

# A Cultural Revolution : Achieving Efficiencies with the UK Criminal Justice System

*Executive Briefing*



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## **Abstract:**

Regardless which political party was elected this year, public sector cuts were always going to be high on the agenda. But billions of savings are far easier to promise than to achieve; and nowhere is this more evident than in the many-faceted, multi-agency entity collectively known as the Criminal Justice System (CJS).

The machinery of justice is spread across hundreds of different organisations, from government ministries and the courts, to forensic scientists, policemen and probation officers. Instituting more efficient systems, processes and working practices across this sprawling network of organisations is incredibly complex.

But it's a challenge that's being debated and discussed by leaders of CJS agencies, as they become increasingly aware of the urgency of change. That's the good news. The bad news is that the CJS is currently poorly positioned to accelerate operational and organisational improvements.

This was highlighted in a recent report by Jan Berry's group, entitled "Reducing Bureaucracy in Policing". The report detailed the challenges of how best to manage and improve the end-to-end criminal justice process, and explained

how a reduction in bureaucracy is dependent on a wide range of dynamic and interconnected factors.

In the current economic climate, all public sector agencies need to adjust to reduced budgets and enforced efficiencies. Ideally, they will do so through a commitment to Continuous Improvement (CI) – an ongoing process of incremental improvements in working practices and processes. Yet Berry's report showed the difficulties of instituting change within the CJS.

This briefing examines the main issues raised by Berry's report, and sets out how a system consisting of hundreds of mutually-dependent organisations can institute the tools, processes and working practices that will give managers, analysts and staff the insight they need to achieve the efficiencies demanded.

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## Towards an holistic view of the Criminal Justice process

In the spring of 2007 Lanner Group and the Home Office published a joint report - The Scientific Work Improvement Model (SWIM) Summary Report – which was the most comprehensive investigation into the working practices of the police scientific support function in England and Wales for more than a decade.

This marked the first time that individual elements of the criminal justice system had been considered as part of an end-to-end process, enabling police forces to assess the success – or otherwise – of local improvement initiatives in their area, and evaluate how these initiatives affected overall performance.

Since delivering the report, Lanner has worked with many elements of the CJS, such as the Office for Criminal Justice Reform, the Crown Prosecution Service and the courts, to build a library of template process simulation models that can be used for education, analysis and future scenario testing. This library now covers Crime to Detection, Detection to Charge, Court Process to Verdict and Offender Management. These models should form the basis of consistent and informed criminal justice improvement.



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## Improving performance

Changing an organisation's entire working culture is a huge challenge that can take years to achieve, but it is perfectly possible. The first step is to gain a clear and comprehensive understanding of each agency's position in the criminal justice process, and how their local performance affects outcomes in the wider, end-to-end CJS.

Solid foundations for change must be put in place. Before instituting a culture of business improvement, it's vital to establish whether connected processes actually exist within an organisation. Once this has been done, organisations should follow a three-step programme towards creating efficient working practices: first, establish a common

understanding of how the end-to-end process operates; secondly, identify actions and practices to take control of this process; and finally, establish a continuous process improvement framework and culture

This framework is vital for ensuring that any process improvement is properly realised in relation to the CJS process as a whole. It also means that every agency and organisation begins from the same starting point, with clearly-defined expected outcomes. Only when these processes, frameworks and performance metrics have been established can more ambitious business improvement strategies be introduced.

## The improvement challenge

The private sector is littered with the corpses of Continuous Improvement (CI) programmes. When initiatives such as Lean, TQM, TPM and 6-Sigma have failed, it is not because they were inherently defective: more likely, it was the way that they were implemented.

Successful organisations all demonstrate the following attributes: a stable and capable leadership team; simple, well understood 'Key Outcome Measures'; well-aligned goals which are consistently delivered by clear and efficient processes; and employees who are capable of managing these processes via minimal quantities of relevant, accurate information.

Naturally, different agencies across the CJS will demonstrate better performance than others, and the working culture in place for improving business processes will vary. This means that the style of any improvement approach must be agile and adaptable for different contexts; it must be locally-planned and adapted to meet the different needs, available resources and operational priorities of each organisation.

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#### Putting a price on success

Any improvement in business efficiency or reduction in bureaucracy must result in cash savings over and above the cost of implementing these new systems and processes.

Managers must show the financial benefit of new processes and working practices, and how quickly these activities achieve a self-funding status. “Speed to benefit” is a key metric for determining the success of any

improvement programme, with reduced “time to benefit” resulting in a lower programme cost – a fundamental consideration in any public sector project.

A balanced mix of local operational benefits to drive cashable savings, combined with longer term end-to-end process performance progress is likely to generate the necessary blend of affordability and sustainable momentum.

#### Cultural challenges

The objectives of central support functions are rarely aligned with those who work at the coalface of the justice system. Part of the problem is that centrally-based staff tend to be risk-averse and cautious by nature.

It is important to overcome the suspicion that arises when central agencies are tasked with instituting business improvement, so stakeholders working at the local level must be properly educated so they recognise, and

support, the aims of any improvement.

Establishing common Key Outcome Measures (KOM) is an important step in ensuring that all parties behave in a joined-up manner. Once this is achieved, goals can be set. Within the CJS, a balance must be struck between both the rate (process performance) and the quality of outcome.

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#### Realistic modelling of the end-to-end Criminal Justice process

In Criminal Justice, the efficient use of human resources within an ever-changing environment requires an approach that can handle a high degree of complexity. Simulation is particularly well-suited to processes which exhibit high degrees of variability, disruptions and interaction, such as those found within the CJS.

Simulation creates a virtual model of a particular scenario, enabling users to drill down into current processes and highlight bottlenecks. What’s more, the simulation of the end-to-end process can highlight both the impact of

planned change, and also the unexpected and unintended impact on other processes further downstream or elsewhere in the process.

This in turn enables the optimal solution to be selected, leading to effectiveness and efficiency gains in the process. Basing organisational change on evidence gleaned from sophisticated simulation enables decision-makers to identify the optimum resource deployment across the organisation, so they get change ‘right first time’.

#### Conclusions

There is no doubt that there is a real opportunity to release massive benefits, in terms of both service quality and cost, from the delivery of end-to-end CJ process performance control and improvement. Given the reality of today’s starting position, a significant amount of benefit is likely to result from establishing a common multi-agency understanding of how the process actually behaves, then working to secure greater consistency, before moving on to fully energise an improvement agenda.

For this to be effective there needs to be a change in behaviour and culture across the risk-averse CJS. But the good news is that the technology exists for agencies to make real, substantive case savings and improve their working practices; all that is needed is the will to put it into practice.