

OPERATIONAL PERFORMANCE COMMITTEE

MINUTES OF THE MEETING HELD ON 19 APRIL 2017 CROWN OFFICE, EDINBURGH

Present:

Lindsey Miller	Deputy Crown Agent Serious Casework (Chair)
Anthony McGeehan	PF Policy and Engagement
Nicky Patrick	PF Homicide & Major Crime
Gioia Ezzi	Secretariat

By VC:

Catriona Dalrymple	PF Local Court East & North
Liam Murphy	PF Specialist Casework

Apologies:

Stephen McGowan	PF High Court
Ruth McQuaid	PF Local Court West
Graham Kerr	Head of Business Management, Operational Support

1. Welcome & Apologies

Lindsey welcomed everyone to the meeting and Nicky Patrick who was attending as High Court representative. Apologies were noted as above.

2. Minutes of previous meeting

Minutes agreed.

3. Action Tracker

Action 12: The process of streamlining of confidential material is still in progress but nearing completion. Once process finalised, vetting of appropriate staff will be looked at once all new staff are in post. **Action: ongoing.**

Action 20: Protocol for Sheriff & Jury/High Court functions close to final draft with discussions at an advanced stage. Protocol should be finalised by next meeting. **Action: ongoing.**

Action 22: Thematic breakdown of complaints. Process now completed. Anything significant will go to LCLB. Similar process may be adopted for other functions and adapted if necessary. **Action: closed.**

New Action 24: Lindsey to discuss with DCA Legal Assistants consistency of approach regarding ex-gratia payments and feedback of issues to LC senior management team.

4. Remit

Standing item.

5. Monthly stats/indicators

High Court

The committee noted the ongoing pressure particularly in relation to the preparation of homicide cases – the caseload statistics are not necessarily reflective of the resourcing impact on the homicide team in relation to supporting police investigations pre submission of SPR (warrants, ongoing advice, forensic strategies etc) pre-petition to post petition and cold cases.

If HC resources continue to be dedicated to address the upturn in homicide and major crime work, that will have an impact on the pre-petition recovery plan for sexual offences, for which it was noted there had been considerable progress so far in bringing down the work in progress (WIP) figure.

The committee noted that the sexual offences pre-petition seems artificially high and a data integrity issue has been identified which the PF Sexual Offences is addressing.

Local Court

Take and implement target for the year 2016/17 finalised at 76%.

NICP: There are a significant number of cases which are out of target and the committee noted that it will be difficult for the current take and implement target of 75% to be met for the first 6 months of the year as the proposed recovery plan takes effect.

The recovery plan is to have NICP deal with cases under 10 weeks old, with a pilot of a location neutral working team, managed by an experienced NICP PD to bring down the WIP figure comprised of older out of target cases. The recovery plan is likely to be of 9 to 12 months' duration, which will also be complemented by a staff rotation policy across NICP/LC.

The committee will continue to monitor this situation and agreed to discuss at the next meeting whether the agreed proposals for some revised KPIs should be implemented incrementally or whether all should be implemented at the same time.

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

Sheriff and Jury: Age profile has not reduced further but this is being managed by weekly assurance returns from Sheriffdom PFs. GHI cases are being discussed at LCLB.

Summary: Nothing exceptional to report with figures continuing to reduce. Prosecution Policy review is continuing to have an effect, and feedback is overwhelmingly positive. Unusual spike in March in reports received.

Specialist Casework

End of year stats for 2016/17: CAAPD at 93% with SFIU at 90%.

Regarding management information issue in specialist casework, Liam advised that it took 68 hours to ingather SOCU stats. With the additional MI work it highlighted the capacity issues within the business management team to provide this information. As a result a submission is being made to the Resources Committee to seeking additional support until such time as the MI submission to BIC gets priority.

With regard to ongoing cases, Operation Escalade was flagged as it is the highest mapped OCG case in whole of UK. It is being conjoined with Operation Draken with this particular operation having time bar pressures. Forensics are now under pressure with possible short term slippage across their business as they prioritise this operation.

Conjoining these 2 cases would take the number of accused to 6. Liam advised that the liaison with the SFO in relation to Case Review Panels highlighted that 6 accused is likely to be the highest number of accused the SFO would prosecute particularly if the trial would last more than 3 months before considering having multiple trials.

Policy & Engagement

Three items to note:

1. Regarding FOI target compliance, report has now gone to Executive Board with 80% target accepted as reasonable.
2. Anthony advised that the Information Commissioner issued a report into a data breach which was not positive with a possible fine being imposed. Part of the recovery exercise is new ongoing with possible mandatory data protection training for staff and exploring protective markings on letters.
3. Prosecution Policy Review Board monitors feedback on a monthly basis with a bespoke set of data.

6. Case Review Panels

Director of Public Prosecutions has contacted Private Office to arrange a time to view a Panel with Lindsey and Liam to attend. Liam gave his view on how a Review Panel/Management Panel might work with intention to produce a paper.

7. AOB

Liam advised that he is on Principal Depute Board which will take up a large time commitment. General advice is to give potential candidates support in particular in relation to forms.

8. Date of Next Meeting

Wednesday 17 May 2017 @ 10am, Conference Room 2, Crown Office.