

# Scottish Court Service CORPORATE PLAN 2008-2011

## WE VALUE:

- COMMITMENT AND PROFESSIONALISM
- PROVIDING A HIGH QUALITY SERVICE
- INTEGRITY AND IMPARTIALITY
- WORKING TO IMPROVE THE JUSTICE SYSTEM
- USING RESOURCES EFFECTIVELY

The Scottish Court Service  
Hayweight House  
23 Lauriston Street  
Edinburgh  
EH3 9DQ

[www.scotcourts.gov.uk](http://www.scotcourts.gov.uk)



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**SCOTLAND'S JUSTICE SYSTEM IS BUILT ON TRADITIONAL VALUES OF INTEGRITY AND FAIRNESS. IT ALSO NEEDS TO REFLECT RISING PUBLIC EXPECTATIONS FOR SERVICE, RESPONSIVENESS AND FLEXIBILITY. THE RECENT RADICAL REFORMS OF THE CRIMINAL COURTS ARE HAVING A POSITIVE IMPACT ON ALL WHO USE THEM WHETHER VICTIMS, WITNESSES OR PRACTITIONERS. DURING 2008-11 WE WILL BUILD ON THESE FIRM FOUNDATIONS WITH FURTHER IMPROVEMENTS IN ALL OUR SERVICES.**

At the start of this corporate plan period, we have successfully brought together the administration of the Sheriff and Justice of the Peace courts in Lothian and Borders and Grampian, Highland and Islands Sheriffdoms, and have introduced new fines collection and enforcement arrangements – our part in the major programme of summary justice reform. Plans are in hand for establishing the new Justice of the Peace courts in the rest of Scotland in phases and for their administration to come within the responsibility of SCS.

We have an ambitious estates investment programme over the next three years, with its centrepiece being the major redevelopment of Parliament House to secure the future of this important, historic building and provide high quality facilities for the Court of Session. Other projects include the completion of the redevelopment of Dumbarton Sheriff Court and the much-needed expansion at Alloa Sheriff Court.

The inclusion, since early 2007, of judicial members and other non-executive members on our **Strategic Board** has been a major success, ensuring that decisions are taken with a more complete understanding of their impact. Over this period, we will be building on this – first through widening the judicial membership of the current Strategic Board and eventually, when the **Judiciary and Courts (Scotland) Bill** is enacted, by moving to a Board with a judicial majority and the Lord President in the chair.

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## THE YEARS AHEAD WILL BRING SOME SUBSTANTIAL CHANGES FOR THE SCOTTISH COURT SERVICE. THE CORPORATE PLAN FOR 2008-11 IS NOT A STAND ALONE DOCUMENT BUT SETS THE FRAMEWORK, SUPPORTED BY OTHER SCS POLICIES, PLANS AND STRATEGIES, TO GUIDE AND SHAPE OUR FUTURE.

During this period, we also expect to be responding to the recommendations of the Civil Courts Review led by Lord Gill. This review is taking a wide-ranging look at the management of civil court business in Scotland and there is scope for real and lasting improvement. Tackling change in civil business hard on the heels of very fundamental reforms of other business areas – the High Court, the summary criminal courts and the Office of the Public Guardian – will be challenging, especially against a background of increased pressure on efficiency, but we have the skills and the commitment to rise to the challenge. Our new Board will have high expectations and I believe it will take over a service that is willing and able to meet them.

We have prepared this Corporate Plan as an electronic document to help demonstrate the relationship between the Corporate Plan, business plans, other strategies and our performance. It is a living document which allows us to refresh the plan throughout its three year period, reflecting the developments and changes within the organisation.

If you have comments on the Corporate Plan please send to [scsfeedback@scotcourts.gov.uk](mailto:scsfeedback@scotcourts.gov.uk).

**Eleanor Emberson**  
Chief Executive



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WE HAVE UNDERTAKEN WORK AND CONSULTATION TO MORE CLEARLY DEFINE OUR ORGANISATIONAL PURPOSE, AIM AND VALUES FOR THE PERIOD OF THIS PLAN. WE WILL ENSURE THESE ARE CLEARLY UNDERSTOOD AND PROVIDE THE GUIDING PRINCIPLES FOR ACTION THROUGHOUT OUR ORGANISATION.

## OUR PURPOSE:

### *Access to Justice.*

We deliver this by providing the people, buildings and technology to support the operation of the Courts and the Office of the Public Guardian.

## OUR AIM:

The Scottish Court Service is committed to the maintenance of high standards with the aim of providing services to the public, professional users and the judiciary that are:

- Consistent and reliable
- Delivered when we promise them
- Making best use of the resources available to us.

## OUR VALUES:

We will fulfil our purpose and pursue our aim conscious of our responsibilities to be publicly accountable, respect judicial independence and work with others in improving the performance of the justice system.

In particular we value:

- Commitment and professionalism
- Providing a high quality service
- Integrity and impartiality
- Working to improve the justice system
- Using resources effectively.

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WE DO NOT WORK IN ISOLATION. OUR WORK IS HEAVILY INFLUENCED BY:

- THE SCOTTISH GOVERNMENT'S POLICY FRAMEWORK,
- THE ACTIONS OF OTHER ORGANISATIONS IN THE JUSTICE SYSTEM, AND
- THE PREVAILING EXPECTATIONS AND BEHAVIOURS OF THE PEOPLE WE SERVE.

ALTOGETHER, THESE INFLUENCES FORM OUR OPERATING ENVIRONMENT.

- **Government purpose**  
The Scottish Government's commitment to increase sustainable economic growth.
- **Financial resource**  
In common with the rest of the Scottish public sector, a tight Spending Review settlement and a requirement to find ways of doing our business more efficiently wherever possible.

- **Operational business trends (High Court, Court of Session, Office of the Public Guardian, Sheriff Court, Crime)**  
Anticipated growth in various categories of business including solemn crime and applications to the Public Guardian, partially balanced by the opportunity to reduce the burden of summary crime on the courts.
- **Working with others**  
An increased emphasis across the Scottish public sector on finding more efficient ways of delivering support services, whether through IT, process improvement or shared services.



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## GOVERNMENT PURPOSE

The Scottish Government has a single overarching purpose:

*“To focus Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.”*

This purpose statement is supported by **five Strategic Objectives** to make Scotland:

- wealthier and fairer
- smarter
- healthier
- safer and stronger
- greener.

Our core business most closely supports building a ‘Safer and Stronger’ Scotland, but we also have an important role to play in supporting the other four Strategic Objectives as well.

We will consider how our own purpose and activities support the Government’s Purpose and throughout this plan, strategies are detailed that will support the Objectives. This activity will continue to be relevant as our governance changes, since we will still operate within a policy framework and corporate plan agreed by the Scottish Government.

Our contribution to the ‘Safer and Stronger’ Objective will include a number of actions and activities. For example:

- we will play an important part in delivering the Government’s commitments to summary justice reform and support Lord Gill’s work to reform the civil courts,
- our core purpose of supporting the operation of the courts in turn supports the Government’s specific objective to dispose of an increased proportion of criminal business within 26 weeks of caution and charge, and
- the Vulnerable Witnesses (Scotland) Act 2004 was fully implemented from 1 April 2008 and introduces a series of measures to enable witnesses in fear or distress, suffering mental disorder or child witnesses to provide as high a quality of evidence as possible.

Efficient delivery of public services is another key Government theme and we are committed to improving the way that we conduct our operational business and the ways in which we work with other parts of Government to reduce costs. These objectives are explicit in our **aim and values**.

We are already making a strong contribution to the achievement of the Scottish Government’s Purpose. During 2008-11 we will ensure that our priorities and activities support the delivery of the five Strategic Objectives.



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## FINANCIAL RESOURCES

The Scottish Government's Strategic Spending Review was published in November 2007 and sets the budget for the plan period 2008-11. Table 1 sets out the agreed operating and capital budgets.

Table 1

£000s	2007-08 Budget	2008-09 Budget	2009-10 Budget	2010-11 Budget
Operating expenditure	69.1	71.0	74.2	75.0
Capital	10.3	10.3	18.7	20.3
<b>Total</b>	<b>79.4</b>	<b>81.3</b>	<b>92.9</b>	<b>95.3</b>

This is a challenging financial settlement for us because of the range of major change programmes that we have to deliver in the plan period and because of the increasing costs of delivering our core business. The change programmes include completion of unification of the administration of the Sheriff and Justice of the Peace Courts and the Parliament House redevelopment project. Business related costs include employment costs, costs of implementing new legislation, and the costs of increased pressures of solemn business, all of which are expected to increase and to be contained within the settlement.

The consequence is twofold:

- In line with the Scottish Government's agenda for public sector efficiency, we will secure at least 2% efficiency savings each year, re-investing the money in priority activities. One of the key programmes for the corporate plan period is our 'Efficiency and Opportunity' programme to realise savings while delivering and improving services.
- An increase in the fees charged to civil court users and Office of the Public Guardian customers to reduce the fee subsidy and cover an increased proportion of the cost of providing the services was sought and approved by the Scottish Parliament in June 2008.



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## OPERATIONAL BUSINESS TRENDS

This section provides a snapshot of the likely operational trends in the plan period, taking account of existing trends and anticipated policy and legislative changes.

During the plan period we will work closely with others in the justice system to better understand and anticipate changes in business trends, strategy and practice that will affect the courts.

This section considers the last five years of court operational data and highlights the major impacts to court business that we predict.

## High Court

In the High Court there has been a downward trend in registered indictments and trials where evidence was led, although this has reversed over the last two years and trials proceeding as a proportion of indictments registered have increased. We believe this to be a consequence of the High Court Reforms introduced in 2005 which have brought greater certainty to the fixing of trials.

Judge sitting days averaged around 3400 days per year over the previous five years. The general position on the waiting time before appeals are

heard improved over the last five years overall although waiting times lengthened again in 06/07. We believe that pressures on the High Court programme are likely to increase rather than decrease due to the increasing complexity of cases (for example, through improved detection of financial crime), some lengthy appeals, and the use of advanced forensic techniques bringing cold cases to court. This reflects the upward movement in business which started in 2005/06 and carried on into 2006/07.

High Court of Justiciary	2002/03	2003/04	2004/05	2005/06	2006/07	Average percentage yearly variation
Indictments Registered	1,513	1,362	1,234	1,104	1,171	-6
Trials (Evidence Led)	368	359	259	303	414	6
Solemn Appeals (lodged)	1,117	1,015	1,019	925	954	-4
Summary Appeals (lodged)	2,236	2,371	2,000	1,876	1,770	-5
High Court Judge Days	3,517	3,390	3,215	3,422	3,346	-1
Solemn appeals against sentence – average waiting period from date leave granted	10 wks	13 wks	11 wks	11 wks	17 wks	
Solemn appeals against conviction and sentence – average waiting period	42 term wks	42 term wks	29 term wks	30 term wks	27 term wks	
Summary appeals against sentence – average waiting period	9 wks	26 wks	15 wks	10 wks	20 wks	
Summary appeals by stated case -average waiting period	50 term wks	53 term wks	25 term wks	11 term wks	24 term wks	

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## Court of Session

Court of Session business shows an increase in civil petitions but overall stability in the numbers of trials and hearings proceeding. There has been a marked drop in average waiting periods for civil proofs as a direct consequence of the introduction of new procedures for personal injury claims which, because they are subject to a separate procedure, do not lend themselves to comparison with previous years. We will be introducing a separate Court of Session indicator for personal injury waiting periods to enable us to monitor the speed for concluding this business as it represents approximately 70% of new cases registered by way of summons.



Court of Session	2002/03	2003/04	2004/05	2005/06	2006/07	Average percentage yearly variation
Ordinary Civil Actions Registered	3,783	2,792	2,895	3,108	3,166	-3
Civil Petitions (registered)	1,748	1,948	2,182	2,695	3,393	18
Civil Appeals/Reclaiming Motions	210	259	248	236	312	12
Proofs, Jury Trials and Hearings (which proceeded)	170	141	164	185	182	3
Court of Session Judge Days	1,851	1,835	1,672	1,910	2,076	3
Average waiting period in civil appeals other than early disposal	27 term wks	30 term wks	27 term wks	27 term wks	30 term wks	
Average waiting period for ordinary proofs	35 term wks	30 term wks	34 term wks	30 term wks	11 term wks	

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## Office of the Public Guardian

The **Office of the Public Guardian (OPG)** is experiencing an increasing level of business which we believe is due to the legal profession recommending the use of OPG's services to the general public. It is difficult to predict when the growth will peak but if the trend were to continue we would expect a fourfold increase in the highest volume service, the processing of Powers of Attorney, between 2002/03 and 2010/11.

Office of the Public Guardian including Accountant of Court	2002/03	2003/04	2004/05	2005/06	2006/07	Average percentage yearly variation
Powers of Attorney	10,358	14,493	18,113	22,897	26,468	27
Intromission with funds	157	171	185	211	195	6
Interventions	56	167	164	190	245	60
Guardianship	288	593	799	988	1,249	48

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## Sheriff Court

Two key changes are likely to impact the volume and mix of business in the Sheriff Courts.

Summary Justice Reforms and the introduction of new fiscal and police direct measures are expected to lead to a switch of up to 20% of cases from Sheriff Courts to direct measures and the new Justice of the Peace Courts.

It is also estimated that there will be a 30% switch between Ordinary Civil Business and Summary Cause/Small Claims because of the changes introduced in January 2008 in the maximum financial limit that can be claimed under the latter two procedures. These changes increase the limits from £750 to £3000 for small claims and from £1500 to £5000 for summary cause.

Summary cause and small claims volumes have been declining over the last five years whilst ordinary civil case volumes have been increasing. It may be the case that the changes in financial limits will encourage more actions under the summary cause/small claims procedures because previously the low financial limit of small claim cases may have inhibited pursuers, and the ordinary civil procedure would have been prohibitively expensive. We may therefore see an overall increase in the volumes of cases.

Sheriff and jury trials in which evidence was led have averaged around 850 since 2003/04. We expect that this average will stabilise between 850 and 900 because the effect of the increased sentencing powers afforded to Sheriffs following the 2005 High Court reforms will have been fully realised. Sheriff and jury evidence-led trials are one of the key pressures on the Sheriff Court programme. The number of indictments has risen every year since 2002/03 and was 35% higher by 2006/07. There is no correlation between indictments registered and the number of evidence-led trials so whilst we might expect the numbers of indictments registered to continue to increase this won't necessarily lead to an increase in evidence-led trials.



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Sheriff Court	2002/03	2003/04	2004/05	2005/06	2006/07	Average percentage yearly variation
<b>CRIMINAL (Summary)</b>						
Complaints Registered	104,960	109,177	104,605	105,273	109,824	1
Trials (Evidence Led)	7,523	7,091	7,272	7,224	6,619	-3
<b>CRIMINAL (Solemn)</b>						
Indictments Registered	4,636	5,050	5,512	5,798	6,304	8
Trials (Evidence Led)	754	852	815	889	848	3
<b>SUMMARY CAUSE</b>						
Actions Registered (incl. Small Claims)	71,260	67,713	70,073	69,634	64,126	-3
Proofs/Hearings (Evidence Led)	767	510	416	513	434	-11
<b>ORDINARY CIVIL</b>						
Cases Registered	47,045	50,139	59,255	62,930	58,868	6
Proofs and Debates (which proceeded)	1,370	1,339	1,256	1,219	1,343	0
<b>COMMISSARY</b>						
Inventories Recorded	24,221	24,552	24,500	28,052	29,272	5
<b>SITTING DAYS</b>						
	27,225	27,952	28,181	29,365	29,798	2
Summary criminal trials – weighted delay period	12.1 wks	12.8 wks	12.5 wks	12.8 wks	12.5 wks	
Ordinary civil proof – weighted delay period	10.8 wks	10.5 wks	11.1 wks	10.6 wks	9.8 wks	
Proportion of summary criminal trials adjourned through lack of court time (weighted)	1.6%	1.1%	1.5%	1.6%	1.8%	
Proportion of summary criminal cases disposed of within 20 wks of first calling	80%	84%	84%	81%	81%	

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## Crime trends

Underpinning the criminal business of the courts is the level of crime in the community. Overall, the national picture appears broadly static but with local variations in both the types of crime prevalent and the changes in the crime rate.

In 2005/06, around 142,200 people were proceeded against in court, down 5% on the previous financial year and 19% down from 1996/97. Around 89% of accused people in 2005/06 had at least one charge proved or a guilty plea accepted, resulting in 128,400 convictions.

Around 61% of convictions were disposed of in Sheriff summary courts, 4% in Sheriff solemn courts and most of the remainder in District and Stipendiary Magistrates courts, in which the number of people convicted has fallen by 5% in the most recent financial year and by 30% since 1996/97.



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## WORKING WITH OTHERS

We have a major contribution to make to the collective effort by the Scottish Government, the various bodies involved in the justice system and the judiciary to ensure efficiency and effectiveness. Our own purpose, aim and performance framework is unique to us but cannot be delivered without positive working relationships with other organisations at both corporate and local levels.

The delivery of our day to day business relies on highly effective working relationships with the judiciary. Our relationship with the judiciary will be put on a new footing by the **Judiciary and Courts legislation**. We also have to work very closely with the **Crown Office and Procurator Fiscal Service (COPFS)**

We are engaged with both COPFS and the police through the **National and Local Criminal Justice Boards** as well as holding 'protocol meetings' at national and local levels. The National Board makes recommendations on the overall aims, objectives and targets for the system and monitors the performance of the system as a whole. Scotland's 11 local boards provide for efficient joint working and oversight of the performance of the system at the local level.

The Boards operate to a set of four system goals. The goals set the broad framework within which Boards can set their local priorities.

- The public have confidence that the criminal justice system is accessible, effective and serves all communities fairly.
- Victims and witnesses receive a consistent, high standard of service from all criminal justice agencies.
- Continuous improvement is delivered by using more efficient and effective processes.
- To contribute to the reduction of re-offending by efficient case handling and robust enforcement of appropriate disposals.

We are committed to providing good data and analysis to support the development of a national Management Information System that supports the operation of the Boards.

Joint approaches, particularly recent work with COPFS on court programming, will ensure that we can achieve the Government target to increase the percentage of criminal cases dealt with within 26 weeks by 3 percentage points by 2011, which will improve the operation of the justice system and, we hope, increase public confidence in the courts.

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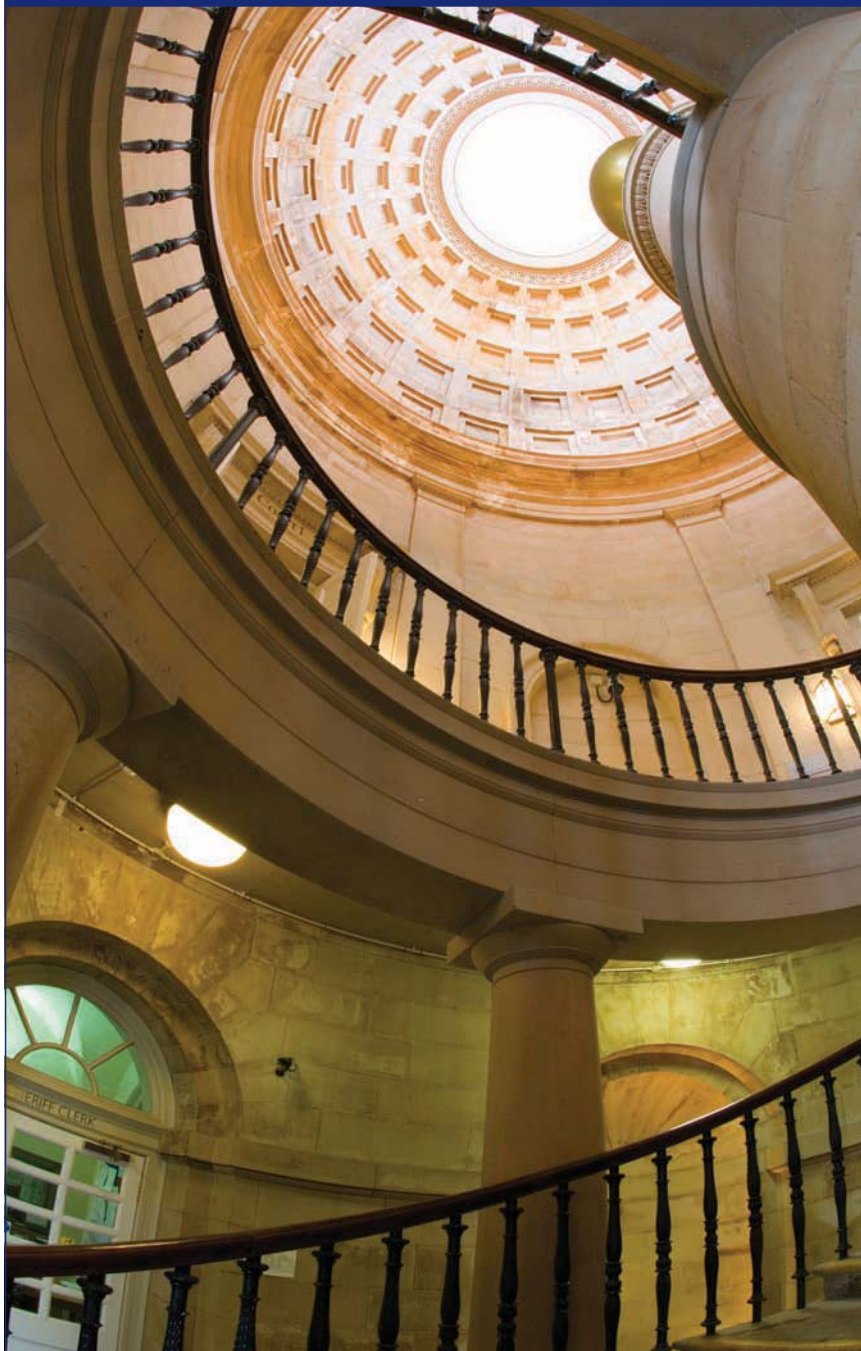
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**OUR CHALLENGE IS TO PROVIDE SERVICES THAT ARE CONSISTENT AND RELIABLE, DELIVERED WHEN WE PROMISE THEM AND MAKING BEST USE OF THE RESOURCES AVAILABLE TO US WHILE EFFECTIVELY MANAGING THE CHANGES IN OUR OPERATING ENVIRONMENT.**

This challenge demands that we continually review all aspects of our business to ensure that we are meeting public, court user and government expectations of us both now and in the future.

Throughout the lifetime of this plan we will take forward four major change programmes:

- Efficiency and Opportunity
- Parliament House redevelopment
- Judicially-led governance of the SCS
- Summary Justice Reform.



## EFFICIENCY AND OPPORTUNITY

We aim to improve our services to meet the expectations of court users and to do so in a manner which is cost effective and uses technology appropriately. To meet this aim we are developing a programme of activities under the heading 'Efficiency and Opportunity'.

This programme will provide a structure to manage the range of activities, some of which are ongoing projects, which will ensure that we are delivering good quality services in an economical and effective way. We will develop business cases to assess each activity and then prioritise them so that we can realise the maximum benefit.

The programme will provide a framework for:

- Ensuring our services are in line with the expectations of stakeholders and users.
- Co-ordinating the development of system improvement projects.
- Exploiting quick wins from the civil courts review and providing the platform for implementation.
- Ensuring staff time is used on value adding activities.

Two themes are integral to the programme:

- System improvement.
- Funding and Charging.

### Systems Improvement

We will build on our projects on systems thinking, court programming and improving our use of technology. The focus will be on both improving the front line delivery of services in the courts and OPG and on delivering efficiently. We also aim to use staff time more effectively by improving our processes. In some cases, we will need to argue for policy or legislative change to enable the SCS to serve court users more efficiently. We will, for example, work very closely with the team supporting the Civil Courts Review, as the Review will shape the management of civil business for decades to come.

### Funding and Charging

We aim to reduce the amount of public subsidy for services and ensure that our procurement policies represent best value.

We will do this by:

- Reducing the subsidisation of Civil Court and Public Guardian fees, while ensuring that there are sufficient exemptions to secure access to justice.
- Considering what types of services should be provided by the SCS in-house, what would be more appropriate to source externally and what scope there is for sharing services with partner agencies and the Scottish Government.
- Considering the scope for alternative sources of revenue generation.

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## PARLIAMENT HOUSE

The development of Parliament House in Edinburgh is the single largest part of our Estates Strategy and will dominate our capital expenditure during the plan period.

Parliament House is a historic building of national significance as it includes Parliament Hall, the home of the previous Scottish Parliament, and comprises a unique collection of historic buildings.

Our vision for Parliament House is to provide court rooms, accommodation and an overall environment that is fit for the purposes of the Court of Session.

The definition and letting of the contract to refurbish Parliament House has been challenging because of the site's historic nature and the requirement to refurbish it while maintaining the business of the Court of Session at Parliament House. To meet this challenge we have devised a three phase development programme that will see an overall investment of £63m. Phase One is underway and will be completed towards the end of 2009.

This first phase will focus on ensuring that the services to Parliament House such as lifts and electrical plant are upgraded as well as improving office accommodation and some of the court facilities.



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## JUDICIAL GOVERNANCE

The **Judiciary and Courts (Scotland) Bill**, now passed by Parliament, will bring forward a major change in the way that Scotland's judiciary is appointed and led, in particular giving the Lord President responsibility both for the leadership of the entire judiciary and the chairmanship of the Scottish Court Service.

The Lord President will have responsibility for the efficient disposal of business throughout Scotland's courts, and the SCS will have a key administrative role in supporting the Lord President and the judiciary in securing this.

We have developed the parts of the legislation that relate to the SCS and have done so in consultation with the Judiciary and our Trade Union partners. We are planning to be in a position to implement these parts in 2009 if it is possible to do so and have created an implementation project team to manage the change. The key provisions for us are:

- Constitution of the SCS as a separate statutory corporate body which will not be part of the Scottish Government.
- The creation of a governing body chaired by the Lord President with a judicial majority, members from the legal profession and three independent members. The SCS Chief Executive will also be on the Board.

- The SCS will provide administrative support for the judiciary in their administrative functions and in particular the Lord President and Sheriffs Principal. The SCS will not be directly accountable to Scottish Ministers, but will work within a plan agreed with Scottish Ministers.
- SCS staff will remain as civil servants with existing rights of transfer to other Departments.

This new governance model provides the opportunity to ensure that the judiciary and SCS have a shared view about the action which needs to be taken to provide good quality services to court users within the available resources. It removes the constitutional anomaly by which Ministers were responsible for providing the administrative services on which the judiciary rely. The new model will come into force part-way through the plan period, and the new governing body will be invited to adopt this corporate plan for the remainder of the period.





## SUMMARY JUSTICE REFORM

**The Summary Justice Reform programme** (SJR) was underway during the previous plan period but most of its implementation will fall into this one. The reforms will help to deliver the truly effective summary justice system that Scotland's communities deserve.

SJR followed on from a review of the summary justice system led by Sheriff Principal McInnes and the Act introducing the changes which became law in 2007. Summary justice includes all non-jury criminal prosecutions, which represent around 96% of all prosecutions in Scotland.

We are working with partners in the justice system on monitoring and evaluating summary justice reforms to assess whether the expected benefits are being delivered. A Management Information System has been created to support the **National and Local Criminal Justice Boards** to support them in ensuring that local justice system partners are exploiting the reforms to provide swift and effective justice. We will include measures and indicators arising from SJR within our **Performance Framework**.

We have led on two SJR projects; 'Unification of the Administration of the Sheriff and Justice of the Peace Courts' and 'Fines and Financial Penalties'.

## Unification of the Administration of the Sheriff and Justice of the Peace Courts

Unification is the process by which the administration of the 65 District and 49 Sheriff Courts will be unified and then managed by one organisation, the SCS. It will lead to the creation of a new criminal court, the Justice of the Peace Court (replacing District Courts), which will be presided over by lay justices supported by legally qualified advisors.

Unification will be on a Sheriffdom by Sheriffdom basis. Lothian and Borders unified in March 2008 and was followed by Grampian, Highland and Islands in June 2008. Unification in Glasgow and Strathkelvin is planned for December 2008 and in the remaining three Sheriffdoms, unification is planned for completion by the autumn of 2009.

Unification is underpinned by major operational changes and the transfer of around 250 District Court staff from local authorities to the SCS. Detailed change management plans are being developed in each Sheriffdom to facilitate the transfer of staff and property, and these plans include in-depth consultation with staff, local authorities, judiciary and other relevant stakeholders.

To support summary justice reform, our IT systems are being upgraded from the existing criminal operational system COPII to COPII+. This will replace the existing IT systems in the District Courts and provide the IT system to manage the new fines enforcement regime.

A number of court buildings are currently projected for transfer from local authorities to the management of the SCS following unification. Assessments have taken place about the work required to ensure the standard of these buildings is consistent with those in the rest of our estate. The increase in our estate will improve local access to SCS services.

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## SUMMARY JUSTICE REFORM *(continued)*

### Fines and Financial Penalties

New **fine enforcement arrangements** came into place in March 2008. The objectives of these reforms are to:

- Increase confidence in the court system to apply quick and efficient sanctions against those who fail to pay fines.
- Increase confidence in the fine as a deterrent.
- Free up court time for more serious criminal cases.
- Free up police time in executing warrants for unpaid fines.

In the Sheriff Courts collection rates are currently 80% (with the remainder principally being subject to other penalties for non-payment) although there is no comparable figure available for the District Courts. While this is already a good performance when compared with other administrations there is scope to improve the process of collection which a dedicated resource should provide.

A Fines Enforcement Manager has been recruited in each Sheriffdom who is supported by Fines Enforcement Officers. A new range of sanctions is available to them which will support the achievement of the objectives. Fines enforcement staff will also have the option to provide advice to fine defaulters and re-schedule payments.

**DON'T PAY YOUR FINE AND IT'S A TOUGH ROAD AHEAD**

If you don't pay your fine, you could face:

- Seizure of your vehicle
- Deduction from Benefits
- Earnings arrestment
- Arrestment of your Bank Account

NO PAY, NO WAY  
www.scotcourts.gov.uk/payingyourfine

**CAN'T PAY YOUR FINE? TELL US NOW, WE'LL HELP**

NO PAY, NO WAY  
www.scotcourts.gov.uk/payingyourfine

**NOT PAYING YOUR FINE? YOU WON'T BENEFIT**

If you don't pay your fine, you could face:

- Seizure of your vehicle
- Deduction from Benefits
- Earnings arrestment
- Arrestment of your Bank Account

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## IN ADDITION TO THE FOUR MAJOR CHANGE PROGRAMMES WE WILL CONTINUE TO IMPROVE OR MAINTAIN SUPPORT TO FRONTLINE STAFF AND OUR SERVICE TO COURT USERS BY PROVIDING APPROPRIATE FINANCIAL, PEOPLE, ESTATE AND IT RESOURCES.

The following key strategies support the Corporate Plan. A new People Strategy is in place, the ICT Strategy is being reviewed and the Estates Strategy is nearing completion.

[People Strategy](#)

[Estates Strategy](#)

[Information and Communications Strategy \(ICT\)](#)



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## PEOPLE STRATEGY

A new **People Strategy** has been developed following extensive consultation and analysis of employment trends and staff attitudes over the previous couple of years.

The strategy has been developed in recognition of the importance of people as our most important resource. We believe that people must be fully and effectively utilised to improve business performance and ensure a good return on the annual investment in our staff of around £30m.

Our approach is to ensure that people management is undertaken by those responsible for leading staff using the existing framework of corporate policies, procedures and advice to support them. We will focus on ensuring the proper implementation of the framework which reflects wider good practice in people management. The Personnel and Development Unit will work in a more advisory capacity than is the current practice.

Our analysis and consultations have led to the identification of four strategic themes for the people strategy which are in turn supported by projects which address the gaps that have been identified.

These strategic themes are:

- employee relations
- employee resourcing
- employee reward
- employee learning.

Action under these themes will result in us having an even more skilled and motivated workforce, better able to respond to the challenges and opportunities facing us in the years ahead.

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## ESTATES STRATEGY

We have an over-arching obligation to provide and maintain appropriate court buildings and accommodation. Each building we operate should therefore be:

- Flexible, supporting the developing needs of the service.
- Located in the right place.
- Accessible, secure and comfortable.
- Meeting its statutory obligations.

Our Estates Strategy is being finalised and it will detail how we will both meet these obligations and manage our investments over the next decade.

In addition to the redevelopment of Parliament House our key priorities in the plan period are:

- The refurbishment of Dumbarton Sheriff Court.
- Completion and acceptance of court facilities in the new civic centre at Livingston, replacing facilities at Linlithgow.
- Increasing the court capacity available to the High Court in order to increase the certainty in fixing cases that is at the heart of the High Court reforms introduced following Lord Bonomy's 2002 review of High Court practice.
- Additional court capacity for Sheriff Courts in the estate that are under volume pressure e.g. Alloa, Kilmarnock and Greenock. In addition to benefiting the users of those Sheriff Courts such investments could also support future potential use by the High Court.
- Improving the sustainability of our estate through various efforts to reduce our environmental footprint.

We expect that our expanded estate should be capable of handling the volume of business being generated because of the anticipated 20% switch of summary cases to direct measures and the Justice of the Peace Courts, and the increase in the SCS estate following the unification of the administration of the Sheriff and Justice of the Peace Courts. The geographical reach of our services will also be enhanced by the provision of Justice of the Peace court facilities in some locations which do not have a Sheriff Court.

During the plan period, we will also review our Sheriff Court estate in areas such as Inverness, Fife and Lanarkshire where early feasibility studies are underway to determine the best solutions to meet future needs. We will also develop solutions for criminal appeal business in Edinburgh and the future use of the Glasgow District Court building, post unification.

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## INFORMATION AND COMMUNICATION TECHNOLOGY

The successful exploitation of information and communications technology is fundamental to a modern and flexible court system. We are committed to building on our current **IT Strategy** and communications infrastructure, utilising new technologies where appropriate, to support improvements in court processes and enable court users to communicate and transact business with us electronically wherever possible.

Our strategic goals for information and communication technology are:

- Enabling court users to access information through electronic means.
- Allow court users to transact with us electronically wherever practicable.
- Use technology to make the justice system more efficient in:
  - the court room,
  - back office administration systems,
  - the exchange of information between other agencies.
- Maintain core information systems based on leading technologies and products.
- Maintain an efficient communications network.
- Maintain a secure and reliable set of systems with robust and resilient business continuity plans.

Two key projects will be taken forward during the plan period, the development of the criminal operating system COPII+ and the enhancement of the civil and high court case management system CMS.

### COPII+

The Criminal Operations Project (COP) system is the IT system that provides the technology to the Sheriff Courts to manage their criminal business. It was upgraded to COP II in 2007 and also is the source of Sheriff Court criminal statistics.

COPII+ is a further enhancement that is in effect the enabling system for the court related aspects of Summary Justice Reform. It will allow for process integration with the new Justice of the Peace Courts, management of alternatives to custody and provide the system for fines enforcement.

### CMS

The Case Management System (CMS) is the main system that supports civil business in the Sheriff Courts and civil and criminal business in the Supreme Courts. We are working on a major project to realise fully the benefits of automation of High Court and civil processes and to provide more reliable management information. The changes to the system in Sheriff Courts have now gone live.



As part of both the CMS enhancement and our commitment to developing electronically enabled court transactions we will also undertake a pilot of electronic transmission of civil business from court users to the courts.

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**SCS WILL MONITOR PERFORMANCE AGAINST A SET OF INDICATORS WHICH ARE RELEVANT TO ASSESSING THE OVERALL PERFORMANCE OF THE COURTS, OUR OWN SPECIFIC CONTRIBUTION TO THE EFFECTIVE OPERATION OF THE JUSTICE SYSTEM AND OUR IMPACT ON SOCIETY.**

Access the [2008/09 Performance Framework Report](#).

Within this report each indicator has a template which provides a more detailed rationale for each measure and how it is collected.

The indicators will:

- Give managers and board members a clear picture of the Service's performance.
- Be more relevant to what we are setting out to achieve.
- Reduce the data collection burden for staff.
- Support best-value benchmarking of our support services' efficiency against relevant comparators.
- Monitor our impact on society including sustainability and community activities.



The following are the high-level indicators for monitoring our performance over the plan period.

- [Justice System Target](#)
- [Efficiency Target](#)
- [Court Performance Indicators](#)
- [Service Delivery Targets](#)
- [Corporate Support Indicators](#)
- [Community Impact indicators](#)

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## JUSTICE SYSTEM TARGET

The Scottish Government has set a target to increase the percentage of criminal cases dealt with within 26 weeks by 3 percentage points by 2011 in Sheriff summary, Justice of the Peace and District Court cases.

The current baseline for the target is that 65% of these cases are disposed of within 26 weeks from caution and charge to verdict.

Delivery of the target requires joint action by police, Crown and courts predominantly through the Local Criminal Justice Boards, in which we will play a key role.

## EFFICIENCY TARGET

The Scottish Government has set a target of 2% cash releasing efficiency savings for each year of the plan period relative to the 2007/08 budget baseline. These savings can be deployed in the improvement of front line services. For the SCS, this target equates to £1.6m of additional savings per year over the plan period.

## COURT PERFORMANCE INDICATORS

We have previously been set Ministerial targets which were predominantly concerned with waiting periods. Waiting periods provide an indicative measure of the efficiency of the court system rather than the efficiency of the SCS because they are subject to a number of significant influences outside of our control. Such influences are, for example, the availability of counsel, the point in a case when accused persons plead or the judicial management of particular cases.

We do, however, have an important role in managing waiting periods because of our responsibility for programming court business and the knowledge and analysis which we have and which we use to support the judiciary and other key bodies in the justice system. Our approach for the plan period is to continue to monitor important measures of delay as they are of interest to court users, Government and the wider general public in demonstrating the timely administration of justice and the pressures on the system. We will however use them as indicators of court system performance rather than SCS specific targets and will aim to either maintain them at acceptable levels or improve them.

The indicators we will be using are:

- Waiting period for criminal appeals to the High Court.
- Waiting period for civil appeals to the Court of Session.
- Waiting period for the hearing of civil cases in the Sheriff Courts.
- Waiting period for personal injury cases in the Court of Session.
- High Court case progress to monitor the ongoing effectiveness of the High Court (Bonomy) Reforms.
  - Average number of preliminary hearings per case.
  - Percentage of cases with time bar extensions.
  - Average number of trial adjournments.
- Adjudgment rate in Solemn trials in Sheriff Courts.
- Measuring our contribution to summary justice reform.
  - Effectiveness of fines enforcement.
  - Court contribution to the 26 week system target. (Percentage of Sheriff Court summary criminal cases completed within 20 weeks.)

We will use the data from these performance indicators to alert the judiciary to emerging issues as well as to inform SCS management decisions.

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## SERVICE DELIVERY TARGETS

The Service Delivery Targets promote efficiency in the delivery of specific activities which affect the quality of service experienced by court users. They have been developed and refined following a review of our previous set of administrative targets which these targets now replace. We will also continue to survey court users' perceptions as an overall assessment of their satisfaction.

The Service Delivery targets will monitor performance on specific public-facing activities and have been set as follows:

- Prepare final decrees pursuer undefended in ordinary actions and simplified divorce actions in the Sheriff Courts within 1 working day.
- Process ordinary divorce cases within 5 working days.
- Process civil actions to the Court of Session within 1 working day.
- Issue extract decrees within 3 working days.
- Complete post-court procedures in Sheriff Court criminal cases within 1 working day.
- Pay juror expense claims within 2 working days of claim acceptance.
- Issue confirmation within 3 working days of acceptance of competent commissary inventories.

- Process applications for Power of Attorney within 12 working days of receipt.

These targets will be supplemented by a review of the Court Users' Charter. This review will consider the current commitments that we are making and incorporate specific service delivery commitments as well as revised statements of what the public can expect when they attend court.

## CORPORATE SUPPORT INDICATORS

We will monitor the efficiency and quality of corporate support services to ensure that our internal services are delivered to an appropriate standard of quality and economy, including benchmarking against the performance of comparable organisations.

## COMMUNITY IMPACT INDICATORS

As part of our commitment to 'good corporate citizenship', as well as to the delivery of the Scottish Government's five Strategic Objectives, we will monitor aspects of our impact on the wider community and the environment through the following indicators:

- The number of community facing events we undertake (e.g. 'open door' days to enable people to understand what the court does).
- Electricity and water consumption.
- Utilisation of vulnerable witness facilities:
  - The frequency of use of remote links by vulnerable witnesses to give evidence.
  - Percentage of remote links requests that are successfully completed.

These indicators will ensure that we retain a focus on our responsibilities as a public organisation to engage with local communities, play our part in reducing harmful emissions and take a leading role on relevant matters of public policy.

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## PERFORMANCE FRAMEWORK MATRIX

The matrix illustrates where the operational targets and indicators that make up the Corporate Plan performance framework align with operational parts of the SCS. Further, more detailed measures will be developed or adopted from those that currently exist during the plan period to provide a greater level of detail and enhance the existing approaches to performance management.

	High Court	Court of Session	Sheriff and Justice of the Peace Summary Criminal Courts	Sheriff and Jury Criminal Courts	Sheriff Civil Courts	Office of the Public Guardian
<b>Objective</b>	<ul style="list-style-type: none"> <li>Criminal cases and appeals are able to be heard without delay and proceed when they are supposed to.</li> </ul>	<ul style="list-style-type: none"> <li>Civil cases and civil appeals are able to be determined without delay.</li> </ul>	<ul style="list-style-type: none"> <li>Summary criminal cases are efficiently and speedily disposed.</li> </ul>	<ul style="list-style-type: none"> <li>Sheriff and Jury criminal cases and applications are able to be heard without delay and proceed on the appointed day.</li> </ul>	<ul style="list-style-type: none"> <li>Ordinary and summary civil cases and applications are able to be heard without delay.</li> </ul>	<ul style="list-style-type: none"> <li>Applications to protect the interests of vulnerable adults are administered speedily and efficiently.</li> </ul>
<b>Operational Performance Indicators</b>	<ul style="list-style-type: none"> <li>Waiting period for criminal appeals to the High Court.</li> <li>Monitoring the effectiveness of the High Court (Bonomy) reforms.</li> </ul>	<ul style="list-style-type: none"> <li>Waiting period for civil appeals to the Court of Session.</li> <li>Waiting period for personal injury cases in the Court of Session.</li> </ul>	<ul style="list-style-type: none"> <li>System target – 26 weeks from caution and charge to verdict.</li> <li>Percentage of Sheriff Court summary criminal cases completed within 20 weeks.</li> <li>Percentage of fines collected without enforcement action.</li> </ul>	<ul style="list-style-type: none"> <li>Percentage of fines collected without enforcement action.</li> <li>Adjournment rate in Solemn trials in Sheriff Courts.</li> </ul>	<ul style="list-style-type: none"> <li>Waiting period for the hearing of civil cases in Sheriff Courts.</li> </ul>	

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## PERFORMANCE FRAMEWORK MATRIX *(continued)*

	High Court	Court of Session	Sheriff and Justice of the Peace Summary Criminal Courts	Sheriff and Jury Criminal Courts	Sheriff Civil Courts	Office of the Public Guardian
<b>Service Delivery Targets</b>	<ul style="list-style-type: none"> <li>Pay juror expense claims within 2 working days.</li> </ul>	<ul style="list-style-type: none"> <li>Process ordinary divorce cases within 5 working days.</li> <li>Process civil actions within 1 working day.</li> <li>Issue extract decrees within 3 working days.</li> </ul>	<ul style="list-style-type: none"> <li>Complete post-court procedures in Sheriff Court criminal cases within 1 working day.</li> </ul>	<ul style="list-style-type: none"> <li>Pay juror expense claims within 2 working days.</li> <li>Complete post-court procedures in Sheriff Court criminal cases within 1 working day.</li> </ul>	<ul style="list-style-type: none"> <li>Prepare final decrees pursuer undefended within 1 working day.</li> <li>Process ordinary divorce cases within 5 working days.</li> <li>Issue extract decrees within 3 working days.</li> <li>Issue confirmation within 3 working days of acceptance of commissary inventories.</li> </ul>	<ul style="list-style-type: none"> <li>Process applications for Power of attorney within 12 working days of receipt.</li> </ul>
<b>Community Impact Indicators</b>	<ul style="list-style-type: none"> <li>Number of community facing events.</li> <li>Electricity and water consumption.</li> <li>Utilisation of vulnerable witness facilities.</li> </ul>					

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