

Operational Performance Committee

Minutes of meeting held on 2 November 2022 by Microsoft Teams

Present:

Stephen McGowan	Deputy Crown Agent – Serious Casework (Chair) (DCA)
Laura Buchan	Procurator Fiscal, Specialist Casework (LB)
Kenny Donnelly	Procurator Fiscal, Policy and Engagement (KD)
Ruth McQuaid	Procurator Fiscal, High Court (RMcQ)
Jennifer Harrower	Deputy Crown Agent - Local Court (JH)
Katie Woods	BM Central Operations Unit (KW)
Robert Tinlin	Non-Executive Director (RT)
Lana Thomas	PA DCA – Serious Casework (Secretariat) (LT)

Apologies:

Fiona Roberts -Head of Management Information Unit

1. Welcome and Apologies

The DCA welcomed everyone to the meeting, apologies were noted.

Jennifer Harrower is now the DCA for LC but is attending today in previous role. Local Court representation to be determined.

2. Minutes of previous meeting

The minutes of last meeting were agreed and can be published.

3. Outstanding actions

Action 6/22: Recovery Mapping – ongoing

Action 7/22. Progress of Stats/KPI's- ongoing

4. Monthly Stats/Key Performance Indicators

High Court (HC)

RMcQ discussed the HC paper and points of interest were-

- Significant rise in productivity with an 18% increase in reports to CO and 47% increase in cases indicted last month. The last post in the indictment team was also filled which will impact ability to meet the 100 indictments a month target. There has been a 40% increase in s76s when compared to the same 6 month period last year.
- Interim marking age profile has also significantly improved, shifting down from 54% to 18% over 1 year and getting closer to our objective of 10%.
- Team have been working on child witness cases and have been in dialogue with LC to establish a share definition of child witnesses, and if possible to have a shared KPI..
- Additional resource to be found for cases arising from SCAI. Discussions ongoing with LC re cases they are likely to be Sheriff and Jury.
- Question raised re career development and planning for CPs as most CPs are deployed to SO cases. There are a significant number of vacancies and expected vacancies, particularly in SO to be filled.
- Laura asked to be involved in discussions around CP training and development as SC have a number of new CPs coming in from external.

Local Court

JH discussed the LC paper and points of interest were-

- Summary Case Management Pilot now been running for 2 months, encouraging signs with a 10% increase of guilty pleas.
- Reduction in number of witnesses cited (civilians & Police)
- Summary Court backlog in a good position in terms of recovery. Modelling complete for recovery and work ongoing with SCTS.
- Jennifer's replacement will work with LC Transformation team to provide more meaningful reports for this board.

“Releasable under the Freedom of Information (Scotland) Act 2002 after the next meeting”

- NICEP -volume of unmarked cases down from 20k to roughly 17k, there is a definite downward trend and this will continue to be looked at to see if further improvements can be made to keep lowering this figure before the end of the financial year.

Specialist Casework

LB Discussed the Specialist update and points of interest were-

- Work on-going to increase CDIT compliment, bid in for 76 additional posts will take us to 90 full compliment. PD post filled from list working on the rest of posts. 2 KCs now full time on case/
- Minute to Law Officers on improving the Death Investigations System submitted, L.O's receptive to recommendations and endorsed it. Katrina Parkes to set up a Board to oversee implementation for this.

Policy & Engagement

KD discussed the P&E Paper and points of interest were-

- The Scottish Government have completed a consultation on their proposed Children's Care and Justice Bill. One of the key elements is the raising of the maximum age of referral to the children's reporter, currently 16 unless the individual is subject to a compulsory supervision order, in which case 16 and 17 year olds may be referred. Policy officials are engaged with the Scottish Government and other justice partners to ensure that the consequences of raising the age to 18 is properly understood. Policy officials have begun work on understanding how the Lord Advocate's Guidelines and Framework on Early and Effective Intervention may be amended.
- UNCRC Bill passed by Scottish Government came into effect March 2021. Bill now back to Parliament via the reconsideration stage, to address the issues raised by the Supreme Court. The Bill as currently drafted places an obligation on public authorities not to act incompatibly with UNCRC.
- The legislation will require COPFS to review prosecution policies and processes relating to prosecution and the investigation of deaths which are both directly and indirectly associated with children (as accused and witnesses) to ensure that they are compatible with the UNCRC.
- A working group comprising representatives from Policy, SFIU and other specialised operational divisions is overseeing the review of relevant policies and processes.

5. Recovery Mapping

Rolled over to next meeting.

6. Minutes for OPC clearance

SET will no longer routinely clear Policy minutes, Stephen shared Anthony McGeehan's email with recommendations regarding clearance of Policy minutes and work. Conversations took place and the group gave observations.

- **Action 8/22-** Stephen and Kenny to meet and discuss the practicalities of this and how approvals will be recorded going forward.

7. A.o.b

No further business discussed.

Date of Next Meeting: 1 December 2022