs, MPs and Councillors

1.3. LOCAL CONTEXT

1.3.1. Local Aims and Objectives

The workload of the Area is affected by the volume and nature of crime occurring, by the success of the Police and other agencies in detecting offenders, particularly those involving serious crimes, and by Police strategies to address low level offending and anti-social behaviour which affects quality of life in local communities. We predict that there will be a further 20% increase in reported crime during 07 – 08.

Dumfries and Galloway Constabulary has seen both a significant increase in the detection of both serious and summary crime; in particular, there has been a sustained increase in detections of crimes of violence, having an 8% increase in detections of serious assaults and a 58% increase in reported drugs related crime. The Area continues to receive information from SCDEA operations that contributes to this increase.

These trends are reflected in a 45% increase in net petitions in the Area. While there are National wide initiatives to seek to address violence, it is clear that any resulting legislative changes will not have any short-term impact to current reporting levels and there is certainly no evidence of an immediate reduction in serious crime, or its return to previous levels.

1.3.2. Structure of Dumfries and Galloway Area:

The Dumfries and Galloway Area of COPFS consists of 2 offices:-

1. Dumfries Office – located at 44 Buccleuch St, Dumfries.
2. Stranraer Office – located in the Sheriff Court, Stranraer.

Tom Dysart, the Area Procurator Fiscal is based in the Dumfries Office and is supported in leading the Area to achieve its objectives by the Area Business Manager and the District Procurators Fiscal.

A District Procurator Fiscal assisted by an office manager, legal and administrative staff, manages each office.

Although each District Procurator Fiscal is autonomous, some aspects of work are managed on an area wide basis, for example initial case processing and precognition.

The Area Management Team is based in the Dumfries office and comprises the Area Procurator Fiscal, Area Business Manager and the Area Personal Assistant.

The Victim Information and Advice unit, staffed by a Via Officer and Via Assistant, is based in Dumfries but covers the whole area. The area's boundaries are contiguous with those of Dumfries and Galloway Council and Dumfries and Galloway Constabulary. It falls within the Sheriffdom of South Lanarkshire, Dumfries and

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Galloway and served the Sheriff Court Districts of Dumfries, Kirkcudbright and Stranraer.

The District Procurators Fiscal cover the following courts:-

Office	Sheriff Courts	District Courts
Dumfries	Dumfries	Dumfries
		Annan
		Lockerbie
	Kirkcudbright	Kirkcudbright
Stranraer	Stranraer	Stranraer

1.3.3. Summary Organisation Chart:

An organisational chart is included at Annex II.

1.3.4. Resources:

Staffing

Our staffing complement for 2006-07 was 32.1.

For 2007-08, we anticipate a staffing complement of 35.1. This will reduce to 33.1 on 1 July 07 by which time the second phase of the IT System FOS should have been introduced.

[NB. The impact of our business cases for additional staff will be factored into these figures and our budget bid following our bilateral meeting in Feb 07.]

Financial

	<i>Budget Allocation: 2006-07 (£k)</i>	<i>Budget: 2006-07 (£k) Revised Mid Year</i>	<i>Forecast Budget: 2007-08 (£k)</i>
Staffing	1,052	1,060	1,096
Office Costs	100	100	117
Case Related Costs	145	168	173
Total	1,297	1,328	1,386

1.3.5. Local Stakeholders:

In addition to our national stakeholders, we will continue to foster good working relationships with our local stakeholders including:-

- Local Police Divisions

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- Sheriff Clerks' Offices
- The Local Criminal Justice Board
- Dumfries and Galloway Health Board
- Domestic Abuse Strategy Group
- Safe and Healthy Communities Forum
- Race Equality Council
- Alcohol and Drug Action Teams
- The Witness Service
- Multi Agency Racial Incident Monitoring Groups
- Children's Services Chief Officers Group
- Youth Strategy Group
- Race Relations Consultative Group
- Local Authority's Area Management Teams
- Dumfries and Galloway Education Department

2. OPERATIONAL ISSUES

2.1 CORPORATE CONTEXT:

2.1.1. Key Issues

The Dumfries and Galloway Area is responsible for:-

- Considering, and taking appropriate action on, reports in respect of crimes committed in Dumfries and Galloway;
- Conducting related prosecutions in the Sheriff and District Courts and investigating the most serious crimes for prosecution in the Sheriff and Jury and High Courts
- Investigating sudden deaths which occur in the Area and conducting Fatal Accident Enquiries (FAIs)
- Investigating all complaints alleging criminal conduct by Police Officers in Dumfries and Galloway and conducting related prosecutions.

During 2007-08, there will be a number of operational pressures facing the Department. Given the nature of these pressures, the Department will need to plan for process changes linked to the legislative timetables, the principal of which will be the Summary Justice Reform Bill which is anticipated to receive its Royal Assent late in 2007 and the implementation of phase 3 of the Vulnerable Witnesses (Scotland) Act 2004 i.e. the extension of vulnerable witnesses to children and vulnerable adults in summary cases in April 2007 and December 2007 respectively.

The area will continue to concentrate on its very successful policy of front loading resources into the casework process that has achieved a high rate of pleas in both summary and solemn cases.

In general, the area is working closely with criminal justice partners to develop ways to best meet our operational needs and those of witnesses and victims of crime.

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2.2 OPERATIONAL PRIORITIES & BUSINESS RISKS:

The national published and internal targets are set out in more detail in **Annex I**. The table below summarises the key published targets which we are responsible for delivering within Dumfries and Galloway. Our primary focus over the course of the year, will be the achievement of each of these targets by the Area as a whole, however, we will endeavour to also ensure, as far as possible, that these targets are achieved by each office within the Area, every month.

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

The achievement of all of these targets carries certain associated risks. These have been analysed and measures to manage the risks have been identified as part of our Area Risk Management Register. The Objectives and Risk Register is reviewed regularly by the Area Management Team and is available from the Area Business Manager.

Key areas of risk within the Dumfries and Galloway are associated with the lack of experience of employees and the time taken to recruiting new staff and the budgetary implications in utilising temporary staff.

Another huge risk to the area is the ongoing increase in the level of serious crime reported. In such a small area with minimal resources, fairly modest increases in the reporting of solemn casework can have a significant impact. Throughout the reporting period the area has managed to achieve all operational targets although this has placed considerable pressure on it's resources particularly in dealing with the Solemn work.

2.3 WORKLOAD & STAFFING FORECAST:

Our forecast workload for the Dumfries and Galloway Area has been prepared and was submitted as part of our business planning process. Details are available from the Area Business Manager.

Whilst Dumfries and Galloway is a largely rural area, with only one major town, Dumfries, the profile of work is affected by the location of the ferry ports in Stranraer and Cairnryan and by the nature of the traffic that uses the A75 and m74 roads that pass through the area. Thus the area sees a fairly high volume of drugs interceptions, wide-ranging road traffic offences and immigration and terrorist offences.

It is also a community in which the population has increased by 1% over the current financial year including a significant influx of foreign migrant workers.

The area's workload has grown steadily over the past few years. A continued notable aspect of it, however is that a very high proportion of cases are resolved at early stages in the process. This means that the summary weighted unit figures are low by comparison with the actual number of cases progressed. The recent departmental adjustment to the Solemn weighted unit figures are clearly more reflective of the contribution made throughout the entire solemn process. Despite the low summary weighted units figures the weighted unit/staff figures arrived at in the Workload template are very high by comparison with the national indicative figures. Clearly the weight of increase carried by the increase in solemn business is significant and the Solemn management of this work by a Principle Depute and a further permanent Band B is critical to the continued operational effectiveness of the solemn business throughout the area.

The area's small size means that the area management team and VIA account for almost half the Area's management compliment. As a result, it has a disproportionate effect on the manager:staff ratios. In addition, the Area Management team and VIA staff also impact significantly on the weighted units analysis.

In the year to November 2006, the Area received a total of 11,168 criminal reports that equates to 4% of the national figure of 322,537. This was an increase on the figures for the previous year for Dumfries and Galloway of 5%.

Following through on this trend, we predict that during 2007-08 approximately 13,400 reports will be received. On reviewing our performance and workload over the 12-month period up to November 2006, we have predicted the following disposals for the year 2007/08. This will also reflect increased reporting from both DVLA, TV Licensing and the police.

A brief overview of our predicted workload and performance for the current financial year against that predicted for 07 – 08 indicates the following:

Activity	Apr 06 - Mar 07	% change	Apr 07 - Mar 08
Criminal Reports Received	11,168	20%	13,400
Non Court Disposals	6,784	14%	7,716
District Court Disposals	3,304	17%	3,865
Sheriff Court Disposals	5,962	5%	6,260
Sheriff and Jury disposals	279	16%	332
High Court Disposals	54	14%	63
Totals	27,551	22%	31,636

2.4 PERFORMANCE MEASURES:

The Area has made strenuous efforts to meet all of our internal targets over the last 12 months and is currently meeting most of the targets. However this has been achieved through the additional use of resilience i.e. overtime and agency staff.

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Performance measurement position as at end of November 2006

Target	Objective	PFS	Dumfries and Galloway Area
Custody Cases: Serve Indictment	Serve 100% by 80 th day	High	100%
		Sh and J	100%
Bail Cases: Serve Indictment	Serve 100% in 10 months	High	100%
	Serve 80% in 9 months		76%
	Serve 80% in 9 months	Sh and J	90%
	Serve 60% in 8 months		68%
Take/Implement Decision	Process 75% within 5 weeks	85%	89%
Routine Death	Investigate 80% within 6 weeks	97%	93%
Investigate Death	Investigate 80% within 12 weeks	80%	69%
CAPs: Area PFs	Close in 10 weeks – 60% of cases	80%	83%
CAPs: Area PFs	Close in 12 weeks – 90% of cases	89%	92%

2.5 PROCESS REVIEWS:

As part of the Service wide initiative to improve our procedures and identify efficiencies, we undertook a process review of the structure of both ICP and Summary teams within the Dumfries office during the year 2006-2007. A number of further reviews in respect of key operational processes will be carried out during the forthcoming financial year. Other process reviews currently ongoing include:-

- Induction procedures (Area wide)
- Filing (Area wide)
- Disclosure activities (Area wide)
- Data Quality (Area wide)

A review of our telephone enquiry arrangements had been scheduled for 2006-07 but due to the new national telephony contract which is due to be introduced by early summer 2007, this has been postponed.

All of our process reviews are conducted as small projects and the respective office manager or the Area Business Manager leads each one. These teams include representatives from within each office. This has the advantage of allowing our managers to gain practical project management experience.

For the forthcoming year, we plan to:-

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- Continue to improve the Management Information exchanged with the police
- Consider if the current structure of meetings held with the police continues to build on our effective partnership arrangements
- Undertake a programme of process reviews relating to Data Integrity matters.
- Work with our Local Criminal Justice Board to identify any further opportunities for efficiencies and to improve our service.

3 ENVIRONMENT & STAKEHOLDERS

3.1 CORPORATE CONTEXT

3.1.1 National Framework: Best Value

Since April 2002 there has been a duty of Best Value on Accountable Officers to “ensure arrangements are in place to secure Best Value”. The duty was described in published guidance as:

- the duty of Best Value, being to make arrangements to secure continuous improvements in performance and
- to have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.

Ministers wish to encourage and embed the principles of Best Value across the wider public sector, and the Best Value and Performance Team within the Executive have been tasked with taking this forward with revised guidance included in the Scottish Public Finance Manual.

3.1.2 National Framework: Efficient Government

The COPFS efficient government target in 2005-06 were savings in witness costs and estates rationalisation (£0.5m), alternatives to prosecution (£1.1m), increase in Sheriffs’ solemn sentencing powers (£0.4m) and staff savings from the introduction of FOS (£0.8m). Overall the target was met though the latter target was missed due to delays in FOS2.

3.1.3 National Framework: Sustainable Development

By applying sound working practices and introducing a number of new initiatives, we can enhance our commitment to sustainable development. This includes the following:

- our continued focus on prosecutors in dealing with environmental and wildlife crime

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- looking to improve our approach to the prosecution of cases by the Scottish Environmental Protection Agency (SEPA) and local authority environmental health departments
- further development of electronic case management and marking using the Future Office System software with its emphasis on reducing reliance on paper based systems
- adopting best practice on sustainable procurement
- only taking criminal proceedings where the evidence available and the public interest justifies it

3.2 IMPACT OF EXTERNAL INFLUENCES

3.2.1 Bonomy and Summary Justice Review:

The ultimate shape of the Summary Justice Reform package will not be fully known until the Bill completes its parliamentary passage but throughout 2006-07, we have been making contributions to develop the procedures that are likely to be required for implementation from December 2007.

The area has made a significant personnel contribution to the work being done around this legislation with Tom Dysart, Area PF and Alan Cameron, Depute Fiscal, Stranraer involved extensively in a number of working groups.

The Area will in due course plan for any changes arising from the impact of this legislative change. A significant period of training will be required prior to its implementation along with increased liaison with our Criminal Justice partners.

Once implemented there will also have to be increased liaison with the police to monitor compliance on all new guidance on the content of police reports, extended use of undertakings and with Court Users to ensure maximum impact on the court programme.

We will continue to focus effort on preparing High Court cases fully for Preliminary Hearings to ensure that the improved efficiency of the reformed High Court procedures is maintained.

3.2.2 Disclosure (Holland & Sinclair):

Dumfries and Galloway has continually reviewed its Disclosure processes to allow us to meet the obligations regarding statements and previous convictions. However compliance with the guidance and timeframe in both summary and solemn is proving to be a challenge. We have continued to work with the police to jointly improve our performance although the staff resource requirement to do is significant.

3.2.3 Vulnerable Witness Act:

The implementation of the Vulnerable Witnesses (Scotland) Act 2004 will be extended to Summary Cases to cover all children in April 2007 and vulnerable adults in summary cases in December 2007. This will allow these groups to opt for the provision of special measures while giving evidence and will result in an increased workload in a number of ways.

Our staff will require to liaise closely with the Court Service partners to ensure that the impact of the vulnerable witness legislation is effectively managed. Cases involving vulnerable witnesses will involve work liaising with witnesses to establish their preferred method for giving evidence and the preparation of applications to the court. They are also likely to take longer to prosecute and require a closer degree of liaison with between our staff and the Sheriff Clerks, for instance to secure provision of offsite closed circuit TV facilities or other special measures which are required. Recent experience suggests that such cases can take considerably longer than routine cases with similar numbers of witnesses.

Similarly, Senior Management in the Area will require to liaise closely with our police partners to capture all relevant information on potentially vulnerable witnesses are adhered to.

3.3 STAKEHOLDERS

The Area works closely with criminal justice partners to increase the efficiency and effectiveness of the criminal justice process and to tackle issues of public concern. We have regular liaison with officials from a wide range of organisations:

- With the police at various levels;
- With the Sheriff Clerks and Sheriffs again at various levels, from the local Criminal Justice Board, through to court users' groups meetings;
- With the clerks of the District Courts (and occasionally local magistrates);
- With the local criminal social work manager;
- With the Reporter to the Children's Panel; and
- With the Scottish Prison Service (Dumfries Prison).

We recognise that although we work in an adversarial criminal justice system, it is essential that we work closely with defence agents. We have extremely good working relationships with the local bar in all 3 Sheriff Court Districts.

In addition, we acknowledge the interest of elected representatives in criminal justice issues and maintain contact with local MSP's, MP's and councillors.

Of course, as a public service organisation, our key stakeholders are the General Public and in particular victims and witnesses. We work closely with a range of local voluntary organisations to provide the best service to them.

4. HR PLAN

4.1 CORPORATE CONTEXT

4.1.1 Personnel and training reforms:

The Department's personnel function was the subject of an external peer review in 2006 and the recommendations will be taken forward in 2007. It is intended to re-align the HR personnel service with the business needs as outlined in the Strategic Plan and local Business Plans.

It is intended that the new Fiscal Academy facility within Legal House in Glasgow will be operational by summer 2007. This accommodation will be a major step in the continuing development of the Skills for Success initiative. Among those to benefit will be an increased number of legal trainees with 25 accepted in the latest intake.

Initial planning for the roll out of Summary Justice Training is underway. An outline of the training implications has been received from workstream leaders and a draft four-day training programme has been prepared.

4.1.2 Key issues:

Sickness and absence rates continue to fall with the number of days lost nationally declining from 11.6 in 2003 to 11.1 in 2004, 10.5 in 2005 to 10.9 to date in 2006.

In Dumfries and Galloway the rate remains lower than the national average. We will continue to monitor this and consider ways to further reduce this level over the year.

4.2 STAFFING PLAN:

Our staffing allocation is:-

Office	Legal/PO Staff in 06/07	Administrative staff in 06/07	Total 06/07
Dumfries	10.5	15.9	26.4
Stranraer	2	3.7	5.7
Total	12.5	19.6	32.1
Office	Legal/PO Staff in 07/08	Administrative staff in 07/08	Total 07/08
Dumfries	11.5	15.9*	26.4
Stranraer	2	3.7	5.7
Total	13.5	19.6	33.1

* to be reduced by 1 post during financial year due to FOS Phase 2 implementation

4.2.1 Key Personnel:

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- Area PF
- District Procurators Fiscal
- Area Business Manager
- Office Managers
- VIA
- Legal
- Administrative

4.2.2 Staff mix & experience:

Throughout the Area there is a significant amount of experience within both the legal and managerial grades including VIA. This is a critical factor that must be considered when reviewing performance against the weighted unit figures shown on the “Workload Forecast and Staffing Proposal”. This area clearly benefits from this weight of experience however should that change it is suggested that this would most certainly have an adverse impact on the current level of performance.

Within the administration grades there is a mixture of experienced and less experienced staff and this has clearly had an impact on the operational effectiveness of the support process although once again the commitment displayed by all staff has been extremely positive to date. There is clearly a significant training commitment to the less experienced staff in the initial stages of their employment.

4.2.3. Other staffing issues:

The Area PF is also leading the Departmental Case Marking Review Group and is Project Manager for the Direct Measures Improvement Project Board. This currently takes up at least 40% of his time and clearly impacts on his ability and time to fulfil his responsibilities as Area PF.

The Dumfries District Fiscal is also whilst carrying out his primary remit also has to manage a significantly increasing solemn workload as indicated. In essence carrying the function of a Principle Depute. Initial comparators with other similar offices indicates that all District offices of similar size and solemn workload have Principle Deputes as part of their management structure.

The Area PF, ABM, District Fiscals and two established developmental depute posts have all been identified as suitable for the Talent Management and Succession Planning programme. The consequence of this is that recruitment to the area always proves to be a challenge and could prove costly in terms of finance and continued operational effectiveness should we fail to replace a post quickly.

4.2.3 Local plans/initiatives:

- The local office managers are to create greater flexibility amongst admin staff and will ensure staff receive regular training on all operational processes and will increase the rate that staff are rotated between desks and teams. This will improve operational flexibility and performance throughout the area.

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- The above policy will also contribute significantly to each individual's own personal development.
- Community Engagement strategy including liaison with schools (work experience and Citizenship and the Law), ethnic minority community, local council area committees.

4.2.5 Consultation:

- Team briefings
- all office briefings
- Business Review meetings
- Area Management meetings
- Staff survey meetings
- Invitation to the departmental PCS rep to attend the area and speak to staff.

4.3 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.”*

The Area Training Committee ensures that there is input from staff across the Area. During 06 – 07 the committee organised several Area Training Events including 2 Area Training Days. The committee will again play a key role in structuring our training plans for 07 – 08.

The Dumfries and Galloway Area is prepared for a significant training programme being coordinated by Crown Office in the year ahead in relation to the introduction of FOSII, Summary Justice Reform Management and Leadership Development Programmes, Skills for Success and Refresher Learning Academy Training.

A more detailed breakdown of training for 2007/08 is detailed in the Training calendar.

5. INFRASTRUCTURE

5.2 ACCOMMODATION ISSUES:

- **The Dumfries office** is an old listed building located in the town centre. Whilst its location is ideal, with the Sheriff and District courts being next door and the Police station a few minutes walk, its current fabric and layout are not ideal for the modern Procurator Fiscal's office. I think "shabby and tired" are apt in this instance.
- The structure means that staff are located in rooms of varying sizes over three floors and as a result general floor planning, filing and general storage is of a

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very poor standard. Existing storage units are extremely old and not in line with modern filing standards. There are no formal interview rooms and witnesses are routinely interviewed in a conference room.

- The conference facilities are minimal and severely restrict the numbers attending meetings and we have had to out house a number of meetings/visits by Law Officers etc because of this.
- In addition, the general condition of the building both internally and externally is poor. Several of the basement rooms experience damp problems coming from the external wall adjoining the car park on ground level. The building currently does not afford disabled customers appropriate access.
- Refurbishment would allow us to implement the change management working practices in an open plan co-located environment and provide more easily accessible and secure interviewing facilities for precognosing witnesses.
- Consideration was given to looking for more suitable premises elsewhere in the town however nothing suitable was found.
- It was also felt that we could indeed make considerable better use of the existing floor space within the current premises.

In view of these facts the Area Business Manager has coordinated a programme of consultation with staff, Estates and planning with a view to provide a modern environment in which to work.

These plans are now at an advanced stage and it is hoped that approval will be given to implementing the proposed refurbishment of the Dumfries office early in the new financial year.

The Stranraer office is located within the Sheriff Court building and the general layout of the accommodation is poor and floor space is minimal. There are no secure interview rooms, nor a conference facility and staff security is of concern.

General filing and storage requirements are currently under review.

Whilst it is unlikely that funding would be made available during the forthcoming financial year the Area team and the Stranraer staff are reviewing the current accommodation situation including the benefit of a full refurb or relocating the office elsewhere.

Dumfries and Stranraer: Minor issues continue to be addressed on a daily basis by the Office Managers, supported by our colleagues in Estates Unit, Edinburgh although significant concern has been raised about the property management company GVA Grimley in respect of their performance in dealing with issues relating to the Dumfries office. Their failure to deal with matters effectively has had a adverse impact towards the operational effectiveness of the office.

Kirkcudbright Sheriff Court provides us with a room within their accommodation for use on court days as all Kirkcudbright casework is collocated at Dumfries.

5.1 IT ISSUES:

Following a delay in the roll out of Decision Support to Dumfries and Galloway, we are now benefiting from its ability to speed up our marking of the more routine cases. Phase 2 of FOS is due to be implemented in early 07/08 and our staff will be receiving appropriate training to allow them to fully utilise this system. An electronic system for disclosure was implemented during the latter part of 06/07 but it has been our experiences so far that its full benefits will take some time to materialise.

During the forthcoming year, in terms of IT we will:-

- Effectively introduce the second phase of FOS
- Undertake targeted refresher training to ensure that our staff obtain the full benefits from the IT system
- Carry out a review of laptop usage and availability following the distribution of the new laptops
- Following the introduction of the Learning Academy, review the availability of PCs within quiet rooms as there is an increased need for this facility to carry out performance appraisal reviews
- Continue to ensure that all staff are proficient in the use of FOS, PROMIS and all other relevant IT packages.

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6 FINANCE PLAN

6.1 BUDGET PROPOSALS:

Introduction of:

- 1PD
- 2FO

Full details of the proposed budget for 207 – 208 have been submitted for consideration as part of the planning round.

6.2 EFFECT OF PROPOSED CHANGES/BUSINESS CASES:

The staffing allocation for 07/08 will be 33.1 until FOS2 savings (1 post) is relinquished.

Area	Office	SCS 1A (incl o/t)	SCS 1 (incl o/t)	F (L)	F	E (L)	D	C	B	Grand Total
	DF		1.0	2.0		5.0	5.5	2.0	10.9	26.4
	SR			1.0		1.0		1.0	3.7	6.7
	RESILIENCE									0.0
	DISCLOSURE									0.0
	OTHER									0.0
Total			1.0	3.0		6.0	5.5	3.0	14.6	33.1

This compliment will reduce to 32.1 during the current financial year following the successful implementation of FOS Phase 2.

The Business Case for the Dumfries PD post is attached at Annex V

7 OTHER ISSUES

7.1 PLANNED CHANGES IN 2007/08

7.1.1 Potential Future Changes:

The following are changes that may arise:

- Increase in Area working i.e. case marking, deaths, and solemn work.
- In line with Scottish Executive policy of work relocation to rural areas may open up possibility for a further PI Tape unit given continued increase in solemn work.
- Awaiting outcome of call centre pilot that may impact on local call handling and telephony strategy.
- Home working
- Extended duties and responsibilities to Band B and Precognition staff currently being reviewed by the “Careering Ahead” working group.

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7.1.2 2007/08

Summary Justice Reform

The implementation date for the Act, which will contain the Summary Justice Reform changes, is presently timetabled for December 2007. The Area will require to make plans for any changes in arrangements for making decision on reports of crime, for making earlier disclosure of evidence to the defence, for greater use of undertakings by the Police to accelerate the calling of cases in Court and for implementing new provisions on bail. These plans will include a substantial element of training for our staff and close liaison with Criminal Justice Partners. Increased liaison with the Police will be necessary to monitor compliance on new guidance on the content of Police Reports and the extended use of undertakings and with Court Service Partners to ensure optimum use of the Court programme in light of these changes.

7.1.3 2008/09

Summary Justice Reform

It is expected that we will consolidate on the Summary Justice Reform changes introduced in 07/08.

We will work closely with the Scottish Court Service as they review their estate requirements to help them meet their business objectives from this review and to ensure that the needs of our customers are taken into consideration where appropriate.

There may be initial steps to unify the Sheriff and District Court administrations, subject to incremental implementation across the country. There will require to be close liaison with Court Service partners about this change. The local Criminal Justice Board is anticipated to continue to have an active agenda monitoring the effects of the new procedures, and identifying blocks to efficiency.

Solemn Work

The possible extension of FOS to solemn case management may see further enhancement of our case handling.

CONCLUSION

It is suggested that considerable effort will be required to ensure that we deal with the key priorities identified within the body of this plan and the pace of change that will impact significantly on our overall performance including SJR, FOS Phase 2, Disclosure, partnership working, greater community engagement, training and development and performance management and personal development utilising the Learning Academy.

The PD post sought would certainly bring the weighted units closer to the 2006/7 national indicative figures.

As has been the case for a number of years now, the relative size of the Area Management team and VIA Unit significantly skews the area figures and the reality is that the Dumfries PF and Office Manager have noticeably greater workloads than colleagues in comparable offices.

The Principle Depute would replace a similar post that was removed from the Dumfries office in the 2005/6 budget round. This would also allow for the release of 0.3 of a Principle Depute post that provides assistance to us from Ayrshire. This is not apportioned to our core staffing costs and we understand Ayrshire are keen to reinstate this portion back into their own staffing proposal for 2007/8.

Despite the increase in workload we are confident if we are successful in our bid for additional resources that we can continue to deliver on operational target performance whilst continuing to work very successfully in partnership with other criminal justice organisations and to minimise the impact of crime on the community and deliver a service that is “fit for the purpose” it was intended.

9 ANNEXES

I. Corporate Aim, Objectives & Targets

II. Objectives & Risk Register

III. Workload Forecast and Staffing Proposal

IV. Budget Proposal

V. Business Case

VI. Organisation Chart

VII. Area Training Plan 07 - 08

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



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Annex III

Workload Forecast & Staffing Proposal



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Annex IV

Budget Proposal



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Annex V

Business Case



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Annex VI

Organisation Chart



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Annex VII

Training Plan



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