

Quality-based Justice: the experience of the Bolzano Public Prosecutor's Office (Italy)

1. The need for re-organisation (of work processes) and optimisation (of resources)

The growing distance between those responsible for administering Justice and those in whose name Justice is administered has become increasingly obvious to everyone over the last years. At our Procura della Repubblica (shortly said "*Procura*"), or Public Prosecutor's Office, we frequently discussed and analysed the reasons for this situation.

One of the reasons we identified, probably not the main one but certainly the only we could change in the framework of the existing legislation and given the availability of goods and services (subject to the Ministry), was the glaringly obsolete organisation of the office, based not on clearly defined, precise organisational models, but on a series of long-standing rules that in many cases took no account of changes in the law. At every level, personnel involvement in the life of the Procura was low, and consequently there was a lack of stimuli, enthusiasm and motivation. Necessarily, this state of affairs was projected externally, in the form of inefficient, ineffective services, which the private individual, who in the meantime had understandably become far more exacting and critical of government agencies, was no longer willing to accept.

Once we had identified the need for a re-organisation, involving all personnel, to raise the administrative effectiveness and economic efficiency of the Procura, in 2004 we introduced the "pilot project for the re-organisation and optimisation of the Bolzano Procura", with funding of € 203,000.00 from the European Social Fund.

We engaged external consultants to help us actually implement the project. We adopted three "tools" to realise our "dream" of innovation and modernisation, plus a fourth, cross-functional tool supporting the other three:

1. the services charter
2. an ISO-compliant quality system
3. the social report
4. information systems

This paper looks specifically at the development of the quality system, although

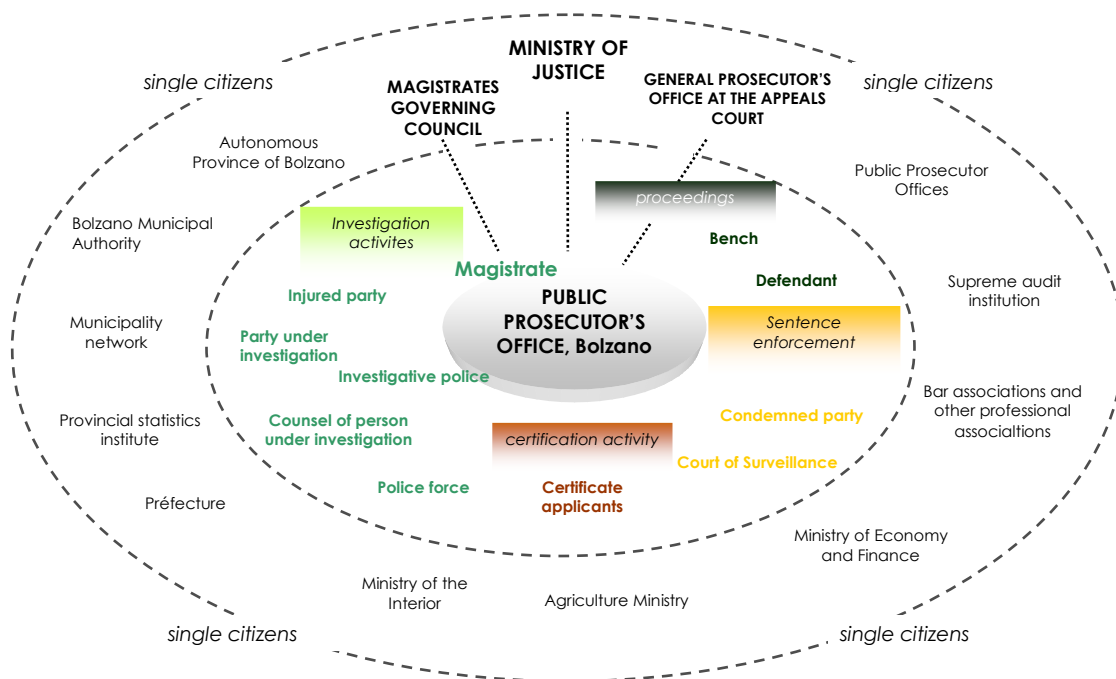
obviously it makes reference to the general context and the other measures introduced by the Procura over the last three years.

2. The Procura, an office that provides a public service and more

The first step was to put the Procura in a wider scenario or context, and thus acquire a new “*Weltanschauung*” or world view. We abandoned our self-referential view of the office in favour of a culture based on comparison, communication and information for the external community, for everyone with an interest in the Procura’s activities.

This enabled us to build up a full picture of the dense network in which a Procura operates and the large number of stakeholders with which it is in daily contact.

Figure: The stakeholder map of the Bolzano Prosecutor’s Office



This chart of the Bolzano Procura stakeholders is not just a list. We described relationships, measured the frequency of relations and identified “key stakeholders” according to the degree of proximity with the Procura rather than to hierarchical criteria.

Another distinguishing feature of the project was to consider the specific “values language” linking us to the individual stakeholder categories: each category has its own vested interest, which means we have to direct and measure dialogue with specific indicators for each activity we perform.

At the same time, the project examined the Procura’s ability to respond to stakeholder needs and expectations.

We conducted a SWOT analysis to examine the relationship between each stakeholder and the Procura, identifying strengths, weaknesses, opportunities and threats.

It was immediately clear that we needed to organise information flows addressing stakeholders, based on existing information, and, simultaneously, set up review processes to align information flows with the changing information needs of the Procura itself.

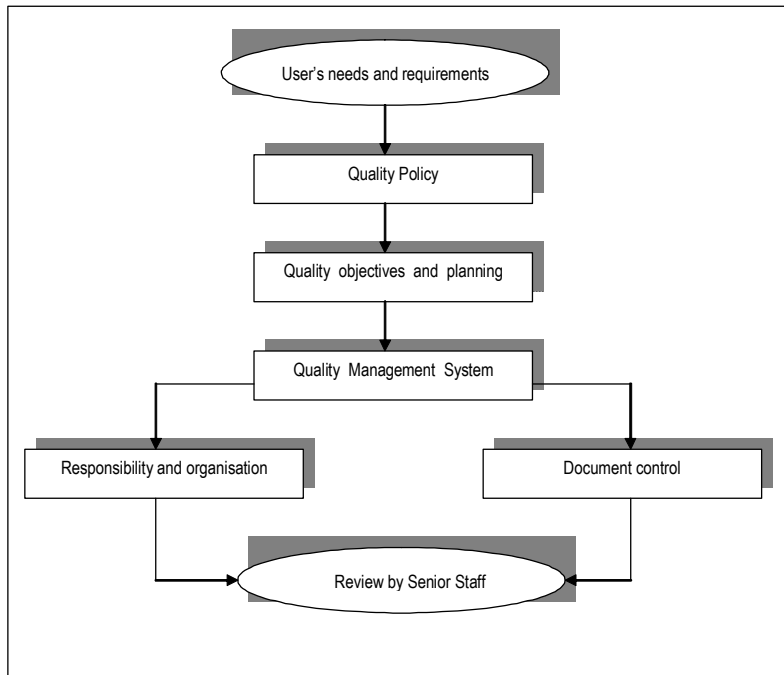
The relevance of the table produced by this analysis is checked constantly in respect of:

- the results of questionnaires;
- feedback from stakeholders received via the info@procura.bz.it account;
- reactions to/perception of public presentations of the results of the project (a press conference, a congress, a series of presentations of the pilot project at national events);
- the interest shown by many other Italian judiciary offices in the Bolzano project, especially the enormous interest of the Italian Ministry of Justice.

The Procura uses the two-way relationship established with its stakeholders as a basis for planning and executing activities in accordance with user expectations.

To systematically ensure full customer satisfaction with the service we provide, the Procura has developed and introduced a quality management system based on the ISO 9001:2000 standard. Under this approach, it is important not only to measure areas of non-conformity that directly involve the customer/user, but also to monitor activities by measuring customer satisfaction.

The flowchart below shows how the Procura monitors and improves its services.



3. ISO 9001:2000 certified quality

The UNI EN-ISO 9001:2000 standard recommends the introduction of a process-oriented approach. This implies:

- identification of the processes needed for effective introduction of the quality management system;
- an understanding of the interactions among these processes;
- documentation on key processes, to ensure effective development and control.

Without doubt, the development and introduction of the quality management system required the senior staff (Chief Public Prosecutor and the chief administrative officer) and all Procura personnel (magistrates, administrative staff and investigative police) to abandon the hierarchical-functional view of the organisation and to see it instead as a system of separate but inter-related processes.

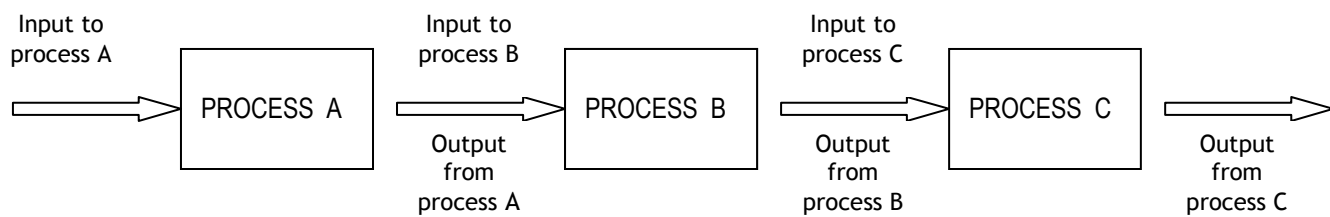


Figure taken from the document ISO/TC176/SC2/N544R

Given the definition of *process* as a “*set of linked or interacting activities that transform input into output*”, the project began by examining the individual activities performed by a Procura from this new point of view.

Although most of the activities of a judiciary office are regulated in detail both by substantive law and by procedural law, the law does not govern the operating processes defined as “cross-functional” in respect of the “core” judicial and certification activities.

So our goal was to restore the organisational significance and dimensions of operating processes.

To do this, with the involvement and positive cooperation of all personnel we identified and analysed the weaknesses and margins for improvement of almost all the organisational processes in a Procura (from provision of a service—issue of certificates—to support for the judiciary: general secretariat, secretariats of the public prosecutors, etc.)

Flowcharts were used to represent graphically the steps and sequence of operations of each procedure, building a map of the typical working processes of an investigative judiciary office.

Given the complexity of this organisational model and its highly innovative nature for a judiciary office, roll-out was slow and gradual to enable all Procura personnel to assimilate the concepts and principles of a quality management system.

As the project progressed, our approach came to be known as the “3P” approach: that is, “from *p*rocedures, to *p*rocesses, in order to improve *p*erformance”; the focus on processes that underpins total quality management is in itself a significant innovation in

government agencies in general, and in the judiciary in particular; the introduction in the Procura of the “*client-supplier chain*” concept is the first fundamental step in the transition to a process-based approach. The second step, closely linked to the first, is to focus attention on results, that is the effectiveness and efficiency of the Procura in relation to related offices (the courts, ministerial offices, the Magistrates Governing Council (CSM), etc.)

Finally, the special emphasis on *doing* and *learning* highlights the vital role played by all personnel (chief public prosecutor and assistant prosecutors, investigative police officers, administrative officers). Through this on-the-job learning, during roll-out we made a series of adjustments with respect to the original project.

The project was implemented through a series of steps and activities, most notably:

- formation of a “quality” team with preliminary assignment of roles and responsibilities, definition of schedules and goals;
- a survey of the working processes of each office (general secretariat, secretariats of the public prosecutors, financial office, court records office, secretariat of the justice of the peace, etc.), through interviews with employees responsible for the various services, analysis of documents used, observation of internal dynamics;
- identification of weaknesses and poor practices, adjustment by the quality team, and subsequent validation by the steering committee;
- re-engineering and definition of processes.

The organisational analysis focused on production processes (general secretariat, secretariats of the public prosecutors, etc.), management and support processes (technical and IT surveys secretariat, financial office, personnel office) and system processes. Beginning with an analysis and mapping of production processes, our objective was to integrate and manage processes in accordance with a systemic-logical approach compliant with the ISO Quality System—given that identification, analysis and management of inter-related processes as if they were a system helps the organisation achieve its goals effectively and efficiently.

This approach sees the quality system as a practical management tool for strategic planning; at the same time, it enables the individual operating units to adopt the

principles and concepts of the new organisational model, as well as the management tools provided by the system (e.g., procedures, operating instructions, forms, etc).

The introduction and development in the Procura of these two organisational principles—the process-based approach and the systemic management approach—enabled us to:

- improve internal/external communication, especially in terms of the uniformity of processes and document form and substance;
- raise internal/external visibility of the organisation's image-identity, especially with regard to the uniformity and homogeneity of office procedures, thus helping to build a univocal identity for the Procura;
- draw up an efficiency improvement plan based on more rational use of staff, optimisation of procedures, timely and cost-effective scheduling.

Re-engineering and systemic management of working procedures must go hand in hand with continuous process monitoring, through measurement and analyses, as a means of checking and guaranteeing effective overall performance.

The Procura monitors the working processes that affect the quality of service and its target results through continuous control by the personnel in charge of each phase. It ensures control at a number of levels: results, procedures, activities, personnel. Should results diverge from the goals set during the planning stage (e.g., failure to comply with regulations or management procedures), the quality officer and Senior Staff take action to resolve instances of “non-conformity” in accordance with the management procedure in the quality manual.

Similarly, services are monitored by individual managers, who verify on a regular, consistent base that service output is complete and adequate (e.g., compliance with times prescribed by regulations or guaranteed in the services charter when issuing certificates).

Any divergences from management procedures must be corrected and subsequently monitored in accordance with the “non-conformity—correction and prevention” management procedure set out in the quality manual.

The Procura uses the information and data collected during measurement and analysis

as a basis for setting goals and formulating strategies to achieve those goals, and defines and manages the resources required.

For the purposes of policy review, data is analysed on an annual basis using a variety of measurement tools (application systems), some provided by the Ministry, others, of a more innovative nature, developed by service managers/operators themselves.

Process optimisation through analysis and measurement, and continuous process monitoring, also involved close attention to the documents used by the office (procedural acts, certificate models and so on). So at the same time as monitoring performance, the Procura has standardised the documents it produces. The goal was to present a consistent, transparent face to the public. The review examined virtually all our administrative forms and procedural acts.

Document management consists of the identification (each document is identified by a code, title, issue date, and revision index), drafting, checking and approval; in this case, it also includes a monitoring phase. Document adequacy has to be checked and guaranteed, and this is achieved by circulating an up-to-date list of documents to personnel and implementing a document revision procedure.

To date, the Procura has standardised more than one hundred procedural models and translated them into German (Alto Adige is a bi-lingual autonomous province). The documents are reviewed/updated as new laws are enacted.

This new organisational approach required a specific focus on correct management of information.

The action taken to improve internal information flows was a key factor in the development of a software application constituting such an innovation from the management viewpoint that senior Ministry officials are planning to introduce it on a nationwide basis.

Using the IT system, Senior Staff plan and control the judiciary expenditure annually, with a beneficial impact on expenses themselves. A savings target is set at the beginning of the year; the system provides real-time monitoring of the status of each cost item, highlighting any divergences from budget so that corrective action may be taken or budgets reviewed. The result is preventive, concurrent and ex post control of performance (payment of judicial expenses).

The added value obviously lies in the ability to take timely action, a sort of on-going fine-tuning, concurrently with daily activities.

As part of this approach, a second application has been developed, also on a voluntary basis, to monitor management of seized property placed in custody with third parties.

Another objective is creation of a complete digital dashboard. The Procura intends to improve its information system, initially by transposing mapped flows to a computerised workflow system, for example using open source products, and then developing a digital dashboard to support service and document management. The ultimate goal is a flexible, transparent information system for users.

4. Communicating with the public to improve service quality

Construction of the quality system proceeded in parallel with development of other management tools: the services charter, the social report, the web site. The main objective of the re-organisation project was to re-establish communication with the public in order to guarantee the most effective, efficient and transparent Judiciary service possible.

The first tool developed by the Procura for communication with the public was the services charter. To date, we are the only judiciary office to have such a charter.

Given that service quality depends to a large extent on the citizen/user's familiarity with the organisation providing the service, we wanted the services charter to channel basic information about the Procura and simplify interaction with private citizens.

Consequently, the services charter describes the typical activities of the Procura, with a special focus on services that involve direct contact with the public. By offering an overview of its functions, areas of operation, personnel involved, the organisation intends to establish closer ties with the public.

In defining the architecture and content of the services charter, the team paid particular attention to the role that a document of this type can and must have in fostering civic education. In fact, an early survey of a sample of private citizens found that only a few people knew what the mission and duties of a Procura were.

So we decided to describe the institution as such and then personalise the organisation

by describing our work, our personnel and the general activities of the Bolzano Procura.

The content and language of the charter were validated internally by service operators and by magistrates; the court personnel were involved too, to maximise participation and ensure that information was complete and clear. The clarity and usefulness of the charter were also validated externally, among a random sample of citizens.

To ensure that the language was simple and comprehensible, we asked a sociolinguistics lecturer from the University of Florence to revise the texts, and introduced a series of specific communication solutions for graphics and lay-out.

By setting out its future goals in the services charter, the purpose of the Procura is to commit to development and improvement objectives, in an approach geared to transparency and verifiability by the public; it promises specific types of performance on the basis of which the quality of its operations can be judged.

The services charter is not just a valuable communication and information tool, it is also an organisational development tool. The team set up to handle the charter project conducted an analysis of the organisational processes with the greatest impact on people who use the services and on our front-office activities.

Bi-lingual copies of the services charter have been printed and distributed, through local municipal offices, to all families living in the Province (a copy may also be downloaded from the Procura's web site, www.procura.bz.it).

The charter has also been widely distributed to Public Prosecutors throughout Italy, the Ministry of Justice, and bar and bench associations.

Another channel for building closer relations with private citizens is interactivity via the web site.

Our bi-lingual web site has been designed to meet the need for a tool that can be consulted quickly and easily.

The structure of the web site is very similar to that of the services charter, to encourage use and, more generally, to integrate our communication strategies.

The web site is a constantly updated virtual window on the activities of the Procura, providing the latest information about our services. It is easily updated by Procura staff and supports implementation of online services such as requests for documents and

administrative papers.

The site is currently being reviewed by a special team, with the following objectives:

- improvement of the quality of online services and information (e.g., immediate web-based issue of certificates at municipal offices, to speed up services, streamline procedures and indirectly improve traffic and quality of life);
- innovation and technological upgrades for internal services;
- development of a consistent, integrated public communication policy.

In the search for new sources and public information channels, besides the services charter and the web site, the social report is certainly the most innovative and demanding element of the entire optimisation project.

As a tool for reporting the social effects of the activities of an entity, the social report offers a number of benefits. More specifically, as a channel for communication with and focus on the citizen/customer, it constitutes a self-analysis tool that helps the Bolzano Procura to:

- identify key stakeholders (important parties with an influence on institutional and organisational operations);
- communicate with each stakeholder after a preliminary analysis of their expectations;
- enhance stakeholder skills, to the benefit of the service as a whole, given that a service is created only from the interaction between the citizen-user and the organisation-service provider;
- identify pertinent information to be communicated, assess that information over time, and from there set targets, measure and announce results, and draw up improvement strategies.

In this sense, the social report is an “organisational development” tool and an “internal/external communication” tool.

5. Process innovation with the involvement of citizens/customers

The Procura intends to acquire full control of organisational dynamics. Specifically, it

will be investing in innovative management solutions that translate into more efficient and effective services for the public.

With the support of Bolzano University, the Procura is drawing up an e-justice development programme; work has already begun on process rationalisation, document flow mapping, document flow modelling and subsequent drafting of the social report.

We believe that substantial time and cost savings can be achieved by tracking processes, making them clear to everyone involved, keeping clear accounting records of operations and expenses, and using IT systems. The benefits for the entire Justice System are obvious.

To achieve this, however, the data we manage must be precise and reliable.

The Procura has already begun to raise the awareness of its main “supplier”: the police force that reports offences.

To ensure consistent data input, a set of uniform forms have been created and circulated for reporting offences, and are also available on the web site. At the same time, efforts will be made to improve the skills of suppliers who report offences, in order to streamline the Procura’s selection processes and avoid overload with unfounded cases.

As noted earlier with regard to the improvement of the web site, great attention is paid to the Office’s stakeholders (lawyers, investigative police, the police and magistrates in other judicial offices). Private areas will be created for these stakeholders, who will be assigned access passwords in compliance with privacy laws.

The Procura intends to continue the process through ongoing comparison with other national and international public authorities.

One immediate result of the drive for service optimisation was achieved through our comparison of the summons to witness forms used in Germany and in Italy.

The Italian form is notable for the aggressiveness of its tone towards the witness-citizen, making threatening reference only to his duties and obligations and setting out the sanctions for which he is liable if he fails to comply. The German model adopts a courteous form and tone and, in addition to illustrating the duties of the witness, highlights the significance and value of his testimony and also explains his rights.

Starting from this example, we immediately took steps to “humanise” our summons to

witness model. The formal trial document is now accompanied by a notice addressed to the summonsed party, explaining the importance of his testimony for the reconstruction of the truth and the decision of the judge, in a clear, friendly language designed to foster a correct relationship between the State and the private individual.

With regard to measurement and monitoring of the needs of the citizen/user, information is obtained through systematic collection and processing of complaints/suggestions (received via the web or presented directly in our offices) and regular surveys of user satisfaction.

We have selected a number of strategic “users/customers”: lawyers, private citizens who come to our offices for administrative documents, people who interact with the Procura via the www.procura.bz.it web site.

As envisaged in the Quality Manual adopted by the Procura in compliance with ISO requirements, information is collected by the Quality director and the webmaster, both of whom are officers of the Procura, and examined on a regular basis with the Procura’s Senior Staff (the Public Prosecutor and the chief administrative officer), who may decide to take corrective/preventive action or use the information as the basis for a strategy.

6. The importance of involving all personnel

The approaches, tools and methods used to achieve the objectives listed at the beginning of this paper represent an innovation for a government agency; specifically, we introduced the concepts of “teamwork”, project work, “total quality”.

To build and ensure maximum support for a quality culture inside the Procura, four teams were created (one for each of the services/products mentioned above) composed of administrative staff, magistrates and investigative police officers, coordinated by an external consultant and also by a steering committee. The committee ensured that all the planning decisions, products and knowledge gradually developed through the meetings, analyses and work of each team were circulated throughout the organisation.

We felt a technical body of this type was necessary as a place where the people responsible for promoting, planning and executing the programme could compare notes

in a practical, rapid manner and provide support, mainly of a technical nature, for decision processes. In other words, the steering committee acted as an interface between the strategic level and the technical-participatory level.

We were surprised by the extremely positive benefits of the team work experience. Without doubt, there has been an increase in the empowerment of individual employees and consequently an enhancement of their roles. The workgroup approach has also raised team spirit and support for our new vision of the organisation, helping to establish internal awareness of the need for continuous improvement as a dynamic quality factor.

Throughout the period of activity of the teams set up in each main project area (quality system, services charter, web site, social report), we observed and experienced an authentic team dynamic and group development process, corresponding by and large to the three stages described in team building literature:

1. *forming* (orientation phase characterised by the search for aims and objectives);
2. *norming* (cohesion phase characterised by agreement on objectives, mutual trust and esteem);
3. *performing* (structuring phase where the group demonstrated a strong team spirit and commitment to achieve objectives).

7. Continuous improvement

The continuous improvement process is based on contributions from the main service managers, using standard forms that ask people to note weaknesses, divergences from standard procedure or suggest improvements.

Proposed improvements are adopted in the form of service orders or circulars, after being discussed with the public prosecutors at the regular meetings with the Senior Staff. The Quality Manager keeps a record of everything in specific quality system documents (non-conformity reports and corrective or preventive action taken).

In this way, improvement itself becomes a process similar to the other processes, and the idea of its continuity underpins all the activities of the organisation. Consequently, the measurements and analysis effected by personnel become a daily activity.

This is a further contribution to optimisation of procedures and services in accordance with the PDCA cycle (plan-do-check-act).

The internal improvement of the Procura is directly linked with the maintenance, development and improvement of the results achieved by our recent project; specifically, we intend to improve (a) our organisation for production of the Social Report, and (b) the processes described in the Quality Manual and related procedures, in part through implementation of e-Justice systems that strengthen operator “control” by providing specific monitoring information on cases (trial records) with regard to times, “path” (traceability), cost (time report). The aim is to establish indicators to obtain in a simple fashion the information needed for the monitoring and assessment stages described in the Quality Manual, to permit rapid drafting of the Social Report and reports requested by the Ministry and/or other key stakeholders.

Training designed to develop a set of uniform skills among our operators, particularly as regards consistent management of the Quality System (Uni-EN-Iso 9000), is an essential element in achieving continuous improvement.

We have drawn up a complex organisational development project, accompanied by a training project involving all personnel.

The programme will be implemented over three years, pursuing financial and other synergies with training and organisational initiatives planned by the Ministry of Justice.

The first of the two projects, which complement and intersect with each other, has been conceived and presented as a research/action project since it targets two specific goals: 1. to transfer and circulate the experience of the Bolzano Procura to other judiciary offices (making our Procura a “work site, a test laboratory”); 2. to consolidate and improve conceptualisation of service quality inside our organisation.

The approach adopted to date necessarily implies development of additional “managerial” skills, process improvements, use of further efficiency and effectiveness indicators, implementation of automatic internal improvements based on systematic involvement of operators, in line with the core concept of “internal improvement teams”.

We then intend to:

- verify the effectiveness of and if necessary record and improve the organisation structures introduced as a result of the recently completed project;
- consolidate the motivation, service focus and professionalism of all operators;
- in accordance with ministerial programmes, develop information systems to support management control and service quality control;
- review the social report and strengthen stakeholder engagement by making external communication of the report simpler, more attractive and comparable;
- fine tune the accounting system used for individual case files, to permit determination of the cost of each case, for inclusion in the social report;
- develop a computerised document flow control system;
- identify quality indicators for judicial work;
- improve the certified quality system by introducing the recommendations and improvements proposed during the certification audit;
- rationalise and improve internal information exchanges in the Procura.

Education is fundamental in achieving our goals. We have presented a detailed training project involving all personnel, to enhance operator skills in the Procura and provide people with tools to “manage quality”, particularly with regard to communication, team building, statistical analysis, problem solving, involvement in quality system management.

The complexity of the organisational project briefly described here stems from our intention to bring in the Bolzano Law Court as a partner. Development of an efficient and effective justice service is not possible unless the entire Justice production system is involved: the Procura is only one player in this system, interacting with many others who contribute to overall quality. Of all the players, the Court is certainly the most important.

As noted earlier, the Bolzano Procura’s optimisation project has attracted considerable interest. Many judiciary offices have responded warmly, and the importance of the project has been confirmed by the Magistrates Governing Council (resolution of 7 December 2006), and by the Ministry of Justice in the person of the Minister himself,

who has instructed his staff, in particular the head of the judicial goods and services organisation department, to develop a programme for the Bolzano experience, regarded as good practice, to be extended to other judiciary offices. The aim is to improve the Italian Justice System in part through a better, more modern organisation.

In 2007, the good practice extension programme involved the Ministry of Justice, the Public Function Department, the Ministry of Employment, the European Commission and the Regions as authorities responsible for management of the European Social Fund. At the moment agreements and synergies are being finalised. During 2008, Italy's judiciary offices will have an opportunity, using juridical tools currently under development, to obtain European funds in order to extend the good practice implemented by the Bolzano Procura.

Cuno J. Tarfusser
Chief Public Prosecutor

Procura della Repubblica
Piazza Tribunale 1
39100 Bolzano, Italy