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Dear Mr MacDonald

SCOTTISH PARLIAMENTARY QUESTION S4W-11767
Targets for Summary Trials

The Cabinet Secretary in his response to the above PQ indicated that it relates to operational matters within the responsibility of the Scottish Court Service corporate body. I am now writing to you in response to the matter you have raised.

S4W-11767 asks: for what reason it changed the key performance indicator for sheriff court trials from the percentage completed within 20 to within 26 weeks, and whether any further changes are planned

In my response to you dated 8 November 2012 I explained the general position in regard to the development of SCS performance targets and how the responsibility for approving those targets evolved following the change to SCS governance arrangements on 1 April 2010 from an Executive Agency to a Non-Ministerial Department. I also explained, sheriff court solemn trials are not, and never have been, subject to either the 20 week or 26 week indicators so my response refers only to summary business which makes up the bulk of the criminal business of the sheriff courts.

It will be useful if I explain the detail of and the relationships between the two measures. For the three years, 2008-11, the two measures were both part of the SCS performance framework. There was never a question of the 20 week indicator being replaced by the 26 week indicator. They do in fact measure different things, one being an indicator of the time taken at various stages of all of the summary justice system from caution and charge to the point of verdict and the other which is purely a measure of time taken during the court stages from first calling to the point of sentence. I have included their definitions below.

26 Week Target

Percentage of Sheriff Summary and JP/District court cases disposed of within 26 weeks of date of earliest caution and charge for any accused in the case, by the month that case is first closed. ("Disposal" for this measure is defined as the latest date of verdict for any accused in the case)

20 Week Target

The percentage of all Sheriff Summary court cases disposed of within 20 weeks. The start date for this measure is the date of the first calling in court, the end date is the date the accused is sentenced.

The decision not to include the 20 week target in the most recent SCS Board performance framework was taken by the SCS Board which as you'll be aware is chaired by the Lord President. This decision was reached as the new SCS Board developed its own Corporate Plan for 2011-14 during its first year of operation 2010 -11. This Corporate Plan was underpinned by the work of a short-life Board sub-committee that comprised 2 externally appointed SCS Board members, one with extensive private sector experience and one with extensive public sector experience, a serving sheriff, the SCS Chief Executive, the Executive Director of the Judicial Office and various other SCS officials.

The sub-committee examined the needs of the Board using the well regarded "balanced scorecard" method and concluded that a shorter and clearer set of performance measures was required which had as its priority organisational efficiency. One key measure of system throughput was selected for the Board's scrutiny purposes and the 26 week measure was selected because of its broad justice-system focus. A number of new measures were developed for the Board which are focused on the root causes of inefficiency such as cases that are continued unproductively and waiting periods in various parts of the court system. The SCS Board's performance measures are explained in the present corporate plan for 2011 to 2014 and its scorecard is published quarterly on the SCS website.

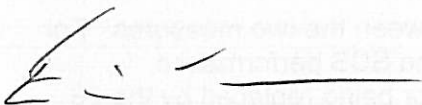
The 20 week measure continues to be produced by the SCS for internal operational performance management purposes and it is shared with other justice organisations through the Scottish Government's criminal justice performance management information system.

The SCS is currently preparing its next Corporate Plan from 2014 onwards. At the moment it is too early to say whether the 20 week target will form part of a revised performance framework for the SCS Board but the SCS has no plans to discontinue using this measure for internal scrutiny purposes or to stop sharing it with other justice organisations.

I do hope this further explanation clarifies the position for you.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Court Service website.

Yours sincerely



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