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# OUTLINE FOR THE STATE PROSECUTORIAL COUNCIL'S 5-YEAR ACTION PLAN AND POTENTIAL MDTF JSS SUPPORT FOR ITS DELEVOPMENT AND IMPLEMENTATION

Multi-Donor Trust Fund for Justice Sector Support in Serbia, World Bank



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# OUTLINE FOR THE SPC'S 5-YEAR ACTION PLAN AND POTENTIAL MDTF SUPPORT FOR ITS DEVELOPMENT AND IMPLEMENTATION

## INTRODUCTION

This note, addressed to both the SPC and the World Bank, summarizes the results of discussions with the SPC on its proposed agenda for its current members' five-year term in office. After a series of meetings it was determined that the SPC needs less assistance for the design of its annual report than in shaping its 5-year goals and determining how the World Bank (or other donors) might support its efforts to achieve them. The SPC by law (Article 19 of the Law on the State Prosecutorial Council) must submit an annual report to the National Assembly. It has already submitted the report for 2015 and will not begin working on the next report until late in 2016. As the report's contents are set by tradition and law, there is not much room for creativity although, on reviewing the most recent example, it appears that the required data might be presented in a more interesting fashion with the addition of graphs, more charts, and some interpretive analysis of content. Any additional analytic work might also be referenced, for example, a summary of the findings and recommendations from the SPC's recent study on backlog and caseload distribution. However, any assistance on the report's design and organization would necessarily come once the SPC begins to work on the 2016 submission, and for the moment it has more pressing issues.

The law on the SPC defines (Article 13) its core competencies, a list which will be augmented should the announced transfer of some remaining Ministry of Justice functions be effected in January 2017. Carrying out these responsibilities adequately is an obvious concern, and to guarantee that they do so current membership would like to implement some specific actions to strengthen the SPC's own performance and better attend to its responsibility for "ensuring and guaranteeing autonomy of public prosecutors and deputy public prosecutors." In the course of carrying out its routine activities, it proposes to address a series of problems undermining its ability to perform its legally-defined role in the best possible manner. This list of actions could be described as a strategic, action or work plan, comprising specific activities and proposed end-term goals – or what the SPC envisions as its achievements over its term in office.

The rest of this document summarizes the consultant's conclusions on basic elements of the new five-year plan as based on the meetings and interviews reference above.

## SPC's PLAN OF ACTION FOR THE NEXT FIVE YEARS

**Basis for and proposed goals to be realized over the next five years**— the entering council has discussed and analyzed the issues it believes need attention to ensure it does its work well and to

strengthen the performance of the prosecutors whose career it helps oversee. If these areas are attended during its five-year period in office, it would propose to achieve the following:

- a. SPC's administrative offices now fully staffed with adequately prepared professionals, who have appropriate working space and sufficient equipment to carry out the required functions
- b. Improvement of budgetary process to ensure priority expenses are anticipated and covered, to link budget to improvements in performance (to convince the Ministry of Finance, the Assembly and the public that additional resources are needed) and to move toward multi-year programming or at least develop budgets with an eye to emerging needs.
- c. Analysis of human resource needs within PPOs, negotiation for additional staff (starting with existing systematization levels) on this basis, and placement of additional prosecutors or legal staff according to an analysis of the highest need and impact. Introduction of a process for the routine tracking of PPO staffing and performance and for a periodic (probably biennial) follow-up analysis to identify new needs arising from changing workloads and responsibilities.
- d. Prosecutors' concerns about integrity issues attended through the creation of an Integrity office, improvement of evaluation criteria, and other related activities

Additional areas that might be attended include strengthening of the implementation of the communication strategy (developed by the SPC but for all prosecutors), review of the existing legal framework (especially the CPC, the SPC's own law, and possibly that on prosecutors) to identify areas needing amendment and develop proposals toward this end.

## DISCUSSION OF THE FOUR PRINCIPAL ACTIVITIES AND GOALS

### *1. Strengthening of SPC's Administrative Offices*

The SPC's administrative offices are understaffed even by the official systematization. There are also concerns needing further examination that many existing staff members are not adequately prepared for their jobs. Some of these needs were addressed in the Training Needs Assessment (TNA) prepared by a World Bank consultant, but the assessment focused on training needs for existing staff and did not extend to two other issues: whether more staff is needed in specific offices and to what extent existing staff can be trained to fulfill actual and anticipated job requirements.

**Table showing “systematized” positions within the SPC's Administrative Office and Remaining Vacancies**

Type of staff	Current systematization	Actual staffing	Vacancies to be filled
Budget office			
Human resource office			
IT			
Others -- list			

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Moreover as the SPC assumes functions formerly performed by the Ministry of Justice (relating to budget coverage, IT and numbers, distribution and appointments of legal and non-legal staff) and as/if it takes a more proactive approach to its role,<sup>1</sup> it will need to increase personnel and further train those already in place. Additional staff or different staff profiles may also be required if the SPC is to carry out functions like providing opinions on proposed legislation, already in its mandate but never performed.

A study (probably donor-financed and possibly using experts sponsored through the twinning mechanism) will be done to determine additional staffing needs within the SPC's Administrative Office and priorities for meeting them. This study may alter some of the recommendations of the TNA, which as noted only focused on training needs for existing staff. The new study will focus not only on numbers, but also (as recommended in the TNA) develop staff profiles (tasks to be performed and educational and skill requirements for each position). Once a structure and priorities for implementation are identified, the SPC will need to negotiate with the Executive and Assembly for the approval of additional staffing allocations and training as well as budgets to cover them.

**The SPC's 5-Year Goal:** to create an administrative structure capable of carrying out existing and new tasks more effectively and efficiently. In the first year, the needs analysis will be conducted and a plan for implementation produced. The plan should include priorities, stages for implementation, and costs as well as a low and high budget scenario. It will also be coordinated with the goal of improved budgeting and any proposed changes in internal budgetary processes (to be coordinated with area 2, below), and will incorporate recommendations on skills training for existing and new staff. As regards existing staff, assuming budget availability, training recommended in the TNA could begin once the recommendations are presented and accepted by the SPC.

**Potential World Bank/MDTF support:** financing of a consultant (or consulting team) to do the analysis of the existing situation and help develop a plan for upgrading the staffing patterns, improving internal procedures, and training existing (and new) staff to ensure they are capable of performing their required tasks. This should be a short consultancy, taking at most a month, and can most probably be done by one expert although a few international management firms have done such work for donors working with Public Ministries in other countries. It remains to be seen whether the MDTF could be used to develop new courses and perhaps finance some on a pilot

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<sup>1</sup> As discussed in the TNA, the traditional approach to the SPC's administrative role was fairly passive – what is often called “housekeeping” (fulfilling administrative requirements) as opposed to proactive management, including forward planning, consideration of alternative resource mixes (e.g. more IT may mean fewer human employees, or varying mixes of professional and support or administrative staff).

basis. This possible financing was not discussed in meetings with the SPC. If the Twinning Project includes experts in staffing patterns and more proactive administrative offices, it could be used for this purpose, but hiring a consultant with expertise in these areas might be more efficient.

## *2. Improvements to Budgetary Process*

Traditionally the budget for both the SPC and the PPOs has followed historical patterns that may no longer reflect real needs (either in quantity of resources or where resources are placed). Moreover, when the investigative function was passed from the judges to the prosecutors under the new Criminal Procedures Code (CPC), the full complement of human<sup>2</sup> and financial resources used by the courts for this purpose was not assigned to the PPOs. Although according to those interviewed, a few courts continue to pay some expenses,<sup>3</sup> the failure to make additional funds available for prosecutorial investigation has created a situation of inadequate financing and instant arrears that is simply unsustainable.<sup>4</sup>

Additionally, as in the judiciary, although the Ministry of Finance sets a budget ceiling, global budgets are further developed bottom up, based on budget requests prepared by each work unit (PPO). Once these budgets are received, the SPC must consolidate them and in the likely event that the total exceeds the ceiling, make cuts to the requests. The criteria for this part of the process remain somewhat obscure although possibly only because the consultant did not ask for details (and moreover was speaking with SPC members and an Administrative Director who had not yet been through the exercise). While very democratic in design, this bottom-up procedure virtually guarantees that any overarching institutional priorities will not be included and that historical patterns will dictate new requests (“a little or a lot more than last year”). Whether or not this process is required by law, there are ways to preserve its democratic aspect while also providing guidelines and rules for drawing up new requests at the bottom as well as consolidating requests at the top.

However, the SPC also lacks a good analysis of present and future needs, which is a necessary first step to improved budgeting. Either by itself, or with donor assistance, the SPC will conduct a budget analysis based on historical patterns, new activities and their financing within the courts, and use this to reach conclusions on budgetary needs for staff and for investigative and prosecutorial expenses. Additional experts, possibly provided through the twinning process, will

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<sup>2</sup> The former investigative judges remained in the courts and now perform related functions. They might have been transferred to the PPOs, but this would have required their consent as well as that of the SPC and RPPO. For whatever reason this was not done, although in countries that have effected the transfer, the results have not always been positive because judges may have difficulties adopting to prosecutorial work, even as investigators.

<sup>3</sup> This is partly because of continuing questions as to which organization is legally responsible for certain expenses – for example, prison transfers and fees for expert witnesses. It may also be because even where courts believe the responsibility lies with the prosecutors, they may make some contributions just to ensure trials move forward. No further explanation was given nor was information provided on how frequently this occurs.

<sup>4</sup> There is a related issue with the budgets for ex-officio defense attorneys, also now transferred to prosecution. The arrears here are even greater, but budget rigidity helps some inasmuch as funds for other expenses cannot be transferred to pay the lawyers. The defense budget is thus a separate issue, and while many agree changes must be made to how it is developed and utilized, no one (including the SPC) wants to take it on at the moment.

also be engaged to assess the budget preparation process and to support the SPC in taking over additional budgetary competences.

One result of this analysis will be the development of guidelines for PPO's budget submissions, so that estimated resource needs can be based on criteria like:

- a. Number of complaints received and of what type
- b. Patterns in means of disposition and estimated expenses for each type
- c. Numbers of prosecutors
- d. Numbers of assistants (legal associates and purely administrative) absolutely and per prosecutor.
- e. Proposed production and productivity improvements for the following year.

Once this type of guidance is provided to PPOs, overall budget requests will have a more uniform rationale and method for their development. Over the longer run, a process like that used in Holland, France and other Western European countries – performance contracts or budget increases based on proposed achievements -- can be introduced. Over the shorter run, the intent is to rationalize requests using a series of uniform criteria for their elaboration. The process within the SPC's budget office will have to be readjusted accordingly, to make consolidation of the requests proposed output rather than demand-based.

**Goal for the next five years:** The change will take time (and if Serbia eventually moves to performance contracts, will require legal change), but the target for the next five years is to make the budget process more transparent (from the bottom up and top down), link it to performance and demonstrable shortages affecting output quantity and quality, and permit the SPC to project budgeting outwards over a three-year period. Doing so effectively will also require access to the RPPO's performance statistics as they will provide further support for estimating needs by PPO. The SPC says it already has access to data in SAPO and is prepared to use it to assist with the analysis. However, as the first budget must be prepared by the end of August, it is unlikely that, with or without external assistance, many changes can be made to its formulation.

**Potential World Bank support:** As discussed in the closing meeting with the SPC, the MDTF could finance consultancies to support this process. The SPC has requested a single consultant immediately to help with preparation of the 2016 budget request. Time here is very short, but the Bank will try to provide the requested expert, and in any event will later identify a consultant or team to do the larger analysis. A more complete analysis (not possible for the upcoming budget submission) will require examining prior budgets for both the prosecutors and the courts (investigative judges), extrapolating demand trends, and using performance and budget data to determine costs for different types of cases and case dispositions. The consultant/s will also make recommendations on budgetary processes internal to the SPC, the formulation of guidelines for PPO budget requests, and the criteria to be used in merging the individual requests into a single budget for presentation to the Ministry of Finance and National Assembly.

*3. Increasing the complement and improving the distribution of staff (prosecutors, legal assistants and administrative personnel) in PPOs to ensure they can carry out their work*

Staff numbers in PPOs still do not meet the old systematization, but additionally the new CPC adds functions that were never considered when the old scheme was drawn up. A former SPC member did an analysis of needs, but it would require updating and revision to take full account of these new demands. In addition, the methodology used for the analysis is never specified, but appears based on a rough estimate of how many cases a prosecutor can handle, derived with no explanation of the reasoning behind it. Moreover, the analysis only looks at incoming cases, not at the number and types of dispositions; to determine whether staffing is adequate, output would also have to be considered. There are indications, for example, that prosecutorial backlog is increasing at a rapid rate and thus that we need to know why and to what extent this is simply a consequence of greater workload, as opposed, for example, to inadequate processes for handling it<sup>5</sup>. The 2012 analysis also did not consider numbers of legal associates and administrative staff and their use to take some routine and administrative burdens off the prosecutors' shoulders.<sup>6</sup>

The current SPC has already drafted an updated version of the 2012 study that has identified problems with backlog accumulation and uneven caseload distribution. To expand on this work, one or more international consultants (with anticipated MDTF funding or the use of the twinning process) could be hired to assist the SPC with additional techniques based on statistical analysis of data from SAPO and other sources, as well as on-site observation and interviews in a few PPOs, and considering:

- a. Size of actual and anticipated demand – total, by PPO, and by type of case
- b. Number and types of dispositions done – again total, by PPO, and by case type
- c. Analysis of staff time required for each type of case and disposition<sup>7</sup>

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<sup>5</sup> Based on very rough statistical analysis, the cases/prosecutor do not, on an average, appear unreasonable. However, prosecutors may have problems handling the workload because of their new, enlarged responsibilities. Worldwide experience suggests that the creation of prosecutorial backlog is a common result of a shift to prosecutors' greater investigative responsibilities. However, in most countries, with far less accurate case tracking systems this is often not noticed for years. Serbia thus has the advantage of tracking this development from the start, and thus of being able to seek causes and solutions much earlier than most.

<sup>6</sup> One complaint heard from interviewees was that prosecutors and deputy prosecutors spend much time on tasks that could be delegated, legally, to legal and administrative staff were they present in sufficient numbers.

<sup>7</sup> This process could move the prosecutors toward a case weighting system, but as the latter takes considerable time (and inevitably generates controversy) the immediate aim would be to get a better estimate of how much work the most common types of cases (and dispositions) require. When this is done, as in several Western European countries, it usually develops that very simple cases require only a few hours of work from the prosecutor and his/her staff. Even for cases requiring a lengthy investigation, there may be a long queue time (waiting period) between the stages where prosecutors and staff engage in active work. A thorough study of level of effort would also be time consuming, but the exercise recommended here would be briefer, aimed only at producing some tentative estimates to guide the further analysis.



- d. Staffing alternatives to meet new demands – use of deputy prosecutors, as well as work that may/should be performed by legal assistants and administrative staff

On the basis of this analysis, calculations for overall staffing needs and various scenarios for meeting them will be developed along with a prioritized list of specific PPOs where the needs are most urgent. This should result in a new, if informal systematization, to be discussed with the Ministry of Finance, the Ministry of Justice, the Assembly, the RPPO and all prosecutors. If adopted, the systematization can form the basis for negotiations for increasing numbers and distribution of all staff, making the point, based on the analysis that existing staffing patterns do not reflect the new needs and that the PPOs can handle more work more expediently if staffing patterns are adjusted.

Over the short run (before the analysis is done and recommendations provided), the SPC may take the route of requesting that vacancies in the existing systematization be filled. This should be done carefully, however, as it runs the risk of placing immovable prosecutors into positions where they are not needed, or at least not needed as much as elsewhere.

**Five year goal:** The target, to be reached gradually over the 5-year period is to increase staffing complements, by order of most urgent need. In the process, some experiments may be done with alternative staffing patterns (ratio of deputy prosecutors to other staff) to determine relative effectiveness and costs. Legal associates and administrative personnel are of course cheaper than prosecutors, but if present in adequate numbers may allow prosecutors to do more important work. As budgets will remain tight government-wide over the next few years, exploring less expensive ways of increasing output will be important. Conceivably, given the low crime rate, large increases in staffing may not be necessary, but this is a question requiring empirical analysis rather than a reliance on staffing numbers originating years earlier and well before the shift to a more active prosecutorial role. Although the ratio of prosecutors to population levels is lower than the CEPEJ average, and much lower than that for Serbia's judges (which also far exceeds the CEPEJ average), these ratios are only indicative and do not constitute a hard-and-fast rule for establishing need. Instead the "ideal" staffing patterns should be based on demand, work level required for different types of cases, and a consideration of ways to increase the efficiency of processes within each PPO.

**Potential World Bank assistance:** financing of the consultants reference above through the MDTF. The Bank cannot pay for extra staff, but it can provide assistance in developing a more systematic approach to analyzing real needs and generating a series of options for meeting them.

#### *4. Strengthening of prosecutorial integrity/independence*

SPC members from their own experience and from discussions with other prosecutors recognize a number of concerns relating to prosecutors' sense that they are under pressures in making decisions as to how and whether to prosecute a case. They also express concern about a lack of sufficient

objectivity and transparency in the appointment and evaluation system; this they believe affects their autonomous status. In addressing these issues, the SPC might undertake several actions, some of which already figure in the platforms of some elected members. Others have been added by the consultant to complement the initial list:

- a. Further more systematic discussions and workshops with prosecutors to better understand their concerns – this is the consultant’s suggestion as a means of adding to the views the SPC members have already tapped. This might also be combined with activity b, below, using a focus group methodology to inform the consultant study.
- b. An outside diagnostic analysis (donor funded?) to provide an objective review of the situation – again the consultant’s suggestion to provide external evidence on the problems and, depending on the results, to strengthen the argument on the need for solutions.
- c. Consideration of and possibly visits to observe mechanisms used in other countries (for example Norway and Holland’s prosecutorial ombudsman) to deal with prosecutors’ concerns and on this basis the creation of an Integrity Office to deal with the issues. If the SPC selects a model from another country, consultants from that country might be used to help establish the office in Serbia.
- d. Analysis of existing appointment and evaluation criteria, solicitation of suggestions from prosecutors and other stakeholders as to how they might be improved, and proposal of changes to regulations (and if needed, laws) to introduce a more objective, meritocratic, and transparent system for evaluating candidates and performance. An external consultant might be used to help develop and review the suggestions, as well as providing information on the criteria used in other countries.
- e. Public relations campaign to foment public understanding of prosecutors’ role, the need for integrity and independence, and the essential nature of a well-functioning prosecution service in advancing the rule of law and a just and equitable society. Consultant’s suggestion based on interviews with SPC members and others with knowledge of the situation about their own perceptions of public views.
- f. Inclusion of material on prosecution in a proposed workshop for the SCC to increase press knowledge of justice issues, how to cover them, and what information judges and prosecutors can legitimately provide in press interviews. This workshop has already been discussed by the SCC and the World Bank for possible MDTF funding and if it is conducted, it would be well to extend the content to include prosecution.

**Five-year goal:** The target for the next 5 years is the creation of a new mechanism (ombudsman or other) to deal with prosecutors’ integrity concerns, introduction (by law if required) of a more transparent and effective appointment and evaluation system, and

prosecutors' increased sense that if they do their jobs well, they will not face adverse consequences from any source (including the press and members of the public).

**Potential World Bank support:** The MDTF could be used to finance consultancies (and possibly trips – for point c on the ombudsman mechanism) related to all six activities listed above. It could also help design and finance the public relations campaign (point e). Funding of any or all activities will depend on further conversations between the SPC and the World Bank, estimated budgets, and available funds

## 5. Other activities

Without replicating the work and role of the Prosecutors' Association, the SPC might engage in some of the following areas – perhaps less urgent, or less likely to be advanced, but still to develop specific analyses and recommendations.

- a. Public opinion survey, or inclusion of questions in an existing survey to determine how the public views the prosecution services and to what extent they have faith in their quality. We know there has been public criticism of the handling of notorious cases, but conceivably the public has more positive impressions of their contact with the PPOs. Similarly it would help to better understand whatever criticisms they have, including the allegedly negative views on plea bargaining and “opportunity” cases
- b. Depending on the results of the survey, public education campaigns on any objected practices. NGOs and the press should be involved in preliminary discussions and then in their own outreach campaigns.
- c. Discussion with prosecutors on necessary legal changes (to CPC, SPC law, law for prosecutors, Constitution?) to facilitate performance of work. Formulation of recommendations.
- d. Discussions and formulation of recommendations on need for better physical working environment – this might involve contracting an expert to do a study of prosecutors' offices and develop list of needs as well as plan to meet them. The study could be used to negotiate donor projects focusing on improved infrastructure. However, care should be taken that this need does not become a single-minded plea for “our own buildings.” Sometimes renting is better assuming the rented structure conforms to institutional needs.
- e. Discussion and formulation of recommendations on other aspects of working conditions. This could be done through a contracted study, a series of focus groups with representative prosecutors, or less formal discussions conducted by the SPC itself.

## FURTHER CONSIDERATIONS ABOUT THE FORMULATION AND PRESENTATION OF THE ACTION PLAN

Most of the consultant's time was spent on reviewing the possible contents of the action plan and the potential for financing some activities out of the MDTF. However, as the consultant's initial terms of reference referred to the Annual Report (for which apparently no assistance is needed immediately, and possibly even later), a logical question was whether the SPC's "Five-Year Action Plan" or more simply put, the goals it wishes to meet beyond carrying out its routine duties, should be announced in some formal fashion, incorporated in the next and following Annual Plans, or simply pursued without any further publicity.

Although a plan of this sort does not figure among the competencies listed in the SPC Law, there is nothing to prohibit its development and implementation, and the SPC could simply carry it out with no further publicity. Whether or not to publicize the plan is a tactical and political issue and there are arguments for and against it, most of which occurred to the consultant as an afterthought and so have not been discussed with the SPC.

On the pro (positive) side, current SPC members may have an interest in making the five-year plan and goals known to their relevant public (principally other prosecutors, but also government authorities involved in approving the budget, NGOs and the public writ large) in part because elected members had campaigned on a platform in which many of these actions figure. This would argue for publicizing the plan among prosecutors, but not for the general public. Still, public knowledge of the plan might generate support for its aims and so help overcome any resistance. Moreover to the extent the SPC requires donor financing of its various initiatives, greater publicity could heighten donor interest and thus mobilize various sources of funds. Also, to the extent the plan's contents can be tied to compliance with Chapters 23 and 24 of the EU accession criteria, publicizing it would be a plus.

On the con (negative) side, as the plan's success could threaten business as usual and the interests vested in its perpetuation, publicity could generate opposition even among the most relevant stakeholders, the state prosecutors. There also may be advantages to not announcing the plan until some progress is made in a few areas, and if the plan is to be announced, there is still the question of to whom and how. The manner and timing of a presentation were discussed very briefly with the SPC, but not in sufficient detail or with sufficient time to produce answers to such questions as:

- a. To whom it would be presented? Prosecutors, the public and/or the Assembly?
- b. How it will be presented? In a public statement, in a document, in some other form?
- c. Whether it will initially or eventually be incorporated in the Annual Report?

In afterthought, it is very likely the SPC members had not arrived at this point in their own thinking – focusing instead on the substantive projects they want to carry out and the potential for the MDTF or some other donor source assisting with financing. However, while the audience and presentation are definitely secondary issues, probably best decided once the SPC further defines its plan for the next five years, they will need to be addressed.

The plan might simply be included in the 2016 Annual Report, as part of the activities carried out during that year, but some SPC members (especially those who campaigned on a similar platform) may want to announce it earlier. That raises the question of how the plan or specific elements will be presented – in a separate document, on the SPC website, or in a public event. The SPC is a better judge than the World Bank of the political implications, risks and advantages, and here the Bank will defer to its judgment, not pressing for a decision one way or the other. Should the SPC decide it wants to announce its program in an event or special document, the Bank might be able to help with some expenses. It should also be noted that Bank interest in doing a mini-Functional Review for prosecution, could, if carried through, serve a similar purpose or be coordinated with an SPC event. However, so long as the mini-review remains a potential activity, the SPC will want to consider how it plans to proceed on its own.

## NEXT STEPS

Although these are implicit in the above discussion, it might be useful to summarize the recommended actions and the order in which they should be addressed. In all cases, the SPC should further develop its proposal and then contact the MDTF and other donors to seek funding for external (or local) consultants to carry out much of this work:

- Funding for a study of AO staffing, infrastructure and equipment needs, including training of existing staff, but also numerical and qualitative additions. Study should take into consideration both new functions of the SPC and also a more pro-active approach to its role, less housekeeping and more pro-active management.
- An initial consultancy to improve the 2016 budget submission, followed by a more exhaustive study on budgetary needs and their linkage to the next item (improvements in number and distribution of prosecutors and their staff). The two studies should probably be done simultaneously and involve substantial exchange of information.
- Study on complement (i.e. numbers) and distribution of staff in PPOs to ensure they can do their work efficiently and effectively. This study will have to consider current and projected workloads, disposition rates, types of cases handled and a rough estimate of level of effort for each, and develop some alternative, costed out schemes for improving output and quality of performance.
- Measures to enhance prosecutorial independence of undue external (or internal) pressures. The SPC already has ideas as to what it would like to adopt. These ideas should be pursued

through consultations with prospective “models.” At the same time, activities (focus groups, discussion tables with governmental, NSO and other participants) to review issues with selection and evaluation criteria and develop more transparent, meritocratic schemes.

- The additional activities suggested are a lower priority, but could be advanced if donor funding is available. However, planning by funding availability is rarely the best course of action and the SPC should first advance its own plan, and then condition its acceptance of donor funding on the recognition of that plan’s key objectives.