

**CROWN OFFICE  
AND  
PROCURATOR FISCAL SERVICE  
TAYSIDE AREA BUSINESS PLAN 2008/2009**



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## 1. OVERVIEW/SUMMARY

### **1.1 INTRODUCTION:**

- 1.1.1 Tayside Area consists of two large (Dundee (group 2) and Perth (group 3)) and two small (Arbroath (group 4) and Forfar (group 5)) District offices. The Arbroath and Forfar Offices are brigaded under a Procurator Fiscal for Angus based at Arbroath. The Area Team is based in Dundee. The Offices are currently staffed as per **table 2** on page 13.
- 1.1.2 Cases and deaths are reported direct to the District Offices and the local Fiscals have responsibility for dealing, cost effectively, with all aspects relating to those cases (with the exception of precognition work – see below), all local management matters, and local relations with other groups and organisations. The District Procurators Fiscals are advised and, if necessary, directed by the Area Procurator Fiscal.
- 1.1.3 The Area Fiscal is responsible for ensuring all decisions taken are in line with departmental instructions and guidance. He is also responsible for the evaluation of all proposed new initiatives (and overseeing their introduction), finance and staffing and the overall management of his offices. The Area Business Manager, District Fiscals, Principal Deputes and Office/Section Managers assist the Area Fiscal in this role.
- 1.1.4 Solemn work in the area is currently set up on a team basis, with one team based in Dundee. This team undertakes all precognitions for the Arbroath and Forfar offices in addition to those emanating from Dundee. A further solemn team is based at Perth. This team currently deals almost exclusively with Perth cases.
- 1.1.5 The Area Fiscal takes the lead in ensuring all staff conduct the business of the service; professionally, taking account of diversity issues, in line with the Lord Advocate's directions and the wishes of Scottish Executive and by establishing close liaison with all Criminal Justice partners and other groups.
- 1.1.6 In the current year the Area has, as indicated initially in our business plan for 2005/2006, continued to focus more on qualitative issues, but has continued to meet, and in many cases exceed, almost all targets in the face of a 30% increase in reports received since 2001/2002. The increase had, at the time, been twice that of the service. The introduction of the police fixed penalty scheme and close liaison with Tayside police resulting in reporting protocols being introduced have served to assist us in dealing with this, as have robust application of the Departmental Guidance in relation to case marking and Case Management. It is now clear that these efforts are paying significant dividends as the number of outstanding summary trials has more than halved since 2004/2005. Trial delay periods have also reduced significantly.
- 1.1.7 We have been able to address this in the short term by applying and nurturing a better and more rigorous management structure. We have continued to develop new team working structures and have built upon our good relations with our Criminal Justice partners as well as making good progress in building relations with the Public.
- 1.1.8 Our success in meeting targets is also very much attributable to the professionalism, commitment and sheer hard work of the staff in the Area and to a more rigorous adoption of good management practises.
- 1.1.9 Over the last three planning years, we have recognised that there required to be more focus on quality and consistency of approach. The modest increase in our fiscal depute resource (2 additional deputes) following the proposals contained in our business plan for 2005/06 went some way to addressing the staffing disparity compared with other areas and enabled us to start addressing quality issues.

- 1.1.10 As part of our work to improve quality the APF/ABM carry out 4-monthly office inspections of all offices. These inspections include checking random samples of work and providing feedback reports to District PF's. We continue with our programme of training police supervisors in relation to the need for better quality reports, and whilst there is a room for further improvement, it is clear that this is having a positive effect. District PF's have, as personal objectives, actions to monitor quality of case marking, Disclosure and Vulnerable Witnesses Act requirements.
- 1.1.11 Tayside Area is committed to continuing its impetus to improve, to forging even closer links with its partners and to developing its relations with the public at large. The Area will continue to embrace all issues regarding the Departmental diversity policy and build on the work done in relation to full team working in all our offices. In 2007 we reviewed the way we carried out our solemn and summary business in order to take full advantage of the opportunities presented by summary justice reform. We are now recognised within the department as being well positioned to take full advantage of these.
- 1.1.12 To build upon our improvement we will place a very high priority on giving staff training directly targeting their needs in order to build an even more flexible workforce and allow staff to develop. This will be led by the District PF at Perth.
- 1.1.13 There are twice yearly training events for all staff and throughout the year short training sessions on matters of current importance are delivered to which all staff have access. Each September we hold a consultation day engaging all staff in the business planning process. This is built upon by taking all our managers to "away days" in November when the matters highlighted at the September day are reviewed and prioritised for the next business year. This Business Plan incorporates thoughts and suggestions made by staff throughout the area.

## 1.2. CORPORATE CONTEXT:

- 1.2.1 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 2004-06 and supporting annual Business Plans.

## 1.3 COPFS Corporate Aim:

***To provide an independent modern prosecution service, which is committed to professional excellence, pursues cases fairly and consistently in the public interest and is responsive to the public's needs.***

## 1.4 Functions of COPFS:

- 1.4.1 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.***

- 1.4.2 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.

## 1.5 Corporate Objectives:

1.5.1 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. These and the individual objectives are considered more fully in paragraph 2.1.

<b>Objective 1:</b>	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
<b>Objective 2:</b>	To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.
<b>Objective 3:</b>	To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.
<b>Objective 4:</b>	To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.

## 1.6 External Factors impacting on COPFS:

1.6.1 External factors which are impacting on Tayside offices or will impact in future include: the continued bedding in of the Bonomy reforms and the extension of its principles to Sheriff and Jury cases, the consequences of Disclosure in general, the Vulnerable Witness Act and the implementation of Summary Justice Reform.

## 1.7 Stakeholders:

In common with all other areas; - Criminal Justice Partners – Police, the Judiciary, Scottish Court Service, Scottish Prison Service. The General Public, Victims & Witnesses, Defence Agents.

## 1.8 LOCAL CONTEXT

### 1.8.1 Local Issues:

1.8.1.1 As in all areas, there are number of local geographical and sociological factors which shape the complexion of our business: -

1.8.1.2 In Perth's jurisdiction there are 3 penal establishments. A death in any of these requires to be dealt with as a Fatal accident Inquiry.

1.8.1.3 There are two large teaching hospitals in the area, one in Dundee and one in Perth in addition to other local hospitals in Tayside. This affects the number of death reports to be dealt with and consequential FAIs.

1.8.1.4 The Perth office, with its central location, is at the intersection of 4 arterial routes. This influences the level of road traffic business and has given rise to a high incidence of fatal road traffic accidents. The same is true to a lesser extent in the Forfar office.

1.8.1.5 The High Court of Judiciary sits extensively in Tayside's jurisdiction (though not now in Forfar). As a consequence there is the need to service it on an almost full time basis.

## 2. OPERATIONAL ISSUES

### 2.1 KEY PROCESSES:

2.1.1 The table below summarises the key objectives to be pursued during the planning period in support of corporate commitments. A brief project outline is appended for each objective together with target completion dates, resources, controls and key risks.

No	Objective	Plan	Target Date
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	<ul style="list-style-type: none"> <li>Ensure that marking guidelines are properly and uniformly observed thereby maintaining a consistent prosecution line.</li> <li>Deliver training to Tayside police in relation to the quality and other significant issues in relation of reports.</li> <li>Monitor agreement with Tayside police on cases which should not be reported or for which they will take informal action or issue a fixed penalty notice.</li> <li>Build upon existing team structures and establish, and maintain teams to provide support cover and develop efficient working practices.</li> <li>Work with Estates division to provide suitable accommodation for open plan/team working in Perth.</li> <li>Continue to work closely with Criminal Justice partners to ensure best use of resources.</li> <li>Review the distribution of resources in Tayside</li> <li>Participate in public forums, meetings and committees as the opportunity arises to educate the public about the work of the Fiscal Service and its commitment to serving the public at large.</li> <li>Ensure the complaints procedure for members of the public is in operation and that information thereon is displayed clearly.</li> <li>Issue weekly analyses outlining the current situation regarding unmarked cases and provide commentary on these.</li> <li>Implement the agreed recommendations of the Sexual Offences Review Report, in relation to the need for enhanced training of and guidance to staff, enhanced monitoring of preparation of these cases by Legal Managers and increased liaison with the police.</li> <li>Review our current practices in relation to management of High Court, Sheriff and Jury and Summary business.</li> <li>Carry out regular office inspections including dip sampling of cases to ensure compliance with departmental guidance.</li> <li>Make incremental improvements in work processes as per the Continuous Improvement Spreadsheet.</li> </ul>	<p>Ongoing</p> <p>Ongoing</p> <p>30/6/08</p> <p>Ongoing</p> <p>30/6/08</p> <p>Ongoing</p> <p>30/9/08</p> <p>Ongoing</p> <p>Ongoing</p> <p>Wednesday of each week</p> <p>April 2008</p> <p>30/9/08</p> <p>Every 4 months</p> <p>Ongoing</p>
2.	To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders	<ul style="list-style-type: none"> <li>Ensure that priority cases are identified and actioned early.</li> <li>Ensure that resources are appropriately dedicated to solemn work in particular to ensure the success of the Bonomy reforms as they are further cascaded.</li> <li>Implement the reforms contained in the Criminal Proceedings Etc. (Reform) (Scotland) Act 2007.</li> <li>Ensure that bail and custody targets are met.</li> <li>Continue to promote, and if possible extend, project Solemn Renewal principles and practices.</li> <li>Continue to train staff on office/computer skills and to expand and speed up this process by training small groups of staff on the same function.</li> </ul>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>As necessary</p>
3.	To provide services which meet the information needs of victims, witnesses and next of kin, in co-operation with other agencies.	<ul style="list-style-type: none"> <li>Maintain close working liaison with the Witness Service and Appropriate Adults Tayside via a multi agency liaison group.</li> <li>Develop the initiative whereby VIA meets Solemn Managers before each assize to ensure the attendance of victims in solemn cases with minimum inconvenience and with the possibility of being on call.</li> <li>Continue, where possible, to participate in local multi-agency groups such as; DUNCAN, RIMAP, Domestic Abuse Forum and the Tayside Police Lay Advisory Group.</li> <li>Ensure next of kin in death cases have the opportunity to meet with an experienced member of legal staff.</li> </ul>	<p>Ongoing</p> <p>30/10/08</p> <p>Ongoing</p> <p>Ongoing</p>
4.	To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily	<ul style="list-style-type: none"> <li>Ensure that an experienced member of legal staff sees all Death reports and experienced, trained Admin staff undertake administrative tasks.</li> <li>Maintain close working relations with service providers of autopsies and mortuary facilities, both on a structured and informal basis.</li> </ul>	<p>Ongoing</p> <p>Each quarter and ongoing</p>

2.1.2 The project outlines are set out in the tables below;

<b>Objective 1</b>		<b><i>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</i></b>	
<b>1</b>	<b>Defined outcome</b>	1	We will continue to meet the current targets set by the Department.
		2	We will continue to influence the timeousness and quality of police reports
		3	We will continue to improve the knowledge of our staff and the quality of work produced by them in order to get as many processes right first time.
		4	We will seek to improve on our management of cases particularly post pleading diet
		5	We will continue to build upon our significant improvements in data quality.
		6	We will continue to participate in groups such as; Equality and Diversity Lay Advisory Group, Tayside Race Lay Advisory Group, RIMAP, Domestic Abuse Fora, DUNCAN, RECAP, Mental Health Forum and the Antisocial Behaviour Working Group.
		7	We will develop further opportunities to attend at recruitment open days and engage in external events – such as mini trials projects and offer opportunities for students (secondary and tertiary) to work shadow.
		8	We will continue to participate in the local Criminal Justice Board and Community Justice Authority
<b>2</b>	<b>Key Activities</b>	2	(a) We will discuss regularly with police managers ways to improve on the management of flow of SPRs to PF offices.
			(b) The APF and other experienced legal staff will deliver regular training on quality issues to police supervisors. They will also engage with the police to assist them to improve quality through joint working groups etc.
			(c) We continue to deliver structured feedback on quality issues arising in SPRs.
			(d) We will monitor the agreement with police managers on cases which they will no longer report or for which they will take informal action to warn or issue a FPN.
		3	(a) We will continue to operate a formal system of mentoring less experienced staff.
			(b) We will deliver more on the job training and offer work shadowing to staff.
			(c) We will strongly encourage staff to make best use of the options made available by Summary Justice Reform and will monitor compliance in order to change and improve the culture in the Summary Courts in Tayside.
		4	(a) We will continue to develop the provision of staff availability at court on ID days to negotiate with agents to seek agreement of evidence and pleas.
			(b) We will challenge defence agents in order to minimise adjournments of trials, particularly at the trial diet.
			(c) We will seek to encourage use of email for both routine correspondence and for disclosure purposes by agents.
			(d) We will actively seek to engage with all criminal justice partners to improve the efficiency of court cases.
		5	(a) We will continue to educate staff in the need for accuracy in relation to data inputting will monitor compliance with standard processes and take corrective action as necessary.
			(b) We will continue to deal with historic data integrity cases

3	Resources	The expansion of FOS, the expansion of the Bonomy reforms into sheriff and jury work and the impact of disclosure all continue to have a major impact. The management structure in Dundee is such that there is presently no focal point for the band C managers with the result the resolution of issues, dissemination of ideas and management of the band C managers requires to be undertaken by the district Fiscal and diverts him from other priority areas, we will resolve this by the appointment of the band D manager in Dundee. No further resources are considered necessary, other than a pro-rata share of any departmental resource identified in relation to disclosure and the vulnerable witness legislation.				
4	Controls	1	Re-organisation of staffing, management responsibility and workload to provide the most effective use of current resources.			
		2	Shared management responsibility within the area has served to develop the ethos of the Area.			
		3	Monitoring and Management of Flexible Working Hours.			
		4	Attendance at public meetings recorded.			
		5	Team and working group meetings are minuted with action points			
		6	BPDD FOS work in progress figures are locally developed and disseminated and used as a management tool to ensure summary workload is closely monitored.			
		7	Precognition work is recorded and monitored on spreadsheets, which are maintained in tandem with the PROMIS database. The precognition in progress workbook issued by MIU is referred to in senior management team meetings.			
5	Key Risks	6	Probability and Impact	7	Risk Controls	Sections 5, 6 and 7 are dealt with in the Risk Register
8	Evaluation of Outcome	Performance against targets. Monitoring performance Feedback from Area Diversity Team				

Objective 2		<b>To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders</b>				
1	Defined Outcome	Subject to the key risks identified at 5 below, and in particular disclosure, <b>all Tayside offices</b> expect to meet the targets for solemn business				
2	Key Activities	<b>All Tayside offices</b> will follow the standard task instructions and practice and procedure as developed by Project Solemn Renewal and as required by the Criminal Procedure (Amendment) (Scotland) Act 2004. Relevant provisions of the Vulnerable Witnesses Act will be applied. Activities to improve quality specified in section 2.6.3 will also be applicable to Solemn work. We shall continue to work jointly with Tayside police to identify areas for improvement in relation to disclosure and quality of reports. We will again review the way solemn business is prepared. We shall utilise fully the options in the Criminal Procedure Etc. (Reform) (Sc) Act 2007 in order to give as much capacity to solemn work as possible.				
3	Resources	Until 2005/2006, the lack of resilience and the impact of both annual leave and flexi leave had a direct effect on quality of work and also planning of work. The additional resources made available in 2005/06 have allowed us to make inroads to this. In <b>Perth</b> there had been a reliance on the 1.4 precognition officers currently in post, we now take a broader area perspective in the management of solemn work and have recently allocated more precognition work to deputies.				
4	Controls	1	In <b>Perth</b> and <b>Dundee</b> the solemn Principal Depute managers monitor work on a daily basis, reporting to the District Procurators Fiscal as required.			
		2	PD managers scrutinise new cases to ensure that High Court cases are identified at the outset and any reductions to summary are identified as early as possible.			
		3	APF/ABM 4 monthly inspections			
		4	Both offices have monthly team briefings.			
		5	Precognition work is recorded and monitored on spreadsheets, which are maintained in tandem with the PROMIS database.			
5	Key Risks	6	Probability and Impact	7	Risk Controls	Sections 5, 6 and 7 are dealt with in Appendix II – Risk Register
8	Evaluation of Outcome	In <b>all Tayside Offices</b> monitoring will be by published figures for performance against target.				

<b>Objective 3</b>		<b><i>To provide services which meet the information needs of victims, witnesses and next of kin, in co-operation with other agencies.</i></b>				
1	<b>Defined Outcome</b>	To provide services, which meet the information, needs of victims, witnesses and next of kin, in co-operation with other agencies.				
2	<b>Key Activities</b>	<p>Close liaison with several other agencies, including, Women's Aid, Barnardo's, Victim Support, and the Witness Service. VIA staff have now been fully integrated. We will continue to ensure that experienced staff are always available to speak to next of kin in relation to deaths. All offices are confident that they provide a high standard of service, which can continue. We will review the grading and number of staff to ensure sufficient resilience. We intend to provide VIA resilience through the creation of a shared resilience post (with Highlands and Islands and Grampian areas). Improved service in relation to citing and cancellation of witnesses in Sheriff and Jury cases. We will continue to press the police in relation to the electronic citation of police witnesses.</p> <p>We will continue to work closely with SCS to deliver continuous improvement in service to the public where buildings are shared.</p>				
3	<b>Resources</b>	2 x VIA officers and 2 x Via Assistants (located in Dundee Office)				
4	<b>Controls</b>	Managers will supervise, but the task is largely reactive, and depends on staffing levels. With regard to next of kin, senior staff's own professionalism is the greatest control.				
5	<b>Key Risks</b>	6	<b>Probability and Impact</b>	7	<b>Risk Controls</b>	<i>Sections 5, 6 and 7 are dealt with in Appendix II – Risk Register</i>
8	<b>Evaluation of Outcome</b>	Given the largely reactive nature of the task, success is measured by the absence of complaint.				

<b>Objective 4</b>		<b><i>To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily</i></b>				
1	<b>Defined Outcome</b>	<b>Tayside</b> expects to meet all published deaths targets.				
2	<b>Key Activities</b>	<b>All Tayside Offices</b> will follow the standard task instructions				
3	<b>Resources</b>	<p>In <b>Dundee</b> there is a dedicated deaths unit staffed by a Depute assisted by the District PF's PA and supervised personally by the District PF. This has resulted in a better and more efficient service and better professional relationships with the mortuary, police, undertakers and the public at large. It is clear that this is a development opportunity in that probationary deutes and less experienced deutes can be trained properly in investigating deaths and in the conduct of FAI's.</p> <p>In <b>Perth</b> the District Procurator Fiscal deals with deaths personally. The Dundee District PF and a PPF now sit on the 'Investigation of Deaths Group chaired by Cameron Ritchie, APF, Fife.</p> <p><b>Angus</b> deaths are dealt with by the Angus District Fiscal in <b>Arbroath</b> and an experienced depute in <b>Forfar</b> under the guidance of the District Fiscal.</p>				
4	<b>Controls</b>	<p>In <b>Dundee and Forfar</b> performance is monitored by the District Procurator Fiscal.</p> <p>In <b>Perth and Arbroath</b>, no direct monitoring as District Procurator Fiscal undertakes this task.</p> <p>Access to Area Deaths policy in place and accessible via Area Folders.</p> <p>APF/ABM 4 monthly inspections.</p> <p>Performance against targets.</p> <p>Quarterly meetings with Pathology contract provider, Mortuary management (police) and Undertakers</p>				
5	<b>Key Risks</b>	6	<b>Probability and Impact</b>	7	<b>Risk Controls</b>	<i>Sections 5, 6 and 7 are dealt with in Appendix II – Risk Register</i>
8	<b>Evaluation of Outcome</b>	<p>In <b>all Tayside Offices</b> monitoring will be by published figures for performance against target.</p> <p>Lack of complaints from next of kin.</p> <p>Performance against targets</p>				

## 2.2 RISKS: These are outlined in the Area risk register, *Annexe II*.

## 2.3 CASELOAD:

**Table 1** shows comparisons of the main items of work between the areas. This continues to highlight that Tayside has a slight imbalance of staff relative to Reports Received. Tayside receives **7.8%** of the overall COPFS reports and has only **7.5%** of the overall staff. The small, but welcome, realignment of staff following the 2005/06 business-plan improved the situation and the disparity, across the department, in these two measurements is now almost balanced. As a consequence we seek no additional staff this year (other than our proportion of any departmental resource obtained in relation to disclosure and the vulnerable witness legislation)

															Table 1	
	November 2006 -October 2007 (from MID figures on Intranet)								Data taken from month 12 of the period :		November 2006 - October 2007					
	Criminal Reports Rec'd	Total Reports Rec'd	% of repts	Staff	% of posts	Variance	Cases placed on petition	%	Precs to Crown Office	% of Precs to Crown Office	Precs in Progress (Data taken from month 12 of the period)	Average no of cases unmarked	% of cases unmarked	High Ct Dispos	Sh & J Disps	
A & C	30,616	32,732	9.6%	106.8	8.9%	0.7%	871	9%	668	11.1%	295	1942	11.6%	60	438	
Ayrshire	24,030	25,582	7.5%	71.5	6.0%	1.5%	816	8%	488	8.1%	286	251	1.5%	54	402	
Central	18,927	20,151	5.9%	66.6	5.6%	0.3%	666	7%	351	5.8%	274	344	2.1%	44	324	
D & G	11,516	11,982	3.5%	31.1	2.6%	0.9%	328	3%	150	2.5%	112	137	0.8%	35	187	
Fife	17,572	18,925	5.5%	56.8	4.7%	0.8%	655	7%	292	4.8%	224	616	3.7%	53	315	
Glasgow	70,218	74,288	21.8%	320.5	26.8%	-5.0%	2334	24%	1,439	23.9%	1,104	3680	22.1%	237	1,059	
Grampian	23,105	24,132	7.1%	82.9	6.9%	0.1%	855	9%	524	8.7%	345	470	2.8%	74	373	
H & I	15,807	16,622	4.9%	48.3	4.0%	0.8%	335	3%	142	2.4%	131	174	1.0%	21	131	
Lanarkshire	41,074	43,172	12.7%	138.9	11.6%	1.0%	954	10%	749	12.4%	496	1490	8.9%	73	538	
L & B	44,444	47,028	13.8%	183.0	15.3%	-1.5%	1420	14%	848	14.1%	422	552	3.3%	91	657	
Tayside	24,788	26,454	7.8%	89.9	7.5%	0.2%	560	6%	372	6.2%	135	133	0.8%	62	305	
PF Service	322,097	341,068		1196.3		(Areas)	9,536	9,794		6,023		16680		804	4,729	

	Sheriff Summary							District Court					
	% of staff	Plea at Pleading Diet	Plea at Int diet	Plea at Trial diet	Trials	Total	% of total	Plea at Pleading Diet	Plea at Int diet	Plea at Trial diet	Trials	Total	% of total
A & C	9.6%	2,693	1,661	1,709	509	6,572	8.0%	2,215	263	411	81	2,970	7.4%
Ayrshire	7.5%	3,425	2,480	1,294	367	7,566	9.2%	2,859	275	168	64	3,366	8.4%
Central	5.9%	2,840	1,582	911	381	5,714	7.0%	2,077	175	145	55	2,452	6.1%
D & G	3.5%	3,034	771	339	153	4,297	5.2%	2,134	157	66	30	2,387	5.9%
Fife	5.5%	2,951	1,613	689	201	5,454	6.7%	1,302	160	72	32	1,566	3.9%
Glasgow	21.8%	5,390	3,274	5,014	1,096	14,774	18.0%	2,533	699	644	206	4,082	10.1%
Grampian	7.1%	3,557	2,505	763	371	7,196	8.8%	2,991	485	235	42	3,753	9.3%
H & I	4.9%	2,417	1,315	770	244	4,746	5.8%	1,991	194	136	32	2,353	5.8%
Lanarkshire	12.7%	2,271	2,195	1,990	941	7,397	9.0%	5,154	680	512	268	6,614	16.4%
L & B	13.8%	4,855	3,320	2,514	541	11,230	13.7%	5,318	606	308	132	6,364	15.8%
Tayside	7.8%	3,745	1,570	1,245	453	7,013	8.6%	3,136	634	439	132	4,341	10.8%
PF Service		37,178	22,286	17,238	5,257	81,959		31,710	4,328	3,136	1,074	40,248	

## 2.4 WORKLOAD & STAFFING FORECAST:

- 2.4.1 The current financial regime has required the department to fund any variation in staffing levels in one area by re-deploying the financial and physical resources from one area to another. The methodology is as follows: Unit values have been assigned to certain portions of work. These fall to be multiplied by the relevant amount of business for the year to 31 October 2007. The resultant figure is then divided by the number of staff deployed within the Area in order to arrive at a figure which is compared with a departmental norm.
- 2.4.2 As outlined in last year's plan, the level of reports received from the police had dropped between 2004/2005 and 2005/2006 (from approximately 30,000 to 28,000). This was partially attributable to the G8 factor together with the impact of the Tayside police fixed penalty scheme. The reports received in the year to October (approximately 26,500), indicate that the number of reports received will probably again show a slight drop over the whole of the financial year. This is likely to be attributable to the continuing use by the police of the fixed penalty scheme allied to the works done in relation to improving police knowledge in respect of case reporting and the greater use of discretion by them. The rollout of the police fixed penalty scheme is beginning to have the same benefit nationally in terms of reducing the number of reports received as it has had in Tayside.
- 2.4.3 As we predicted in last year's plan, it has taken a full year for the above mentioned factors to stabilise; accordingly our projections for the coming year remain virtually the same as for the actual figures for the period to November 2006. In anticipation of the impending summary justice reforms and in response to the implementation of the first part of the legislation we have slightly increased the number of non-court disposals, reviewed the current petition cases in order to ensure that only those cases which must be prosecuted on Indictment are so prosecuted and given robust guidance to legal staff to ensure that they take action at the lowest most appropriate level. Given that the workload measurement exercise is largely disposal based, it is likely that the full effects of SJR will not become fully apparent until at least December 2008. We have already made some progress in relation to implementing the ethos of Summary Justice Reform and this is evident from our figures.
- 2.4.4 This exercise has again confirmed that Tayside has slightly lower staffing levels when comparing staff with workload with most other areas, although this gap has been closed over the last 3 years.
- 2.4.5 Following the small increase in resources allocated in 2005/2006 we have begun to address the issue of quality and more demanding targets in precognition/sheriff and Jury prosecutions. We have made inroads into influencing an improvement of the quality of SPRs received and have achieved this in cooperation with police colleagues.

## 2.5 PERFORMANCE MEASURES:

Target	Strategic Objective		PFS	Tayside	Arbroath	Dundee	Forfar	Perth
Custody Cases: Serve Indictment	Serve <b>100%</b> by 80th day	High	<b>99%</b>	<b>100%</b>		<b>100%</b>	<b>100%</b>	<b>100%</b>
	Serve <b>100%</b> by 80th day	Sh & J	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Bail Cases: Serve Indictment	Serve <b>80%</b> in 9 months	High	<b>88%</b>	<b>90%</b>		<b>88%</b>		<b>100%</b>
	Serve <b>80%</b> in 9 months	Sh&J	<b>85%</b>	<b>94%</b>	<b>100%</b>	<b>89%</b>	<b>95%</b>	<b>98%</b>
	Serve <b>80%</b> in 8 months (by Mar-08)		<b>61%</b>	<b>77%</b>	<b>75%</b>	<b>80%</b>	<b>81%</b>	<b>73%</b>

Target	Strategic Objective	PFS	Tayside	Arbroath	Dundee	Forfar	Perth
Take/ Implement Decision	Process <b>75%</b> within 4 weeks	<b>76%</b>	<b>87%</b>	<b>77%</b>	<b>86%</b>	<b>89%</b>	<b>92%</b>
Routine Death	Investigate <b>80%</b> within 6 weeks	<b>97%</b>	<b>89%</b>	<b>100%</b>	<b>81%</b>	<b>88%</b>	<b>95%</b>
Investigate Death	Investigate <b>80%</b> within 12 weeks	<b>81%</b>	<b>82%</b>	<b>75%</b>	<b>82%</b>	<b>74%</b>	<b>88%</b>
CAPs: Area PFs	Close in 12 weeks - <b>90% of cases</b>	<b>85%</b>	<b>96%</b>		<b>96%</b>		

## 2.6 IMPROVED WORKING PRACTICES / INITIATIVES:

- 2.6.1 It had become clear that, while across the area targets were generally met, there was a disparity in the target performance within the area. Having reallocated resources in 2006/2007 to ensure that target delivery reflects the relative workload in each office, we now, as a matter of course, frequently review resource allocation to ensure current workload trends are reflected in the deployment of staff.
- 2.6.2 We indicated in last year's plan the admin management structure in Dundee in the current year has 3 band C managers. There continues to be no focal point for admin management decisions and accordingly the district fiscal is often required to become involved in matters, which divert him from his main duties. We have now commenced the selection process and would anticipate having the post filled early in the next financial year. The outcome will be cost neutral.
- 2.6.3 We have built upon the training to first line police supervisors in what constitutes a "good" report and, as reported last year; have issued area-wide guidance for our case markers so as to increase the likelihood of "getting it right first time". We have now widened the scope of the training to the police by offering it to a wider audience.
- 2.6.4 Tayside police central division case-processing unit are now located in a discreet part of the Dundee office. As narrated in last year's plan, communications have improved markedly. This continues to assist in "building-in" quality to police reporting. If suitable alternative accommodation becomes available in Arbroath (see 8.1.1), then co-location will be considered there.
- 2.6.5 Whilst our experience-base in procurator fiscal deputies lowered through 2006 and 2007 as experienced deputies were replaced by new recruits; the mentoring and improved on the job training previously outlined, together with the strong area guidance promulgated, is beginning to ensure that we more often get decisions right first time.
- 2.6.6 We have made substantial progress in addressing data integrity issues and will re-launch the quality group which consists of all our office managers. The group will be co-chaired by Perth's Band D office manager together with the new Dundee band D business manager.
- 2.6.7 We shall continue to work jointly with Tayside police to identify areas for improvement in relation to disclosure of statements and the quality of reports.

## 3. HR PLAN

**3.1 Table 2** below, details current and proposed staff numbers. The staffing level set for the end of financial year 2007/2008 was **89.9**, as per the schedule which accompanied our allotted budget for the current financial year (two posts to be saved following the implementation of FOS2). The table below shows the level as at 31 December of **91.9**. **The proposed figure for 2008/2009 is costed on the basis of the FOS2 "savings" posts**

being retained. The figures show a 0.3 band B reduction which funds the difference between a band C and a band D manager.

Current 2007/2008							Proposed 2008/2009							Var.
Grade/ Band	Area	Arbroath	Dundee	Forfar	Perth	Total	Grade/ Band	Area	Arbroath	Dundee	Forfar	Perth	Total	
SCS	1	0	1	0	0	2	SCS	1	0	1	0	0	2	+0.0
Band G	0	0	0	0	1	1	Band G	0	0	0	0	1	1	+0.0
Band F	0	1	4	0	1	6	Band F	0	1	4	0	1	6	+0.0
Band E (PFD)	1	2	12	1	5	21	Band E (PFD)	1	2	12	1	5	21	+0.0
ABM	1	0	0	0	0	1	ABM	1	0	0	0	0	1	+0.0
Band D (PO)	0	0	7	0	1.4	8.4	Band D (PO)	0	0	7	0	1.4	8.4	+0.0
Band D	0	0	0	0	1	1	Band D	0	0	1	0	1	2	+1.0
Band D (VIA)	2	0	0	0	0	2	Band D (VIA)	2	0	0	0	0	2	+0.0
Band C	0	0	3	1	1	5	Band C	0	0	2	1	1	4	-1.0
Band C (PA)	1	0	1	0	1	3	Band C (PA)	1	0	1	0	1	3	+0.0
Band B	3	3	19.6	2	11.9	39.5	Band B	3	3	21.34	2	11.9	41.2	+1.7
Band B Casual/FT	0	0	2	0	0	2	Band B Casual/FT	0	0	0	0	0	0	-2.0
<b>Totals</b>	<b>9</b>	<b>6</b>	<b>49.6</b>	<b>4</b>	<b>23.3</b>	<b>91.9</b>	<b>Totals</b>	<b>9</b>	<b>6</b>	<b>49.34</b>	<b>4</b>	<b>23.3</b>	<b>91.6</b>	<b>-0.3</b>
Perth Band B's include post at Campbeltown. VIA staff whilst area resource are based in the Dundee office. The two casual Band B staff are the FOS2 "savings" posts.							Perth Band B's include post at Campbeltown. VIA staff whilst area resource are based in the Dundee office.							

#### 4. Other Staffing issues:

4.1 Staffing levels were benchmarked on **21,000** cases in 2001/2002. These rose to **30,000** by 2004/2005. In the year to October 2005 there was a reduction of 7%; attributable to police involvement in the hosting of the G8 summit in Tayside and the effect of the commencement of the police fixed penalty pilot in Tayside. We predicted that the annual number of reports received in 2006/2007 would be **27,972** (compared with **28,213** in December 2004 – virtually the same number) – the actual number received in the year to November 2006 was **27,994**. In the year to October 2007 the number received was **26,454** as the effects of the police fixed penalty scheme and more realistic reporting continued to reduce the number of reports. The number of reports has also been positively affected by our work in having the police exercise greater discretion as to what types of cases they report to us. In the course of the past 2 years with the natural flow of staff, particularly at procurator fiscal depute (E(L)) level, the experience mix of staff has been diluted (particularly in the Dundee office). We have continued to relocate staff within the area to try to address this. We have been able to utilise the time saved by the increased use of the central print facility to address data quality issues.

#### 5. Local plans / initiatives/process reviews:

5.1.1 As indicated, above (2.6), we will constantly review our business, and propose that the items contained in Annexe VIII be considered for review.

#### 6. Consultation:

In the 2005/2006 we involved all our management staff in Area Business planning seminars – as well as looking at the distribution of resources within the area. In 2006/2007 we built upon this and our September training involved all staff in the business planning process which produced a number of useful suggestions. We

refined and developed this in 2007/2008 and the table referred to (Annexe VIII) referred to at 5.1 above is distilled from the consultation day and manager's away days. A number of the suggestions have already been implemented.

## **7. TRAINING & DEVELOPMENT PLAN:**

- 7.1 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.”* In addition to any nationally delivered training for matters such as FOS2, Vulnerable witnesses and the changes occasioned by the Summary Justice review, we will again hold 2 area training days. The September day will again be a review, consultation and business-planning seminar. Following the consultation day we hold business-planning seminars for all managers in the area, which we do with the assistance of a number of MSG heads. As our focus for the year is again on improving quality we will continue to develop on the job training. Under the auspices of the Tayside Area Training Team, further sessions will be developed and delivered. The District PF at Perth will undertake a review of Training in Tayside and will lead on necessary changes to local training provision.

## **8. INFRASTRUCTURE**

### **8.1 ACCOMMODATION ISSUES:**

- 8.1.1 The Dundee office has undergone a substantial refurbishment programme in 2005, this has allowed open plan working to be undertaken more effectively as well as providing a safer more pleasant environment in which to work and for those visiting the office to enjoy. The Perth office is to be refurbished (at last) in 2008/2009 (works currently estimated to commence April/May 2008). The office at Arbroath is located in what was a dwelling house and, although refurbished to a small degree in 2004, is fairly tight for space and offers no scope for full co-located working. A brief specification of requirement was worked up to allow estates division to ascertain the availability of alternative, more suitable premises.

### **8.2 IT ISSUES:**

- 8.2.1 None.

## **9. FINANCE PLAN**

### **9.1 BUDGET PROPOSALS:**

#### **9.1.1 Non-staff “office” costs**

- 9.1.1.1 Our proposal is that these should again be set at the allocation for 2007/2008 (£254,000), which represents a drop in real terms. We have not sought an increase over the past 4 years. We have continued to absorb new costs such as; those associated with holding Public Awareness Meetings, safety equipment for emergency situations, attendance at recruitment fairs and Health and Safety requirements. It is clear that there has been a significant increase in both paper and photocopy costs from disclosure implications and the Bonomy legislation. The proposal also contains an element for local training. The significant countrywide increases in both fuel and utilities costs continue certainly impact on us. A new national contract for photocopiers has been awarded and extended to include which now extends to printers. This will increase our net spend on office machinery hire by £15k (some offsetting of this cost will be made by ISD not having to replace and service printers, there will also be a saving against this additional cost relative to cartridges.

## 9.1.2 Staff Costs

- 9.1.2.1 These are based on the premise advised by Finance Division and are **£3,248,198**. The revised 2007/2008 budget allocation was **£3,205,000**; the difference reflects the new staff mix and the effects of the pay award for 2007/2008. The figure includes £54k for resilience at 1.7%.
- 9.1.2.2 Our proposal seeks to convert the 2 casual/fixed term band B posts which were the identified FOS 2 savings into permanent posts. The posts are currently being funded from resilience (budgetary cover having been to 31 December 2007). The rationale being that even by retaining these posts, the ratio of units per band B staff member is higher than the national figure. In common with other areas, we have experienced a significant increase in workload occasioned by the various "disclosure" decisions. We have not included any proposal for this in our proposal, as the implications are service wide. We are content that any additional resource the department deploys from the increased budget received is allocated on a pro-rata basis and would envisage these two posts as being part of that exercise. We are also content that any additional resources deployed by the department in relation to the Vulnerable witness legislation is dealt with similarly but would also pray in aid the paper by John Fox (VDPDD) reproduced at **Annexe X**.

## 9.1.3 Case related costs

- 9.1.3.1 From an outturn of **£1,467,000** for 2002/03 (following a history of overspending) we have progressively sought to address the level of our case related costs. Tayside's budget allocation for 2005/2006 was **£1,147,000**. Through continued active management intervention, we further reduced our costs to **£1,070,595**. Our proposal for 2007/2008 was **£872,720** with an outturn projected at **£823,000** (almost entirely attributable to Tayside police being unable to recruit the third mortuary technician). For 2008/2009 we propose **£883,320**. The small increase of £10,600 representing 1.2% of last year's proposal. We are advised that in addition to bearing the full year costs of the additional mortuary technician (to be employed to reflect the increase in the flow of bodies through the mortuary), mortuary costs payable to Tayside police will increase by approximately 3%.
- 9.1.3.2 Across COPFS three areas of expenditure, until 2007/2008, accounted for more than 90% of case related costs. These were; witness expenses, forensic analysis and forensic pathology. As above indicated, the costs of forensic analysis have migrated elsewhere. The scope to further contain witness costs has reduced as the table below shows that from a fairly dramatic reduction in 2004/2005 costs, having stabilised, are beginning to increase slightly. This is largely due to an increase in expert and professional witness costs which flow from the increased complexity of cases which do proceed to trial. It is likely that, once the effects of summary justice reform have worked through, there will be a small downturn. That change will take a little time to appear as trials are generally set no less than 12 weeks from the pleading diet (or indeed continued pleading diet); in addition the number of trials in the system will take some time to work through.

2002/2003	£294,000	2003/2004	£297,000	2004/2005	£229,000	2008/2009	£248,400	Reduction from 2002/2003
2005/2006	£234,000	2006/2007	£224,000	2007/2008	£234,000			15.5%

It will also take some time for the potential benefits of disclosure to take effect.

- 9.1.3.3 The proposal represents a significant reduction on the 2002/03 outturn. The budget proposal is shown at **Annexe IV**.

## **10. EFFECT OF PROPOSED CHANGES / BUSINESS CASES:**

- 10.1 Tayside consistently meets most targets and exceeds many. We had, in the past, often failed the resource intensive solemn targets where quality is the defining factor. We have made very significant inroads to this by improving management of both process and leave and by carefully deploying the additional depute resources allocated. The pressures brought about by the various decisions on disclosure have renewed the pressure. We remain with a slight imbalance of resource versus reports received though this has steadily reduced over the last four planning years. As is apparent from the information flowing from MIU, we have sought to embed a culture, in advance of the summary justice reforms, of taking action only when necessary and at the appropriate level; prosecuting in the lowest appropriate forum and the preliminary indications of compliance are encouraging. We will continue to encourage strongly good leave management practises and planning tools. We will migrate the resources from summary to solemn, as we continue to manage that better.

## **11. OTHER ISSUES**

### **11.1 PLANNED CHANGES IN 2008/2009**

- 11.1.1 We will continue to review the allocation of resources within Tayside, to ensure that target delivery reflects the relevant workload in each office.
- 11.1.2 As noted in previous business plans, the admin management structure in Dundee remains at 3 band C managers; the consequence of this being that there is no focal point for admin management decisions with the district fiscal often being required to become involved in matters, which can divert him from his main duties. The process to address this is now in train and the outcome should be ultimately cost neutral.
- 11.1.3 It is clear that the overall criminal justice partnership would be better served if the cases coming into the system were closer to being right first time. We intend to continue training first-line police supervisors in what constitutes a "good" report and build upon our training and guidelines for our case markers in order that we do "get it right first time" more often.
- 11.1.4 The quality group consisting of all our office managers chaired by the Band D office manager at Perth will be given fresh impetus. We made significant inroads into data integrity issues in 2006/2007 and built significantly upon this in 2007/2008. We intend to maintain our position as the leading area in terms of data quality and if possible improve our performance.

### **11.2 POTENTIAL FUTURE CHANGES:**

**2008/09:** Summary Justice Reforms will influence changes in processing of work on an area-wide basis. The implementation of Lord Coulsfield's review of disclosure will provide an opportunity to properly address the resources required for this across the department. Changes occasioned by the vulnerable witness legislation will continue to have an effect.

## **12. CONCLUSION**

### **12.1 CONCLUSION:**

- 12.1.1 A continued focusing on quality of work and getting it right first time, allied to making best use of the Summary Justice Reforms will allow Tayside to continue to build upon its positive and improved contribution to the criminal justice community.

## Corporate Aim, Objectives and Targets: (2007-08)

## Annexe I









**Aim:** To provide an independent, modern prosecution service, which is committed to professional excellence, pursues cases fairly and consistently in the public interest and Supporting Internal Targets is responsive to the public's needs.

<b>Objective 1: To secure the confidence our diverse communities by improving the delivery of justice through the timely, efficient and effective prosecution of crime</b>
<b>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]</b>
<b>Current Supporting Internal Targets</b>
<ul style="list-style-type: none"> <li>To take action in 75% of crime reports within 4 weeks of receipt</li> <li>To issue 90% of complaints for service at least 3 weeks before a pleading diet.</li> <li>To complete investigation of complaints of criminal conduct by police officers and advise complainer of outcome within 12 weeks in 90% of cases</li> <li>PF to provide initial response to preliminary report of CAP within seven days.</li> <li>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.</li> </ul>
<b>Target 2 (published): To implement agreed recommendations of COPFS Inspectorate's Review of the prosecution of racial crime by March 2007 and other agreed recommendations of COPFS Inspectorate's Reviews within two years of such agreement.</b>

<b>Objective 2: To give priority to the prosecution of serious crime, including drugs trafficking and persistent offenders.</b>
<b>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.</b>
<b>Current Supporting Internal Target</b>
<ul style="list-style-type: none"> <li>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)</li> </ul>
<b>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.</b>
<b>Current Supporting Internal Targets</b>
<ul style="list-style-type: none"> <li>PF offices to submit 80% of well prepared High Court bail cases to Crown Office within 8 months of CFE date.</li> <li>PF Offices to submit 100% of well prepared High Court bail cases to Crown Office within 9 months of CFE date.</li> </ul>
<b>Target 5 (published): In partnership with Justice portfolio, reduce by 10% the level of High Court trial diet adjournments by March 2008.</b>

<b>Objective 3: To provide services which meet the information needs of victims, witnesses and next-of-kin, in co-operation with other agencies.</b>
<b>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.</b>
<b>Current Supporting Internal Target</b>
<ul style="list-style-type: none"> <li>To achieve 85% customer satisfaction levels amongst survey respondents.</li> </ul>

<b>Objective 4: To ensure that all deaths reported to the Procurator Fiscal are investigated appropriately and speedily.</b>
<b>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</b>
<b>Current Supporting Internal Targets</b>
<ul style="list-style-type: none"> <li>Complete 90% of death investigations within 6 weeks of receipt of a full report (where no report to Crown Office is required).</li> <li>CO to issue instructions within 5 working days of receipt in 80% of cases.</li> <li>Commence 95% of FAIs within 24 weeks of receipt of Crown Counsel's instructions (in the case of discretionary FAIs) or receipt of the Death Report (in the case of mandatory FAIs)</li> </ul>

Annexe No	Description	File
II	<b>Objectives &amp; Risk Register:</b>	 G:\Tayside Area\ Business Planning\200
III	<b>Workload Trends Analysis:</b>	 G:\Tayside Area\ Business Planning\200
IV	<b>Budget Proposal:</b>	 G:\Tayside Area\ Business Planning\200
V	<b>Pay cost detail</b>	<b>Per attached file</b>
VI	<b>Pay cost per ready reckoner</b>	 G:\Tayside Area\ Business Planning\200
VII	<b>Training plan</b>	 G:\Tayside Area\ Business Planning\200
VIII	<b>Continuous improvement record sheet</b>	 G:\Tayside Area\ Continuous Improven
IX	<b>Forecasting accuracy</b>	 G:\Tayside Area\ Business Planning\200
X	<b>Paper by John Fox (VDPDD)</b>	 G:\Tayside Area\ Business Planning\200