



**GLOUCESTERSHIRE
MAGISTRATES' COURTS COMMITTEE**

ANNUAL REPORT
2003 / 2004

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A.

I N T R O D U C T I O N

INTRODUCTION BY THE CHAIRMAN

The county has had another challenging year, as we have put into place significant changes for the long-term improvement of our services. The re-organisation of the county's structure and relocation of all legal and administration staff in new offices in Gloucester was completed in November 2003. We will build on this foundation to improve our services to the people of Gloucestershire and to the judicial community.

The MCC continues to be extremely grateful for the efforts of all staff, who deal with demanding workloads with dedication. At a time of considerable change in the service, they have continued to do their utmost to maintain and improve the support they provide.

Although the MCC completed all the outstanding work there still remained a particular concern over the long-standing backlog of work in the Post-Court entry of court results. We have made the elimination of this backlog a key priority not least because of the difficulties it causes other agencies with operational performance.

The MCC has also planned a review of its Strategic Plan in the light of the proposed amalgamation of the courts' administration in April 2005. In 2002 we set ourselves a challenging agenda for change that could not have anticipated the national changes that the Government announced this year. With limited resources, we have had to review our capacity to manage the Government's national agenda, as well as our own priorities for change.

A new Courts Board structure will be introduced from October 2004. Initially, it will run in 'shadow' form, until April 2005, when it will take up its role officially. The MCC is committed to working with the new Courts Board in 2004/05, as part of its support of the handover arrangements between our current administration and the new one. It will be extremely sad to see the end of the MCC in March 2005, but we will be proud to hand over a team of people and an operation that is significantly stronger than it was only a few years ago.

With the signoff of the outstanding MCSI recommendations in June 2003, the MCC is in a stronger position to support these changes for the county. We have achieved a great deal over the past two years particularly and we look forward to continuing this work throughout the coming year, before passing the baton to Her Majesty's Courts Service.

Colin Freshney J.P
Chairman of the MCC

FOREWORD BY THE JUSTICES' CHIEF EXECUTIVE

The past year has seen a considerable amount of change introduced to the county's operation. We have delivered substantial elements of our Strategic Plan and have put in place much of the work that is required for the unification of the Magistrates', Crown and County courts in April 2005. We have also continued to play an active role in the development of the county's Local Criminal Justice Board.

This year saw the centralisation of our administration function into much improved accommodation in Gloucester. We have built on this work by looking at the quality of our administration processes and, where necessary, taking action to address performance issues. This report contains fuller details on our performance and the steps we have taken to try to improve it. The fact that we have coped with major office moves this year and maintained strong performance in many areas is a testament to the efforts of all staff concerned.

This report contains details of our work with Magistrates in the Community and the changes we have made to our recruitment programme to encourage ethnic minority applications. It also contains details of some of the work we have been doing with other Criminal Justice agencies, as part of our support for the county's LCJB. We also continue to work with victim and witness support groups, to help them deal with the potential stress of court appearances.

As well as our work with the Gloucestershire Local Criminal Justice Board, we have made increased efforts to reflect the communities we serve. The MCC was represented at the annual Asian Mela event in Gloucester this year. We have also taken an active role in setting up an Independent Advisory Group for the county; a body made up of community representatives who can provide advice on our working policies and how they may affect our service to different communities.

Within the Criminal Justice community we have also taken a lead in setting up a Trial Management Protocol, which aims to reduce the number of cracked and ineffective trials. By improving the working relationships between the police, CPS, defence solicitors and the courts we are aiming to reduce the difficulties faced by victims and witnesses, as well as bringing about a quicker result of their case for defendants.

Alan Davies
Justices' Chief Executive

THE MCC IN CONTEXT

The Gloucestershire Magistrates' Courts Committee (list of members at **Annex E**) has a statutory responsibility for the efficient and effective administration of the Magistrates' Courts in the County and has as its mission "Supporting the delivery of justice for the communities of Gloucestershire". The Committee, which consists of 11 serving magistrates, had a budget in 2003/2004 of **£4.45million**, 80% of which was provided by the Department for Constitutional Affairs and 20% by the Gloucestershire County Council.

For part of the year (April-early November) the County operated from three administrative centres, Cheltenham, Gloucester and Tewkesbury. Over the period 3rd-10th November all administrative functions were centralised in one building at Southgate House, Gloucester. The objectives of the move were to achieve economies of scale, improve communications and standardise work processes and quality. Court ushers continue to be based at five operational courthouses.

There were **270 magistrates**, appointed to 5 Petty Sessions Areas, and **117 staff** of whom **26** were part-time.

In fulfilling its responsibilities, the MCC operates under the umbrella of the National Criminal Justice System's three year Strategy and one year Business Plan. In doing so, however, it does not work in isolation, but in close co-operation with the other agencies: e.g. the Police, Crown Prosecution Service, Probation Service, Defence Solicitors, Social Services, HM Prison and the Crown Court. Formalised links are achieved through the Gloucestershire Local Criminal Justice Board. The courts' place in the wider community flows from the MCC's policy to maintain a spread of courts throughout the county, providing a judicial presence in local areas and offering reasonable accessibility to court users.

The population of Gloucestershire is approximately 565,000 principally centred on the two main urban centres of Cheltenham and Gloucester; other centres are Bishops Cleeve, Cinderford, Cirencester, Coleford, Dursley, Lydney, Stroud and Tewkesbury. Much of the county is more sparsely populated with large rural areas, especially in the Cotswolds, the Forest of Dean and South Gloucestershire. A map of the county is at **Annex A**. Under 3% of the county's population come from non-white ethnic groups.

B. P E R F O R M A N C E

MCC STRATEGIC AND BUSINESS PLANS

Performance against Strategic Plan

Following the appointment of a new Justices' Chief Executive in 2002, a new 2003-05 strategic plan was signed off by the MCC in the summer of 2003. Its key priority areas were:

Key Activity	Performance
1. Complete the review of existing Petty Sessions Area structures. End Date 30 th . September 2003.	This was completed and the MCC area will reduce to one Petty Sessions Area from January 2005.
2. Review the Enforcement of Fines. End Date 31 st . March 2004.	Gloucestershire became involved in a national pilot involving the new enforcement powers contained in the Courts Act, which replaced the enforcement review.
3. Establish and maintain the co-ordination of work between the MCC and the Local Criminal Justice Board (LCJB). End Date 31 st . March 2005.	A report on the activities of the LCJB is provided later in this report.
5. Review our communication with staff, magistrates and the public. End Date 31 st . March 2004.	A new communications policy was introduced during the year.
6. Actively promote ethnic diversity and make our services more readily available to all users. End Date 31 st . March 2005.	The MCC was successful in increasing the proportion of staff from ethnic minority communities during the year.
7. Achieve transparent accountability for the MCC. End Date 31 st . December 2003.	Following the 2002 inspection report the MCC was successfully able to introduce revised corporate governance arrangements for the Committee which were approved by the inspectorate.
8. Implement an appropriate organisational structure. End Date 31 st . December 2003.	A new organisational structure was introduced in April 2004 following a period of consultation.

9. Provide central accommodation for legal and administrative staff. End Date 31 st . December 2003.	The project to provide central accommodation for legal and admin staff was completed in November 2003.
10. Pursue the PFI scheme to secure new court buildings. End Date 31 st . December 2007.	The scheme remains ongoing. Difficulties arose during the year due to site issues and the decision by Probation to withdraw from the scheme following their proposed merger with the Prison Service.
11. Develop a plan to most effectively use the new national IT system for the Magistrates' Courts Service (Libra Core). End Date 31 st . March 2005.	Planning for the new system began in the early part of 2004 for implementation of the national system during 2005.

EFFICIENCY AND EFFECTIVENESS

Performance has continued to be measured against a series of national Strategic Steer Indicators (SSIs), which directly relate to the delivery of Public Service Agreements (PSAs) and Business Management Returns (BMRs), which provide additional supporting information. Additionally, Gloucestershire MCC has continued to measure its performance against a number of other local indicators.

Details of its performance against the strategic and business management indicators are detailed below. Data included in **Annex B** provides more detailed analysis.

Overview of performance against SSIs and BMRs.

In common with other MCCs, it has again been a difficult year for Gloucestershire. A number of new government initiatives have been introduced, particularly with regard to Fine Enforcement and Family Case Management. However, additionally, in November 2003, the legal and administrative staff were centralised into one building at Southgate House in Gloucester.

The disruption caused was significant, not only during November but also in the months of September and October (during preparation) and in the months following the move. In some cases performance was adversely affected due to turnover of staff and changes to procedures. Nevertheless, the benefits of a centralised administration, with all of the advantages of improved communications and consistent standards and procedures, had begun to have a

positive effect by the end of the year and, hopefully, will continue to do so into 2004/05.

Even without making any allowance for the issues outlined above, Gloucestershire has continued to perform strongly against the majority of SSIs. In terms of the Enforcement and Collection of Fines, Gloucestershire achieved an annual payment rate of 95%, placing it 6th out of 42 MCCs in England and Wales. It not only exceeded the 2003/04 government target of 75% but also the 2004/05 target of 78%. The MCC has continued with the strong 2002/03 performance in ensuring that the time between the Arrest and Sentencing of Persistent Young Offenders is kept to a minimum. In 2003/04 this averaged 48 days, placing Gloucestershire 10th in the national league table.

Performance in other areas was mixed. The main issue the MCC had to tackle was delays in processing court papers, which led to substantial backlogs in 2003/4 which impacted significantly on caseload and performance in providing the Police with results. A detailed action plan was put in place to try and resolve the situation and plans made to employ additional staff to assist. Progress was slower than expected but it is anticipated that performance in this area will return to normal during the latter part of 2004/5. Gloucestershire continues to compare unfavourably with other committees in terms of Courtroom utilization, mainly due to it being a Shire County with several underused courthouses serving rural communities in the Forest of Dean and the Cotswolds. Defendant Waiting Times have increased over the year and the levels of User Satisfaction with the Facilities and Information provided at courts compares unfavourably with other MCCs. To an extent, this is inevitable considering the age and design of some of the courthouses in the county, an issue that will be addressed through new courthouses for Cheltenham and Gloucester.

However, Gloucestershire has made strides in reducing the time that witnesses have to wait at court, reducing the average from around 1hr.30min. in November 2002 to 1hr.02min. in November 2003. All MCCs have a commitment to encourage diversity among staff and magistrates and in Gloucestershire 5.9% of staff came from ethnic minority communities, more than double the level of ethnic minority population in the county.

Detailed information on the performance against all of the Government's Strategic Steer Indicators and Business Management Returns are contained in **Annex B**.

QUALITY OF SERVICE

National requirements have been established for the provision of quality of service and all MCCs are required to publish a charter, setting out their standards. A summary of the MCC's compliance with some of the key standards and service levels provided are set out below. In early 2004, Gloucestershire issued a new Quality of Service Charter (QSC). Its contents are specifically referred to below :

Area	Actioned/Status	Contact
Victims of Crime/Witnesses		
Notify the date and time of the hearing and the Court opening hours	Yes	Crown Prosecution Service and Police
Send in advance a Help line number where they can get further information	Yes	Crown Prosecution Service and Police
Provide a friendly and supportive service	Yes.	Gloucestershire MCC/Witness Support Staff
Give the opportunity to see a court room prior to the hearing	Yes.	Gloucestershire MCC/Witness Support Staff
Witnesses (Child)		
If requested, arrange a visit to the court before the hearing	Yes.	Gloucestershire MCC/Witness Support Staff
Defendants		
Provide a map with information on the location of the Court and car parking facilities	Yes.	Listing Manager - Gloucestershire MCC
Send details of facilities at the court including food and drink and arrangements for people with disabilities.	Yes.	Listing Manager - Gloucestershire MCC
Send in advance a Help line number where they can get further information	Yes.	Listing Manager - Gloucestershire MCC
At the Court		
A separate waiting area for youth and family courts or hearings are arranged to prevent contact between participants in youth and family and	Separation is achieved by making rooms or areas	Head of Court Administration, Gloucestershire MCC

adult proceedings	available if required.	
A separate waiting area for defence and prosecution witnesses in the adult criminal courts	Separation is achieved by making rooms or areas available if required.	Head of Court Administration, Gloucestershire MCC
Upon request, facilities to enable witnesses from different sides to wait apart (if there is not a separate area)	Yes	Witness Support Staff
Disabled Court Users		
There is a Disabled Person's Officer	Yes.	Premises Manager, Gloucestershire MCC
Training for all staff in the needs of disabled people	Yes	HR Manager
For defendants there is a public register of facilities for disabled court users	Yes	A register is held at each court reception
For defendants there is the provision of an advanced statement of the facilities actually provided for disabled court users and a contact, or special needs, telephone number	Yes.	Gloucestershire MCC Staff. The information is provided in the form of a leaflet which is sent to defendants and which invites comments for improvement

Complaints

The MCC has a detailed complaints procedure, which is advertised in all of the courthouses and copies are available for anyone wishing to make a complaint. It is also referred to in the new Quality of Service Charter published earlier this year. As part of that procedure, staff will assist court users in making a complaint if they have any difficulty. A record of written complaints is kept by the MCC and is monitored on a quarterly basis. Where it is not possible for a complaint to be dealt with directly, court users are asked to refer the issue to the Justices' Chief Executive. Time limits are set for dealing with complaints which are 3 days for an acknowledgement and 15 days for a response. During 2002, the MCC also started to record complaints of racism as a separate category, although none were received in 2003/4.

In 2003/4 there were a total of 29 written complaints, which represented a reduction of 8 on the previous year. Of these 14 were found to be justified and 8 partially justified.

The nature of the complaints were as follows:

Listing difficulties	3
Wrong information given/poor communications	4
Wrongful arrest/issue of warrants	5
Loss of documents	3
Legal issues	3
Accounts related/Non-receipt of compensation	3
Poor quality of service/facilities	3
Miscellaneous	5

In the main the action taken was to provide an apology although compensation was provided in the form of re-imburement of expenses on 2 occasions and an ex gratia payment on 1 occasion. Action was taken to remedy deficiencies in procedures or facilities where these were identified. There were 6 occasions when the target times were not met although on a number of occasions correspondence continued after the initial response to the complaint by the Justices' Chief Executive.

There were no complaints received about executive actions of the MCC in relation to the Human Rights Act and no complaints of racial discrimination.

C. FINANCE, CORPORATE GOVERNANCE AND ASSURANCE

INCOME AND EXPENDITURE

A schedule showing the income and expenditure of the MCC in 2003/4 compared with the previous 2 financial years is set out at **Annex C**. The MCC was given a significantly higher budget in 2003/4 to assist with the re-structuring of the County from the beginning of the financial year and also to allow for the centralisation of staff in Gloucester which took place from November 2003. Overall salary related costs were substantially higher due to redundancy and pension related contributions. These costs will effectively be recovered over the next 3 years from savings in the staffing establishment. However some extra staffing expenditure was also incurred in establishing the pilot for the new powers under the Courts Act.

Premises costs rose due to the acquisition of new accommodation which was needed because of the poor conditions at the other offices, though there was some degree of off-setting of these costs by the closure of Dursley and Tewesbury and due to taking less space in Cheltenham and Gloucester Magistrates' Courts. The reference to adviser's fees is to the advisers responsible for taking forward the scheme for replacement of the courthouses at Cheltenham and Gloucester.

Improvements in the performance of the Police in executing warrants for non-payment of fines accounted for most of the increase in the Supplies and Services budget.

CAPITAL EXPENDITURE

The MCC has to bid to the Department For Constitutional Affairs (DCA) for funds to undertake capital schemes i.e. major buildings work and IT and major equipment. A schedule of these is set out at **Annex C**. Information on the MCC's IT arrangements and buildings are at **Annex F** and **G** respectively.

The main effort for the MCC was in providing new accommodation and equipment for the centralisation of offices as well as re-locating the networks. The costs of re-locating the non-Libra network were reduced substantially from the initial estimates. As part of the re-location, staff dealing with Family courts were moved in with The Court Service staff at Kimbrose Way in readiness for the changes arising from unification. Work to provide office space, computer networks, equipment and a new courtroom facility in this building were able to take place.

In addition to this, some refurbishment of other courthouses premises was possible and work was carried out to improve security of the reception facilities at Cheltenham, Gloucester and Coleford; to improve facilities and security for witnesses at Stroud and Cirencester and to carry out some work to improve facilities for disabled persons at Coleford.

ENFORCEMENT

Gloucestershire Enforcement Strategy is to ensure early enforcement action: maintain pressure/awareness on the defendant; to implement increasingly firm action and to ensure there is a short time scale between actions.

Gloucestershire achieved an annual Payment Rate of 95% in 2003/04, placing us 6th out of all 42 MCCs. This was substantially above the national target of 75%.

In 2003/04 the provision of netting off money was used to fund training for staff to improve their skills in debt collection, to fund credit-checking agencies and to obtain Cash Deposit Machines for the Courts in Gloucestershire. In 2004/05 this provision will be used to fund more training in debt collection and the provision of hand held computers for Court Enforcement Officers.

In the latter part of 2003 Gloucestershire were asked to take part in the Courts Act Pilot Scheme, which was launched on 29th March 2004. The Courts Act 2003 received royal assent in November 2003. The Act provides a new statutory framework for enforcement activity. The measures being piloted in Gloucestershire are:

- Wider use of Attachment to Earnings and Deductions from Benefits to pay a financial penalty
- An increase of 25% when the above measures fail. The increase to be removed if the financial penalty is paid without further default
- Vehicles of which defaulters are the registered keepers may be clamped if continued non-payment
- Persistent Defaulters to be registered on a new Register of Judgements
- Fines Payment Work – for offenders who are genuinely unable to pay.

AUDIT AND MANAGEMENT ASSURANCE PROGRAMME

Under Section 31(4) of the Justice of the Peace Act 1997 Magistrates' Courts Committees must ensure the Justices' Chief Executives (JCEs) adhere to the Management Assurance Programme, which provides for a number of checks on the procedures and processes in accounts. Following changes in legislation relating to Legal Aid and the revision of the Justices' Clerk Accounting Manual the Management Assurance Programme was revised. The second edition was issued on 15th May 2002. The number of control checks was reduced from 36 to 28 and it provides better direction to officers conducting checks by breaking each control into elements. In Gloucestershire the JCE has delegated responsibility for the programme to the Head of Court Administration and a team of 5 staff. The checks give the JCE and the Magistrates' Courts Committee reasonable assurance that adequate and effective systems of internal control are being maintained. MAP controls are carried out on a quarterly basis and a report is provided to the MCC through the Audit and Scrutiny Sub Committee. The report confirms the checks have taken place and itemises any unsatisfactory findings and provides an update of any issues raised at the previous MAP inspection. All checks were completed as scheduled in 2003/04.

Health and Safety

Information on the MCC's Security and health and safety arrangements are included at **Annex D**.

HER MAJESTY'S COURT SERVICE INSPECTORATE (MCSI)

The MCC received formal sign-off of the 11 recommendations from the 2001 Inspection report in June 2003. This was the result of a substantial amount of work by all of the county's management team and the MCC itself.

Although it did not receive a major inspection during 2003/04, the MCC contributed to a series of thematic inspections. These included the Using Information to Improve Performance Thematic (IMPacT) and the update review of Race Relations.

Most significantly, the MCC supported a joint Inspectorate review of the county's Criminal Justice System. This was a new style of inspection that was piloted in Gloucestershire. Bringing together inspection teams with specialist backgrounds in police, CPS, the courts, prisons and probation, the joint inspection team looked at how effectively all the CJS agencies worked together. The joint inspection also looked at the effectiveness of the Local Criminal Justice Board (LCJB).

The report's recommendations have been reviewed by the MCC and the LCJB separately. The recommendations have now been taken up by the LCJB and have been incorporated into the priorities for its sub-groups to address.

CODE OF CONDUCT FOR MCC AND SELECTION PANEL MEMBERS

The Code of Conduct for MCC and Selection Panel Members (Statutory Instrument 2000 No. 2148) came into force on 1st September 2000. It was implemented for both the MCC and the Selection Panel at that time, together with a revised Register of Interests, and all members hold a personal copy of the code. "Declarations of Interest" is now the first item on any MCC Agenda, though rarely necessary, and there have been no breaches of the Code. Membership of the MCC in 2003/4 is set out at **Annex E**.

D. INTERNAL / EXTERNAL COMMUNICATION

LOCAL CRIMINAL JUSTICE BOARD (LCJB) FOR GLOUCESTERSHIRE

The LCJB formally came into existence in April 2003, replacing the county's previous CJS Strategy Committee. The LCJB's membership is made up of Chief Officers of the main Criminal Justice System agencies, as set out below.

- Tim Brain, Chief Constable (Chair)
 - John Carter, Chief Probation Officer
 - Withiel Cole, Chief Crown Prosecutor
 - Alan Davies, Justices' Chief Executive, Magistrates' Courts
 - David Chalmers, Prison Governor (Gloucester)
 - David Gentry, Court Service Group Manager
 - Phil Kendrick, Youth Offending Services co-ordinator
- The board also invites a member of the Police Authority to observe its meetings. This is normally Enid Castle, a Magistrate member of the authority.
- In addition, the LCJB has co-opted Assistant Chief Constable Mark Polin, who is responsible for Criminal Justice matters within the constabulary.

The LCJB divides its work up in to three main portfolio areas, which are led by members as set out below.

- Performance and Planning – Alan Davies, Justices' Chief Executive
- Projects – Withiel Cole, Chief Crown Prosecutor
- Consultation – John Carter, Chief Probation Officer

The LCJB has developed a Delivery Agreement, which sets out its key objectives for the coming year. During 2003/04, the LCJB focussed its effort on:

- Increasing the number of offences brought to justice by 5%, in line with the Government's national target.
- Increasing the number of Persistent Offenders brought to justice, to tackle those offenders who cause most damage to our communities.
- Reducing the number of cracked and ineffective trials, to make most efficient use of all agencies' time as well as minimising disruption to victims and witnesses.

- Improving case file quality and timeliness, so that disruption later in the criminal justice process is minimised.
- Improving inter-agency working arrangements and training.
- Improving public confidence in the CJS (following the expected publication of government guidance in August 2003).
- Dealing with Persistent Young Offenders as speedily as possible.
- Improving the overall timeliness of the CJS, so that all defendants are dealt with as quickly as possible.

The LCJB will be publishing its own report detailing its achievement against these objectives in due course.

As an individual agency, we have prioritised on supporting the LCJB through the creation of a Trial Management Protocol to address cracked and ineffective trial rates in the county. We have also committed ourselves to removing a backlog in Post-Court result entries, to better serve the information needs of ourselves and other CJS agencies.

INTERAGENCY WORK

The Magistracy and the MCC continue to support various Inter agency groups and projects. The Service is represented on a regular basis at a number of meetings in addition to the Local Criminal Justice Board whose work is described earlier:

Crime and Disorder Partnership
Licensing Trade
Court User Groups, including Family Court User Group
Listing Liaison Group
Mentally Disordered Offender Group
Probation Liaison Meetings
Other local groups including Cheltenham Nightsafe, Nighttime Economy Study

Over the last year there have been a number of local projects and initiatives including

Inter agency family law training – National Protocol (January 2004)
Trial Management Project – March 2004
Gloucestershire Strategic Partnership – Launched in April 2004
County Anti-Social Behaviour Group – Working Party

The implementation of the family protocol encourages the same magistrates and legal advisers to see a case through to the final hearing for the benefit of

continuity and defines the time-scales in which family cases should be dealt with to ensure completion within 40 weeks.

A court open day was being organised for July 2004 at Cheltenham involving displays and presentations from Magistrates, Police, CPS, Reliance, Probation, CSU, Neighbourhood Watch, TV Licensing Authority, Witness Support Service and the Child Contact Centre.

ACCOUNTABILITY TO THE COMMUNITY

A number of magistrates in the Magistrates' Association have been very active in the "Magistrates in the Community" (MIC) programme. Talks have been given to various audiences, including Rotary and Probus groups, the WI, Salvation Army and Victim Support. Additionally, a number of secondary schools have welcomed presentations by magistrates as part of their Citizenship programme, while newly appointed police officers have enjoyed talks, quizzes and structured sentencing exercises. In July 2004 a county-wide MIC coordinator was appointed.

Although take-up by local secondary schools in the national Mock courts competition has been disappointing, magistrates were involved in an internal competition at Cheltenham Ladies' College while seven primary schools competed in an event organised locally for primary schools in the Stroud area. This, the second year of the competition, was featured in the may 2004 edition of the "Magistrate".

SERVICES TO RURAL COMMUNITIES

The services provided by the MCC are based on five principal courthouses at Cheltenham, Cirencester, Coleford, Gloucester and Stroud. This is to try and ensure that courthouses across the County are easily accessible for local populations. During the year cash machines have been fitted at all of the courthouses to provide a fines payment service locally. There are also a number of ways to pay fines e.g by post, by credit/debit card over the phone and at local banks and post offices which make access to services easy. Following the closure of the office at Cheltenham during the year, a free telephone service for court users to the administrative staff has been introduced.

The MCC has reviewed the number of Petty Sessional Areas (PSAs) (i.e the areas to which magistrates are grouped within the County) during the year and agreed that it will go to one Petty Sessional Area for Gloucestershire. However an element of local areas are being retained so that it will be easier for magistrates from rural communities to participate in the courts.

RACE AND DIVERSITY

The MCC has published a Race Equality Scheme to meet the requirements of the Race Relations Amendment Act (2000). The statement outlines that Gloucestershire MCC is committed to providing a magistrates' courts service in which all staff, magistrates and court users are treated equally and fairly, in an environment which is free from any form of racial prejudice and/or discrimination.

The Committee aims to work towards eliminating discrimination on the grounds of race, national ethnic origin and religion and promoting equality of opportunity and good race relations in the employment of its staff. It will ensure that it complies with race relations legislation and relevant codes of practice, and will adopt, implement and monitor policies to ensure equality of opportunity.

The MCC developed and published its Race Equality Scheme to comply with the timescale of 31 May 2002. Since this date, it has established a Race Equality Steering Group and developed an action plan to underpin the Race Equality Scheme. The Steering Group meets regularly and monitors progress of the actions agreed. Some of the initiatives introduced by the group include:

- Working towards increasing the ethnic representation in the Gloucester office, to reflect the ethnic mix of the population in the city. This included attendance at the Asian Mela fair in Gloucester during 2003.
- Presenting quarterly staffing reports to the MCC on issues that include the ethnic breakdown of staff and applicant for posts.
- Seeing professional guidance from our advertising agents in designing job advertisements that will attract people from all sections of the community.
- Providing Diversity training for all new staff as part of the MCC's induction course.
- Including the Equal opportunities policy as part of the new starters pack and discussing its practical application as part of the induction course.

The ethnic minority staff representation at the end of 2003 was 8.65% which is significantly higher than the target for Gloucestershire of 2.85%. However, the MCC will continue to promote race equality issues as part of its strategy and has a Race Equality action plan which runs to the end of 2004. Further statistical information is provided at **Annex H**.

In the last 12 months the MCC has actively pursued the implementation of the Race Equality Scheme which work has been supervised by a Steering Group drawn from MCC and staff representatives. All reports to the MCC have a section on race issues to ensure that it is continually being addressed. Training was provided to the MCC on its responsibilities across the whole range of diversity legislation. Action was taken to introduce a system for undertaking impact assessments which is required under the legislation. Assessments were carried out in relation to the Complaints procedure, and the Code of Conduct for staff. An assessment was also investigated into the information sent out to Court users in advance of hearings. Further consultation is planned with the Independent Advisory Group in relation to information and the need to provide more in foreign languages. Further training for the Senior Management Team on how to carry out these assessments was also agreed.

INDEPENDENT ADVISORY GROUP

A considerable amount of work has gone in to establishing an Independent Advisory Group whose role is to work to improve confidence in the Criminal Justice System and to examine the policies, practices and procedures of the various CJS agencies. The initiative was proposed by the Police and supported by the other CJS agencies in Gloucestershire including the courts, CPS and Probation. It is made up of representatives from across the community of Gloucestershire. Much of the year was spent in deciding on how the group would work, advertising for members and making appointments and providing induction training. The important part of the Group's role will now get underway in terms of looking at policies and procedures of the agencies to ensure that they are operating fairly.

SENIOR STAFF SALARIES

Staff in the service paid over £40,000 per annum (as at 31 March 2004) were as follows:

<u>Salary Range</u>	<u>Number of Staff</u>
£40,000 – £45,000:	1
£65,000 – £69,000:	1
£70,000 - £75,000	1

No senior appointments were made during the year except in relation to the restructuring. The senior management structure is shown at **Annex H**.

MAGISTRATES

Efforts have been made to increase the number of magistrates from ethnic minority communities although the total number is broadly representative of the County. The Advisory Committee responsible for the appointment of magistrates is based at Gloucestershire County Council. Attached at **Annex I** are the details of the numbers and breakdown of magistrates for the year ending 31st October 2003. There are currently no ethnic minority members on the Magistrates' Courts Committee. Contact details for the MCC are set out at **Annex J**, including the Web site address.

E. THE FUTURE

It is a very busy time for the magistrates' courts service and a number of projects are on-going:

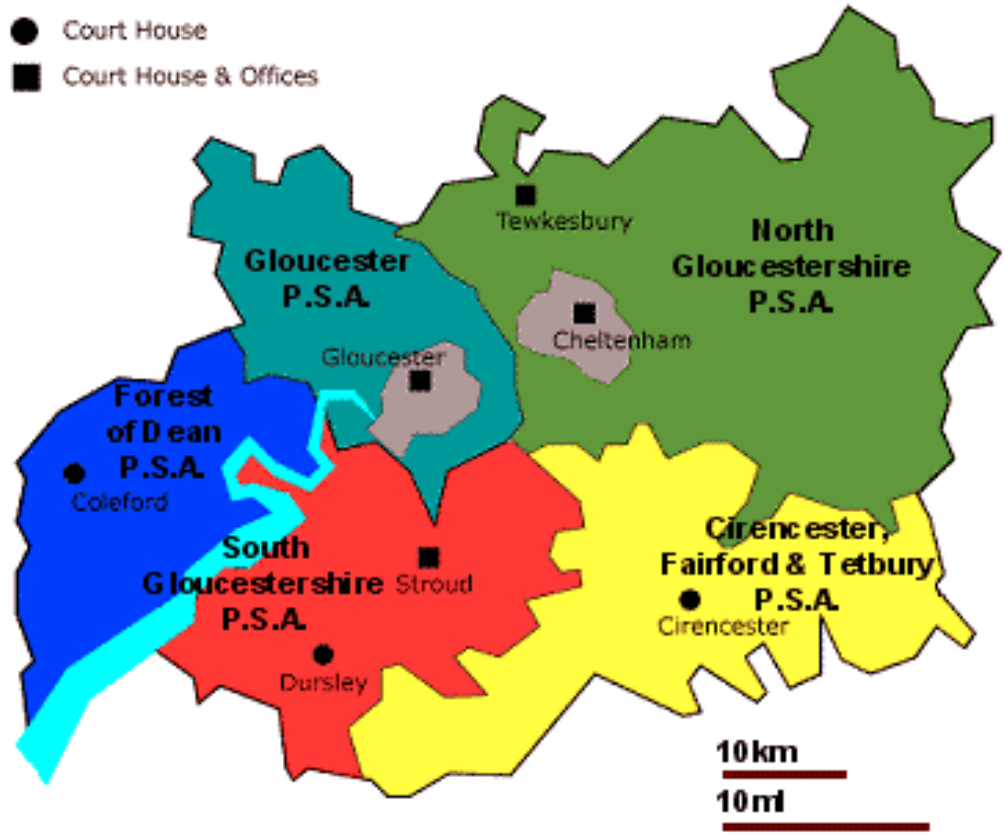
It is a very busy time for the Magistrates Courts Service and the following projects are on-going:

- Preparing for unification with the Courts Service in 2005 and co-operating with the Shadow Courts Board when that is established.
- Improving performance, in particular the backlog in resulting and consolidating in those areas impacted on by the re-location
- Progressing the PPP schemes for the provision of new courthouses at Gloucester and Cheltenham, in conjunction with the Crown and County Courts.
- Implementing the new single Petty Sessional Area for the County.
- Implementing the Race Equality Scheme Action Plan and trying to improve further the representation of ethnic minority groups within the staff of the magistrates' courts.
- Improving further co-ordination of work with the other partners in the Criminal Justice System, especially through the Local Criminal Justice Board.
- Starting to make preparations for the implementation of the new national computer system, " Libra Core", which is due in 2005.

F. ANNEXES

ANNEX A

GLOUCESTERSHIRE
MAGISTRATES' COURTS COMMITTEE AREA



ANNEX B

CASELOAD AND LOCAL PERFORMANCE

WEIGHTED CASELOAD AND COST EFFICIENCY

Completed proceedings are associated with one of 14 (weighted) case types. In order to provide an overall unitary value of caseload a weighting is applied to each case type. The weightings used are shown in the table below:

Gloucestershire	2002/2003	2003/4	Weighting	Weighted Caseload 2003/2004
CRIMINAL PROCEEDINGS				
Indictable and Either Way	4423	2587	6	15522
Breaches	805	932	2.5	2330
Summary Non-Motoring	3882	4013	2.25	9029
Summary Motoring	11797	10569	2	21138
Youth Courts	1340	740	5.25	3885
Total Criminal	22247	18841		51904
CIVIL PROCEEDINGS				
Section 8 Orders	95	91	12.75	1160.25
Emergency Protection Orders	4	19	13.75	261.25
Care Proceedings	81	68	15.75	1071
All Other Orders	123	287	13.25	3802.75
Licensing Transfers	1885	1881	3.75	7053.75
Licensing Petty	1863	1467	2	2934
Other Applications	1855	1548	1.75	2709
Total Civil	5906	5361		18992
Means Enquiries	2215	2850	2.25	6412.5
Legal Aid Applications	5547	7302	1.5	10953
Total Caseload	35915	34354		88261.5

Note that adjustments have been made to the criminal caseload figures for 2003/4 to allow for inaccuracies caused due to the Police link.

STRATEGIC STEER INDICATORS

SSI 1 - Effective, Ineffective and Cracked Trials.

Effective trials are ones which take place on the scheduled date and a verdict is reached. An Ineffective trial does not, for a variety of reasons, take place as scheduled and a further listing is required. Cracked trials are where a result might still be achieved even though a trial does not take place e.g. because the defendant decides to plead guilty at the last moment. Cracked trials therefore require no further trial time.

Target and performance - A specific target of 23% Ineffective trials has been set by Government to be achieved by March 2006. In addition, Gloucestershire MCC set itself a strategic target for 2003/04 to achieve an Effective trial rate of 35%. Governmental focus at the moment is on the level of Ineffective trials.

		2002/03 Average	2003/04 Average	March 2006 PSA Target	MCC 2003/04 Target
Effective Trials	Gloucestershire	33%	32.2%		35%
	Nationally	31.9%	33.5%		
Ineffective Trials	Gloucestershire	25%	26.7%	23%	
	Nationally	30.6%	28.9%		
Cracked Trials	Gloucestershire	42%	41.0%		
	Nationally	37.5%	37.6%		

Between April 2003 and March 2004 Gloucestershire magistrates tried 1077 cases. The percentage of Ineffective trials continues to compare favourably with national levels (Gloucestershire was placed 24th. out of 42 MCCs in England and Wales) although it is a lower position than last year. A small reduction in Cracked Trials has been somewhat offset by a slight reduction in Gloucestershire's percentage of Effective Trial. 63% of Cracked trials produced a result on the day, better than in 2003/04 and above the national average. In April 2004 a new Trial Management Scheme, aimed at significantly reducing Ineffective and Cracked trials, was launched. Its positive effects will, hopefully be reflected in 2004/05 results.

SSI 2 - Timeliness (Adults and Youths).

It is essential that the legal process for all defendants is completed expeditiously. Timeliness targets for proceedings have been set and to take account of any seasonal variances, timescales are compared to the equivalent period in the previous year.

Target and performance – Nationally, MCCs are encouraged to strive to be above the average. Strategically, Gloucestershire MCC had set itself a target of 40 days for 2003/04.

Listing to completion – All Criminal Cases	September 2002	March 2003	September 2003	March 2004	MCC 2003/04 Target
Gloucestershire	30 days	19 days	33 days	41 days	40 days
National Average	32 days	33 days	32days	33 days	

There has been some deterioration in performance over the last year. In March 2003, Gloucestershire was placed joint second out of the 42 MCCs, but this had slipped to 33rd by March of this year, mainly due to a reduction in performance during the period following the re-location. It is anticipated that this performance will improve again during 2004/5.

A second indicator has been produced nationally, indicating the average number of days from first listing to completion for defendants in Indictable and Triable Either Way cases, i.e. more serious offences

Listing to completion – Indictable and Triable Either Way cases	March 2003	June 2003	Sept. 2003	Dec. 2003	March 2004
Gloucestershire	28 days	39 days	42 days	63 days	62 days
National Average	57 days	55 days	55 days	56 days	54 days

Despite a slippage in performance, particularly in the last two quarters when Gloucestershire's average was worse than the national level, the number of days from first listing to completion over the whole of 2003 was 42, well ahead of the national average.

SSI 3 - Persistent Young Offenders (Timeliness)

It is also essential that the time taken to administer proceedings involving young people is kept to a minimum. This is particularly important with regard to Persistent Young Offenders aged between 10-17 and this forms a key Government target.

Target and performance – Nationally, there is a target to reduce and maintain the time taken from arrest to sentence of Persistent Young Offenders (PYOs) to less than 71 days.

	Annual 02-03	Apr. – June 03	July – Sept. 03	Oct. – Dec. 03	Jan. – Mar. 04	Annual 2003/04	National Target
Gloucs.	43 days	40 days	52 days	56 days	52 days	48 days	71 days
National Average	61 days	54 days	57 days	59 days	58 days	57 days	

Gloucestershire continues to perform strongly in this area and the overall 2003/04 average of 48 days was tenth nationally.

SSI 4 - Enforcement of Financial Penalties

Although the data to produce the six indicators used nationally in previous years is still available, in 2003/04 the government focussed on one, Payment Rate, in order to illustrate the performance of MCCs in Fines Collection. Additionally, the method of calculating Payment Rate was changed, thus rendering year-on-year comparison invalid. The Payment Rate indicator now shows the Amount Paid into court as a percentage of the New Amount owed for the period after taking account of Civil and Confiscation Orders.

Target and performance - In 2003/04 the Government, through the Department for Constitutional Affairs set a Payment Rate target of 75% for the year.

	Apr. – June 03	July – Sept. 03	Oct. – Dec. 03	Jan. – Mar. 04	Annual 2003/04	National Target
Gloucestershire	91%	210%	79%	61%	95%	75%
Nationally	72%	76%	71%	76%	74%	

Notwithstanding the low Payment Rate level in the last quarter of the year, Gloucestershire achieved an annual Payment Rate of 95%, placing it sixth in the country. This was substantially above the 2003/04 target of 75%, which itself was not achieved nationally over the whole year.

SSI 5 - Community Penalty Breach Warrants

Lead responsibility for executing warrants issued against those in breach of community sentences was transferred from the police to the MCCs in April 2001. The first full year when national statistics were available was 2002/03 and 2003/04 provides the opportunity to draw some comparisons.

Target and performance - MCCs have a national target to execute or withdraw 75% of adult bail and no-bail warrants within 28 days of issue; and 75% of youth bail and no-bail warrants within 14 days of issue. Bail warrants allow for the defendant to bail himself to court but with a no bail warrants they are arrested and taken to court. Gloucestershire issued 237 total warrants within the 2003/04

(just 3 down on the previous year) which is a small number compared to most other areas. The percentages executed or withdrawn within target are set out below:

		2002/03 Average	2003/04 Average	National Target
Adult Bail	Gloucestershire	100%	Nil Issued	75%
	Nationally	37%	52%	
Adult No-Bail	Gloucestershire	39%	30%	75%
	Nationally	27%	34%	
Youth Bail	Gloucestershire	0%	Nil Issued	75%
	Nationally	28%	24%	
Youth No-Bail	Gloucestershire	0%	20%	75%
	Nationally	22%	28%	
Overall	Gloucestershire	38%	30%	75%
	Nationally	29%	37%	

As in 2002/03, apart from adult no-bail warrants, the samples were insufficient to draw any meaningful conclusions. In respect of Adult No-Bail warrants, the percentage executed or withdrawn (30%) placed Gloucestershire 28th in England and Wales. The MCC is keen to improve on this performance during 2004/5 and will be looking at the arrangements for monitoring to see how performance can be improved.

SSI 6 – Family Case Tracker

Family Case Tracker (a means of monitoring performance of family cases by computer) was introduced by the Department for Constitutional Affairs in autumn 2003. The backbone of the work is a Protocol for Judicial Case Management in Public Law Children Act Cases, which came into effect on 1st. November, 2003 and which was designed to introduce standards for dealing with family cases.

Target and performance – The main target included in the new Family Protocol is that all public law care and supervision cases should be completed within 40 weeks ie. average of 280 days. However, there is also an obligation on magistrates' courts to consider at the first hearing, which should take place within six days of the application being issued, whether the case ought to be transferred to the County Court.

		Apr. – June 03	July – Sept. 03	Oct. – Dec. 03	Jan. – Mar. 04	Annual 2003/04	Nat. Target
Completions	Glocs.	276 days	288 days	225 days	172 days	241 days	280 days
	Nationally	223 days	218 days	218 days	299 days	242 days	
Transfers	Glocs.	18 days	51 days	38 days	147 days	48 days	
	Nationally	48 days	54 days	58 days	71 days	59 days	

Although the target of 280 days was exceeded in the September quarter, Gloucestershire ended the year under the national average and target. The end-of-year figure of 241 days placed the MCC in 21st. position out of all 42 MCCs. The improved trend in elapsed days in the second half of the year is indicative of a positive application of the new Protocol and, hopefully this will continue into 2004/05. Although there is no national target on transfers, Gloucestershire was doing better than the national average.

BUSINESS MANAGEMENT RETURNS

BMR 1 – Efficiency

The primary indicator of cost efficiency has traditionally been the Cost (gross expenditure) per Weighted Case. The gross expenditure figure used is as reported annually in the Grant Monitoring returns and the weighted caseload is calculated by applying one of 14 different factorings to each recorded completed proceeding for the year.

A secondary indicator of efficiency is the Weighted Caseload per Sitting Hour, again comparing the weighted value to the actual sitting hours recorded.

Target and performance –The table below indicates the trends and annual comparison between Gloucestershire and the national average. Gloucestershire MCC had set itself a target of 12 Weighted Caseload per Sitting Hour for 2003/04.

		2002/03	2003/04	MCC 2003/04 Target
Unit Cost per Weighted Caseload	Gloucestershire	£38.52	£57.07	
	Nationally	£31.20	£32.76	
Weighted Caseload per Sitting Hour	Gloucestershire	9.82	8.38	12
	Nationally	10.6	9.78	

Both of these measures have been adversely affected by an unusually low recorded level of weighted Caseload in 2003/04. In 2002/03 a caseload of 98178 was recorded, compared to 76821 in 2003/04, a fall of 21.75%. Compared to this, the Sitting Hours only fell by 8.3% (9997 hours compared to 9163). Lower caseload arose for 2 reasons -partly due to the significant post court backlog during the year and also due to a problem caused by an error in the Police interface with the Courts system Unity. It is estimated that if the impact of these issues were ignored, caseload would be at least equivalent to 2002/3. Although this would make the MCC more expensive than average, this was at least partly due to additional budget received for the restructuring of the County.

BMR 2 - Courtroom Utilisation

The total of magistrates and other users' Sitting Hours (time spent in court hearing cases) is monitored against total calculated availability to give the Usage Indicator. Availability is defined as 5 hours per day for each weekday that the court is open and available for use as a courtroom.

Target and performance - The table below indicates the trends for Gloucestershire and the national average between 2002/03 and 2003/04.

Sitting Hours against Availability	2002/03 Average	2003/04 Average
Gloucestershire	55.0%	53.7%
Nationally	67.3%	70.6%

It is very difficult for Gloucestershire to improve this indicator whilst retaining a spread of courts in the County. The indicator uses the total number of courts available but the MCC's workload does not require the use of all courts every day. Nevertheless, performance has dropped a little when compared to 2002/03. The published utilisation level of 53.7% placed Gloucestershire 37th out of 42 MCCs in England and Wales.

BMR 3 - Witnesses Waiting Times and Unnecessary Attendance of Witnesses

Two surveys per annum, each lasting for two weeks, are conducted in all magistrates' courthouses. It is accepted by the Department for Constitutional

Affairs that they will inevitably only be a snap shot. The data presented here is based on surveys carried out in both June and November of 2002 and 2003.

Target and performance – Whilst it is accepted nationally that these issues are not solely within the control of magistrates courts, a 2003/04 strategic target had been set by Gloucestershire MCC to raise the percentage of witnesses waiting one hour or less to 50% or above.

		June 2002	Nov. 2002	June 2003	Nov. 2003	MCC 2003/04 Target
Witnesses waiting one hour or less	Gloucestershire	49%	38%	64%	62%	50%
	Nationally	50%	49%	50%	48%	
Witnesses unnecessary attendance at court	Gloucestershire	27%	52%	61%	48%	
	Nationally	50%	52%	51%	51%	

There was a significant improvement in performance in 2003 compared to the previous year. The November 2003 survey continued to show a similar result to that in June, with the MCCs performance considerably above target and the national average. At 64% in June Gloucestershire was 4th. out of the 42 MCCs, in November it was 8th. The average waiting time for a witness in June was 1hr.05 min. compared to a national average of 1hr.23 min., in November the figures were 1hr.02 min. and 1hr.28min. respectively.

BMR 4 - Defendant Waiting Times

Again, two performance-monitoring surveys are held each year, in April and October, in order to determine how many defendants wait one hour or less before the start of the hearing. Recording starts at the time which the Defendant was required to arrive or actually arrives (whichever is the later), and the time that the case is actually started, for all adult criminal cases.

Target and performance – Again, although it is accepted nationally that these surveys only provide a limited snapshot, a 2003/04 strategic target had been set by Gloucestershire MCC to keep the percentage of defendants waiting one hour or less on the day to 75% or above.

Defendants waiting one hour or less	April 2002	Oct. 2002	April 2003	Oct. 2003	MCC 2003/04 Target
Gloucestershire	62%	64%	55%	48%	75%
Nationally	59%	60%	61%	59%	

Although national averages have remained fairly static over the periods illustrated, Gloucestershire's recorded performance was below target and has fallen away below the national average. Steps are being taken to address the issues, one of which is a possible increase in the use of video link technology.

BMR 5 - Ethnicity of Staff and Committee Members

All Magistrates Courts Committees are required, under the Race Relations Act 2000, to have in place a Race equality Scheme. Gloucestershire MCC has a commitment to encourage diversity among staff and magistrates.

Target and performance – Gloucestershire had set itself a target level of achieving a workforce which is representative of the community and the Department for Constitutional Affairs has provided a target of 2.85% from ethnic minorities in 2005/06.

	Ethnic minority staff @ March 2004	Ethnic minority MCC Members @ March 2004	Ethnic minority population @ 2001 census	National 2005/06 Target
Gloucestershire	5.9%	0%	2.85%	2.85%
Nationally	7.2%	2.8%	8.2%	

The actual level of ethnic minority staff achieved was 5.9% in 2003/4, which was twice the level in the population of the county as a whole and proportionally more than that achieved by any other MCC.

BMR 6 - Vacated Trials

A vacated trial is one where, prior to the trial date, a request to vacate the trial date is granted. It is, in effect, used to adjourn potentially ineffective trials beforehand, thus saving court time and increasing efficiency. A further listing for the trial may or may not be required and the court time vacated may or may not be filled with other cases.

Target and performance – It is accepted that this measure is not solely within the control of the Magistrates' Courts Service. There are no national targets and the data is presented for information only.

Level of Vacated Trials	2002/03 Average	Apr.- June 03	July- Sept. 03	Oct.- Dec. 03	Jan.- Mar. 04	2002/03 Average
Gloucestershire	21%	19.8%	24.6%	24.7%	29.0%	24.6%
Nationally	11%	12.4%	14.8%	13.4%	14.6%	13.7%

The percentage in Gloucestershire was consistently above the national average throughout the year.

BMR 7 - Quality of Service

Until April 2003, a Quality of Service User Reaction Survey about non-judicial aspects of the service received was conducted twice-yearly. The survey was split into two parts, i.e. firstly the level of satisfaction with the facilities provided at the courts, and secondly with the information provided.

The last survey of this type was carried out in April 2003, although a considerably more detailed one conducted in April 2004 had not been published.

Target and performance – Court users were asked to rank the facilities provided as Very Good, Satisfactory or Poor. The level of satisfaction has been arrived at by consolidating the first two categories.

Gloucestershire MCC set itself 2003/04 strategic targets of 70% of Court Users to be satisfied with the facilities provided for them and 85% to be satisfied with the information and assistance provided.

		April 2002	October 2002	April 2003	MCC 2003/04 Target
%age satisfied with facilities	Gloucestershire	68%	61%	65%	70%
	Nationally	72%	72%	72%	
%age satisfied with information	Gloucestershire	84%	83%	74%	85%
	Nationally	90%	90%	90%	

Overall, the Gloucestershire has been performing below target and national averages. Following completion of a more comprehensive survey in April 2004, a detailed analysis of responses, comments and suggestions made by court users were presented to the MCC. Subsequently, a number of initiatives were instigated aimed at improving performance. As part of this process, a new Quality of Service Charter, available at all offices and courthouses, has been published. It is referred to in the Quality of Service Section, below.

BMR 8 – The provision of information to other Agencies within prescribed timescales.

This indicator, formerly a Core Performance Measure (CPM 3), has been redefined this year by the Department for Constitutional Affairs as a Business Management Return. It measures the success of the MCC in providing specified information to other agencies within an agreed timescale. It comprises three components :

- The percentage of Court Registers produced within 3 working days of the court hearing.
- The percentage of Committals papers despatched to Crown Court within 4 working days.
- The percentage of decisions on properly completed Legal Aid applications (Representation Orders) despatched within 2 days of receipt by the court.

Target and performance – Gloucestershire MCC set itself 2003/04 targets for each of the components, as below.

		2003/04 Average	MCC 2003/04 Target
Court Registers Produced Within 3 Days	Gloucestershire	15%	90%
	Nationally	79%	
Committals Despatched Within 4 Day	Gloucestershire	41%	100%
	Nationally	92%	
Legal Aid Responses Within 2 Days	Gloucestershire	39%	90%
	Nationally	89%	

The 2003/04 performance of the MCC in these areas has been below target and national averages. It was affected by the office move in the last quarter of 2003 but arose principally due to a severe backlog in the resulting of cases. However, steps have now been put into place as described previously to ensure a significant improvement during 2004/5.

ANNEX C

FINANCIAL DATA

A) Revenue Budget 2003/04

Statement of Income and Expenditure	2001/02	2002/03	2003/04
Carry forward from previous year	69,056	72,156	70,740
less brought forward	-	-	-
Net Carry forward	69,056	72,156	70,740
Formula Cash Limit	3,538,756	3,567,614	4,121,886
Increases/Reductions	126,104	47,131	48,131
Advisers Fees	184,860	253,245	199,715
Revised Cash Limit	3,849,720	3,867,990	4,369,732
Income	22,580	19,965	15,493
TOTAL RESOURCES AVAILABLE	3,941,356	3,960,111	4,455,965
EXPENDITURE			
Staff	2,675,536	2,558,657	2,883,621
Premises	254,336	238,664	399,329
Justices	184,279	189,309	186,922
Supplies and Services	537,754	608,557	660,567
Local authority	32,429	40,939	33,129
Advisers Fees	184,860	253,245	199,715
GROSS EXPENDITURE	3,869,194	3,889,371	4,363,283
Carry forward to 2003/04 - 2004/05	72,156	70,740	79,453
Less brought forward	-	-	-
Net Carry Forward to 2004/05	72,156	70,740	79,453
Total Resources Used	3,941,350	3,960,111	4,442,736
Surplus/(-Deficit)	6	-	13,229

B) Capital Expenditure 2003/4

Statement of Capital Expenditure	Original	Final
	Allocation	Out turn
	2003/04	2003/04
INFORMATION TECHNOLOGY EXPENDITURE	£s	£s
Replace Optical Disc System	5,650	5,800
Licence and Software Development	62,501	63,259
Relocation Costs (Centralised Office)	140,041	104,306
Telephone System	30,000	29,596
Software	1,170	1,179
Equipment	20,897	19,006
Sub-total (IT Expenditure)	260,259	223,146
BUILDING EXPENDITURE		
<u>Security Works:</u>		
Cheltenham – Reception/Security Desk	33,200	30,247
Stroud – Improvement to vulnerable witness room	10,708	9,684
Gloucester – Improve Ushers’ public office	3,208	3,209
Coleford – Reception area and improved DDA facilities	33,302	26,260
<u>Operational Works:</u>		
Cirencester – Replacement windows	28,854	18,941
Gloucester - Creation of centralised office	161,240	164,570
Gloucester – Centralisation of family staff with TCS	17,085	17,084
Gloucester/Cheltenham – Refurbishment of accommodation	11,288	11,448
Cheltenham – Improved kitchen facilities	1,121	1,121
Cirencester – Witness service office	876	876
Gloucester – Southgate House furniture	102,500	102,461
Gloucester – Improvements to facilitate new courtroom	21,251	21,251
Sub-Total (Buildings)	424,633	407,152
TOTAL ALLOCATED/SPENT	684,892	630,298

1. TCS – The Court Service
2. DDA – Disability Discrimination Act

SECURITY ARRANGEMENTS

The MCC has made efforts to improve the security arrangements at the courthouses in the County and has carried out a pilot scheme to provide random searching by use of hand held wands. This allowed for all courthouses to be covered at least once during every week, geared to the needs of the courthouse and the types of case being dealt with. The pilot scheme was completed in March 2004 and proved very successful despite the shortage of space in the foyers at the courthouses. The scheme was being further developed at the year end, following receipt of minimum standards guidance prepared by the service.

Following re-location to Gloucester and centralisation of the admin staff, the arrangements for dealing with health and safety were reviewed with a newly constituted Safety Committee taking up its duties towards the end of the year. The safety policy was in the process of being revised prior to submission to the MCC and consultation with staff. A programme for revision of risk assessments was also prepared. New Safety Assistants were appointed based in Southgate House and to represent the courthouses to serve on the Safety Committee and to act as contact points on health and safety issues for all staff.

Staff are required to complete incident reports if there are any accidents or incidents in their work copies of which are then sent to the MCC secretariat. If they are of specific application they will be investigated individually by a Safety representative. If they are of more general application they will also be discussed at Safety Committee meetings.

GLOUCESTERSHIRE MAGISTRATES' COURTS COMMITTEE

MEMBERSHIP - 2003 / 2004

Chairman – Mr C Freshney (Communications, PPP Scheme and CJS)
Vice-Chairman – Mrs V Telfer

Mr D Bush (Estates)	Mr J Morley
Mr C Glynn	Mr D A Morris
Mr M J Harper (Finance/IT)	Mr A J Rodesano (Performance)
Mr I M Hime (Case Management)	Mr G Wareing (Human resources)
Mr C C Manners	

Note: The MCC has created portfolio holders as part of its corporate governance arrangements and the responsibility areas are shown in brackets above. In addition there is a Training Sub-Committee, responsible for staff and magistrates training and an Audit and Scrutiny Sub-Committee which monitors audit reports and the MAP process in particular. Consultation and negotiation with staff is via the Joint Consultative Committee and the Local Joint Negotiation Committee.

In attendance

Mr H W G Elwes (Keeper of the Rolls)
His Honour Judge J Tabor (Liaison Judge)

ANNEX F

INFORMATION TECHNOLOGY

Systems in Place

System	Use and Benefits
UNISYS Linc Courts Information System (LCIS).	Mainframe System for Magistrates' Courts Administration, Accounting and Enforcement and Statistics.
Licensing Administration System (LAS).	PC based system for administration of Licensing, Betting and Gaming.
Financial Management System (FMS)	County Council finance system.
ASR Personnel System.	PC based Personnel Records system.
Orlando Computers Optical Disk Archiving System.	PC based system for archiving Court Registers, Fines Accounts and Maintenance Payments History.
Windows 95; Microsoft Office 97; Windows 2000; Microsoft Office 2003	Standard PC operating system for retained PCs not on the network.
Microsoft Office 2000; Microsoft Access 2000; Microsoft Project 98	Standard PC applications for word processing, spreadsheets, databases etc.
VP/FPO Fixed Penalty System (this system is owned and run by Gloucestershire Constabulary).	Police Central Ticket Office/Courts Fixed Penalty Office System for administration and accounting of Fixed Penalty Tickets.
Unity	Police Interface (Automated updates to the police System)

PCs in Use and Staff Access

Total number of PCs (stand-alone and networked):	139
Total connected to LCIS mainframe system:	86
Percentage of staff with access to PCs:	99%

Cost

Revenue costs for 2003/2004 :	£227,410
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ANNEX G

THE MCC'S BUILDINGS

Set out below are the details of the buildings used by the MCC during the year, the sitting hours held at each and the number of cases:

<u>Court Building</u>	<u>No. of Courtrooms</u>	<u>%age use</u>	<u>Sitting hours</u>
Gloucester	4	73%	3612
Cheltenham	4	70%	3467
Cirencester	2	16%	385
Coleford	2	14%	345
Stroud	2	55%	1355
Dursley	2	-	-
Tewkesbury	1	-	-
Totals	17	53%*	9164

- *Note:* This average excludes the courtrooms at Tewkesbury and Dursley which were out of use during the year.*

The percentage used assumes that courtrooms are available for 1240 sitting hours per annum which is a guideline figure used by the DCA.

During the year the MCC moved its admin staff into new offices in Gloucester. The Family admin staff were located with The Court Service in Kimbrose Way. Capital expenditure was concentrated on these initiatives during the year in terms of preparing the offices and transferring the separate IT networks. The opportunity was also taken to update the network connections to the LCIS mainframe which will allow the mainframe software to be updated to allow the transfer of data to Libra Core in due course. Libra Core is a national computer system for dealing with the administration of cases that come before the court and fine accounts etc. The new system is due to be implemented in Gloucestershire during 2005.

A number of improvements were made to the facilities in the outlying courthouses and these schemes are set out in the section on Capital expenditure, details of which are set out in Annex C. In particular schemes to improve the witness facilities at Stroud were completed and a scheme to provide a new vulnerable witness facility for the youth court at Cheltenham was also implemented.

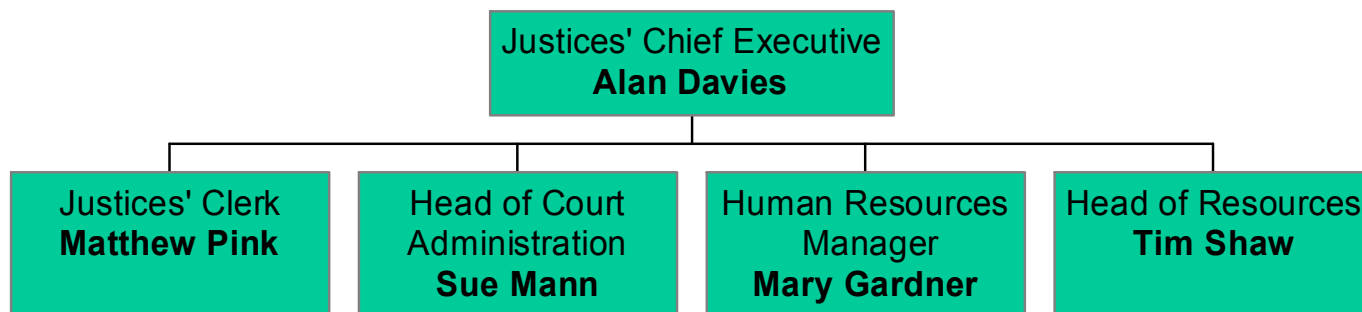
As part of efforts to maximise use of buildings jointly between TCS and Magistrates Courts in the lead up to unification, attempts were made to house the Cheltenham County Court staff in the office space vacated in the Cheltenham building. Unfortunately this was ultimately unsuccessful due to the difficulties in providing adequate accommodation for witnesses within the building. However it did prove possible to increase the courtroom facilities in the County Court at Kimbrose Way, Gloucester by the addition of a family courtroom for use by Magistrates.

Work continues on the PPP scheme to replace the courthouses at Cheltenham and Gloucester which are increasingly out of date and provide inadequate facilities for a modern courts service. Progress was made in redefining the extent of the scheme following the decision of the Probation Service to withdraw due to the proposals for a National Offender Management Service, which will combine the Probation and Prison Services.

A public consultation was also started on the closure of Tewkesbury and Dursley courthouses with effect from 30th June 2004.

STAFF

Senior Management Structure (as at 31st March 2004)



Race and Diversity Report

Staffing Details

Due to the relatively small numbers of ethnic minority staff the figures are not shown in detail. Applicants for employment are however also monitored and the ethnic breakdown of those staff applying during 2003/4 are set out below:

Applicants for employment (from returned equal ops forms):

		%age
White British	362	89.38
Bangladeshi	1	0.25
Caribbean	2	0.5
Indian	11	2.72
Other Asian	6	1.5
Other Black	1	0.25
Other mixed background	4	0.99
Other White	10	2.5
White and Black Caribbean	3	0.74
White Asian	3	0.74
African	1	0.25
Unspecified	1	0.25

Other staffing related Information

The MCC is also required to report on how ethnic minority staff are affected in a number of areas

- a) **Discipline and Grievance Procedures**
During the year there were no disciplinary proceedings, or use of the grievance procedure.
- b) **Assessment Procedures**
The MCC's assessment procedures for reviewing performance are not linked to pay or promotion and no staff can therefore suffer detriment in respect of it.
- c) **Leavers**
During the year 2003, there were 29 leavers including those staff who left as part of the restructuring on voluntary redundancy or early retirement. Of these, 28 were White British and 1 was Bangladeshi.
- d) **Promotions and Training**
Due to the restructuring there were few opportunities for promotion during the year. Of those opportunities that did arise one member of staff from the ethnic minorities applied but was unsuccessful. However all staff who sought training opportunities were successful.

STAFF DATA

At the end of March 2004, the MCC employed 117 staff, of which 26 were part-time, 61% were female and 2 were disabled. Turnover in 2003/4 was approximately 29.8%, caused largely by staff restructuring and office relocation.

STAFF TRAINING

Staff training is organised either locally through the HR Manager or regionally through the Regional Training Unit based in Bridgwater, acting on behalf of a consortium of Avon and Somerset, Wiltshire, Dorset and Gloucestershire MCCs.

During the year, staff attended regional courses in Family Case Management protocol, Dealing with Difficult Behaviour, Assessor training, Legal updates and Legal Induction, first aid and various conferences. Several staff also attended qualification courses such as the certificate in Management and Institute of Leadership and Management Introductory award. A total of 307 days was spent on regional training activities and in addition, 20 days were provided for identifying training needs, planning training, working on legal and admin staff competences and strategic planning.

Two staff are currently undertaking the certificate in First Line management course, and two other staff are studying the BTEC customer service course.

Away from regional training, in-house training was provided on a range of issues such as new staff induction (which was extended to include a half-day in Race and Diversity), performance management and SRD/ Appraisal skills. There were two staff training days, one in October 2003 which focussed on Teambuilding in preparation for office centralisation, and one in March 2004, focussing on Customer Care. A Management Development programme for middle managers was introduced in January which will lead to an in-house qualification endorsed by the ILM, and is based on a blend of delivered training, assignments, observation in the workplace and mentoring. It will also enable several senior managers to gain a mentoring qualification.

Several staff attended IT training courses run by Matrix training on topics such as Microsoft Outlook, Excel and Word, in order to update their IT skills.

ANNEX 1

MAGISTRATES STATISTICS AND INFORMATION

	<u>N. Glos.</u>	<u>Ciren.</u>	<u>Glos.</u>	<u>S. Glos.</u>	<u>FoD</u>	<u>TOTAL</u>
Number as at 31/10/02	78	20	102	45	25	270
Ethnicity (%)						
• White	98.1	100	93.1	98	100	97
• Non-White	1.3	-	6.9	2	-	3
Gender (%)						
• Male	58	55	52	49	64	54
• Female	42	45	48	51	36	46
Appointments in 2003/4	3	1				4
Number of Sittings	3529	735	3828	1632	785	10509
Average Sittings*	41	33	38.6	37.8	30	35.15

DISTRICT JUDGES (MAGISTRATES' COURTS)

District Judges sat in the Magistrates' Courts for 56 sittings in 2003/4

MAGISTRATES' TRAINING

Magistrates Training is administered by a Regional Training Unit (based in Somerset) acting on behalf of a consortium of MCCs including Dorset, Avon and Somerset, Gloucestershire and Wiltshire. In 2002/3 the region held 425 delegate days for Gloucestershire Magistrates and an additional 51 activities including prison visits. The Committee also supported two events in conjunction with the Magistrates Association locally. Total expenditure relating to magistrates training was £54,451 made up as follows:

Regional Unit Costs -	£25,097
Regional Course Costs -	£17,032
Local costs	£1,494
Justices' Expenses	£10,828

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