

***Proposed Joint Feasibility Study
to
Review Future Delivery of Justice
Services
in the
Scottish Borders***



Scottish
Court Service



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***A Whole Systems Approach to Justice Services in the
Scottish Borders.***

Programme name *Making Justice Work*

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PRINCE2

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Approvals

This document requires the following approvals.
Signed approval forms are filed in the programme files.

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Overview

Purpose To assess the most efficient, effective and economically advantageous method for future provision of an integrated justice service for the Scottish Borders

Objectives To seek agreement and commitment from all partners to commission a short duration working group to undertake feasibility study.

Outcomes Completion of a feasibility study on models designed to deliver integrated justice services for the Scottish Borders.

Preparation of a report with options, analysis and recommendations on the preferred future service delivery model. This should include outline commissioning costs, recurring revenue commitments, timelines and key milestones, full benefits appraisal and risk profiling.

Recommendation on a project governance structure should any proposed option progress to the next stage.

Preparation of an executive summary with recommendations.

Background

In terms of strategic alignment the SCS has recently completed its public consultation “*Shaping Scotland’s Court Service*”, the SG have committed to a “*Making Justice Work*” programme, SBC have their published single outcome agreement “*Ambitious for the Borders*” the recently merged PS have also commenced an *Asset Management review*. All of these key drivers for change provide a unique opportunity to work in collaboration with partners on an integrated service delivery model for justice in the Scottish Borders that best serves customers.

This therefore provides a platform for all partner organisations to come together, with knowledge of their own individual strategic objectives, to undertake an open review of all options designed to serve Scottish Borders in the future by providing a whole systems approach to the delivery of Justice.

Such an approach is consistent with the findings in the Christie Review and the Scottish Government’s Strategy and vision for Justice both of which requires

“...greater integration of public services at a local level driven by better partnership, collaboration and effective local delivery”

It is essential that every effort is made to maximise the benefit from this opportunity, so that a full and transparent feasibility is undertaken on all potential models for future delivery of integrated Justice Services including co-located Justice Centre or Centres, hub and spoke service model or increased on-line access to services that harnesses developments in ICT. In effect the study begins against a backdrop of a “blank canvas” with no preconceived ideas on what might ultimately prove to be the optimum solution.

Appendix A outlines the current business demands of the four courts currently operating within the Scottish Borders Council local authority area.

Outline Vision Statement

All partners are committed to providing Justice Services fit for purpose for the 21st century. No longer can services be provided as they have always been. Lifestyles, population centres, transport links, technology and customer expectations have changed and Justice Partners have a duty to be innovative and respond appropriately to ensure that services are excellent, adaptable, and accessible and delivered collaboratively and, where practicable, provide value for money. In other words, this provides an opportunity to explore options for a whole systems approach to the delivery of justice in Scottish Borders.

Outline Benefits Description.

The principal benefits from a shared approach are:

- **Enhanced Customer Service** – Greater cohesion between partners leading to improved information sharing, improved throughput of business with fewer delays benefiting victims, witnesses’ and offenders
- **Efficient Working** – Effective integrated working on a collaborative basis allows opportunities for systemic changes to streamline and improve front line delivery of services.
- **Economic** – the ability of partners to share costs and overheads should drive out financial savings
- **Greater connection with local community** - joint working is an enabler to create a problem solving platform and provide integrated and accessible services to deliver the best possible service to the public

Risks / Issues

There is a risk that a major partner does not get approval to participate in the feasibility study the impact of which will be to undermine collaborative working in the design of an effective local delivery model that best serves the Scottish Borders.

There are risks with uncertainty around enabling capital and revenue funding streams.

Constraints / Assumptions

Any options must be compliant with the Judicial Office for Scotland's Principles for **Access to Justice**

It is assumed for the purpose of this paper that:

- SCS will proceed with the planned closure of Peebles and Duns Sheriff Court's in January 2015. This decision will not be reconsidered as part of the feasibility study.
- in any future public spending review, partners will be required to work within reduced revenue funding and any solutions identified would therefore need to be aligned to Best Value principles.
- all opportunities to provide a technology solution will be investigated.
- as proposals for problem solving courts¹ develop, they will be included in any future service delivery model.

It is acknowledged that participation in the feasibility phase does not commit any organisation to the development of the preferred model. Each individual organisation will need to reflect on the emerging proposal and consider whether this is aligned to their strategic vision, is affordable and provides Best Value.

Stakeholder support / Engagement

It is assumed that all stakeholders will support and be willing to assist the working group as required.

The working group will be free to engage openly with interested parties to develop any optimum solutions. Although not an exhaustive list of parties, we anticipate that we will engage with the Scottish Children's Reporter Authority, Children1st, Victim Support, Women's Aid, Pathways Project and such other bodies that represent the interests of those coming into contact with the justice system in the Scottish Borders. Formal public consultation will not take place during this feasibility phase but in the event that any recommendation is developed to full business case, wider formal public engagement will be required.

¹ The core idea behind a problem solving approach to justice is that it is not good enough to just simply arrest, process, and adjudicate on an accused, but rather that police officers, prosecutors, judges, social work services, education, housing, health, addiction and employment services assisted by third sector organisations should all work together to reduce recidivism, improve public confidence in the justice system and generally reduce crime. In other words, a whole systems approach to delivery of justice that provides wrap around services for the accused and which services are also accessible by the local community.

Estimated Timescales

Stage	Description	Start Date	End Date
1	Partners approval to proceed with feasibility study	14 June 2013	26 July 2013
2	Working Group undertake feasibility study	1 Aug 2013	20 Dec 2013
3	Partner presentations on options and recommendations	6 Jan 2014	28 Feb 2014
4	Commence to full business case	3 March 2014	Unknown

Delivery

The working group are free to consider any options, however to assist with early planning the following options may be considered

- **Do nothing**.- We continue to operate from the current court locations of Jedburgh, Duns, Selkirk and Peebles until January 2015 and thereafter the SCS will operate out of two sites in Jedburgh and Selkirk
- **Justice Centre or Centres**.- in the Scottish Borders to provide a holistic support to those who come into contact with the justice system in modern state of the art facilities with access to wrap around services
- **A hub and spoke model**. - A hybrid model to provide a main hub or centre with physical satellite facilities spread across the local authority area.
- **Technology solution**.- More focus on using ICT to make best use of emerging technology solutions to improve customer experience, minimise inconvenience and deliver solutions designed to provide access to justice. This solution can also be complementary to either of three options above.

Resources and Governance

SCS will provide a Project Manager to oversee day to day management of the Feasibility Study.

It is assumed that all partners who commit to the feasibility exercise will provide the necessary internal resources from within their own revenue budgets.

David Forrester, SCS and David Cressey, SBC will assume a shared Senior Responsible Owner role for the duration of the feasibility stage and they will be supported by a small project team drawn from the “clients” identified at Page 2 above.

Periodic highlight reports will be prepared by the Project Manager and shared with the Scottish Borders “Members Sounding Board Group” and the Scottish Court Service Court Structures Project Board.

Business Assessments/Consultancy

There may be a requirement to procure additional specialist support from consultants or analytical providers to better understand business trends and volumes in the future. This will feature for early consideration in the feasibility

The SCS will access such financial support from funds allocated to undertake option appraisals of this nature.

APPENDIX A

Scottish Borders Council - Demand Analysis	2010-11				2011-12				2012-13			
	Duns	Jedburgh	Peebles	Selkirk	Duns	Jedburgh	Peebles	Selkirk	Duns	Jedburgh	Peebles	Selkirk
Levels of reported Crime												
Criminal Reports Received by Procurator Fiscal	927	1097	317	1418	935	987	370	1392	641	1016	299	1338
Sheriff Court Summary Criminal Complaints Registered	157	397	99	466	131	334	117	388	109	322	67	380
Number Proceeding to trial	78	193	43	208	82	204	38	147	62	172	41	161
Number proceeding to evidence	25	44	10	58	16	42	15	36	16	36	8	60
JP Court Summary Criminal Complaints Registered	399	213	98	370	438	191	99	397	316	184	90	346
Number Proceeding to trial	24	62	21	45	36	56	8	44	22	72	26	74
Number proceeding to evidence	10	13	7	10	11	18	2	11	8	14	3	13
Indictments Registered	0	17	0	32	1	14	0	24	5	36	1	38
Number Proceeding to trial	0	17	0	21	0	15	0	10	0	22	1	18
Number proceeding to evidence	0	9	0	10	0	9	0	5	0	6	0	8
Ordinary Civil Actions Registered	106	223	83	249	89	217	61	182	83	180	48	153
Number Proceeding to proof	2	25	4	28	4	20	9	26	12	27	9	14
Number proceeding to evidence	1	5	0	4	0	6	1	2	1	8	4	1
Summary Cause/Small Claim Actions Registered	106	319	129	313	115	247	112	299	129	215	67	252
Number Proceeding to proof	2	6	9	26	0	8	8	38	4	19	4	6
Number proceeding to evidence	1	3	3	6	0	6	1	6	0	2	1	0
Cases Reported to SCRA												
Number referred to Sheriff												