



Case Management and Tracking



Security, Justice and Growth

DFID Department for
International
Development

**BRITISH
COUNCIL**



The lack of reliable central case recording systems meant that cases were in effect impossible to trace without considerable resources, effort and a lot of luck

DFID Nigeria's Security, Justice and Growth (SJG) programme worked to improve access to, and the quality of safety, security and justice for poor people and their livelihoods.

Through the SJG programme, the United Kingdom's Department for International Development (DFID) and Nigerian partners were working to realise the values, principles and goals contained in the United Nations Millennium Summit Declaration: peace, security, development, poverty eradication, human rights, democracy, good governance, protecting the vulnerable and meeting the special needs of Africa.

The SJG programme was organised into three components: security, access to justice and growth. It was rights based, working to enhance all rights, but especially equality rights (gender), and was supporting those combating corruption. It promoted inter-agency and state civil society co-operations and sector-wide activities.

INTRODUCTION

to Case Management and Tracking

One of the most significant shortcomings in the delivery of justice is the delay that is encountered by court users which increases the cost of litigation in both time and money, and results in pro-longed criminal trials and overcrowded prisons.

Delay often results from the absence of accountability both on a case by case basis and in overall terms. Officers in all institutions are able to delay or stop cases moving forward without any fear of being held to account for their actions or inaction. The lack of any effective coordination between the justice institutions also contributes to the delays. In the absence of relevant information on the movement of a case through the system it means that even when questions are asked, there is little understanding of who to speak to or which institution or individual to hold responsible or how to try and trace a case.

The lack of reliable central case recording systems meant that cases were in effect impossible to trace without considerable resources, effort and a lot of luck. For criminal cases the impact of this has been felt in the practice of 'holding charge', where people are arrested and charged with capital offences in order to ensure their continued detention, whilst there is

little or no evidence of their involvement. This issue has contributed significantly to the visible inefficiency of the Criminal Justice System, particularly the congestion of the prisons and the courts.

To improve the flow of cases and achieve speedier administration of justice SJG supported the introduction and deployment of IT based case management and tracking systems.:

- A **Case Tracking System (CTS)** and a **Court Automated Information System (CAIS)** were introduced in Lagos in partnership with Lagos state government to reduce delays in both civil and criminal trials.
- A **Case Management System (CMS)** was introduced in the Department of Public Prosecution, and subsequently expanded to the judiciary and police in Enugu for the purpose of speeding up criminal trials and reducing prisons congestion.

AIM: The aim of this project was to improve accountability in the management of cases within justice institutions as well as the coordinated tracking of cases between a number of justice institutions so as to reduce delays and congestion.



Case Tracking System (CTS)

Lagos

Background

The delay in the administration of criminal justice in Lagos state led to the setting up a sector-wide criminal case tracking system (CTS) which enables criminal cases to be monitored throughout the entire criminal justice process. Under the system the Ministry of Justice (MoJ) coordinates the efforts of 5 institutions – Directorate of Public Prosecutions (DPP), Police, Prison Service, High Courts and Magistrates Courts. An electronic databank of information is kept about every accused that is remanded to prison custody by the Magistrates or High Courts. The system identifies each accused by a unique reference number, tracks key events in the progress of his case, and provides a search facility to enable the current status, location and history of the case to be established at any time. The system also incorporates an 'Alert' system to give early warning of approaching deadlines or key milestones in a case, enables the production of sector-wide, institutional, case and individual 'performance data' and reports and has enhanced ability to locate any case/accused in the criminal justice system at any time and indicate the current status.

Objective

The main object of the project was to: **'Speed up criminal trials and reduce the length of time Awaiting Trial Prisoners (ATPs) stay in prison by setting up a criminal case tracking system that improves coordination between justice institutions. The system would ensure a better case flow and efficient data management that would inform better management decisions.'**

The project was designed to address the shortcomings of the criminal justice system in the state, such as lack of responsibility for cases, poor communication among the criminal justice institutions, and the lack of reliable central case recording system and the prolonged delay of cases generally.

Activities

Implementation of the CTS began in earnest in November 2005 and was expected to last 18 months. It was extended on two occasions and eventually concluded and was fully handed over to the MoJ in December 2008.

The stakeholders created a multi-institution management team known as the Development and Management Team (DMT) which served as a coordinating unit to ensure that all the participating agencies work together in a concerted manner. All the partner institutions had at least two positions on the DMT.

SJG, apart from technical advice, funded refurbishment of offices, provision of equipment, training of staff, development of software and manual forms, funding of IT support staff and provision of consumables. The Lagos state government made a substantial contribution. The main focus of the project was the creation of an automated system to enable the management and tracking of all criminal cases in the State throughout the entire criminal justice process. The project was under the management of a part-time SJG international consultant supported by a full-time local Deputy Project Manager.

Outcomes and Impact

- Through an ATP exercise attached to this project to deal with cases of long term ATPs, the cases of 672 ATPs were covered. Out of these, by the time the project was fully taken over by the MoJ in December 2008, the cases of 537 ATPs had been resolved either through completion of their cases or their release from custody. This means the lives of many long-term ATPs have been improved (those that have been released) or at least their cases resolved (those whose cases have reached conclusion), resulting in an increase in the quality of justice for the

poorer members of society who constitute the overwhelming majority among the ATPs.

- A **functioning case tracking system** is in place, as an automated system containing records of all prisoners sent to the custody of the Nigerian Prisons Service since November 2006. The system includes:
 - a) A customised case tracking software developed and installed in the five institutions
 - b) Case Tracking Units in each institution (Lagos DPP/MoJ, NPF Pantl, NPS Alagbon, High Court Ikeja, and Magistrate Court), including refurbished and well equipped offices, and the central collating unit (CCU) at the MoJ, although maintenance and resource challenges mean that some of these units are already showing signs of becoming inactive
 - c) A database listing all long-term ATPs (pre-November 2006). Hundreds of staff from each institution have been trained in the completion of forms, use of the IT system and purpose and objectives of the CTS
- Users of the system are able to **locate prisoners on the CTS** and **view basic information about their cases**; and **performance reports** have been produced (albeit the data they contain so far cannot be considered wholly reliable because of shortcomings in data entry in institutions other than the Nigerian Prisons Service).
- A functioning **Development and Management Team** (DMT) is in place and functioning, comprising representatives of the five justice institutions involved, although its true influence (in relation to being able to change existing practices in the institutions) is so far marginal.
- The initiative has brought about a number of **positive changes** which include:
 - a) Realisation by members of the DMT and many officers from the institutions of the necessity for coordination and cooperation
 - b) Senior officers of some institutions (e.g. Attorney-General) have become more aware of the potential impact the data on the system and the performance reports could have on the delivery of criminal justice
 - c) Greater levels of acceptance of the need to speed up cases and the consequences of not doing so
 - d) Increasing understanding of the significant increase in accountability that will result from the successful functioning of the CTS, although perversely, this may be one of the reasons for its failure to be fully implemented as many officers perceive it is a threat to their way of working
 - e) Increase in levels of understanding of many officers in all institutions of the potential of automated systems (and greater understanding of the effort required to develop and maintain them)
 - f) Greater interest in data collection, improved use of IT solutions in criminal justice matters, greater accountability by institutions at least to fellow institutions and remarkably better perception of the Criminal Justice System of Lagos state. All these may well be the seeds needed for more fundamental impacts such as greater efficiency in the disposition of the cases of ATPs. But they require careful nurturing.
- Perversely, the project may also have created the **realisation that IT systems and automation may not be the panacea that many people believe them to be.**

Case Snapshot

ATP 08, a security guard by profession, was arrested and detained at a police station in Lagos in July 2000. He was accused of robbery and remanded in custody at Ikoyi prison in August 2000 by the Magistrate court after which he was transferred to the Medium Security Prison at Kirikiri. When his case was first brought to light by the ATP pilot in February 2005 the reason for the delay in his trial was that his case was awaiting DPP's legal advice. The police subsequently reported that his case file was not traceable. His continuous detention with no likelihood of trial amounted to an infringement of his Fundamental Human Rights as enshrined in the constitution and the African Charter of Human and People's Rights (Ratification & Enforcement) Act of 1990. Under the ATP pilot his case was referred to the Office of the Public Defender (OPD) who filed an application for enforcement of his Fundamental Human Rights at the High Court. The OPD followed the case through and the accused was granted bail and released on the 10th of July 2006. He had wasted 6 years of his life in prison custody awaiting trial and could have wasted more if not for this timely intervention of the ATP exercise and the Office of the Public Defender.



Case Management System (CMS)

Enugu

Background

In Enugu State, a Process Improvement Review (PIR) of the Public Prosecution Department (PPD) of the Enugu state Ministry of Justice conducted in 2003 identified the lack of a structured case management system (CMS) in the PPD as a major limitation to effective and efficient performance of the department. In response to the finding, SJG supported the creation of a structured CMS in the PPD.

Objective

This project was aimed at:

'Improving the management of criminal cases by the Public Prosecution Department of the Ministry of Justice, Enugu State.'

The main focus was the creation of an electronic case management system that utilises MS Excel computer software and runs on a single computer located in the Registry of the PPD, Ministry of Justice, Enugu State.

The purpose of the project was to implement and maintain a case management system in Enugu state Ministry of Justice as part of efforts to ensure a more efficient criminal justice system and also to improve flow of casework through the ministry and identification of bottlenecks and delays; reduction in the likelihood of missing case files and simplification of the process of finding them.

Activities

Implementation of the CMS began in earnest in June 2003 and it has continued to function ever since. SJG support included project initiation, design, software development, provision of computer hardware and accessories, and other infrastructural facilities including generators, office furniture and other equipment as well as refurbishing of offices. Since March 2005, Enugu state Ministry of Justice has been fully responsible for the operation of the CMS.

Subsequent reviews of the performance of the PPD reveal that the introduction of the Case Management System has significantly improved the management of files and dra-

stically reduced the time it takes for files to move from the Ministry of Justice to the courts. However, improvement in the processes of the PPD without a corresponding improvement in the processes of other key players in the administration of justice such as the judiciary and the police limited the impact on wider justice delivery in the state. Expanding the coverage of the case management system to capture more data on the actions of the police and the courts would enable a greater impact to be achieved.

In September 2007 a new project was initiated for expanding the CMS in the Ministry of Justice to the judiciary and police, and for extracting interpreting and disseminating data from the CMS to the police and courts to enable these justice institutions make more informed and coordinated decisions on the administration of justice and to identify reform priorities for the future. So in Enugu the focus is on managing files in the DPP's office, with information shared with other agencies leading to joint decisions on improving the movement of cases through the system.

Outcomes and Impact

- The success of this project is attested to by the **improvement achieved in the handling of case files by counsel in the ministry**. Prior to the introduction of the case management system it took three years for case files sent in by the police to go through the Ministry of Justice. This has been reduced to less than one year since the introduction of the system. With expansion of the system and sharing information with the police and the High Court it is anticipated that the impact will be felt throughout the whole process of criminal justice administration, and not confined to the MOJ. The recently appointed AG and DPP are showing a greater commitment to getting results than was previously apparent.

- Partly as a result of the CMS there was a **decrease in the number of ATPs in Enugu prisons** from 798 in 2008 to 770 in Dec 2009. This might seem like a slight decrease, but the fact that such a decrease has happened in spite of months of industrial action by court support staff which paralyzed the judicial processes is an indication of the impact that the CMS and other delay-reduction measures introduced in Enugu can achieve. However a clear trend in ATP reduction in Enugu State is yet to emerge as the number of ATPs in December 2007 was 574, much lower than the December 2008 figure.
- A fully functioning **case management system has been established** in the department for tracking cases throughout the entire process. Achieving this has required considerable improvement of facilities in the ministry include refurbishing the registry, installation of workstations, computers and accessories, provision of a generator and generator house, filing cabinets, front desk, pigeon holes and air conditioners.
- The system has been successfully producing **monthly statistical data** on performance in respect of issuance of legal opinions and prosecuting cases. Both legal and administrative staff of the PPD have been trained in the use of MS Excel spreadsheets generally and on the use of the case management system in particular.
- A **Document Production Centre** has been set up with improved productivity in producing legal opinions, letters and out documents submitted by lawyers.
- The system has impacted significantly on the work of the PPD in particular and the criminal justice process in general. In the PPD there is now **more efficient and effective filing of cases, and improvement in managing case files**. The chaotic situation of case files within the PPD has been significantly resolved; every case is now given a unique number and captured by the CMS. Incidents of loss of case files are now a thing of the past. The performance of lawyers with respect to issuance of legal advice is now easily monitored through data generated by the CMS. The impact of the intervention is indeed far-reaching.
- **Improved coordination of the criminal justice system** has been achieved through the work of the criminal justice committee which had been dormant, but was revived in 2008 to serve as steering committee (comprising heads of the criminal justice institutions) for this project. It meets quarterly to review reports from the CMS and take decisions on speeding up the movement of cases through the system. It also oversees the expansion of the CMS into the judiciary and the police.

CMS Enugu key results:

Prior to the introduction of the case management system it took about three years for case files sent in by the police to go through the Ministry of Justice.

This has reduced to less than one year since the introduction of the system in the Ministry of Justice.



Court Automated Information System (CAIS) Lagos

Background

In 2003, the Attorney General of Lagos state approached the programme with a request to provide technical assistance for modernization of the Lagos State Judiciary, through deployment of information technologies and judicial process improvement. As a result of this collaborative effort by SJG and Lagos state government, the court automated information system of the High Court of Lagos State (hereafter, Lagos CAIS) was developed and began its operations in January 2005.

Objective

This project was aimed at:

'Reducing delays by improving the flow and management of civil cases in the High Court of Lagos state.'

The main focus was the creation of an electronic network for tracking and managing the flow of civil cases from filing to disposition by all the high courts in the state supported by a secure wide-area managed private network (MPN) with high speed VSAT-bases and Fixed Wireless Internet Access. The purpose of the project was to implement and maintain an automated information system as part of the efforts of the Lagos state government (LASG) to ensure a more efficient civil justice system. Additional benefits were expected to be reduced delay in the administration of justice and improvement in the rate of disposal of civil cases.

Activities

After a brief assessment mission, the SJG programme entered into a cost-sharing partnership with the Lagos state government, developed a work plan, assembled a team composed of international experts, local specialists and government officials and officially com-

menced the project in May 2004. The aim of the CAIS was to reduce the causes of delay in the administration of justice such as slow case-filing processes at registries, missing or incomplete case files, poor record keeping, delay in assignment of cases, poor numbering of filed documents, lack of effective case monitoring and case management.

SJG provided extensive support throughout the period ranging from project initiation, design, software development, provision of computer hardware and accessories, and other infra-structural facilities including generators, office furniture and other equipment as well as refurbishing of offices.

Outcomes and Impact

- A **court automated information system is installed and working**. This includes the hardware, the software, refurbished offices, trained staff, and data available on civil casework and caseload at individual, section and institutional levels.
- There is a **speedier disposal of civil cases**. This has been enhanced by the introduction of a fast tracking system in civil cases.
- Significant positive impact has been achieved in relation to the greatly **enhanced standards of record keeping and accountability**. Case files are less prone to being lost and cases can be identified and tracked more easily.
- This project has **improved considerably the knowledge and use of IT in the Lagos State Judiciary** with the deployment of **over 120**

computer workstations and other equipment such as servers, printers, scanners, copiers, etc., installation of Local Area and Wide Area Networks (**LAN & WAN**) with **about 200 access points in four judicial divisions** of Ikeja, Lagos Island, Ikorodu, and Badagry. Over **300 court staff and 50 judges have been trained**. The support of the Attorney-General and the Chief Judge have been crucial factors in this project, especially as their support ensured that counterpart funds were provided by Lagos State Government to support the implementation of the project. As a result Lagos State Judiciary are using the IT more widely and appropriately to manage the civil justice process, and data on performance of the High Court in relation to case load, disposal and outcome of cases is available for use by senior managers in their operational and strategic planning functions. In addition staff are more aware of the potential value (and limitations) of automated systems.

CAIS Lagos key results:

- **120 computer workstations and other equipment have been deployed**
- **LAN & WAN connections have been installed with about 200 access points in four judicial divisions (Ikeja, Lagos Island, Ikorodu, and Badagry)**
- **Over 300 court staff and 50 judges have been trained**

Lessons Learned From the Three Projects

Inhibiting Factors of Success:

- 1** The underestimation at the design stage of these projects of the **depth of lethargy and ineptitude** prevalent in the public institutions concerned. This was coupled with deep-seated fear of accountability and how it threatens existing practices and ways of working which hindered the full utilisation of information generated for example by the CTS and the CAIS. The situation was made worse by the inability to bring all the senior managers on board and persuade them to impose the system on resisting staff. This is closely coupled to the culture of not acting on non-performance, which the system will expose. Managers find it easier to do nothing rather than do difficult things. All this was of course the result of poor work ethic of many of the staff and failure of managers to provide proper oversight. This is particularly pronounced in the police where all policemen who were specially trained to enter data into the CTS system were lobbying to be given 'juicy' posting and effectively refused to do their work properly in the CTU. It is also evident in the reluctance by judges and registry officials to 'buy into' the CAIS project, originating from deep seated culture of lack of accountability and oversight.
- 2** There is a prevailing culture of needing some **additional personal reward** in order to carry out what should be their normal duties.
- 3** **Poor working conditions** prevalent in many offices in all the institutions contributes to low self esteem and lack of motivation of many persons and contributed to delays in updating the CTS and thereby creating a backlog of data not captured by the system.
- 4** The **short project life cycle** in the case of the CTS and the CAIS proved ill-advised particularly because of difficulties encountered in developing and the subsequent maintenance of the software. These delays meant there was hardly any time to embed the system, before support ended.
- 5** Where the **software is complex** difficulties are bound to arise with maintenance. In the case of the CAIS, the software development process has proved cumbersome and slow. Whilst the final version is effective, it is also overly complex and expecting the LSJ to jump from nothing to 'state of the art' may have been over-ambitious.
- 6** Insufficient level of understanding of the appalling **infrastructure issues** (such as power outages lasting for weeks not hours) and the complete **lack of a care and maintenance culture** in those institutions. SJG replaced many items of equipment on many occasions but were unable to find a way to get the institutions to take responsibility themselves.
- 7** Lack of sufficient interest in and capacity for using data as a tool of planning and management remains a big challenge, which acts as a disincentive for efficient maintenance of the IT based systems through timely input of data and the production and dissemination of reports. This is an area that should be considered for future interventions to improve capacity and incentive for analysis and use of data to inform planning and management decisions.



Driving Factors of Success:

- 1** The modest success of these IT based projects has been driven by the sheer determination of the SJG teams and constant monitoring of local stakeholders such as the DMT, the CJC, the strong personal commitment of the administrator of the CAIS (Justice Ayo), and the dynamic leadership of the current AG of Enugu who has revived the CMS and put it to beneficial use.
- 2** The sponsorship of the heads of the justice institutions, such as AGs and CJs, both in word and deed from the very outset and to the end was a crucial driver. For example, support for the introduction of the CAIS and CTS from the high level authorities in the state and within the institutions was crucial to the acceptance and adoption of the system.
- 3** Using an IT system that is simple was an important step in ensuring it was possible to explain and deliver it to junior officers and to continue to maintain it using available local expertise. Use of good quality local IT capacity to support the implementation and maintenance of the system has also proved to be a requirement for sustainability.
- 4** The importance of joint funding by donor and the state government (matching contributions) to ensure a degree of responsibility.

OUTCOME:

The success of this intervention can be attributed to three key factors: simple software, buy-in and support from the heads of the justice institutions and a joint approach to funding.



Launched in 2002, the SJG programme aimed to contribute to the achievement of the Millennium Development Goals:

- By promoting strong partnerships among governments, civil society organisations and the private sector in pursuit of security, justice, the rule of law, development and poverty eradication
- By promoting gender equality and the empowerment of women as effective ways to combat poverty and hunger
- By promoting a legal and regulatory framework that encouraged non-oil economic growth to give young people a real chance to find decent and productive work rather than become lost in a life of crime

The SJG programme, supported by DFID Nigeria and implemented by the British Council, successfully came to a close in 2010.

