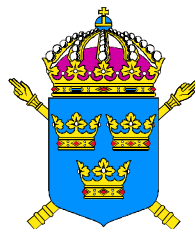


# An inspiring example

Performance and results within  
the Swedish  
Public Prosecution Service



**Prosecutor General of Sweden**  
**April 2002**

# “An inspiring example”

## Performance and results within the Swedish Public Prosecution Service

### The Swedish Public Prosecution Service

The Prosecutor General, as the highest prosecutor in the country, governs the Public Prosecution Service. The Public Prosecution Service consists of the *Public Prosecution Organisation* i.e. the six regional public prosecution authorities in Stockholm, Linköping, Malmö, Gothenburg, Västerås and Umeå. Under the authorities there are about 40 local public prosecution offices, responsible for the operational public prosecution activities. The local public prosecution offices normally have a work area corresponding to a county. A special public prosecutor organisation, the *Economic Crimes Bureau*, is responsible for fighting economic crime, mainly in metropolitan areas.

The management functions of the Prosecutor General, as the highest prosecutor in the country, are placed within the Office of the Prosecutor General. Administrative tasks like planning, follow-up of results, economy, personnel, training, etc. are also handled here. Development and support regarding work methods and IT systems are responsibilities of the Office as well. The two separate units for Special Crime and Environmental Crime also belong to the Office of the Prosecutor General. An Advisory Committee, appointed by the Government, is connected to the Prosecutor General.

### The Prosecutor Reform has yielded results

In the middle of the 1990s, a comprehensive reform was conducted of the Public Prosecution Service, which was given a modern and flexible organisation with the operational activity concentrated to local, larger prosecution offices. In conjunction with the reform, substantial renewal work was initiated within many areas, such as personnel policy, working methods and IT support. Furthermore, new forms for control, management and follow-up of the prosecutorial activities were introduced. Functions designed to support the strategic and operational management of the office and its resources were built up.

The Public Prosecution Service's finances, which were then in imbalance with a substantial deficit, were cleared up. These restructuring measures involved an employment embargo for prosecutors and the termination of employment of office staff and resulted in very great pressure on the personnel of the Public Prosecution Service. At present, the finances of the prosecutor organisation are in balance. There is a

small surplus, which is required for further development of the activity and skills within the organisation. This has been achieved through rationalisation and strategic financial planning.

A special unit at the Office of the Prosecutor General performs a variety of functions designed to support the strategic and operational management of the prosecution service and its resources. Among other tasks, the unit provides statistical analyses which measure the performance of prosecutorial activities and studies operations and recommends measures designed to ensure the most effective and efficient use of office resources and personnel.

Criminal policy strategies have been set up in several areas such as transnational organised crime, environmental criminality, racist criminality and everyday crime with the aim of increasing the prosecution rate. Great efforts have also been made to develop the role of the prosecutor and working methods within those areas.

The interaction of these factors means that the Prosecution Service is now able to produce its best results ever and that the objectives laid down by the

Government and the Parliament for the prosecutor activity for 2002 have been achieved. Briefly, the improvements in results comprise the following:

● **Prosecution rate has increased.** This applies both to the proportion of prosecuted persons in relation to all suspects who are subjected to any decision by a prosecutor and the proportion of prosecution decisions in relation to the total number of decisions concerning the question of prosecution. For example, the prosecution rate has increased by two per cent between 1999 and 2000 and by a further two per cent between 2000 and 2001

● **More rapid case-flow.** The average speed for an incoming completed preliminary investigation to be filed has reduced, from 54 days in 1999 and 49 days in 2000, to 29 days in 2002. Fifty percent of all prosecution decisions are made within 7 days. Today the prosecutor often makes the decision on the issue of prosecution on the same day or the day after the file has been received.

● **The number of outgoing cases exceeds the number of incoming cases.** The positive difference amounts to just over 5,000 cases, which is reflected in the reduced work balances for the prosecutors.

● **More uniform application of law.** The differences between the six prosecution authorities have reduced as regards the most common prosecutor decisions.

## **Strategic plan 2001-2005**

During 2000, the Prosecutor General could conclude that the overall objectives of the 1996 Prosecutor Reform had been achieved, and that there were reasons and preconditions to further develop the activity within forthcoming years. Renewal work was therefore initiated to improve the Public Prosecutions Service's performance in critical areas, expanding and re-shaping capacity to meet the new challenges presented by modern life.

A vision was set up and several areas and activities were identified as priority themes for development and change. This renewal work has been conducted in close collaboration with the staff and, in 2001 a strategic plan for the period 2001-2005 was presented. The strategic plan will be annually revised in order to take the rapid change in the society and in the field of crime policy into account. The strategic plan for the period 2002-2006 will be presented during this spring.

### **The aim of the renewal work - Vision and Values**

The fundamental aim is to improve the preconditions in order to achieving the overall objectives of the Prosecution Service and the Vision. The role of the prosecutor shall be strengthened to contribute to the reduction of crime and to increase public confidence

in the criminal justice system. The prosecutor shall deal with prosecution cases in a prompt and efficient manner and the application of law shall be even more correct and uniform.

This work also aims to develop the functions that constitute a support for the prosecutor activity so that resources are utilised in an efficient manner appropriate for the purpose and the preconditions for achieving the objectives and vision for the Prosecution Service increase. As the staff are the primary resource, issues of recruitment, training and work environment are of central importance. Other support functions are management, follow-up, information, IT support and also personnel and financial administration.

## **Strategy - Five development programmes**

How the future development work will be conducted and what concrete development projects will be given priority has been laid down in the strategic plan. This development work is being conducted within five different programme fields, namely

- 1 Organised, cross-border criminality
- 2 Serious crime - that is not organised and international
- 3 Other crime such as thefts, minor assaults, street crime and minor offences
- 4 Support, management and control of the prosecutor activity
- 5 The Prosecutor General's legal role in the Supreme Court.

### ***Programme against organised, cross-border criminality***

The increased internationalisation of criminality makes it necessary to adapt the prosecutor activity to meet this development. As of 1 January 2001, there is a prosecution office for international criminal cases in each of the six regional prosecution authorities. The specialisation of prosecutors that are required to deal with these matters is thereby refined.

As from that same date the Swedish national member of the Eurojust started his work in Brussels. Other elements in the programme include the development of forms for international and national collaboration together with continued development of skills.

### ***Programme for the prosecutor's work with serious crime***

In the case of particularly grave and complicated criminality (e.g. the Police murder in Malmö and the fatal arson in Gothenburg) demands were imposed for special skills both on the part of police and the prosecutors. Special teams of investigators

and prosecutors with special and different skills should be set up in case of more serious crimes.

The prosecutor who conducts the crime investigation should enter into the investigation as soon as possible in order to take an active part as the leader of the team with the aim of conviction. Within the framework of the programme, models are produced for how the work should be conducted when particularly grave and complicated crimes are committed. These models will be in the nature of a "task force for rapid mobilisation".

### ***Programme for combating other criminality***

The programme is being operated with the objective of significantly shortening processing times throughout the entire legal chain and to achieve a significant increase in prosecutions. This includes proposals for completely new forms of collaboration between the police and prosecutors, at the same time as their separate roles within the legal system will be strengthened. A large number of sub-programmes, development projects and development measures are included in the programme area. Among these may be mentioned:

- Models for more efficient prosecution of every-day crime
- Reinforced support for victims of crime
- Electronic processing of cases

### ***Programme for support to and also management and control of the prosecutor activity***

The programme comprises a large number of measures that are aimed, first at improving the support to the operational prosecutor activity, second to develop the management and control of the activity. The measures shall result in an activity that is better and more efficient, even from the staff perspective. The programme comprises development measures within the following areas:

- Skills resources and personnel policy development
- Control and follow-up
- Administrative routines
- Security measures
- Information

### ***Programme for development of the Prosecutor General's legal activities, primarily in the Supreme Court***

As the supreme prosecutor, the Prosecutor General exercises supervision of the prosecutor service and also works to ensure compliance with the law, consistency and uniformity in the application of law.

This development work comprises, among other things, legal evaluation and also criminal policy and legal development.

## **Future study and trend analysis - a strategic analysis of the world around us**

The Prosecutor General has, in collaboration with the National Police Board and National Council for Crime Prevention, in 2000 presented a future study based on trend analysis and scenario analysis of the world around us.

The study presented in the report "Crimes in the Future" was conducted by a special working-group on the initiative of the Prosecutor General. The report "Crimes in the Future" presents trends and four different scenarios for the crime scene in the year of 2007. Scenario writing was used as it is a technique intended to predict future outcomes. It builds upon environmental scanning by attempting to assess the likelihood of a variety of possible outcomes once important trends have been identified. The aim was to present a basis for discussion concerning the future combating of crime.

This joint work has continued during the autumn of 2001, guided by the report, to produce concrete assessments of developments of various kinds of criminality and to analyse what kinds of future demands will be imposed on the police and the prosecutors. These analyses, which will be conducted continuously, comprise as of 2002 part of the basis for the various planning documents of the Prosecutor General, i.e. budget request, operations plan and also the rolling, long-term development plan.

## **Operations planning**

In the annual operations plan for the Prosecution Organisation the Prosecutor General specifies the Government's operational objectives and makes them measurable. Each prosecutor authority thus receives an objective for prosecutions, case-flow and production expressed numerically or as percentages. In parallel with this, the prosecution authorities shall in a corresponding manner decide on and follow-up measurable objectives for the local prosecution offices within the authority.

## **Follow-up of results**

The Prosecutor General considers that the follow-up of results and communication of results is an important precondition to enable the attainment of improvements. When the prosecutor reform was implemented, substantial resources were therefore devoted to developing a modern system for result follow-up. The most important components of this system are a computerised case-management sys-

# Result Model

## Results of the Prosecution Service. Comparison between 2001 and 2000

	Prosecution Measure 1 (Percent)			Prosecution Measure 2 (Percent)			Case flow Measure 1 (Days)			Case Flow Measure 2 (Percent)			Change of production (Percent)		
	00	01	Trend	00	01	Trend	00	01	Trend	00	01	Trend	00	01	Trend
Regional Auth	57	56	↓	84	84	→	36	26	↓	62	71	↑	5	3	↑
Stockholm	65	64	↓	84	86	↑	46	26	↓	51	68	↑	10	4	↑
Linköping	65	64	↓	85	87	↑	42	27	↓	55	66	↑	8	5	↑
Malmö	66	63	↓	83	85	↑	73	35	↓	48	65	↑	13	4	↑
Göteborg	62	59	↓	84	92	↑	42	25	↓	59	67	↑	5	0	→
Västerås	59	58	↓	79	83	↑	52	39	↓	50	60	↑	5	2	↑
Umeå	62	60	↓	84	86	↑	48	29	↓	55	67	↑	7	3	↑
<b>Total</b>	<b>62</b>	<b>60</b>	<b>↓</b>	<b>84</b>	<b>86</b>	<b>↑</b>	<b>48</b>	<b>29</b>	<b>↓</b>	<b>55</b>	<b>67</b>	<b>↑</b>	<b>7</b>	<b>3</b>	<b>↑</b>

### Definitions:

**Prosecution\*, Measure 1:** Percentage of prosecuted persons in relation to all suspects who are subjected to any decision by a prosecutor.

**Prosecution\*, Measure 2:** Percentage of prosecution decisions in relation to the total number of decisions concerning the question of prosecution.

**Case flow, Measure 1:** Average number of days from a registered, completed investigation on a crime suspicion to the decision concerning the question of prosecution.

**Case flow, Measure 2:** Percentage of crime suspicions decided on within 15 days from the completed, registered investigation.

**Change of production:** The difference between the number of completed and the number of registered cases in relation to the number of registered cases. A green arrow marks a positive result.

\* The terms "prosecuted" and "prosecution" which are used here also include decisions on  
- summary penalties by fine - waivers of prosecution

### Diagram 1 Prosecutor-General's Result Model 2001. Prosecuting Authorities

tem where all cases and suspicions of crime are registered, a statistical database, a time reporting system and a new finance system. During last year, the Prosecutor General created a new pay and personnel accounting system.

The Prosecution Organisation's system for operational follow-up mainly comprises standards that measure the extent to which the goals that the Government has formulated have been achieved. The results from the follow-up system are also presented regularly for the Prosecution Organisation in various forms, in order to make it possible for the authorities to control and follow-up the operation and thereby enhance the prospects of achieving the Government's objective.

The substantial operational statistics, which constitute the basis for the follow-up system, are collected monthly from the case-management system "Brådis" into a special statistical database. From this database, automatic reports are now generated, which are updated at the end of each month.

The reports from the operational statistics comprise (per authority, office and kind of offence) cases that have been received and concluded, balance of cases (according to age and balance type), prosecutions, case-flow and also distribution of prosecutor decisions for various kinds of decision.

The performance indicators are published monthly in the Public Prosecution Service's Intranet and therefore reach all staff within the Public Prosecution Service. The Prosecutor General's Result Model is also presented at the end of each quarter in a simple and more comprehensible manner.

This presentation reports a few performance indicators and with the use of green, red and yellow arrows it demonstrates the direction towards which the results are developing. The Result Model related to the regional level i.e. the regional prosecution authorities for 2001 is shown above.

The complete Result Model also includes results for the local prosecution offices for the last three years.

The Prosecutor General's Quarterly Report also focuses on absolute values and not only on the development of results and also contains the comments and assessment of the Prosecutor General regarding results achieved. The report also presents ranking lists on the regional prosecution authorities and local prosecution offices. The quarterly report has also for some time now been available on the Intranet.

More extensive and detailed statistical material is produced regarding each regional prosecution authority as part of the preparations for the Prosecutor-General's annual dialogue with directors of the regional prosecution authority. This material also comprises key figures within the personnel and financial sectors, which are combined with information from the operational statistics.

## **How is the result information used?**

### ***Control, follow-up and decision***

The information is used for control and follow-up at all three levels of the Prosecution Organisation. The Prosecutor General carefully monitors the developments, compares the results and monitors that no local prosecution office lags behind. The development of results is discussed with directors of the regional prosecution authorities at meetings after each quarter and in more detail through result dialogues once per annum. These dialogues in their turn form the basis of the quantifiable objectives that the Prosecutor General formulates in collaboration with the regional prosecution authorities. Within the authority's management groups, which include the chief prosecutors at the local prosecution offices, the results are compared, discussed and analysed continuously in order to form a basis for decisions concerning their activities.

The Prosecutor General has in various contexts emphasised that monthly statistics, the result model, quarterly reports, together with other statistical information, are intended to form a basis for further analysis of results. Furthermore this information will be discussed within the regional prosecution authorities and local prosecution offices for the purpose to develop new activities, to improve the results and to increase goal attainment. The local preconditions as for example the regional difference of crime structure means that it is difficult, without a detailed analysis, to assess whether one prosecution office is better or worse than another.

### ***Remuneration***

There is an element of competition in the manner of presenting and using the result information. To date, this has been very positive for the development within the public prosecution organisation. The opportunities

for the local prosecution offices to compare their results have encouraged the chief prosecutors and the personnel to make efforts to develop the activity in a positive direction. Results achieved are discussed regularly at the regional prosecution authorities' management meetings. Operational results are now used as an important factor when determining remuneration for the chief prosecutors.

### ***Basis for operational development***

With the operational statistics as a basis, the Prosecutor General implemented a study of the management, working forms and working routines at six local prosecution offices with varying case-flow times during autumn 2000.

The purpose was to find good examples of methods and organisation that promote rapid case-flow. In order to disseminate these good examples, the results of the study were presented and discussed at a management seminar with directors within the prosecution organisation in January 2001.

Both salary determination and the study referred to above appear to have influenced the development of results in a positive way. The case-flow is the factor which is easiest to influence in the short-term through concrete improvement measures, this is indicated by the times reducing from 48 to 29 days within one year. Devotion of resources to measures to increase the number of prosecutions has been introduced during 2001.

### ***Basis for assessment of supervisory and training needs***

Both the Prosecutor General and the regional public prosecutor authorities use result information in order to assess within which areas (crime, prosecution task or prosecutor district) special supervisory work needs to be implemented. This information is also used to assess the need for training work.

## **Development needs**

With a follow-up system of this kind, one must always present the question of what constitutes the best possible achievable results. The rapid improvement of results, particularly as regards case-flow and reduced caseload, gives cause to think about whether the results can continue to improve at this pace.

Another issue is how large the proportion of suspicions of crime that may lead to prosecution should be. It is now 86 per cent and may hardly become 100 per cent. A solution to this involves the problem of the perception of the "optimum" local prosecution office's result. It should also be possible for the other local prosecution offices to achieve this level. It may be mentioned in this context that there is no connection between prosecution and case-flow.

Short case-flow times thus do not have a negative impact on prosecutions.

Much work is in progress at the present as regards the development of operational follow-up. Among other things, a proposal for new productivity indicators is being prepared. Furthermore, the Prosecutor General has considered that there is a risk that the activity and decision-making might be adapted to what is measured in order to be able to demonstrate the best results possible.

According to the Prosecutor General's development plan, result information will therefore be supplemented with several measures of quality in the operative prosecution activity, i.e. the prosecutors main duties. There are already quality indicators in the form of rapid processing and uniform application of law. It is more difficult to measure and assess the quality of the decisions of the prosecutors and summons applications and also the prosecutors' leadership of preliminary investigations and hearings at court.

A proposal has been produced concerning how quality of the prosecution activity should be defined and what methods it will be possible to use in order to assess different quality aspects in the various steps of the process. Development work is currently being conducted in collaboration with the National Police Board in order to improve the quality assurance models that are used for the preliminary investigations conducted by the police. The quality of the prosecutors' activities from a citizen perspective will be established by the questionnaire that the Agency for Administrative Development is implementing on behalf of the Government for a number of public authorities.