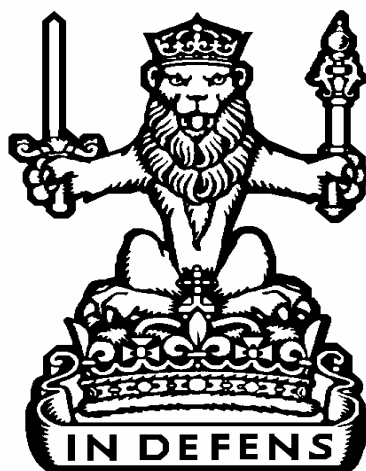


# CROWN OFFICE AND PROCURATOR FISCAL SERVICE



## LANARKSHIRE AREA BUSINESS PLAN

2007-08

# αβχδε

A Department of the Scottish Executive

## Version / Status Control:

Version	Date	Status	Prepared by	Reason for Amendment
0.1	8 Jan 06	Draft	N Darroch	1 <sup>st</sup> Draft – initial outline
0.2	12 Jan 07	Draft	N Darroch	2 <sup>nd</sup> Draft – for submission to CO
1.0	3 May 07	Version	N Darroch	Final Version
2.0	21 May 07	Version	N Darroch	Published on Intranet

**Contents:**

Version / Status Control:.....	2
Contents: .....	3
EXECUTIVE SUMMARY: .....	4
1. OVERVIEW .....	6
1.1. INTRODUCTION: .....	6
1.2. CORPORATE CONTEXT: .....	8
1.3. LOCAL CONTEXT .....	10
2. OPERATIONAL ISSUES .....	11
2.1. KEY ISSUES: .....	11
2.2. OPERATIONAL PRIORITIES: .....	11
2.3. BUSINESS RISKS: .....	12
2.4. WORKLOAD & STAFFING FORECAST: .....	12
2.5. PERFORMANCE MEASURES:.....	13
3. ENVIRONMENT .....	13
3.1. CORPORATE CONTEXT: .....	14
3.2. LOCAL CONTEXT .....	14
3.3. CRIME TRENDS .....	15
3.4. LEGAL, LEGISLATIVE & OTHER EXTERNAL INFLUENCES:.....	16
4. HR PLAN.....	17
4.1 CORPORATE CONTEXT .....	17
4.2 STAFF ALLOCATION.....	17
4.3. TRAINING & DEVELOPMENT PLAN: .....	18
5. INFRASTRUCTURE .....	19
5.1. ACCOMMODATION ISSUES:.....	19
5.2. IT ISSUES: .....	19
6. FINANCE PLAN.....	20
6.1. BUDGET PROPOSALS:.....	20
6.2. EFFECT OF PROPOSED CHANGES / BUSINESS CASES: .....	20
7. POTENTIAL FUTURE CHANGES .....	21
7.1 SUMMARY JUSTICE REFORM .....	21
7.2 SOLEMN WORK .....	21
7.3 YOUTH COURTS .....	21
8. CONCLUSION.....	22
9. ANNEXES.....	23

## **EXECUTIVE SUMMARY:**

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

### Background

Lanarkshire is the third largest Area within the COPFS in terms of the volume of reports received and serious crime. The Procurator Fiscals' offices are based in Hamilton, Airdrie and Lanark, with the Area Management Team based in the Hamilton Office.

The Area is highly populated, with several areas of social deprivation and high levels of both serious crime and persistent lower level offending, both of which damage communities. We are served by 2 police divisions – 'N' Division based in Motherwell and 'Q' Division based in Hamilton.

### 2006/07

This has been a demanding year for the Lanarkshire Area. We introduced revised processes to facilitate the disclosure of evidence to the defence in Sheriff & Jury and Summary cases but this has involved our staff in considerable additional work. After a delay in implementation, we have now reaped some of the benefits of a new IT system called Decision Support which has assisted with the marking of the more routine offences.

We have experienced a marginal increase (1%) in the number of Criminal Reports received but there has been a 23% increase in net petitions for the Area. Our compliance with performance targets has been much more challenging due to the additional work from disclosure and staffing pressures arising from the need to inject additional resources to carry out the significant additional work identified in the investigation into the deaths of 14 elderly residents in the Rosepark Nursing Home which was indicted in November 2006.

We have experienced increasing staff absences due to sickness and have seen significant staff turnover during the year, in part due to our location within the central belt and the opportunities for development within COPFS offices elsewhere. Several recruitment exercises have been held throughout the year to cope with this. In addition, we have implemented a new IT system to record staff working hours and commenced the planning for the roll out of the second Phase of the Future Office Scotland (FOS) IT system.

Under the chairmanship of the Sheriff Principal, 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. We developed and launched a DVD in March 2007 designed to provide guidance on the criminal justice system for victims and witnesses of racial crime.

### 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 Summary Justice Reform implementation. We will be providing support for the High Court Team throughout the proceedings against the owners of the Rosepark Nursing Home and will continue to improve our processes for disclosure.

We will be working to identify the full benefits for staff development from the new appraisal system and the Learning Academy and look forward to increasing opportunities for staff training following the opening of the new training facility in Legal House, Glasgow. The Area Procurator Fiscal will be leading the implementation of the recommendations from the Review of Sexual Offences.

#### Resources

Our budget for the year is £6.3 million.

We have 153 staff working within the Area and a complement of 149.1 at 1 April 07, reducing to 141.1 by year end.

## **1. OVERVIEW**

### **1.1. INTRODUCTION:**

This document is the Business Plan for the Lanarkshire Area of the Crown Office and Procurator Fiscal Service for 2007-08. The preparation of the Business Plan has involved consultation with staff across the Area. It was the main agenda item at our Area Management Conference in December 2006. Each draft was reviewed and subsequently approved by the District Procurators Fiscal. 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. This document has also been developed as a communication tool for our customers and as a plan for Lanarkshire to deliver its accountability to its Stakeholders.

The number of criminal reports in Lanarkshire is on the increase for the 7<sup>th</sup> 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 continued to implement the new procedures for the disclosure of evidence first developed in 05-06 in response to a change in the law
- Youth Court Pilots – the pilots in Airdrie and Hamilton have been completed and these courts will now form part of the core work of the Area pending further roll out into other Areas within COPFS
- We introduced a change to the way deaths are processed within the Area by setting up an Area Deaths Unit within the Hamilton office. This has allowed us to concentrate our expertise in one unit which was invaluable due to the staffing pressures which we subsequently faced during the year.
- Rosepark investigation – this case was indicted for a preliminary hearing on 5 January 2007 but this was subsequently postponed until February.
- In order to meet the mandatory targets which were set on data quality, we undertook considerable activity to clear many of our older reports including deaths. This took its toll on our ability to mark new cases within target and we narrowly missed this target at year end.
- We committed to using the Campbeltown remote typing unit on a permanent basis for the transcription of the majority of our police interview tapes
- We received an upgrade to our computer hardware to provide faster IT processing and provide larger screens to assist staff to view several software applications at the same time
- The Ethnic Minority Representatives Committee has continued as an effective vehicle for consultation and communication and we launched our long awaited DVD “A Guide for the Victims and Witnesses of Racist Crimes” on 5 March 2007. The Lord Advocate and the Chief Constable of Strathclyde Police launched this DVD at an event which was attended by representatives of the community and other stakeholders.

**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 in summary cases
- Continue to operate specialist Youth Courts in both Hamilton and Airdrie offices and feed back to the centre any recommendations to enhance the effective roll out of these courts into other offices within COPFS
- 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 will 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
- Continue to embed the principles of disclosure into our day to day procedures.

## 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](http://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 Lanarkshire 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. Structure of Lanarkshire Area:**

The Lanarkshire Area of COPFS consists of 3 offices:-

1. Hamilton Office – located at 3/5 Almada Street, Hamilton
2. Airdrie Office – located in 87A Graham Street, Airdrie
3. Lanark Office – located in 24 Hope Street, Lanark

Janet Cameron, the Area Procurator Fiscal is based in the Hamilton Office and is supported in leading the Area to achieve its objectives by the Area Business Manager and the District Procurators Fiscal. Each individual office is managed by a District Procurator Fiscal.

An organisational chart is included at Annex II.

#### **1.3.2. Local Stakeholders:**

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

- Local Police Divisions
- Sheriff Clerks' Offices
- The Local Criminal Justice Board and Lanarkshire Community Justice Authority
- North and South Lanarkshire Child Protection Committees
- West of Scotland Racial Equality Council
- Alcohol and Drug Action Teams
- The Witness Service
- North and South Lanarkshire Multi Agency Racial Incident Monitoring Groups
- Lanarkshire Health Board

#### **1.3.3. Resources:**

##### Staffing

Our staffing complement for 2006-07 was 142.1.

For 2007-08, we have a staffing complement of 149.1. This will reduce to 141.1 by year end by which time the second phase of the IT System FOS should have been introduced, and the Rosepark Enquiry should have concluded. It also includes a reduction of one post due to the printing of citations being carried out centrally.

## Financial

Our budget allocation was increased during 06/07 as a result of the Rosepark investigation and although this case will require additional funding during the 07/08 year, the overall budget allocation will be reduced.

## **2. OPERATIONAL ISSUES**

### **2.1 KEY ISSUES:**

The Lanarkshire Area is responsible for:-

- considering, and taking appropriate action on, reports in respect of crimes committed in Lanarkshire;
- 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 Lanarkshire 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.

Other operational pressures exist which relate to more gradual but perceptible trends in the case profile such as the workload containing increasingly serious to complex cases. The Organised Crime Unit in Glasgow has in part been set up to meet this challenge and will provide a protocol for the identification of cases by Areas which should be considered for submission to the Unit. Lanarkshire released one depute post during 2006-07 to help staff this Unit and this protocol will help maximise the use of this Unit's expertise.

It is anticipated that there will be a roll-out of Hamilton and Airdrie Youth Court pilots to other Areas, and Lanarkshire will provide appropriate advice to other offices to help them introduce changes to their procedures if this roll out occurs.

### **2.2 OPERATIONAL PRIORITIES:**

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 Lanarkshire. 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.

<b>Target 1 (published):</b> 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]
<b>Target 2 (published):</b> 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.
<b>Target 3:</b> Serve indictments in 80% of Sheriff and Jury cases that involve bail within eight months of first appearance on petition by March 2008.
<b>Target 4 (published):</b> 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.
<b>Target 5 (published):</b> In partnership with Justice portfolio, reduce by 10% the level of High Court trial diet adjournments by March 2008.
<b>Target 6 (published):</b> 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.
<b>Target 7 (published):</b> 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

### 2.3 BUSINESS RISKS:

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.

### 2.4 WORKLOAD & STAFFING FORECAST:

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

Lanarkshire is a highly populated urban area which includes several areas of social deprivation. Against a backdrop of a declining population in Scotland overall, it is also a community in which the population (634,384)<sup>1</sup> has increased steadily over the last few years with considerable new build housing being introduced. This trend is predicted to continue albeit at a more gradual pace.

The Lanarkshire Area is one of the 3 busiest Areas within COPFS. In the year to November 2006, the Area received a total of 43004 criminal reports which equates to 13% of the national figure of 322,537. This was an increase on the figures for the previous year for Lanarkshire of 1%.

Following through on this trend, we predict that during 2007-08 approximately 44,000 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.

<sup>1</sup> Source – North and South Lanarkshire population statistics taken from the General Register Office for Scotland.

Activity	Dec 05 - Nov 06	% change	Apr 07 - Mar 08
<b>Criminal Reports Received</b>	<b>43004</b>	<b>1%</b>	<b>44000</b>
<b>Non Court Disposals</b>	<b>25047</b>	<b>1%</b>	<b>25381</b>
<b>District Court Disposals</b>	<b>6014</b>	<b>2%</b>	<b>6134</b>
<b>Sheriff Court Disposals</b>	<b>7677</b>	<b>3%</b>	<b>7919</b>
<b>Sheriff and Jury disposals</b>	<b>498</b>	<b>25%</b>	<b>623</b>
<b>High Court Disposals</b>	<b>85</b>	<b>25%</b>	<b>106</b>
<b>Total Disposals</b>	<b>39321</b>	<b>2.1%</b>	<b>40163</b>

### 2.5 PERFORMANCE MEASURES:

The Area has made strenuous efforts to meet all of our internal targets over the last 12 months, however this has been achieved only through the extensive use of overtime.

**Performance measurement position at 31 March 2007.**

Target	Objective	PFS	Lanarkshire Area
<b>Custody Cases: Serve Indictment</b>	Serve 100% by 80 <sup>th</sup> day	High	100%
		Sh and J	100%
<b>Bail Cases: Serve Indictment</b>	Serve 100% in 10 months	High	100%
	Serve 80% in 9 months		81%
	Serve 80% in 9 months	Sh and J	87%
	Serve 60% in 8 months		64%
<b>Take/Implement Decision</b>	Process 75% within 5 weeks	84%	74%
<b>Routine Death</b>	Investigate 80% within 6 weeks	97%	99%
<b>Investigate Death</b>	Investigate 80% within 12 weeks	82%	77%
<b>CAPs: Area PFs</b>	Close in 10 weeks – <b>60% of cases</b>	78%	82%
<b>CAPs: Area PFs</b>	Close in 12 weeks – <b>90% of cases</b>	87%	84%

### 3.

## **ENVIRONMENT**

### **3.1 CORPORATE CONTEXT**

#### **3.1.1 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.

#### **3.1.2 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
- 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

#### **3.1.3 National Framework: Best Value**

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.

### **3.2 LOCAL CONTEXT**

As part of the Service wide initiative to improve our procedures and identify efficiencies, we commenced 6 process reviews in Lanarkshire during the year 2006-2007. These were:-

- Induction procedures (Area wide)
- Filing within Hamilton Office
- Service of indictments (Area wide)
- Cash in transit requirements (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 each one is led by a Section or Business Manager. These teams include representatives from offices across the Area with a mixture of grades. This has the advantage of allowing our managers to gain practical project management experience, the Senior Management Team have gained experience of operating as a project board for all of these reviews and clear guidance is set for each process team to avoid duplication of effort. We have found this to be a useful way of helping manage our capacity for change across the Area.

For the forthcoming year, we plan to:-

- continue to improve the Management Information exchanged with the police
- reconsider the structure of meetings held with the police enhance our partnership arrangements
- undertake a programme of a minimum of 6 process reviews including the proper closing of cases, warrants and the submission of cases to Crown Office.
- Work with our Local Criminal Justice Board to identify any further opportunities for efficiencies and to improve our service.

### **3.3 CRIME TRENDS:**

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.

Both of the Lanarkshire divisions have seen an increase in detections of serious crime; in particular, there has been a sustained increase in detections of crimes of violence, with these rising in both divisions in relation to murders and robberies and the larger division, 'N' Division, having a 20% increase in detections of serious assaults. In addition, 'Q' Division experienced a 20% increase in detected crimes of indecency, whilst previous levels of this type of crime were sustained in 'N' Division. Both of the divisions have significant increases in detections of crimes of possessing offensive weapons. 'Q' Division continues to be in receipt of funds confiscated from proceeds of crime to allocate towards tackling drugs crime; the division has already seen a 15% rise in detections of drugs supply. The Area continues to be the focus of much activity by way of SCDEA operations.

These trends are reflected in a 23% increase in net petitions in the Area. While there are National and Strathclyde wide initiatives to seek to address violence, whether it be between young men and associated with a knife carrying culture, or in the form of domestic abuse, it is clear that any resulting changes will have a long gestation period, and there is no sign of an immediate reduction in serious crime, or its return to previous levels.

### **3.4 LEGAL, LEGISLATIVE & OTHER EXTERNAL INFLUENCES:**

#### **3.4.1 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.

#### **3.4.2 Disclosure**

Lanarkshire has been regularly revising its processes to allow us to meet our obligations to disclose statements and previous convictions to the defence in accordance with the agreed timeframes but it is clear that this is proving to be a challenge. We have been working closely with the police to jointly improve our performance in this regard although it has to be acknowledged that this additional work has utilised and will continue to utilise a considerable investment of staff resources.

#### **3.4.3 Vulnerable Witness Act – extension to Summary cases**

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 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 result in increased 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 the Sitting Manager 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, District Senior Management will require to liaise closely with our police partners to ensure that procedures to capture all relevant information on potentially vulnerable witnesses are followed.

## 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.

### 4.2 STAFF ALLOCATION:

Our staffing allocation is:-

Office	Legal Staff in 06/07	Administrative staff in 06/07	Total 06/07
Airdrie	18.4	26.2	44.6
Hamilton	34	56.5	90.5
Lanark	3	4	7
Total	55.4	86.7 *	142.1
* includes 3 posts which were created as permanent to deal with the administration of disclosure procedures			
Office	Legal Staff in 07/08	Administrative staff in 07/08	Total 07/08
Airdrie	18.9	25.2	44.1
Hamilton	38.5	59.5 *	98**
Lanark	3	4	7
Total	60.4	88.7	149.1

\* to be reduced by 2 posts in January 2008 due to FOS Phase 2 implementation

\*\* includes staff for Rosepark for part of year.

#### 4.2.1 Absences:

Sickness and absence rates continue to fall with the average number of days lost nationally per staff member declining from 11.6 in 2003 to 11.1 in 2004, 10.5 in 2005 but there has been a small increase to 10.9 to date in 2006. In Lanarkshire, this rate in 2006 was 10.5 days which is slightly lower than average. This equates to approximately 1490 days per year which is approx 4 members of staff per year. We will be considering ways to reduce this level over the year.

#### **4.2.2 Other Staffing issues:**

Due to the need to staff the Rosepark investigation with sufficient staff who had good experience levels, we have had to deplete sections elsewhere within the Area. This has affected staff morale and stress levels. The recovery will take some time to materialise and will be dependant on resource availability. Additional funding for appropriate staff was approved by the Crown Agent for the first part of 2007/08.

#### **4.2.3 Local plans/initiatives:**

In an attempt to alleviate some of the pressure on the Sheriff and Jury Units within the Area, we have been paying for several staff to be Temporarily Promoted into the Precognition Officer grade to try to clear some of the backlog of precognitions. Although this has been seen as a good opportunity for staff development, results take some time to be seen due to the learning curve. Our attempts to address the backlog of work were reflected in our business cases for additional staffing.

As part of a move to increase staff flexibility and experience, most of the Hamilton Principal Deputes were moved to manage other teams during 06/07. It is also proposed that from 07/08 the Youth Court Principal Depute will take over some of the management functions from the Initial Case Processing Principal Depute to alleviate some of the pressure on this post.

#### **4.2.4 Consultation:**

Following the Staff Survey 2005, we have been implementing a series of changes to improve the communication between staff and management. These have included:-

- Quarterly meetings with Area Management Teams and the Area TUS representatives
- Office forum meetings where representatives of staff can be with the District Procurator Fiscal to discuss office concerns
- The Area Procurator Fiscal and Area Business Manager have been meeting with small groups of staff for chats over a cup of coffee to discuss any issues of concern to them in an informal way
- District PFs meetings with local TUS
- An Area TUS representative has joined the Area Training Committee

These are positive steps taken to address staff concerns and they will be reviewed to ensure that they remain of value.

#### **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 was established during 05/06 to ensure that we captured input from staff across the Area. During 06/07, the Committee organised several Area Training Events including 2 Area Training Days, a review of the local training programmes and an Area Conference. We are planning to issue a survey to

staff to gather suggestions on how training might be improved across the Area and this Committee will play a significant role in structuring our training plans for 07/08.

Membership of the Committee includes the TU side and representatives of the majority of grades of staff, chaired by the Area Business Manager. The detailed Training Plan is included at Annex III.

## **5. INFRASTRUCTURE**

### **5.1 ACCOMMODATION ISSUES:**

Each of the 3 offices within Lanarkshire have been upgraded within the last few years and provide a modern environment in which to work. Minor issues continue to be addressed on a daily basis by the Office Managers, supported by our colleagues in Estates Unit, Edinburgh.

Some internal reorganisation is being planned for the Hamilton Office during 07/08 due to pressure on space within the office. We will be working with Estates colleagues to develop options over the next few months for implementation during 07/08.

### **5.2 IT ISSUES:**

Following a delay in the roll out of Decision Support to Lanarkshire, 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 experience 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, including electronic disclosure
- Arrange for one Depute to participate in a pilot to test the feasibility of working from home
- Pursue a solution for the Youth Court cases within the Decision Support software to allow the Area to fully benefit from this package
- Carry out a review of laptop usage and availability
- 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

## **6 FINANCE PLAN**

### **6.1 BUDGET PROPOSALS:**

During the previous year, the impact of the Rosepark investigation resulted in a greater requirement for staff and other costs, and an increased budget allocation for all 3 subheads was received at the mid year point. Due to the adjournment of the Preliminary Hearing until February 07, an increased allocation will also be required for this case for the 07/08 year as anticipated expenditure slips from last year.

Full details of the proposed budget for 2007/08 was submitted for consideration as part of the planning round, and the following allocation reached:-

	<b>Budget Allocation: 2006-07 (£k)</b>	<b>Budget: 2006-07 (£k) Revised Mid Year</b>	<b>Forecast Budget: 2007-08 (£k)</b>
Staffing	4,677	4,819	4,865
Office Costs	310	330	317
Case Related Costs	800	1,197	1,137
<b>Total</b>	<b>5787</b>	<b>6,346</b>	<b>6,319</b>

### **6.2 EFFECT OF PROPOSED CHANGES/BUSINESS CASES:**

The Lanarkshire staffing allocation for 07/08 will be 149.1 posts at the start of 2007/08.

Area	Office	SCS 1A (incl o/t)	SCS 1 (incl o/t)	F (L)	F	E (L)	D	C	B	Grand Total
	AI		1.0	2.0		10.3	6.6	3.0	21.2	44.1
	HM	1.0	1.0	8.0	1.0	23.5	8.0	7.0	48.5	98
	LN			1.0		1.0	1.0	1.0	3.0	7.0
	RESILIENCE									0.0
	DISCLOSURE									0.0
	OTHER									0.0
<b>Total</b>		<b>1.0</b>	<b>2.0</b>	<b>11.0</b>	<b>1.0</b>	<b>34.8</b>	<b>15.6</b>	<b>11.0</b>	<b>72.7</b>	<b>149.1</b>

By the end of the year, this complement will have reduced to 141.1 following the successful implementation of FOS Phase 2, (two posts reduced), and centralisation of printing (one post) and conclusion of Rosepark Enquiry (5 posts).

Lanarkshire was successful in submitting the following business cases:

- Additional funding for the Rosepark investigation. (Five posts for part of the year).
- An additional 2 Precognition Officers for 1 year to address the backlog of precognitions
- An additional 2 Fixed Term Contract Band B staff to provide reserve administrative assistance across the Area funded from our resilience budget for one year

## **7. POTENTIAL FUTURE CHANGES - 2008/09**

### **7.1 SUMMARY JUSTICE REFORM**

It is expected that we will consolidate on the Summary Justice Reform changes introduced in 07/08. This may result in a re-profiling of our work and on the numbers of cases we receive.

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.

### **7.2 SOLEMN WORK**

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

### **7.3 YOUTH COURTS**

The funding for the Youth Courts within Hamilton and Airdrie is to be reconsidered by the Scottish Executive during 2009 and depending on the outcome, this may have an impact on our business.

## **8. CONCLUSION**

In preparing for 2007/08, the Lanarkshire Area of COPFS acknowledges that the pace of change will accelerate as the year progresses. Some of the largest changes that COPFS has faced will come to fruition during the year – FOS Phase 2, Summary Justice Reform and the increasing impact on our processes from disclosure.

In addition, the final instalment of the Vulnerable Witness legislation will be fully implemented and the first full year of the new staff performance appraisal system will be completed. It is also likely that the Rosepark investigation will be concluded.

This will inevitably mean that 2007/08 will be hugely challenging for Lanarkshire COPFS Area but we hope that it will also bring a more modern and effective IT system and allow us to refocus our resources towards the more serious crimes committed.

We are confident that it will also provide the opportunity to work in further partnership with other criminal justice organisations to reduce the impact of crime in our community.

## **9 ANNEXES**

### **I. Corporate Aim, Objectives & Targets**

### **II. Organisation Chart**

### **III. Area Training Plan 07-08**

**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 60<sup>th</sup> day from full committal and 95% by the 70<sup>th</sup> 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.

## ORGANISATIONAL CHART - LANARKSHIRE

