

OPERATIONAL PERFORMANCE COMMITTEE

**MINUTES OF THE MEETING HELD ON 13 SEPTEMBER 2017
CROWN OFFICE, EDINBURGH**

Present:

Lindsey Miller	Deputy Crown Agent Serious Casework (Chair)
Helen Nisbet	Assistant PF Specialist Casework
Gioia Ezzi	Secretariat

By VC:

Liam Murphy	PF Specialist Casework
Stephen McGowan	PF High Court
Anthony McGeehan	PF Policy and Engagement
Catriona Dalrymple	PF Local Court East & North
Ruth McQuaid	PF Local Court West
Graham Kerr	Head of Business Management, Operational Support

1. Welcome & Apologies

Lindsey welcomed everyone to the meeting, there were no apologies.

2. Minutes of previous meeting

Minutes agreed.

3. Action Tracker

Actions 25, 27 & 30 – ongoing
Action 27 (aspirational targets) – substantive agenda item

4. Monthly stats/indicators

High Court (*Stephen McGowan*)

Indicting target sitting at 59%.

Increase in new sexual offences, trend continuing at lower rate as previously was 70, then 60, but new figures suggest still 50 or so new cases in the last month. This has a wider impact on the criminal justice system given the anticipated increase in request for forensic analysis.

Ongoing pressure on the sexual offences teams as resources are transferred to Child Abuse Inquiry.

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Homicide figure continues to increase, with homicide team also dealing with a child suicide with possible involvement from PIRC.

Local Court

S&J (Cat Dalrymple)

Implementation of processes aligned with new legislation is still ongoing with no cases being adversely impacted.

Performance approaching the target, nationally 80%. Lowest performing at 73% in Tayside, Central & Fife but going in right direction.

Summary (Ruth McQuaid)

Reduction in complaints registered at JP Court and smaller sheriff courts with no impact on outstanding trials. Working towards one common rota for whole of Local Court which should hopefully give a clearer picture and address misconceptions regarding capacity.

NICP (Ruth McQuaid)

Continuing to meet published targets. Interim marked cases down by 25%; in 2016 figure was 4,700 in 2017 sitting at 3,600. Focus is on legacy marking, the Location Neutral Team have 3 out of 4 staff in place, once fully staffed there should be a significant reduction in the 10 week plus cases.

Unmarked cases are just over 14,500 which is relatively steady. Advised this is not unmanageable with risk sitting at amber. Suggestion is in relation to proposed KPIs (see further below) that a manageable figure for unmarked cases should be around 10,000.

Operational Support

Graham Kerr advised that electronic signature will take 6 weeks to put in place.

Specialist Casework (Liam Murphy)

Draft protocol for large and complex cases with PCC and DPCC for comment which will then form the basis of submissions to the Law Officers. Assumption in relation to the protocol is that cases will be those dealt with by the Serious and Organised Crime Unit at Gartcosh. Some High Court cases will sit within protocol. Concern would be on resource for these cases in wider High Court.

Policy & Engagement (Anthony McGeehan)

VRR – 50% rise in requests from start of financial year for same period last year. This coincides with reduction in resource in RIU

Enquiry Point – resourcing challenges as 6 operators down.

Complaints – Information Commissioner considered a data breach in a High Court case. This was successfully closed with no further action for COPFS. Due to this case there is new mandatory data protection training now available. Anthony asked colleagues to raise profile of this training and encourage colleagues to complete it.

5. Terms of Reference

OPC members discussed what was described as a “disconnect” amongst the 3 committees.

Graham advised of other routes outwith BIC such as the Local Court Improvement Committee. Specialist Casework also now has a separate committee.

Concern was expressed at capacity of ISD with 3 different workstreams generating demand. Who adjudicates thoughts to BIC. BIC is unable to give priority so creating unmanageable risk to OPC. There needs to be coordination as there are more issues than ISD have resources. There needs to be oversight on who drives these, ie requires to be some sort of ranking.

Remit for OPC was driving improvements. Prioritising should be with OPC not elsewhere in the organisation.

Lindsey advised that the functional updates are to be produced for the Executive Board every second month. The update could include these issues.

Ultimately there is a disconnect in committees and priorities with no arbiter. The committees overlap with things falling between gaps.

Communication and visibility of the scoring matrix would enable a better understanding. There is a gap in the relationship with the 3 committees. There is no line of communication with Lindsey sighted due to being member of Executive Board not Chair of OPC.

OPC is beholden to other committees to drive improvement and is disproportionately reliant on BIC and Resources to deliver.

ACTION: Lindsey to raise these points at Executive Board and at SET.

6. Setting KPIs

All papers were submitted to committee from the functions and Committee members discussed whether what is set in the KPIs are what we can and should sign up at this time. Sheriff and Jury are on a different track, with KPIs being driven by the Bowen reforms and then the legislative framework. High Court & Specialist Casework advised that the proposals are work in progress, with

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management info in part and requiring further ISD support High Court cannot meet the former indicting target as things stand

Setting aspirational targets is a significant body of work in itself which requires to be done before we get to this stage.

Members also discussed the potential issue of what could be perceived as an inconsistency of approach linked to these targets; are they achievable or aspirational. Regarding Sheriff & Jury and High Court, the papers have an underlying different logic in relation to targets which may be legitimate but may require more explanation – High Court focuses on the nature of the case and the parties to that case, and sheriff and jury focuses in the main on volume and timebar.

It is ultimately the quality of the product. There are issues with resource and ultimately quality of product suffers. In NICP there is volume control as quality requires audit and resources.

Specialist tried to capture where they are just now. Due to labour intensive work on producing management information, a resource was seconded to work on this from 1 September.

Members confirmed there was no objection to sharing the papers as they currently stand with the Executive Board with the caveat flagged regarding what is aspirational.

7. AOB

None

8. Date of Next Meeting

Wednesday 11 October 2017 at 2pm.