



Ministry of
JUSTICE

2007-2008

Departmental Annual Report



This document (Cm 7397) is part of a series of three documents that make up the Departmental Report of the Ministry of Justice 2007/08. The other two documents are the 2007/08 Departmental Report of the Scotland Office (Cm 7403) and the 2007/08 Annual Report of the Wales Office (Cm 7404). It is part of a series of departmental reports which, along with the Main Estimates, the document Public Expenditure: Statistical Analyses 2008, and the Supply Estimates 2008/09: Supplementary Budgetary Information, present the Government's outturn and planned expenditure for 2007/08 and 2008/09.



Ministry of Justice Departmental Report 2007/08

The Government's Expenditure Plans
for 2005-08

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by Command of Her Majesty

May 2008

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Ministry of Justice Departmental Report 2007/08

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Foreword



*Lord Chancellor and Secretary
of State for Justice*



Permanent Secretary

It is a pleasure to introduce the first annual report for the Ministry of Justice.

The Ministry of Justice was created on 9 May 2007, bringing responsibility for the justice system under the leadership of one department. Our work is wide ranging, from supporting a vigorous democracy to ensuring the efficient and effective delivery of justice; from guaranteeing rights and promoting responsibilities to helping protect the public and reducing re-offending.

This has been an incredibly busy first year. The Department has achieved a great deal in a large range of areas. In addition to delivering important and vital public services we have also seen:

- the launch of the Governance of Britain agenda and the publication of a Constitutional Renewal Bill and White Paper
- the publication of Lord Carter's report 'Securing the Future: Proposals for the efficient and sustainable use of custody in England and Wales'
- the passage of the Criminal Justice and Immigration Act
- the launch of the Office of the Public Guardian
- the agreement of the Her Majesty's Courts Service partnership model
- the Tribunals, Courts and Enforcement Act, the Legal Services Reform Act, Offender Management Act and Forced Marriages Act all receiving Royal Assent.

Shortly after the creation of the Ministry of Justice, an in-depth review was commissioned to ensure the Department's structure created the right conditions to deliver its wide agenda. The review reported at the end of January and implementation of changes to the structure started on 1 April.

The major changes are in the National Offender Management Service (NOMS), where HM Prison Service and the Probation Service are being brought together under a new headquarters and regional structure so as to improve the focus on frontline delivery and to improve efficiency.

The new structure will enable the Department to concentrate on its key priorities. Streamlining leadership across the whole of the Department will ensure a more considered approach to issues of justice and constitutional reform and provide a clearer focus on efficiency through the removal of duplication and overlapping responsibilities.

Through all of the activity of the last year, we hope and believe that the Ministry of Justice has consistently delivered for the public it serves. This is testament to the hard work and dedication of its staff and we are grateful for all their efforts.

We have every confidence that the Ministry of Justice will be able to build on the solid foundation of its first year to go from strength to strength in its second.



Rt. Hon Jack Straw MP
Lord Chancellor and
Secretary of State for Justice



Sir Suma Chakrabarti KCB
Permanent Secretary
Ministry of Justice

Executive summary

Introduction

Our purpose is to work for a democratic and just society.

Underpinning that purpose is the need to strengthen the relationship between government and the citizen – at national level as we begin a journey towards a new constitutional settlement and locally when people need to use or come into contact with our services. It is about protecting the public and reducing re-offending so that people feel more confident about their security and about justice. It is about listening to and addressing the needs of all citizens, but particularly the vulnerable in our society.

As part of this we will improve value for money in delivering services to the public, improve efficiency and drive out unnecessary cost, focusing resources as much as possible on the frontline services which connect directly with the public.

The Ministry of Justice came into being on 9 May 2007. It brought together the responsibilities of the Department for Constitutional Affairs (DCA), the National Offender Management Service (NOMS) and the Office of Criminal Justice Reform (OCJR). The Department has a

wide-ranging remit, with major delivery responsibilities for prisons and probation, the courts and tribunals, legal aid and more, as well as important policy responsibilities, ranging from constitutional reform and devolution, democracy and human rights, to the justice system.

To improve focus on our new core responsibilities, the Department was re-structured around four business groups in April 2008, supported by a corporate performance group which provides services such as finance, IT, human resources support, communications, planning, performance management and research analysis. The four groups, which provide the structure for the bulk of this annual report, are:

- Democracy, Constitution and Law
- Access to Justice
- National Offender Management Service
- Criminal Justice

Democracy, Constitution and the Law

Our objective is to support a vigorous democracy in which government

strengthens its relationship with citizens and with Parliament. Our new arrangements within the Ministry of Justice will help us to pursue this aim, bringing together leadership of the Government's constitutional reform programme, under *The Governance of Britain* and a focus on how Government makes law, with the aim of improving both the justice system and the way that the state interacts with citizens. Our international work promotes better international law and legal services, standards for data sharing and judicial co-operation.

Over the past year:

- we launched the Green Paper, ***The Governance of Britain***, (July 2007) setting out the Government's vision and proposals for constitutional renewal. The Governance of Britain programme sets out to re-balance the power between Parliament and the Government, clarifying the role of Government, and to invigorate our democracy, giving British people a stronger sense of what it means to be British
- we have held a number of **public consultations** during the year on issues such as parliamentary control of war powers; protests near Parliament, and judicial appointments. We have worked with the House of Commons to develop proposals for an increased parliamentary role in the dissolution and recall of Parliament
- we published a White Paper and draft Bill on **Constitutional Renewal** in March 2008, setting out the Government's proposals following this extensive consultation
- the Justice Secretary led a cross party group on **House of Lords reform**, discussing the detail of how an 80 or 100 per cent elected second chamber might work, following the vote by Members of Parliament in March 2007. The discussions have been constructive. The Government plans to publish a White Paper before the summer recess
- the May 2007 **local government elections** saw a range of new provisions arising from the Electoral Administration Act 2006 to improve access to the electoral system, ensure confidence in the system and to maximise participation in elections. The Act and extra funding for registration has contributed to an increase of 450,000 people on the electoral roll
- we have continued to **encourage and engage young people in the democratic process**. During 2007 the Democracy Minister met 300 young people from youth groups, schools and community groups to hear first hand what young people have to say about the causes of disengagement and how these might be tackled
- we have worked to improve training, guidance and advice on **Human Rights** within central government and the wider public sector and to increase public awareness and understanding of the Human Rights Act itself
- the Department continues to advise other Government departments on handling of complex **Freedom of Information (Fol)** requests. Work is underway with the Information Commissioner's office to provide good practice and guidance on Fol
- work continues on the **new Supreme Court**. This is due to become operational in October 2009, assuming the jurisdiction of the Appellate Committee of the House of Lords and the devolved functions of the Judicial Committee of the Privy Council
- negotiations were successfully concluded in November for a new **Hague Convention on the International Recovery of Child Support** and other forms of family maintenance

- in April 2008, the Minister for Human Rights, Michael Wills MP, led the UK delegation at the United Nations Human Rights Council in Geneva for the new Universal Periodic Review procedure, which aims to promote open dialogue on human rights issues and improved delivery of human rights in practice
- we regularly attend the **EU Justice and Home Affairs Council** and have concluded successful negotiations on Rome I (applicable law in contractual obligations) and the Data Protection Framework Decision, which will set standards where personal data are transferred between EU member states in relation to criminal matters
- we have taken part on **judicial exchanges** with Germany and Israel and have provided assistance to the Romanian Government on the development of judicial administration
- we worked closely with a range of partners to encourage more open and competitive markets for legal services around the world, with a focus in 2007 on India.

Access to Justice

Our objective is to deliver justice for people which is fair, efficient, timely and as simple as possible. Our new arrangements within the Ministry of Justice will bring together the courts and tribunals, coroners, the Office of the Public Guardian, legal aid and the regulation of legal services. Closer links between the different agencies will encourage sharing of good practice and opportunities for efficiency savings.

A new partnership between the judiciary and HM Courts Service will uphold the independence of the judiciary while improving engagement with local

communities. A new framework document for HMCS was laid before Parliament on 1 April 2008.

Over the past year:

- **the Community Justice initiative**, strengthening relations between the justice system and the people it serves, has developed further. There are now 13 community justice projects across England and Wales. The first two, the community justice centre in North Liverpool and the Salford community justice initiative, celebrated their second anniversaries in autumn 2007
- successful evaluation of **pilot drugs courts** in Leeds and West London has supported extension for up to four more sites - these will become operational from October 2008
- following an encouraging review of **specialist domestic violence courts**, such systems are to be rolled out to a further 34 sites, taking the total to 98
- £3m was committed towards **Independent Domestic Violence Advisor services** and guidance has been improved, including the making of an award-winning DVD, *You Don't Have to Live in Fear*
- the **Forced Marriages Act** received Royal Assent in July 2007. The Act will protect victims of forced marriages and prevent future marriages taking place
- following successful pilots in 2006/07, we extended the **Criminal Justice Simple Speedy Summary (CJSSS)** approach in magistrates' courts, and set up a best practice model in the Crown Court. Victims, witnesses, defendants and the public generally will see justice dispensed more quickly and efficiently

- in order to reduce unnecessary delay in **public law cases involving children**, we revised statutory guidance for local authorities on preparing care applications for court and developed a Public Law Outline (PLO), replacing the existing Protocol for Judicial Case Management in Public Law Children Act cases
- the introduction of the **Small Claims Mediation service at county courts** has provided an alternative to people having their claim heard at court. Small claims mediators settled 2,097 cases, saving more than 2,300 judicial sitting hours between March 2007 and February 2008. A satisfaction rate of over 98 per cent was recorded after a survey of over 200 participants in mediation. We have now expanded the service nationally
- we have continued to work with the Legal Services Commission and the profession to ensure a future in which legal advice is of the highest quality, practitioners are able to earn a reasonable income and better value for money is secured from what is one of the most generous **legal aid** systems in the world
- **Community Legal Advice (CLA)** delivered 74,858 telephone-based acts of assistance between April 2007 and February 2008, more than trebling the acts of assistance since 2004/05. The first CLA centre opened in April 2007 providing free face-to-face legal advice in areas such as debt, employment, community care and welfare benefits. New centres are due to open in spring 2008 and contracts were awarded for an extra 67,000 cases to help people facing problems such as domestic violence, housing and debt
- During the past year, a range of new fixed and graduated remuneration schemes has been introduced across civil, family, criminal and asylum and immigration legal aid work. This allowed the additional funding of £16m for clients facing problems such as domestic violence, housing and debt
- the Legal Services Commission has also just introduced a new panel of providers to carry out work on **Very High Cost Criminal Cases (VHCCs)**. The Department is now working closely with the LSC, the Bar and the Law Society on the design of the second VHCC panel, aiming to design a scheme that will encourage greater efficiency
- in early April 2008, the MoJ, the Legal Services Commission and the Law Society announced that they have reached agreement on the best way forward following the Court of Appeal's judgement on the LSC's **Unified Contract for legal aid suppliers**. This agreement will ensure a period of certainty and stability for providers, and the LSC and MoJ will be working with the Law Society and others on the likely content of future contracts
- work is now in progress on the next stages of the legal aid programme. These are to prepare the way for **best value tendering** of Criminal legal aid services from 2009, subject to consultation and implement the 'Civil Road Map' published in April 2008 following the agreement with the Law Society
- in October 2007, the statutory role of **Public Guardian**, the Office of the Public Guardian, the Independent Mental Capacity Advocate service and the new Court of Protection became fully operational in England and Wales
- **claims management regulation** was fully implemented in April 2007 and 1,600 businesses have been authorised

to provide services. An impact study in August 2007 concluded that the regulatory regime has had a significant impact in reducing malpractice in compensation claims

- **reforms to the tribunals system**, brought in by the Tribunals, Courts and Enforcement Act 2007 will help to deliver speedy and accessible justice for tribunal users, through greater flexibility and deployment of resources across tribunals.

National Offender Management Service (NOMS)

Our objective is to protect the public and to reduce re-offending, as well as ensuring that the sentence of the court is carried out effectively. We do this by ensuring that violent and dangerous offenders remain in prison as long as they remain dangerous and by breaking the cycle of re-offending through increased use of effective community penalties and rehabilitation. An increasingly joined-up approach to dealing with individual offenders and greater involvement of the private and third sector through commissioning will result in more effective and better value for money services.

NOMS was created in 2004 and has brought a greater degree of coherence to offender management. Our new arrangements within the Ministry of Justice build on that success, bringing NOMS and the Prison Service together within a restructured agency.

Over the past year:

- the downward trend in **prisoner escapes** has continued, with further improvements in security procedures. There have been no escapes of Category A prisoners since the establishment of the High Security Estate in 1996

- following **Lord Carter's Review of Prisons**, published in December 2007, the Justice Secretary announced the Government would ensure there are an additional 10,500 prison places by 2014, including up to three large "Titan" prisons, housing around 2500 prisoners each. This increase in capacity will provide an opportunity for the Government to close places in old, inefficient prisons, giving an overall net increase of up to 15,000 places by 2014. The overall capacity programme is anticipated to bring net capacity of the prison estate to around 96,000 places by 2014.

- latest results for adult **re-offending** have shown a 7.4 per cent reduction, comparing 2004 with the predicted rate in 2000. To continue this success we will improve further our work with partners, both within government and through regional and local partnerships. A new Reducing Re-offending strategic plan and Third Sector action plan is being developed
- we are on track to meet the target of 24,630 offenders in 2007/08 completing **offending behaviour programmes** – evidence based interventions which address the needs of offenders and help to reduce crime and anti-social behaviour
- the **Community Payback scheme**, launched in 2005, raises the public awareness of unpaid work done by offenders and provides opportunities for communities to influence the kind of work to be done. In 2007/08, many areas of the country developed projects sponsored by their newly elected mayors. A joint venture between NOMS and DEFRA, called 'Planet Payback', encourages work on conservation projects
- the first six **Probation Trusts** (made possible by the Offender Management

Act 2007) were created in April 2008. Their early operation will be drawn on in deciding the final approach to be taken in establishing the concept of probation trusts

- we are working closely with the Department of Health (DoH) on a range of issues including **prisoners with mental health problems and access for offenders to health and social care services**. The DoH has led a consultation on Improving Health, Supporting Justice, while the Justice Secretary has asked Lord Bradley to undertake a review to examine the extent to which offenders with mental illness or a learning disability could be diverted from prison to other services and what the barriers might be
- **Youth Justice issues** are now the joint responsibility of the Department for Children, Schools and Families (DCSF) and the Ministry of Justice. The Children's Plan, published at the end of 2007, set out our joint priorities. A Youth Crime Action Plan and a green paper on Resettlement – how to ensure continuity of care for young offenders – are due to be published in summer 2008.

From April 2008, The Offender Management Supervisory Board (OMSB), chaired by the Permanent Secretary, provides oversight of the strategic direction, performance and risk management of the NOMS Agency. It also oversees the implementation of the recommendations of Lord Carter's (2007) review of the prison system in England and Wales and their integration with the existing offender management change programme.

Criminal Justice

The Ministry of Justice shares responsibility for the criminal justice system (CJS) with the Home Office and the Attorney

General's Office. Our shared vision is for a CJS which is effective in bringing offences to justice, engages the public and inspires confidence, puts the needs of victims at its heart and has simple and efficient processes.

The three CJS departments work in partnership, supported by the trilateral Office for Criminal Justice Reform (OCJR) which supports and facilitates partnership at a national level through the National Criminal Justice Board and at a local level through Local Criminal Justice Boards. OCJR is situated with the new Criminal Justice Group in the Ministry of Justice. The Director General of the Criminal Justice Group also oversees development of the criminal justice legislative programme, sets the strategic framework for the management of offenders, and works with the judiciary on sentencing issues.

Over the past year:

- in November 2007, the Government published Working Together to Cut Crime and Deliver Justice: The Criminal Justice Strategic Plan 2008-11, which sets out the shared vision
- 1.449 million offences were brought to justice in the year to December 2007 – a 45 per cent increase since 2001/02 and well above the Public Service Agreement (PSA) target level
- a new '**Justice for All**' PSA focuses on tackling serious crime (including the investigation and prosecution of rape) and driving efficiency throughout the CJS
- a **Community Engagement strategy** is being developed making a clear commitment to ensuring that criminal justice services are accessible and accountable to all sections of the community
- in the year to December 2007

44 per cent of people were confident that the CJS is effective in bringing offenders to justice and **60 per cent** of victims and witnesses were satisfied with the police and other agencies handling of the incidents.

- greater public awareness about the CJS has been promoted in a number of ways, including the Justice Awards and more than 100 events across 40 local criminal justice boards during *Inside Justice Week* in November 2007
- **support for victims** has been improved in a number of ways, including Victim Support 'plus' which began full implementation in September 2007 and funding through the Victim's Fund for the specialist support sector (e.g., for victims of sexual violence, homicide and hate crime)
- **the Victims' Advocates Scheme** has been piloted in five Crown Court centres with the aim of improving the support, information and voice available to relatives in murder and manslaughter cases
- new practitioner guidance on support for vulnerable and intimidated witnesses has been issued and a DVD, *Going to Court – A Step by Step Guide to Being a Witness* was launched by HMCS in September 2007. A consultation paper, *Improving the Criminal Trial Process for Young Witnesses*, was published in June 2007. The Government's response is expected in early summer 2008
- a range of initiatives to improve **enforcement of court decisions** has been taken forward, including text messaging individuals who may not respond to traditional methods of enforcement, and the establishment of nine regional confiscation centres in HMCS
- efficiency and process improvements include the **establishment of the Beacon Approach**, working with ten Local Criminal Justice Boards (LCJBs); improving IT systems and performance data; a review of the remand population and streamlining and modernising some criminal procedure rules
- the Government has established a working group to consider the feasibility of a **Sentencing Commission**. This group, under the chairmanship of Lord Justice Gage, will report to the Justice Secretary and Lord Chief Justice in summer 2008.

Delivering for the Public

The changes to the structures of the Department, described at the beginning of this summary, have been designed to focus the organisation on its key delivery objectives and to ensure that there is clear accountability. On 1 April 2008, the new structure to Director level was implemented with streamlining of responsibilities which enabled a 14 per cent decrease in at this level. Further detailed changes will take place over the next few months.

The summary below sets out some of the financial background against which we will deliver our objectives and some of the initiatives we are pursuing to improve the service we provide to the public:

- the budget for the MoJ over the next three years (2008-11) was agreed in December 2007 at approximately £10bn per annum. It provides extra funding to build and run additional prison places and was supplemented in December as part of the Government's response to Lord Carter of Coles' Review of Prisons.
- our target was to deliver financial

- savings of £292m and 1,473 headcount reductions by March 2008 and relocate 280 posts outside London and the South East by March 2010. Figures to 31 December 2007 showed strong performance with MoJ on track to exceed all 3 targets. Our value for money programme aims to deliver over £1bn of savings by 2010/11. We have focused on improving the efficiency of services we provide and from 2008/09 we will combine this with looking at how resources can be re-balanced to target high value activity by scaling back or stopping lower value activity.
- the MoJ is not a major regulator but we work to ensure that policy development takes account of the principles of better regulation. The Department's first Simplification Plan was published in December 2007. It sets out how net savings of administrative burdens of £70m will be achieved by May 2010. We are working to identify a further £22m. Savings of £15m have already been delivered through changes to legal aid contracts and the current review of the Land Registration Rules. We are also working to reduce administrative burdens on front line staff. A report on progress will be contained in the 2008 Simplification Plan
 - we are committed to improving our performance on **sustainable development** and meeting government targets and mandates and have developed an action plan setting out how we intend to embed sustainability into all our operations
 - a four year pay deal for the 28,000 former DCA staff in the MoJ was implemented in August 2007. The deal is a result of one of the most complex pay and grading reviews undertaken in central government
 - we have set up an **Employee Engagement project** to improve our understanding of employees' experience at work; how that experience motivates them; and how it affects business performance. We are working with the Cabinet Office as a 'pathfinder' on employee engagement and are involving staff throughout the MoJ in defining the values and behaviours of the Department
 - we place great importance on **equality and diversity**. All parts of the MoJ are involved in ensuring equality and diversity is embedded into daily business as well as in policy development. This is important in helping to build the confidence in justice and democracy nationally and locally which is central to our objectives, and to ensure that our staff are sensitive to the needs of the vulnerable and socially excluded
 - building into the joint action plan agreed with the Commission for Race Equality, the Prison Service has a detailed and comprehensive Race Equality Action Plan that sets out all the high-level actions being taking on race equality
 - the first **Capability Review** for the MoJ was conducted during February 2008. The review provided a baseline assessment which the Department will use to measure its progress and assess what further work needs to be done to meet its current and future challenges. It identified four key areas for action.
- These were to:
- clearly communicate a unifying thread which binds together staff in the different parts of the MoJ
 - define clear roles, responsibilities and business models and make them work
 - improve the Department's ability to make prioritisation and resource

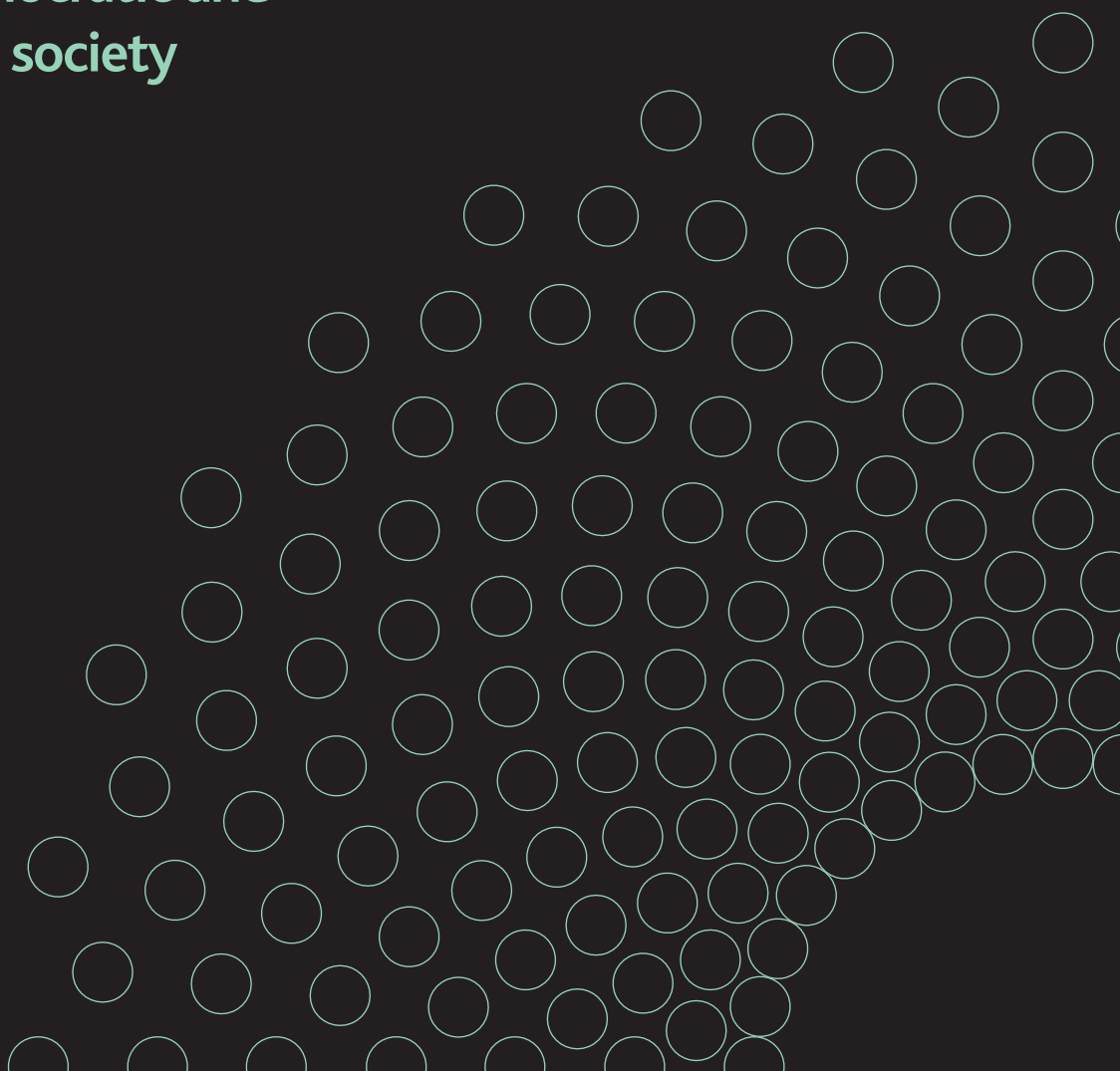
allocation decisions on the basis of robust data and evidence

- address the challenge of building capacity across MoJ in an environment of financial constraint.

The review recognised that MoJ had already taken important steps to address these areas and was acting to put in place the new organisational structures, strategies and processes needed to meet its future delivery challenges. Furthermore it added that the Department's Ministers and staff were enthusiastic and committed to introducing the changes and to developing the Department for the future.

Purpose

Working for a
democratic and
just society



1.1 The Ministry of Justice was established on 9 May 2007. It brought together the former responsibilities of the Department for Constitutional Affairs (DCA) with the National Offender Management Service (NOMS) from the Home Office and the trilateral Office for Criminal Justice Reform (OCJR). Lord Falconer of Thoroton was the Department's first Lord Chancellor and Secretary of State for Justice. The Rt Hon. Jack Straw MP succeeded Lord Falconer in June 2007. In December 2007 Sir Suma Chakrabarti KCB became Permanent Secretary in succession to Alex Allan.

1.2 The new Department is responsible for prisons and probation, the courts and tribunals and legal aid, along with important policy responsibilities, including constitutional reform and devolution, democracy and human rights.

1.3 Our purpose is to work for a democratic and just society.

1.4 Our core aims are: reducing re-offending and creating more efficient, effective offender management services in custody and the community, improving access to justice and the effective administration of the justice system, building an effective relationship with the judiciary and delivering constitutional reform and working for a just and democratic society. The changes underline our commitment to public protection, strengthening closer working between prisons and probation and making the most of public funds while creating the right conditions for the delivery of the whole of MoJ's wide agenda.

Strategic objectives

1.5 The Justice Secretary has set the Department four strategic objectives:

- **Democracy, Constitution and Law**
Strengthening democracy, rights and responsibilities

- **Access to Justice**

Delivering fair and simple routes to civil and family justice

- **National Offender Management Service**

Protecting the public and reducing re-offending

- **Criminal Justice**

A more effective, transparent and responsive criminal justice system for victims and the public

1.6 This report summarises our progress against these goals during 2007/08 and our programme of work for 2008/09.

Public Service Agreement Targets

1.7 The Department has previously agreed a set of challenging Public Service Agreement (PSA) targets for the period covered by the 2004 Spending Review. This report covers the performance on the final year of those targets and progress is covered in chapter 2.

How we are organised

Our responsibilities and functions

1.8 The Department has a wide ranging remit, with major delivery responsibilities for prisons and probation, the courts and tribunals, legal aid and more, as well as important policy responsibilities, ranging from constitutional reform and devolution, democracy and human rights, to the justice system.

1.9 Three sister departments - the Northern Ireland Court Service, the National Archives and HM Land Registry – report directly to the Justice Secretary. Also associated with MoJ are a number of organisations such as the Office of the Public Guardian, the office of the Public Trustee and Official Solicitor, the Legal Services Commission, the Law Commission,

the Office of the Legal Services Ombudsman, Her Majesty's Inspectorate of Court Administration, the Judicial Studies Board and the Youth Justice Board.

1.10 The administrative functions of the Scotland Office (including the Office of the Advocate General for Scotland) and the Wales Office are part of MoJ. Responsibilities for the maintenance of the relationship between Westminster and the devolved administrations in Edinburgh and Cardiff remain with the Secretary of State for Scotland and the Secretary of State for Wales respectively.

1.11 When the Department was set up, the then Permanent Secretary commissioned a review to develop proposals for a new structure and ways of working to equip the Department to better deliver on its aims and priorities. In January 2008, the Justice Secretary announced to Parliament the outcome of that review, setting out the high level structure for the Department. The new top structure of the Department came into place on 1 April with the more detailed changes being implemented over the next few months to provide a coherent structure for managing the Department's key challenges - on public protection and reducing re-offending, constitutional reform, and access to justice. These changes will help the Department to implement Lord Carter's recommendations on offender management services, to take forward the new partnership relationship with the judiciary and to focus more clearly on its key policy and delivery challenges. We have taken a robust approach to removing duplication and improving efficiency.

Ministers and senior officials

1.12 The Lord Chancellor and Secretary of State is the Rt Hon Jack Straw MP.

The Justice Secretary was supported by a ministerial team and a Departmental Management Board, led by the Permanent Secretary during 2007/08. The ministerial team joined with the Permanent Secretary and senior officials from the Department and the Legal Services Commission (LSC) to form the Ministry of Justice Board (MoJB), chaired by the Justice Secretary. This oversaw both progress on the strategy and policy priorities set by the Justice Secretary for MoJ and its delivery arms and the operation of the Department. It identified actions to ensure that strategy and policies were delivered effectively and maintained an oversight of the Department's financial position. It also maintained high standards of propriety and corporate governance and oversaw relationships with key MoJ stakeholders.

1.13 The MoJB benefited from the experience and input of non-executive members:

- Sir Peter Bonfield (formerly chief executive of British Telecommunications Plc) until 31 January 2008
- Professor Georges Selim (chair, MoJ Corporate Audit Committee) until April 2008
- Rt Hon Lord Justice Leveson (Senior Presiding Judge of England and Wales) until 8 May 2007.

1.14 From 1 April 2008, the Departmental Management Board has been replaced by the Corporate Management Board (CMB), chaired by the Permanent Secretary and comprising of the senior executive team and three new non-executive members. The CMB will continue to meet the ministerial team regularly. We shall report on the operation of these arrangements in the MoJ Departmental Report 2008/09.

How we are organised (as at 31 March 2008)

Ministerial Team



Rt Hon Jack Straw MP



Rt Hon David Hanson MP



Lord Hunt of Kings Heath OBE



Michael Wills MP



Maria Eagle MP



Bridget Prentice MP

The Board



Sir Suma Chakrabarti KCB



Ursula Brennan



Peter Brook



Rod Clark



Rowena Collins-Rice



Helen Edwards



Yvonne Gallagher



Peter Handcock CBE



Marco Pierleoni



Carolyn Regan



Beverly Shears



Neil Ward

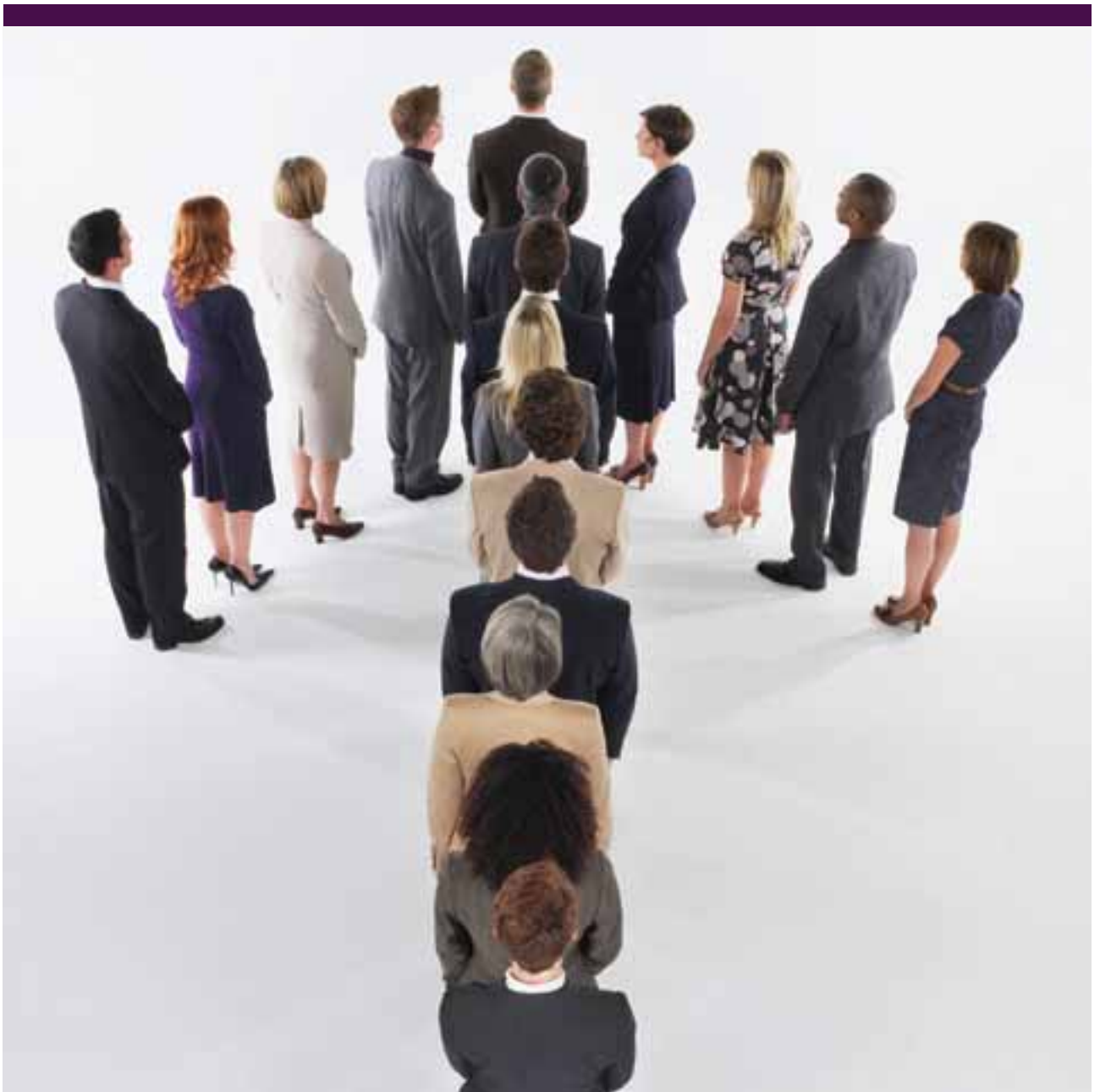


Phil Wheatley CB



David Wood

Performance in 2007/08



SR2004 PSA Targets: performance tables

PSA target 1

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08 (joint CJS target).

An offence is considered to have been brought to justice when a recorded crime results in an offender being convicted, cautioned, issued with a penalty notice for disorder, given a formal warning for possession of cannabis or having an offence taken into consideration.

Measure	Latest outturn
Increase the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08	Ahead Latest performance shows that 1.449 million ¹ offences were brought to justice in the 12 months to December 2007.

PSA target 2

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the CJS without compromising fairness.

To improve public confidence in the CJS, including increasing that of ethnic minorities and increasing year-on-year the satisfaction of victims and witnesses, while respecting the rights of defendants.

The target will have been achieved if, for the year 2007/08, two out of the three elements of the following are met. The three confidence elements, reported on below, are shared between the Home Office, MoJ and the CPS.

Public confidence in the CJS and the satisfaction of victims and witnesses is assessed using the British Crime Survey (BCS) and the Citizenship Survey (formerly the Home Office Citizenship Survey (HOCS))².

¹The England and Wales figure includes estimates for missing data. Data are provisional and subject to change.

²HOCS is now The Citizenship Survey following the transfer of Communities Group from the Home Office to the Department of Communities and Local Government. The Citizenship survey has moved to reporting quarterly.

Measures	Latest outturn
<p>Improve the level of public confidence in the CJS. This is determined using questions in the BCS which ask whether the public believes the CJS is effective in bringing people who commit crimes to justice.</p>	<p>Ahead Baseline (BCS 2002/03): 39% Target (BCS 2007/08): an increase Latest outturn: (year to December 2007): 44%</p>
<p>Reduce the number of people in black and minority ethnic (BME) communities who believe the CJS would treat them worse than people of other races. This is measured by questions in the Citizenship Survey which ask whether people from a BME background believe the CJS would treat them worse than people of other races.</p>	<p>On course Baseline (HOCS 2001): 33% Target (Citizenship Survey 2007): a decrease Latest outturn (Citizenship Survey April -December 2007): 27%</p>
<p>Increasing satisfaction of victims and witnesses. This is measured using BCS questions on victim and witness satisfaction with the CJS.</p>	<p>On course Baseline (BCS six month to March 2004): 58% Target (BCS 2007/08): an increase Latest outturn (year to December 2007): 60%</p>

PSA target 3

Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration. (Joint target with Home Office)

Measure	Latest outturn
<p>Reduce unfounded asylum claims. The target will have been achieved if the number of unfounded asylum claims in the year 2007/08 is less than in the baseline year being 2002/03.</p>	<p>Ahead³ Baseline (2002/03): 70,200 Target: a reduction Latest outturn (2006/07): 17,900</p>

³Unfounded asylum intake data for 2007/08 is not yet available. Whilst provisional data for 2007 indicates that the total number of asylum applications, including dependants, was 27,905 which is 1% lower than in 2006 (28,321), the figures for Q4 2007 (8,140) were 17% up on Q4 in 2006 (6,965)

PSA target 4

By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10 per cent.

Measure	Latest outturn
<p>The target will be met if by 2009/10 the county courts (care centres) achieve 48% and the magistrates' courts (Family Proceedings Courts) achieve 56%.</p>	<p>Slippage On a financial year to date basis (April 2007 - February 2008) current performance levels for 2007/08 are:</p> <ul style="list-style-type: none"> • county courts (care centres): 38.8% • magistrates' courts (Family Proceedings Centres): 50.7% <p>PSA performance is below target in both the care centres (CCs) and the Family Proceedings Courts (FPCs). Current trajectories suggest that delivery of the target by March 2010 will prove challenging.</p> <p>As outlined in chapter 4, key reforms to the care proceedings system, which are aimed at improving outcomes for children through the more timely and effective progression of care cases, were implemented in England & Wales on 1 April 2008. Due to the time it takes to complete care cases, however, it will take time for these planned actions to materialise into improved performance levels.</p>

PSA target 5

To achieve earlier and more proportionate resolution of legal problems and disputes by:

- increasing advice and assistance to help people resolve their disputes earlier and more effectively
- increasing the opportunities for people involved in court cases to settle their disputes out of court
- reducing delays in resolving those disputes that need to be decided by the courts.

Measure	Latest outturn
<p>Increasing advice and assistance to help people resolve their disputes earlier and more effectively.</p> <p>Target will be achieved with a 5% increase from 47.5% to 49.9% in the proportion of justiciable problems⁴ in respect of which people receive suitable advice and assistance.</p> <p>Achievement of this target is measured by the English and Welsh Civil and Social Justice Survey⁵ (formerly the National Periodic Survey of Justiciable Problems), which commenced early in 2006.</p>	<p>Slippage 45.8% (cumulative Civil and Social Justice survey data from January 2006 to December 2007).</p> <p>There has been recovery against this PSA measure during the past three consecutive quarters with performance in the most recent quarter (to December 2007) reaching a high point of 48.8%. However, we do not expect that final reporting data will show that the target has been met. Although the absolute volume of advice provided has increased since 2004, this has not kept pace with the volume of justiciable problems reported which has resulted in this target being missed.</p>
<p>Increasing the opportunities for people involved in court cases to settle their disputes out of court.</p> <p>Target will be achieved with a 5% reduction from 40.5% to 38.5% in the proportion of disputed claims in the courts that are ultimately resolved by a hearing.</p>	<p>Slippage 41% (12 months to February 2008)</p> <p>The successful introduction of small claims mediators during 2007 has resulted in over 2,000 cases being settled. However, a significant change in 'case-mix' has contributed to below target performance for dispute resolution. A higher proportion of claims were made to the small claims track – where cases have a lower tendency to settle compared to the baseline year.</p>
<p>Reducing delays in resolving those disputes that need to be decided by the courts.</p> <p>Target will be achieved with a 2% increase from 79.9 to 81.5% in the proportion of small claim hearings that take place within target time.</p>	<p>Slippage 77.7% (12 months to February 2008).</p> <p>Performance was on target during the majority of the PSA period. However, performance deteriorated during the final year of the measure against a backdrop of a 36% increase in small claims allocations compared to the baseline year (2004). This put pressure on administrative and judicial sitting-day capacity which made the target more difficult to achieve.</p>

⁴ A justiciable problem is a problem which might have a legal solution

⁵ The most recent published report of the survey (2006) can be downloaded from <http://www.lsrc.org.uk/publications/csjs2006.pdf>. An introduction to the survey and definitions of the measures used can be downloaded from <http://www.lsrc.org.uk/publications/PSA2005.pdf>. It should be noted that the face-to-face survey is limited to residential households as is common with many large-scale national surveys because there is no method available to draw up an all-encompassing sample frame. LSRC has previously run a separate survey of people in temporary accommodation, but the sample frame for the survey was such that it could provide only illustrative results, rather than results on which to measure change over time.

NOMS Standard

The following standard which is delivered by the National Offender Management Service (NOMS):

Protect the public by ensuring there is no deterioration in the levels of re-offending for young offenders and adults. Maintain the current low rate of prisoner escapes, including Category A escapes.

The NOMS Standard requires that re-offending performance for adults and juveniles is maintained above the 2005/06 level over the SR04 period.

Re-offending is measured using proven re-offending rates, comparing actual re-offending rates with a predicted rate. This allows account to be taken for year-on-year variations in the profile of offenders such as their age, gender and criminal history as well as external factors. Proven re-offending rates are calculated from a sample taken between January and March each year.

Alongside the NOMS Standard, there is a longer-term goal to work towards a ten per cent reduction in re-offending by the end of the decade.

Measures	Latest outturn
<p>Re-offending for young offenders</p> <p>Youth re-offending is measured by the number of young offenders who re-offend within a one-year period following a pre-court disposal, court disposal, or release from prison and who are subsequently re-sanctioned, either through receiving another pre-court disposal or through a conviction in court compared to a predicted rate.</p> <p>Re-offending for juveniles – new measures</p> <p>From 2005 onwards juvenile re-offending will be reported on in two ways.</p> <p>First, the average number of re-offences that are proven to have been committed within a year per hundred offenders following a pre-court disposal, court disposal, or release from prison and who are subsequently re-sanctioned, either through receiving another pre-court disposal or through a conviction in court compared to a predicted rate.</p> <p>Second, the average number of most serious re-offences that are proven to have been committed within a year per hundred offenders following a pre-court disposal, court disposal, or release from prison and who are subsequently re-sanctioned, either through receiving another pre-court disposal or through a conviction in court compared to a predicted rate.</p>	<p>Slippage</p> <ul style="list-style-type: none"> • Baseline: 2000 • Target (January–March 2006): a 5% reduction • Latest outturn (January–March 2005): <ul style="list-style-type: none"> - Actual rate: 40.8% - Outturn: 0.1% reduction <ul style="list-style-type: none"> • 2000 (January–March 2000) 151.4 re-offences per hundred offenders • 2005 (January–March 2005) 125.0 re-offences per hundred offenders • A reduction of 17.4% <ul style="list-style-type: none"> • 2000 (January–March 2000) 0.91 serious re-offences per hundred offenders • 2005 (January–March 2005) 0.90 serious re-offences per hundred offenders • A decrease of 0.7%

<p>Re-offending for adults</p> <p>Adult re-offending is measured by the reduction in the proportion of adult offenders discharged from prison or starting a community sentence who are proven to have re-offended within two years, compared to the predicted rate.</p> <p>Re-offending for adults - new measures</p> <p>From 2005 onwards adult re-offending will be reported on in two ways.</p> <p>First, the average number of re-offences that are proven to have been committed within a year per hundred offenders discharged from prison or starting a community sentence.</p> <p>Second, the average number of most serious re-offences that are proven to have been committed within a year per hundred offenders discharged from prison or starting a community sentence.</p>	<p>Met</p> <ul style="list-style-type: none"> • Baseline: 2000 (January–March 2000) • Target (January–March 2006): a 5% reduction • Latest outturn (for offenders released or starting a community sentence in January–March 2005): <ul style="list-style-type: none"> - Actual rate: 53.2% - Outturn: 7.4% reduction <ul style="list-style-type: none"> • 2000 (January–March 2000) 189.4 re-offences per hundred offenders • 2005 (January–March 2005) 167.9 re-offences per hundred offenders • A reduction of 11.4% <ul style="list-style-type: none"> • 2000 (January–March 2000) 0.78 serious re-offences per hundred offenders • 2005 (January–March 2005) 0.88 serious re-offences per hundred offenders • An increase of 12.5%
<p>Escapes</p> <p>This element is met if the number of escapes as a proportion of the prison population does not exceed 0.17% and there are no Category A escapes.</p>	<p>Ahead</p> <ul style="list-style-type: none"> • Target: less than 0.17% • 0.027% Provisional Outturn 2007/08⁶ • There have been no Category A escapes

⁶Prison System figures are provisional outturns for 2007/08 and subject to further validation before final publication. It is anticipated that these figures will change for a number of measures.

Data systems used by the Ministry of Justice

PSA 1 – Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08.

The crimes included in this target are, broadly, the more serious cases that come to the attention of the police. Brought to justice means that the offence resulted in a caution, conviction, penalty notice or was

admitted by the offender. Formal warnings for the possession of cannabis are also included.

The MoJ collects these data from the police and the courts. They constitute National Statistics and are published annually in *Criminal Statistics for England and Wales*.

The total of offences brought to justice in the year to December 2007 is comprised of the following⁷

	Year Ending Dec 2007
Convictions	722,098
Cautions	380,416
Penalty Notice for Disorder	139,876
Cannabis Warnings	98,354
Offences Taken into Consideration	108,507
Total OBTJ	1,449,251

PSA 2 – Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System (CJS) without compromising fairness.

The Citizenship Survey – formerly the HOCS, this is a household survey of adults (age 16 and over) carried out by Communities and Local Government (CLG). It covers a range of topics, including perceptions of racial discrimination by public service organisations, and is used to measure performance against PSA targets for CLG, the Home Office, the Office for Criminal Justice Reform and the Office of the Third Sector. The survey has previously been carried out in 2001, 2003 and 2005, providing performance

data every two years. From April 2007, the survey has run on a continuous basis. Headline findings on the PSA measures will be available quarterly, with the more detailed 2007/08 annual research reports available in autumn 2008. Data from April-December 2007 are included in this report.

British Crime Survey – The BCS is undertaken continuously, and figures for rolling 12-month periods are available quarterly. Although data are available quarterly, quarter-on-quarter comparisons need to be interpreted carefully as the data sets overlap. It should be noted that the BCS does not measure crimes against people living in group residences, under 16's, or against businesses.

⁷The numbers of Offences Brought to Justice (OBTJ) for 2007 are un-validated data from the courts and police, and are therefore provided as management information as they are provisional and likely to change. The final validated OBTJ data for 2007 will be published as a National Statistic by the Ministry of Justice in "Criminal Statistics in England and Wales 2007" during the autumn 2008.

Statistical significance – Statistics produced from surveys are most often estimates of the real figure for the population under study and therefore they may differ from the figures that would have been obtained if the whole population had been interviewed; this difference is known as sampling error. Because of the sampling error, differences in the figures may occur by chance rather than as a result of a real difference. Tests of statistical significance are used to identify which differences are unlikely to have occurred by chance. In tests that use a 5 per cent significance level, there is a one in 20 chance of an observed difference being solely due to chance.

Confidence intervals – Surveys produce statistics that are estimates of the real figure for the population under study. These estimates are always surrounded by a margin of error of plus or minus a given range. This margin of error or confidence interval is the range of values between which the population parameter is estimated to lie. For example, at the 95 per cent confidence level (used in most surveys), over many repeats of a survey under the same conditions one would expect that these confidence intervals would contain the true population value in 95 per cent of cases.

PSA 3 – Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration.

Responsibility for this target is shared between the MoJ and the Home Office. An unfounded asylum claim is one where the applicant and dependants of the applicant have not been granted full refugee status under the 1951 UN Convention. Data for this target is collected from the A-CID- Applications and Initial decisions systems. This is an IT system used by the Home Office's Border and Immigration

Agency (BIA) to perform asylum tasks, including recording all applications for asylum, casework and decisions. It is updated regularly with data from the Ministry on the applications for Immigration Judge Appeals and their outcomes and from the Aria system (Asylum and Immigration).

PSA 4 – By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10 per cent.

The data systems for this target centre on Her Majesty's Courts Service's (HMCS) FamilyMan (Care Centres) case management systems and Family Case Tracker (Family Proceedings Courts). Both systems depend on the accurate entry of data at the courts.

PSA 5 – To achieve earlier and more proportionate resolution of legal problems and disputes by: (1) Increasing advice and assistance to help people resolve their disputes earlier and more effectively; (2) Increasing the opportunities for people involved in court cases to settle their disputes out of court; and (3) Reducing delays in resolving those disputes that need to be decided by the courts.

(1) – The English and Welsh Civil and Social Justice Survey conducted by BMRB, with the results processed by the Legal Services Research Centre (LSAC) is a household survey of people's experience of civil justice systems, the strategies employed to deal with them, barriers to advice, services and financial support for advice and representation, the impact of problems and the impact of advice. The survey was conducted in 2001 and 2004 and, since January 2006, has been carried out on a continuous basis.

(2) and (3) – these targets are measured by monitoring cases that are resolved in the county courts, excluding civil family matters, by collecting data from Her Majesty’s Courts Service’s Caseman Computer System.

NOMS Standard – Protect the public by ensuring there is no deterioration in the levels of re-offending for young offenders and adults. Maintain the current low rate of prisoner escapes, including Category A escapes.

There are two data systems which are used to report performance against this standard:

- the Police National Computer System (PNC), which is used to calculate performance against the re-offending element of the target
- the Prison Incident Reporting System (IRS), which is used to calculate performance against the prisoner escapes element of the target.

Performance assessments

A number of targets are directional (to achieve an increase or decrease) and are measured using survey data. In these cases the survey data must register at least a statistically significant change if we are to be reasonably sure that the measured change is due to an actual change rather than a statistical aberration. In these cases, where interim trends are moving in the right direction but a statistically significant change has not yet been achieved, we have assessed those as ‘on course’. Where data trends are moving in the wrong direction or too slowly we have assessed those as ‘slippage’.

Performance in Support of Parliament

A key aspect of the Moj role in support of the citizen is the service which we provide to Parliament. During the period covered by this report, Ministers and officials from the Ministry of Justice gave evidence to parliamentary select committees on 18 occasions. In addition, select committees published 19 reports on areas of the Ministry’s work. (These figures include appearances and reports covering the work of the old Department for Constitutional Affairs for the period prior to 9 May 2007.)

During the 2006/07 and 2007/08 parliamentary sessions, the Ministry of Justice dealt with the following parliamentary business:

Primary Legislation

Corporate Manslaughter and Corporate Homicide Act 2007

This was a carry-over Bill from the 2005/06 session, which was originally a Home Office Bill. It received Royal Assent on 26 July 2007

Forced Marriage (Civil Protection) Act 2007

This Bill was introduced by Lord Lester of Herne Hill as a Private Members’ Bill and was subsequently adopted by the Government in the House of Commons and received Royal Assent on 26 July 2007

Legal Services Act 2007

This started as a Department for Constitutional Affairs Bill and received Royal Assent on 30 October 2007.

Offender Management Act 2007

This Bill was originally introduced by the Home Office and transferred to the Ministry of Justice. It received Royal Assent on 26 October 2007.

Tribunals, Courts and Enforcement Act 2007

This started as a Department for Constitutional Affairs Bill and received Royal Assent on 19 July 2007.

Criminal Justice and Immigration Act

This was a carry-over Bill from the 2006/07 session, when it was introduced by the Ministry of Justice. This received Royal Assent on 8 May 2008.

The Department also published the Draft Constitutional Renewal Bill on 25 March 2008 for pre-legislative scrutiny.

Secondary Legislation

During the 2006/07 session 164 statutory instruments were made, of these 19 were affirmative orders or followed the affirmative procedure, 111 were negative orders or followed the negative procedure, 24 were commencement orders and 10 were either only made or made and laid, but not subject to parliamentary procedure.

Parliamentary Questions

In the 2006/07 parliamentary session there were a total of 2889 questions tabled to the Ministry of Justice or its predecessor, the Department for Constitutional Affairs. These figures included 2060 ordinary written questions, 478 named day questions and 71 oral questions in the Commons. There were also 247 written questions and 33 oral questions in the Lords during the session.

A total of 1061 questions were tabled to the Department for Constitutional Affairs and a total of 1828 to the Ministry of Justice, which equates to an average of 12 questions per day under the Department for Constitutional Affairs and 28 questions per day under the Ministry of Justice.

From the beginning of the 2007/08 session on 5 November 2007 until 31 March 2008 there have been a total of 2487 questions tabled to the Ministry of Justice. This is an average of 33 questions per sitting day.

Written Ministerial Statements

During the 2006/07 session 105 written ministerial statements were made, of these 49 were made by the Department for Constitutional Affairs and 56 by the Ministry of Justice.

Debates

House of Commons

During the 2006/07 session the Department handled 27 debates. Thirteen of these debates were handled by the Department of Constitutional Affairs and 14 by the Ministry of Justice. The debates included two opposition half-day debates on the integrity of the electoral system in February 2007 and on the Government's handling of the penal system in July 2007.

House of Lords

There were eight debates in the 2006/07 session, of these six were handled by the Department of Constitutional Affairs and two by the Ministry of Justice.

Democracy, Constitution and the Law

Strengthening democracy, rights and responsibilities



Moj's role

3.1 Our objective is to safeguard and modernise our constitution by ensuring it is fit for today's society and to uphold people's human and information rights by:

- further improving engagement between the citizen and the state. We want to strengthen democracy, rights and responsibilities so that more people will understand and engage with government to provide a democracy in which everyone can influence decisions which affect their lives
- improving understanding of rights
- demonstrating that rights are not just for lawyers or minority groups but for everyone
- ensuring that government departments and public authorities apply the Human Rights Act with common sense, balancing the rights of individuals with the needs of wider society
- ensuring that government and public authorities adopt a culture of openness through the Freedom of Information Act.

The Governance of Britain

3.2 Our aim is to ensure a new far-reaching constitutional settlement that will lead to the executive handing over more power to Parliament and the people.

3.3 On 3 July 2007, the Prime Minister launched a Green Paper, *The Governance of Britain*, which set out the Government's plans for constitutional renewal. The Department is working in partnership with other Whitehall departments to put them in place.

3.4 *The Governance of Britain* programme is designed to strengthen the relationship

between government, Parliament and the people. Its aims are to:

- invigorate our democracy, with citizens given the means to participate in decision-making at every level
- clarify the role of government, both central and local
- rebalance power between Parliament and government and give Parliament greater ability to hold government to account
- give British people a stronger sense of what it means to be British and to include them in a debate on the future of the country's constitution.

3.5 Governance of Britain activities this year have included:

- public consultation of the role of the Attorney General, judicial appointments, protests near Parliament and parliamentary control of war powers and treaty ratification
- Publication in March 2008 of the draft Constitutional Renewal Bill and accompanying White Paper.
- a review of Royal Prerogative powers
- the creation of the interactive Governance of Britain website (<http://governance.justice.gov.uk/>)
- a public engagement event in Leicester 'Whose democracy is it anyway?', led by the Justice Secretary and the Minister of State, Michael Wills MP.

Constitutional settlement

3.6 The Department continues to provide advice on a number of constitutional issues. These include overseeing the overall strategy in relation to devolution, in particular its impact on the UK's constitutional settlement and advising on the use of the Royal Prerogative, the relationship between Church and state, and the sovereignty of Parliament.

3.7 Since 1 April 2007, the Department has housed the Privy Council Office, which provides administrative support for the Privy Council, and the Judicial Committee of the Privy Council. With colleagues from the Irish Government, the Department provided the secretariat for meetings of the British-Irish Council, including a summit level meeting in Belfast in July 2007.

Improved electoral engagement

3.8 We aim to strengthen people's engagement with democracy, encourage confidence in the security and fairness of elections and enable people to exercise their rights whatever their commitments or lifestyle.

Implementation of the Electoral Administration Act 2006

3.9 A range of new provisions arising from the Electoral Administration Act 2006 and associated secondary legislation was introduced at the May 2007 local government elections. The changes were designed to improve access to the electoral system, to ensure confidence in the system and to maximise participation in elections. They included:

- allowing people to register to vote up until 11 working days before polling day
- new security provisions for postal voters, including the requirement for them to provide personal identifiers
- lowering the minimum age of candidacy from 21 to 18 years
- new rules concerning descriptions for candidates, including the use of candidates' common names.

3.10 Innovative voting method pilots. Twelve pilot schemes operated during the May 2007 local government elections. There were four different types: e-voting,

e-counting, advance voting and signing for ballot papers in polling stations. The pilots provided valuable evidence and lessons learned, which will further inform the Government's Electoral Modernisation programme.

Marked register of electors

3.11 In July 2007, a consultation paper on fees for the marked register of electors produced at UK elections was published. Consultation responses are being analysed and we plan to bring forward proposals for new fees taking into account the comments received.

3.12 Legislation and extra funding for registration has contributed to an increase of around 450,000 in the number of people on the electoral roll. This has meant that there are more people eligible to exercise their democratic rights and vote in local/European elections and the General Election.

3.13 The registration rates for people eligible to vote in both Local/European and the General Election now stand at 45.1 million for both.

Greater London Assembly elections

3.14 The Department, in consultation with key stakeholders, prepared new rules for the conduct of elections scheduled for May 2008 for the Mayor of London and members of the Greater London Assembly (GLA). The rules were laid before Parliament in December 2007. We supported the work of the GLA in the preparations for the elections, and the e-counting of votes cast.

Boundaries

3.15 Parliament considered and approved the report of the fifth general review of Parliamentary constituencies by the Boundary Commission for England.

450,000

The increase in the number of people on the electoral roll

October 2009

The Supreme Court will commence operations

Parliament made an Order implementing the new constituencies on 13 June 2007.

A further Order was made on 3 October 2007 designating returning officers and acting returning officers for the new constituencies.

Co-ordinated on-line Record of Electors (CORE)

3.16 The Department continued work on CORE, in particular, the definition of data standards for implementation by all electoral registration officers to improve the quality of electoral registers. We also continued work on clearly specifying the scope of the CORE project, collecting business and user requirements.

Prisoners' voting rights consultation

3.17 The UK Government consulted publicly on the complex issues raised by the judgement of the Grand Chamber of the European Court of Human Rights on prisoners' voting rights. The Government is currently considering how to take forward the implementation of the Grand Chamber judgement in light of this consultation.

Democratic and youth engagement

3.18 Our aim is to encourage people to engage in the democratic process; to promote what the Government is doing to engage young people, but also to hear first hand what young people have to say about the causes of disengagement and how they might be tackled.

Democratic engagement

3.19 The Department's democratic engagement programme aims to increase the capacity of Government to engage with citizens. We work closely across Whitehall to help create a coherent cross-government approach to engagement.

The 'Digital Dialogues' project on the use of digital technologies by Government continued into a third phase with further case studies and guidance. Peopleandparticipation.net, an online tool, was launched in October 2007 to help users select appropriate engagement methods. An innovation fund supports small-scale projects to develop innovative and transferable engagement tools.

'Your Voice Counts' – youth conference

3.20 During 2007 the Democracy Minister met 300 young people from youth groups, secondary schools, primary schools and community groups to hear first hand what young people have to say about the causes of disengagement and how these might be tackled. On 9 October, the Minister hosted a Ministry of Justice Youth Conference 'Your Voice Counts' to bring all those young people together for further discussion. It was attended by more than 140 young people, and around 100 adults including 13 Ministers, 4 MPs and 41 councillors. The conference received extremely positive feedback from the participants as well as local, national and international media coverage.

Supreme Court implementation

3.21 The establishment of the Supreme Court of the United Kingdom was enacted in the Constitutional Reform Act 2005. The Supreme Court is due to commence operations in October 2009, and take over the jurisdiction of the Appellate Committee of the House of Lords, and the devolved functions of the Judicial Committee of the Privy Council (the highest court of appeal for several independent Commonwealth countries, the UK overseas territories, and the British Crown dependencies). It will be the final court of appeal for all criminal and civil cases in England, Wales and Northern Ireland and the final court of appeal for civil cases in Scotland. It will visibly strengthen



A date with democracy
Case study

More than 140 young people were invited to the 'Your Voice Counts' conference to have their say about why they and their contemporaries find politics so uninspiring and what it might take to get them involved.

The event, which aimed to persuade young people to take more of an interest in the democratic process, included a 'speed-dating' session. The young delegates were given three-minute slots to put their questions to the Ministers, MPs and councillors who volunteered to take part.

A 16-year-old schoolgirl from Ealing in West London, was impressed by the informal nature of the speed dating: "You could ask what you wanted, things that really mattered to you". The conference also gave the youngsters opportunities to:

- try out an electronic voting system
- have a go at being a councillor, and
- speak their minds in a Big Brother-style diary room.

For nine-year-old Nicholas, the day achieved its objective and raised his sights even higher: "I learned a lot about politics today. Me and my friends are dreaming about becoming Prime Minister now".

the independence of the judiciary from the legislature and executive and support public understanding of the judicial system, sitting at the apex of all other courts.

3.22 Westminster City Council gave planning permission for the new Supreme Court building at Middlesex Guildhall in November 2006. Kier Group was the successful building contractor and work began in June 2007. The first stage of the renovation works will conclude in spring 2008, when refurbishment will begin. The work is currently on target to be completed in early 2009 to budget. However, some

damage to the fabric has been found which may affect the overall cost of the programme. The Justice Secretary will make a statement to the House when the full extent of the damage is known.

3.23 The appointment of the first Chief Executive of the Supreme Court was announced in January 2008. The Chief Executive will work with the Supreme Court implementation team and the Law Lords to ensure a modern, world class institution is established, based on the principles of justice, democracy and independence.

3.24 In April 2008, it was announced that Lord Phillips of Worth Matravers would be the next Senior Lord of Appeal in Ordinary, replacing Lord Bingham of Cornhill when he retires in October 2008. Lord Phillips will become President of the Supreme Court of the United Kingdom when the Court is launched in October 2009.

House of Lords reform

3.25 Reforming the House of Lords is a key part of achieving the Government's objective of modernising the constitution. Following its historic reforms in 1999, when the bulk of the hereditary peers were removed, the Government is pressing ahead with plans to develop a more legitimate and representative second House.

3.26 In March 2007, MPs voted for the second chamber to be 80 per cent or 100 per cent elected. Since then, a cross-party group led by the Justice Secretary has been discussing how the details of reform might be worked out in practice. The cross-party talks have taken place against this background and against an agreed understanding that the primacy of the House of Commons will be preserved. The group has discussed the full range of issues, including matters such as the role and powers of the second chamber, electoral systems, how any appointed element might work, matters such as provision for disqualification and resignation and the transition from the present House to a new chamber. The talks have been constructive. The Government plans to publish a further White Paper before the summer recess reflecting the outcome of the cross-party meetings and other work.

European and international relations

3.27 The MoJ is responsible for policy at

EU level concerning judicial co-operation in civil, family and certain aspects of criminal justice matters, human rights and information rights, notably data protection. It works closely with the Home Office and the office of the Attorney General on other criminal policy and with the devolved administrations in relation to devolved justice matters.

European policy

3.28 In 2007 there was agreement on several important proposals supported by the UK. They included transfer of prisoners from other EU states to their home countries, rules governing sharing of data in the area of police co-operation, a measure on mutual recognition of suspended sentences and similar sanctions, and a directive concerning mediation in civil matters. The Government welcomed agreement on rules about which country's law should apply in international contracts. The Government will now consult on whether the UK should opt-in to these rules.

3.29 Negotiations were successfully concluded in November 2007 for a new Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. This will enable better collection of maintenance for children from parents who have moved abroad by making the procedures less complex.

International development and reform

3.30 The Department provided assistance to the Romanian Government on the development of judicial administration. Ministers met Ministers of Justice in Romania, Bulgaria, Croatia and Turkey to encourage development and reform.

Judicial exchanges

3.31 The Department took part in judicial exchanges with Germany and Israel to

promote the common law, links between senior judges and a greater understanding of the operation of the administration of justice in the UK.

Legal services

3.32 The Department continued to work closely with legal services stakeholders, other Government departments, and the European Commission, to promote more open and competitive markets for legal services around the world, concentrating in 2007 on India, where it is unlawful for foreign lawyers to practice. The lead Minister visited four Indian cities and the Permanent Secretary visited Delhi to lobby the Government and legal profession to liberalise the sector. The Indian Justice Minister in turn visited London to continue these discussions and made a firm commitment to opening the market.

Crown dependencies

3.33 The MoJ manages the relationship between the Crown Dependencies and the UK, the EU and the wider international community.

3.34 The Bailiwicks of Jersey and Guernsey and the Isle of Man are internally self-governing dependencies of the Crown, with their own ministerial systems of government and legal, judicial, fiscal and administrative systems. The UK is responsible for their international representation. The Department works with the Governments of each to represent and promote both their policy interests to relevant UK Government departments, and UK policy and interests to the dependencies. In April 2007 the Justice Secretary signed with the Chief Ministers of Jersey and the Isle of Man an international identity framework document setting out the nature of the relationship between the UK and the relevant Crown Dependencies in the international arena. It is hoped that

a similar document in respect of Guernsey will be finalised in due course.

Freedom of information

3.35 The MoJ is responsible for leading on information rights within Whitehall and has policy responsibility for the Freedom of Information Act 2000 and the Data Protection Act 1998.

Freedom of information

3.36 The Department's Freedom of Information (FOI) Clearing House advises departments across Whitehall in handling complex FOI requests and seeks to improve capability to deliver FOI as business as usual. The Clearing House also co-ordinates the Government's FOI litigation to ensure that appeals to the Information Tribunal and the courts are determined in line with the Government's policy objectives.

3.37 In 2006/07 the Department consulted on proposals to amend the FOI fees regulations. Following responses to the consultation, the Government announced on 25 October 2007 that it would not be proceeding with the proposals, but would instead be working with the Information Commissioner's Office to provide good practice on FOI. A consultation was launched on extending FOI to a range of organisations carrying out public functions.

Data protection and data sharing

3.38 The Department is responsible for the Government's domestic policy on data protection and data sharing. We have a central role on providing advice on policy and legislative proposals and ensuring that all parts of Government apply the legal framework in a consistent manner. Following an announcement by the Prime Minister on 25 October, the Department has provided the secretariat to the independent review, established to examine how personal information

is used and protected within the private and public sectors. Richard Thomas, the Information Commissioner, and Dr Mark Walport, Director of the Wellcome Trust are jointly leading this review. In December 2007, the Department announced that it would consult in the new year on giving the Information Commissioner statutory powers to inspect organisations right across the public sector and a commitment in principle to the introduction of new sanctions under the Data Protection Act 1998 for the most serious breaches of its principles.

International data sharing

3.39 The Department is responsible for promoting and safeguarding the UK's interests in the development of international information rights. A general approach to the Data Protection Framework Decision, which will set uniform, appropriate data protection standards where personal data is transferred between EU Member States in the criminal context, was agreed at the Justice and Home Affairs Council in November 2007. We aim to develop an international data sharing framework which promotes the interests of the UK by advising on and negotiating appropriate data protection standards and co-ordinating UK Government initiatives. To this end, the Department took steps to set up a cross-Whitehall group to consider UK Government initiatives that involve the sharing of personal data with EU and international partners. The group will meet at regular intervals throughout 2008.

Human rights

3.40 The Department is responsible for ensuring that Government departments and public authorities apply the Human Rights Act 1998 with common sense and incorporate human rights principles into their plans for service delivery.

Human Rights programme

3.41 The Human Rights programme followed the *Review of the Implementation of the Human Rights Act* published in July 2006. Under the programme, completed in September 2007, the Department has put in place a series of initiatives, both to improve training, guidance and advice within central government and the wider public sector and to increase public awareness and understanding of the Human Rights Act itself. As part of this process, the Department has published new and revised generic human rights guidance for officials in public authorities. This has been widely distributed and is available on the MoJ website. The Office for Government Commerce conducted an independent evaluation of the Programme, confirming it had achieved all its principal objectives.

Equality and Human Rights Commission

3.42 The Equality and Human Rights Commission began operation in October 2007. The Department is working closely with the new commission to ensure that human rights policy is at the forefront of its work in reducing inequality, eliminating discrimination, protecting human rights and strengthening good relations between communities.

Agency for Fundamental Rights

3.43 The Department co-ordinated the UK negotiations leading to the establishment of the European Union Agency for Fundamental Rights (FRA) on 1 March 2007 and the Fundamental Rights and Citizenship Programme 2007-2013 in April 2007, achieving all the UK's key objectives in the negotiations. The agency and the programme will complement the work of existing international human rights bodies, particularly the Council of Europe and the Organisation for Security and Co-operation in Europe (OSCE).

Periodic report to the United Nations

3.44 In July 2007, the Department sent the UK Fifth Periodic Report to the United Nations on the International Covenant on Economic, Social and Cultural Rights. In 2008, the Department will lead two delegations at two examinations on human rights at the United Nations. In April, the UK was examined under the newly established *Universal Periodic Review* procedure (which will cover the entire spectrum of human rights protection in the UK). This included the delegation led by the Michael Wills MP, Minister for Human Rights in Geneva, which aims to promote open dialogue on human rights issues and improved delivery of human rights in practice. In July, the UK will be examined on fulfilment of its obligations under the International Covenant on Civil and Political Rights (on which the Department submitted the UK's Sixth Periodic Report in November 2006).

British Bill of Rights and Responsibilities

3.45 The Department is currently leading on proposals to consult on a possible British Bill of Rights and Responsibilities, as announced on 25 October 2007 in speeches by the Prime Minister and the Justice Secretary.

Law reform

3.46 As part of its aim of making law fairer, simpler and more cost-effective, the Department remains committed to finding ways in which Law Commission recommendations can be more readily implemented. Various discussions have been held with interested parties as to possible parliamentary procedures but no consensus has yet been reached. This work is ongoing.

3.47 The Law Commission is independent from the Government but is sponsored

by the MoJ and is an Advisory Non Departmental Public Body of the Department. It recommends reform of the law to make it clear, modern and accessible and assists the work of a number of Government departments.

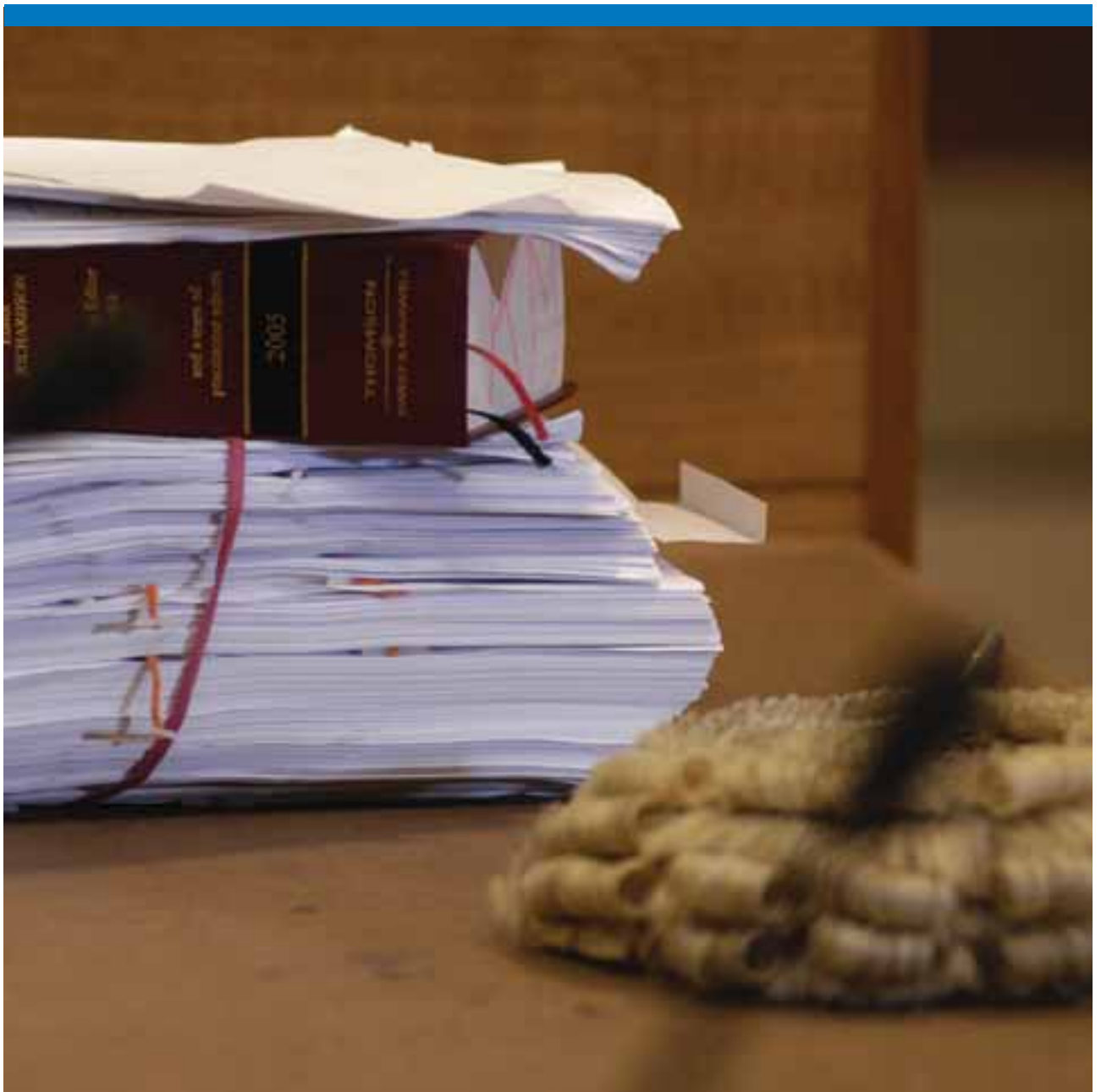
3.48 During 2007/08, the Department published a total of six consultation papers, including on encouraging responsible letting, insurance contract law and reforming bribery. Two final reports were published on participating in crime, and cohabitation. There were no consolidation Bills this year but a Statute Law (Repeals) Bill was introduced in Parliament on 27 February. At the time of writing the Bill was awaiting its committee stage in the House of Lords.

3.49 The Government also plans to strengthen the role of the Law Commission by placing a statutory duty on the Lord Chancellor to report annually to Parliament on the Government's intentions regarding outstanding Law Commission recommendations, and by providing a statutory backing for the arrangements underpinning the way in which Government should work with the Law Commission. Further details of this work will be announced in due course.

3.50 Full details of the Commission's work in 2007/08 will be reported in its annual report, to be published in June 2008.

Access to Justice

Delivering fair and simple routes to civil and family justice



Moj's role

4.1 Our role is to provide access to justice by making help, advice and financial support available at the point of need and at the earliest stage, especially for the most vulnerable by helping people find their own solutions wherever possible, but, where court intervention is necessary, ensuring that court processes are simpler and more transparent.

4.2 This chapter covers the various aspects of justice that Moj is responsible for:

- **criminal justice:** faster and more efficient justice in the magistrates' courts and Crown Court
- **family justice:** openness in family courts; reducing delays in court for cases involving vulnerable children; relationship breakdown – alternative dispute resolution
- **civil justice:** to promote justice by ensuring there are fair, effective and proportionate ways of resolving disputes
- **administrative justice:** speedier and more accessible justice for tribunal users
- **legal and judicial:** delivery of legal aid reforms and developing a diverse judiciary and legal profession.

HMCS Governance

4.3 The Justice Secretary, on behalf of the Ministry of Justice and the Lord Chief Justice, on behalf of the judiciary, have agreed new arrangements in relation to the governance, financing and operation of HMCS. The courts are, by their nature, a shared endeavour between the judiciary and the government and, under this new and unique partnership between the Justice Secretary and the Lord Chief Justice, Her Majesty's Courts Service enters a new

phase in its development, one in which we expect to see substantial improvement both in its delivery of services and in its capability to adjust to and meet the demands of modern society.

4.4 The detailed governance of HMCS is set out in the Framework Document, published on 1 April 2008. This includes a new aim and objectives set jointly by the Justice Secretary and the Lord Chief Justice. A new HMCS Board structure with greater judicial membership has been put in place. This holds HMCS (the Chief Executive and the executive team) to account. The Board is led by an independent Non-Executive Chairman, Sir Duncan Nichol, CBE, who is neither a judge nor a civil servant.

Criminal justice

Criminal Justice: Simple, Speedy, Summary (CJSSS)

4.5 Magistrates' courts - The CJSSS programme requires courts and other partners to work together to reduce unnecessary hearings and to progress cases faster. It is based on three simple principles:

- better, proportionate preparation for first hearing in the court
- ensuring first hearings are effective with pleas entered at the first opportunity wherever possible, and guilty pleas disposed of on the day
- contested cases proceeding straight to trial within a reasonable timeframe, assisted by out-of-court case progression, with pre-trial reviews taking place by exception.

These aims are intended to ensure that magistrates' courts achieve:

- a significant reduction in the time between charge and disposal to less than six weeks on average

- the majority of guilty plea cases are disposed of at first hearing and the majority of contested cases are concluded in two hearings.

4.6 Key work towards implementation has included:

- in April 2007, CJSSS project managers were appointed in each of the 42 local criminal justice areas and cross-agency local implementation teams were established
- between April and July 2007 criminal justice areas developed plans for local implementation. These were reviewed and approved by the cross-agency CJSSS operational team (a team of expert practitioners)
- in June 2007 the Judicial Studies Board (JSB) released a comprehensive CJSSS training package for magistrates and legal advisers
- in August 2007 the first CJSSS sites went live
- on 31 December 2007 implementation was complete in 41 of 42 criminal justice areas
- by April 2008, implementation was completed.

The successful roll out of CJSSS has benefited from many different factors:

- strong national senior leadership from the Senior Presiding Judge, Criminal Justice Departments, agencies and the legal profession
- Local Criminal Justice Board (LCJB) ownership, ensuring local delivery
- cross-agency and judicial co-operation at both national and local level

- a sound evidence base from the four CJSSS tests and the magistrates' courts review.

4.7 Benefits of CJSSS include:

- performance gains in terms of increased early guilty pleas and a significant increase in the number of guilty pleas sentenced on the day. These gains have been further driven up by joint work with NOMS to ensure better court engagement with the probation service
- victims and witnesses are benefiting through speedier resolution of cases and through increased confidence that trials will proceed on the first date listed
- witness care staff have more time to improve the service they provide to vulnerable witnesses.

4.8 Successful implementation depends on close inter-agency working and the adoption of a 'right first time' approach. When fully implemented, CJSSS is expected to bring benefits to all agencies – victims and witnesses and defendants and most importantly the public – who can see justice dispensed more quickly and efficiently. The success of the initiative will be evaluated both locally and nationally.

4.9 The Crown Court – In the Crown Court, CJSSS sets two ambitions:

- to reduce the number of pre-trial hearings so that the majority of cases have no more than two pre-trial hearings
- to improve timeliness so that the majority of cases are concluded within 16 weeks of receipt by the court.

These are underpinned by the following three objectives:

- to eliminate unnecessary hearings with



CJSSS
Case study

CJSSS - or Simple, Speedy, Summary Justice – is making justice faster, more efficient and more effective across the country.

Hereford Magistrates’ Court is a prime example. Before speedy justice became a reality, around 32 per cent of cases were being adjourned at first hearing. With CJSSS, that figure has dropped to seven per cent.

Area Legal Manager, Richard Burton, is clear about the impact of CJSSS: “It is freeing-up court time. We can get other cases onto our list much quicker, further speeding up justice delivery”.

Better prepared legal advisers and magistrates are among the many benefits of CJSSS. According to Richard: “Legal advisers can see exactly what’s involved in a case. And the Bench is better briefed. They can question and delve deeper into a case.”

Bench Chair at Hereford Magistrates’ Court, Dr Philip Ashurst JP, agrees: “It has given magistrates the confidence to be more robust and inquisitorial. Advocates are less likely to make spurious requests. They know that they’ll be questioned or challenged.”

- the expectation that most cases will have no more than two pre-trial hearings
 - to reduce the time from charge to disposal with an expectation that the majority of cases, where possible, will be concluded within 16 weeks
 - to identify and share good practice.
- 4.10** Work so far includes:
- setting up a Crown Court innovations group to provide all parties with better information to progress cases more quickly in the Crown Court
 - working with the Criminal Procedure Rules Committee to identify any potential legislative changes
 - a best practice model which supports the reducing hearings tests was promulgated in June 2007 with strong support from the senior judiciary. By September 2007, in comparison with September 2006, there was a 28.7 per cent reduction in the number of mention hearings
 - continued work with the judiciary to identify further extensive improvements.

Community justice

4.11 Community justice is about engaging with the local community, making the court more responsive to local people and working in partnership with the range of criminal justice agencies, support services and community groups to solve the problems caused by offending in the local area. By strengthening the links between the courts and the local community, local people's confidence in the work of the court will increase and the community feel empowered to take more action to tackle offending behaviour and reduce crime. The courts take a problem-solving approach, aiming to break cycles of re-offending by bringing together a range of statutory and third sector agencies to tackle the underlying causes of crime such as addiction, housing, education or debt problems.

4.12 There are now 13 community justice projects across England and Wales. The first two, the community justice centre in North Liverpool and the Salford community justice initiative, celebrated their second anniversaries in autumn 2007. Community justice has expanded to cover 11 new areas of England and Wales, with courts established at Birmingham, Bradford, Hull, Leicester, Merthyr Tydfil, Middlesborough, Nottingham, Plymouth, and three locations in London - Haringey, Newham and Wandsworth.

4.13 The MoJ is working to extend the concept of community justice more widely. This is starting with the roll out of community engagement principles to the magistrates' courts by the end of 2008, engaging directly with the community to give the courts a better understanding of the issues faced by local communities and the impact of crime on their lives. This means putting cases affecting the community into context, understanding the wider picture and

the underlying problems that contribute to it. People will have a more visible, more approachable court, leading to increased confidence in the courts and the Criminal Justice System (CJS).

4.14 The MoJ will also explore how the approaches used in community justice relate to those in problem solving courts such as the dedicated drug court model being piloted at Leeds magistrates' court and West London magistrates' court. In this model, the same district judge or panel of magistrates who sentences the offender provides continuity and stability in reviewing the offender's progress on drug treatment orders and in dealing with breaches of the order. The pilots are testing what impact such continuity has on motivating offenders to stay in treatment and so reduce their drug use and related offending. An independent evaluation of the pilot drugs courts in Leeds and West London was published in April 2008. The report provides positive indications on several key outcomes, including offenders being less likely to miss a court hearing, less likely to be re-convicted and more likely to complete their community order. The dedicated drug court model will be extended up to four more sites and will commence from October 2008.

Domestic violence

4.15 We are continuing to improve the justice system so that victims of domestic violence have access to a swift and effective service from the courts.

4.16 Implementation of the Domestic Violence, Crime and Victims Act 2004 – The Act introduced a number of new powers (and amendments to existing ones) to strengthen the victim's case when brought to the attention of the CJS.

4.17 The Department has committed

100+

The number of Specialist Domestic Violence Courts in 2008

£3m towards independent domestic violence advisor services for 2007/08 and future years. These services have helped to support the expansion of the number of Specialist Domestic Violence Courts (SDVCs) to at least 100 sites in 2008 – building on the success of the SDVC programme of work begun in 2005/06, when 25 sites were identified. A review of the first 23 SDVC systems, published in March 2008 showed that they have also contributed to more effective justice and safety for domestic violence victims. Another 34 new domestic violence court systems are coming on stream in England and Wales, bringing the total to 98.

4.18 Her Majesty's Courts Service (HMCS) has produced a DVD about the family court process. *'You don't have to live in fear'*, which aims to address the concerns which victims may have when making an application for a civil injunction. We updated *'Domestic Violence - A Guide to Civil Remedies and Criminal Sanctions'* which we know from feedback is our most popular reference guide. Since 2003, it has been available in English, Welsh and eight other languages.

4.19 From 1 June 2007, victims of stalking and domestic violence have benefited from new legislation in the Electoral Administration Act 2006 which is designed to protect people at risk if their details appear on the electoral register. Those at risk can apply to their local authority in England and Wales to be registered anonymously while still being able to vote.

4.20 We have seen innovative work with employers in the past year, with progress made with Government departments on staff training, domestic violence policies and awareness raising. MoJ became a member of the Corporate Alliance Against Domestic Violence (CAADV) in 2006 and

published a staff policy for dealing with domestic violence in November 2007.

Family justice

Openness in family courts

4.21 Our aim is to improve public confidence and ensure that important work done by those working in the family justice system is properly understood and valued, whilst at the same time safeguarding the privacy of those involved in proceedings - especially children.

4.22 Following on from the 2006 consultation, *Confidence and Confidentiality Improving transparency and privacy in family courts*, we undertook a further consultation in June 2007, *Confidence and confidentiality: Openness in family courts – a new approach*. That consultation closed on 31 October 2007, we will publish our response in the summer of 2008.

Vulnerable children (SR 2004 PSA 4)

Reducing unnecessary delay in public law care cases

4.23 Children and families involved in care proceedings are among the most vulnerable in society. The average care case lasts about a year. This is a time in which the child is left uncertain as to his or her future and is often moved between several temporary care arrangements. Change is needed to reduce the impact of unnecessary delay on the children involved in care proceedings.

4.24 On 1 April 2008, the Care Proceedings programme implemented two key reforms arising out of the *Review of the Child Care Proceedings System in England & Wales* (published May 2006). Revised statutory guidance for local authorities, issued by

the Department for Children, Schools and Families and Welsh Assembly Government, on preparing care applications for court, and a Public Law Outline (PLO) replaced the existing Protocol for Judicial Case Management in Public Law Children Act cases. In addition, the new graduated legal aid fee scheme for care cases, which was introduced on 1 October 2007, includes a new level of free pre-proceedings legal advice for parents and those with parental responsibility. This early engagement with parents aims to avoid proceedings where safe and appropriate to do so and/or limit the issues in the case.

4.25 Within HMCS, a Family Programme Forum made up of 'family lead' area directors from each region meets on a quarterly basis to co-ordinate work to improve performance, monitor progress against local action plans, share best practice and discuss lessons learned, with a view to improving underlying performance.

Unified Family Service

4.26 The Unified Family Service (UFS) programme brings together the work of the family proceedings courts and the county courts combining expertise from both areas to give greater flexibility and providing centralised administration for court hearings listed locally.

4.27 Piloting this approach in Birmingham, Barnet and Ipswich has confirmed its success. Whilst performance against the PSA 4 target is falling in non co-located courts sites, co-located administrations are maintaining their performance. The UFS team is currently developing a blueprint for national roll out of similar co-located administrations and family court centres.

Relationship breakdown

4.28 Our aim is to deliver improvements

to the information available to parents and greater use of alternative dispute resolution mechanisms such as mediation and conciliation before or at the start of court proceedings.

Parental separation

4.29 The MoJ is working with other agencies to improve the handling of cases relating to parental relationship breakdown and its effect on children, especially when parents cannot agree on the future of their children. A programme of work is delivering measures set out in *Parental Separation: Children's Needs and Parents' Responsibilities - Next Steps* (January 2005).

4.30 The measures will also improve court processes and provide appropriate information, advice and assistance pre-proceedings to avoid cases coming to court unnecessarily. Alternative dispute resolution services can, in appropriate cases, provide a better way to settle disputes than through court proceedings. Where these cases come to court, Part 1 of the Children and Adoption Act 2006 will give the courts more flexible powers to help resolve these contact cases. The Government will make an announcement soon on the timetable for implementation of the remaining provisions in Part 1 of the Act.

4.31 The work of the programme falls into the following themes:

- **access to quality information and advice** – this includes the continued promotion of parenting plans (a free guide for separating parents) and improved signposting to sources of help and advice
- **access to specialist legal advice** – an increased focus on delivering practical assistance and legal help, coupled with signposting to other appropriate services,

July 2007

The Forced Marriage (Civil Protection) Act 2007 will protect victims of forced marriages

to tackle linked problems and seek to find a non-court based resolution (where safe). In October 2007 the Legal Services Commission began a 12-month pilot to test the provision of specialist family advice over the telephone. New legal aid fee schemes for private law cases, designed to support the aim of settling cases early and avoiding contested court proceedings were also introduced in October (see **Private family law cases – new fees framework** below)

- **safeguarding from harm** – on 1 October 2007, Section 7 of the Children and Adoption Act 2006 came into force, placing a statutory duty on the Children and Family Court Advisory and Support Service (Cafcass) to carry out a risk assessment and report the findings to the court where a child is suspected of being at risk of harm. In December 2007 we published research into the effectiveness of new forms introduced in January 2005 to identify at an early stage allegations of domestic violence or abuse. The findings are helping to inform changes to the forms
- **improved case management** – Cafcass has continued to refocus its resources away from writing lengthy reports for the court to face-to-face dispute resolution work with families. This is helping to reduce delay
- **alternative dispute resolution** – the further development and promotion of alternative dispute resolution services; for cases that do come to court, an early dispute resolution (conciliation) meeting in appropriate cases and stronger encouragement for parties to attempt mediation
- **supporting families to make contact work** – beyond the court order, we seek to provide greater support to help families make contact work. Family Assistance Orders (FAOs), allow Cafcass

to work with a family to overcome problems and conflict associated with separation or divorce

- **wider enforcement powers** – in cases which give rise to enforcement issues, a wider range of powers will be available to the courts to ensure that the child is not denied access to meaningful contact with the non-resident parent.

4.32 Family mediation

Family mediation can offer considerable advantages over going to court in many cases, especially where children are involved.

4.33 In order to support this, the Family Mediation Helpline was set up www.familymediationhelpline.co.uk. This provides information about family mediation, advice as to the likely suitability of specific cases for mediation, advice on eligibility for public funding and details of and referrals to local mediation services. Where appropriate the trained helpline operators also signpost callers to other services including Citizens Advice, Relate, the Domestic Violence Helpline, Parentline Plus and debt and addiction counselling services.

4.34 Private family law cases – new fees framework

It is important that the legal aid system encourages mediation and early settlement, so that family disputes are not unnecessarily drawn out, which may be harmful to the children involved. The Family Help (Private) Fee Scheme now includes settlement payments to remove any financial disincentives for early settlement of cases.

4.35 We have increased payments for all mediation assessment meetings, and we have introduced a new level of service - Family Help (Lower) - to support negotiation in both family private and care proceedings. We have also exempted

clients from paying the statutory charge where their case completes at Family Help (Lower) - again, to encourage resolution through mediation where appropriate.

Forced Marriage Act

4.36 The Forced Marriage (Civil Protection) Act 2007 received Royal Assent in July 2007 and will protect victims of forced marriages and prevent them from taking place.

4.37 Implementation of the Act in autumn 2008 will enable applications to be made at specified local county courts and for applications to be made on behalf of victims.

Civil justice

Proportionate dispute resolution (SR 2004 PSA 5)

4.38 Our aim is for more people to be able to resolve their disputes effectively themselves, or through a range of advice and resolution services, to enable courts and tribunals to focus on the most serious cases.

Increasing legal advice and assistance

4.39 Community Legal Advice (CLA) centres and networks provide independent and confidential legal advice and representation services. They delivered 74,858 acts of telephone based assistance between April 2007 and February 2008. This is a significant increase on the 22,000 acts delivered during the whole of the baseline year of 2004/05. As these acts of assistance were provided to those who are eligible for legal aid, this meant that vulnerable people (many of whom have multiple problems) received high-quality, professional advice without charge.

4.40 CLA has also been successful in

providing free legal information leaflets to the public. In 2007/08, an estimated 2million people visited the website and an estimated 250,000 requested leaflet downloads. This compares to 630,000 website visits and 107,000 leaflet downloads in 2004/05.

4.41 The first CLA centre was opened in Gateshead in April 2007. The aim of such centres is to provide free face-to-face legal advice in areas such as debt, employment, community care, welfare benefits and any public law relating to these categories. New CLA centres or networks are planned for Derby, Leicester, Portsmouth, Cornwall, East Riding of Yorkshire, Wakefield, Hull and Barking and Dagenham.

Increasing opportunities for people to settle their cases out of court

4.42 Between March 2007 and February 2008, the small claims mediators at county courts settled 2097 cases saving over 2300 judicial sitting hours. Additionally, an internal survey of over 750 parties who participated in mediations resulted in a satisfaction rate with the service of over 98 per cent. National coverage is complete with 23 mediators in post by March 2008.

4.43 The National Mediation Helpline (NMH) provides a mechanism by which anyone can access time-limited, fixed fee mediations at an agreed cost proportionate to the sum at stake. NMH has enabled the courts to offer a standard mediation scheme around England and Wales, and has also encouraged competing commercial mediation-providing organisations to work together.

4.44 The Dispute Resolution Service (DRS) Scheme, provided in partnership with the Citizen's Advice Bureau and based in Wandsworth, South West London, provides people with an opportunity to obtain advice and access available dispute

resolution services without the need to go to court. This pilot is now being evaluated.

Reducing delays in resolving disputes that need to be decided by the courts

4.45 Following national media campaigns, an additional 60,000 small claims cases in relation to bank charges were issued in county courts during 2007. This inevitably put pressure on the system but the widespread use of the Money Claim On Line (MCOL) system meant that the courts were able to cope with this influx of business and arrange hearings for the vast majority of cases within the target period.

4.46 From 1 October 2007, new court fees incentivised the use of electronic channels. These are: £15-£80 for the Claims Production Centre; £5-£35 for MCOL; and, £50 for Possession Claim On Line. Greater use of online services removes repetitive, time-consuming administrative work from the courts, allowing the county courts to focus resources on those claims where there is a dispute and on enforcing debts on those debtors who can but will not pay.

4.47 The MoJ has maintained its commitment to the Civil Procedure Rule Committee (CPRC) to review the rules to ensure that they meet the need of today's court users. In the past year the focus has been on rules relating to the service of documents. New rules, which are expected in October 2008, will provide more certainty for claimants and make improved use of modern technology. Other reviews concern the allocation process of civil cases to one of the three tracks, (small claims, fast track and multi track) and the use of experts and expert evidence in civil trials. These are expected to make recommendations to the CPRC during the next year.

Tackling perceptions of a compensation culture and improving the system for valid claims

4.48 Claims management regulation was fully implemented in April 2007. Since then 1600 businesses have been authorised to provide regulated claims management services. These are required to comply with strict rules of conduct or risk disciplinary action which could result in their authorisation being removed. An impact study was published in August, which concluded that the regulatory regime has had a significant effect in reducing the malpractice previously associated with making claims for compensation.

4.49 The consultation paper: *Case track limits and the claims process for personal injury claims* was published in April 2007. The response to consultation will be published shortly. Our proposals are very much aimed at improving the claims process so that the injured person can receive their rightful compensation more quickly. A key focus is on the need to reduce unnecessary costs and delay in the system.

Social exclusion

4.50 MoJ makes an important contribution to preventing and reducing the impact of social exclusion, protecting the vulnerable and improving the life chances of all (particularly amongst those with multiple problems) through:

- promoting accessible, good and co-ordinated advice and information
- working together to break the cycle of offending
- early intervention and a problem solving approach that helps people avoid civil and family disputes

- a fair, proportionate and expeditious judicial process.

4.51 At present, our work is focused around two key categories:

- we are working closely with the Social Exclusion Task Force (SETF) in the Cabinet Office and other external partners to help deliver services which will better benefit those with multiple problems. With colleagues across Government we seek to deliver the PSA for socially excluded adults. This aims to ensure that public services support the most disadvantaged adults in improving settled accommodation and employment, education and training outcomes. The four at-risk groups identified include re-offenders for whom MoJ is responsible. In addition, the LSC will continue to contribute in its role of providing legal advice to help excluded adults resolve their problems
- we are currently developing an MoJ social exclusion strategy. This includes developing ways in which to promote better links and joint working both within the MoJ and between delivery arms such as the Community Legal Aid centres and networks, the Community Justice programme and specialist courts and services such as the Domestic Violence Courts.

4.52 The MoJ is also taking forward Recommendation 31 in Sir David Varney's review of public service delivery, *Service Transformation*, given its alignment with the Department's report of March 2006 *Getting earlier, better advice to vulnerable people*. The Varney Review emphasised the need for a government-wide drive for greater efficiency and accessibility in the delivery of services, and recommended we "explore the scope for providing more co-ordinated helpline services". It acknowledged that improved joined up

helpline advice had the potential to better serve the citizen and reduce the need for more expensive intervention in time. The MoJ is plotting the helplines landscape, identifying where greater co-ordination is required and addressing any potential barriers.

Mental capacity

4.53 The Mental Capacity Act 2005 provides greater rights for people who lack capacity and clarifies the situation for them, their carers and professionals who work with them. It provides a comprehensive legal framework supporting people in making decisions for themselves, and introduces principles, procedures and safeguards when decisions are made on behalf of someone who lacks the capacity to make decisions. On 1 October 2007, the statutory role of Public Guardian, the Office of the Public Guardian, the Independent Mental Capacity Advocate Service and the new Court of Protection became fully operational in England and Wales. A new code of practice supporting the Act was published and the new criminal offence of ill treatment or wilful neglect was introduced in April 2007.

Coroner service reform

4.54 The Government is profoundly committed to strengthening and improving the Coroners Service. In June 2006, a draft Coroners Bill was published and this will be introduced when parliamentary time allows. It will improve the service for bereaved families in England and Wales. The Bill will provide the bereaved with new rights for involvement in the process and new rights to appeal on matters and decisions which concern them. A 'Charter for Bereaved People' will set out the services they can expect to receive. The Bill will also introduce national leadership through the new post

of Chief Coroner, responsible for developing national standards and improving training for coroners, and it will improve inquest powers and procedures.

4.55 To further improve the current system, and ahead of a Bill, we are strengthening coroners' powers to make reports to prevent future deaths. This will be done by amending the Coroners' Rules to require organisations to respond to reports and for lessons learnt to be shared nationally. We are also adding a new rule to introduce a duty for coroners to notify their Local Safeguarding Children Board (LSCB) of the death of any person under 18, whose death is referred to them, so that LSCBs can fulfil their statutory responsibilities relating to child death reviews. We are also taking forward work on considering how current codes of conduct for the media might be refined to ensure there is appropriate emphasis on the need for sensitive reporting of cases in the coroners' courts.

4.56 There are 110 coroners who cover 115 jurisdictions in England and Wales dealing with in excess of 229,000⁸ reported deaths per year of which 12 per cent⁸ or 29,000⁸ lead to an inquest. Coroners are supported in their work by 500 coroners' officers and support staff. Regular meetings with and visits to coroners and their staff have shown improvements made and good work continuing at a local level. We have also encouraged improvements in the current coroner service by amalgamating smaller coroner districts in two shire counties, continued to develop our training programme for coroners and assisted with the expansion of coroner court support services to three new courts. We continued to liaise with the Coroners Officers'

Association and a range of voluntary sector groups and with faith groups. We also intend to consolidate the Cremation Regulations by late 2008.

Burials unit

4.57 In response to concerns about the action taken by some burial authorities to deal with unstable memorials which might cause an accident, a joint letter on behalf of all the relevant Government departments, the Health and Safety Executive, and the Local Government Association, was sent to all burial authorities in March 2007.

4.58 In June 2007 the Government announced its decision on the way forward on burial law reform. The ministerial statement was accompanied by publication of Burial Law and Policy in the 21st Century: The Way Forward, the Government's response to the 2004 public consultation paper. This set out proposals to enable local authorities to re-use old graves in existing cemeteries as a sustainable measure to continue to provide local burial facilities. We are working with burial professionals to develop arrangements for this.

4.59 Throughout the year we have worked with the Home Office in planning for the management of deaths in the event of an avian influenza pandemic. Draft guidance was published for consultation in August 2007, and this is now being revised in the light of responses.

4.60 In March 2007, we published updated Guidance for Custodians of War Memorials in England and Wales, which provides advice on recording and preserving war memorials, particularly those on private land or premises.

⁸ Based on 2006 statistics published in the Statistical Bulletin April 2007 – Statistics on Deaths reported to Coroners, England and Wales 2006

4.61 During the year we issued over 1,300 licences to exhume buried human remains, regulated the removal of remains from burial grounds subject to development (directions issued in nearly 20 cases), and processed over 40 applications to discontinue burials in churchyards which had no further useable space. As a result of a separate review of the legislation, we introduced new, less regulatory, procedures for dealing with human remains excavated from burial grounds no longer used or set aside as such.

Administrative justice

The Tribunals Service programme

The Tribunals, Courts and Enforcement Act

4.62 The Tribunals, Courts and Enforcement Act 2007 will create two new tribunals - the First Tier Tribunal and The Upper Tribunal - into which most existing tribunals administered by the Department will transfer. Both will be divided into chambers, where individual jurisdictions will be grouped together to maintain and expand the expertise within current tribunals. They will deliver speedy and accessible justice for tribunal users, through greater flexibility and deployment of resources across tribunals. The first chambers will be established during 2008/09.

Regional management structure

4.63 A new regional management structure was introduced in 2007 dividing England, Scotland and Wales into two regions, each with three areas. This provides a management structure common to all tribunals which can accommodate any future new jurisdictions. Regional managers hold cross-jurisdictional responsibilities and the front-line support structure is both accessible and common across all jurisdictions.

New and transferring tribunals

4.64 The Charities Act received Royal Assent on 8 November 2006, establishing the Charity Tribunal from February 2008. The tribunal hears appeals against decisions of the Charity Commission and applies to England and Wales only.

4.65 The Asylum Support Tribunal (formerly the Asylum Support Adjudicators) and the Care Standards Tribunal joined the Tribunals Service in April 2007, having transferred from the Home Office and the Department of Health respectively.

Employment Tribunal

4.66 The Employment Tribunal continues to process an increasing number of equal value and age discrimination cases. The Tribunals Service is responding to demand in this area and during 2007 began to make progress in addressing the backlog of claims.

Asylum and immigration

4.67 MoJ contributes to cross-government action to curb abuse of the asylum and immigration system and to improve the efficiency and quality of the service. The Tribunals Service is responsible for the Asylum and Immigration Tribunal (AIT) which hears appeals against decisions made by the Home Secretary and their officials in asylum, immigration and nationality matters.

4.68 The AIT continues to work in partnership with the Border and Immigration Agency (BIA) to identify matters of interest to the MoJ and to help the BIA develop and implement its own policy successfully. The AIT is working with the BIA and UK Visas to ensure the smooth implementation of the new points-based system, which began with a phased roll out of the first tier, for highly skilled migrants, to India in February 2008. The AIT is also supporting the BIA programme to simplify

£35m

Projected annual savings in the magistrates' courts following implementation of means testing

and reform immigration and asylum legislation. A draft Bill will be published for pre-legislative scrutiny in 2008.

4.69 Deportation appeals – The AIT has worked with the BIA, Ministers, HMCS, the Prison Service and the judiciary to ensure that it is adequately prepared to deal with the expected increase in appeals against automatic deportation, arising from the forthcoming implementation of the UK Borders Act 2007. The deportation appeals process has been reviewed and developed to ensure the AIT is ready to receive, hear and report on appeals within agreed timescales. The AIT is working alongside HMCS to develop a long-term strategy to deal with an increase in the number of deportees held in detention who will require secure courtrooms. Bail applications in these appeals will increasingly be conducted by video link. As these links are developed, it will also be possible to hold full hearings in the same way.

Legal and judicial

Legal aid reform

4.70 We will continue to deliver the reforms announced in *Legal Aid Reforms: The Way Ahead* on 28 November 2006. The MoJ and Legal Services Commission (LSC) will work together to ensure a future in which legal advice is of the highest quality and practitioners are able to earn a reasonable income, as well as ensure that access to justice remains at the heart of our society.

Best value tendering in criminal legal aid work

4.71 The LSC published its consultation on best value tendering (BVT) for criminal defence services on 10 December 2007. This seeks the views of practitioners and other interested parties on the basic principle and initial design of BVT. Subject

to responses to this consultation and input from the LSC's economic advisers, a fully detailed system of BVT will be developed and published for further consultation in the autumn of 2008.

4.72 Quality remains at the heart of all our legal aid reforms and MoJ and LSC are fully committed to ensuring that any changes to the procurement system do not compromise good quality services for clients. We believe that moving to a competitive market for the majority of legal aid services is the best way to deliver quality services at the best possible price.

Graduated Fees Scheme for Crown Court litigators

4.73 The MoJ and LSC introduced the new Litigators Graduated Fee Scheme on 14 January 2008 for solicitor remuneration in all Crown Court cases. This aims to increase value for money and sustainability through a shift from paying for inputs, such as time spent, to outputs such as completed cases. This will allow us to use funds more effectively. The best performing firms will have a greater opportunity to benefit financially from innovation and efficiency savings while enjoying increased financial certainty. MoJ and LSC are committed to creating a sustainable legal aid scheme so clients have continuing access to the services that they need. The LSC undertook a round of training events in December 2007 to ensure providers were fully aware of the changes to the scheme and to ensure the revised billing process was effectively implemented.

Crown Court means testing

4.74 Following the successful implementation of means testing in the magistrates' courts, now in place for over a year and on course to deliver projected net annual savings of £35m, MoJ/LSC/HMCS are developing proposals for a means

testing regime in the Crown Court. The proposed new model will be subject to a full pilot and consultation exercise before any wider rollout.

Expansion of the Criminal Defence Service and Defence Solicitor Call Centre

4.75 The Defence Solicitor Call Centre (DSCC) already operates nationally as a referral centre for all requests for duty solicitor advice at a police station. On 14 January 2008, the service was expanded to cover requests for advice where the client wishes to contact a named legal aid firm. This change will allow the LSC to ensure the provision of robust management information which will support the operation of the fixed fee scheme.

4.76 Following evaluation of a pilot, CDS Direct which provides initial advice in less serious cases, such as drink driving, disorderly behaviour and minor assaults, which would otherwise be referred to a duty solicitor, is being expanded so that it can provide advice in all such cases, including when a detainee may request his own solicitor. The expansion is in two phases - 1 February 2008 in Greater Manchester, West Midlands and West Yorkshire CJS Areas with a national roll-out in England and Wales from 21 April 2008. The expansion is subject to parliamentary approval of the pace of change.

Very High Cost Criminal Cases Panel

4.77 On 2 April 2008, the LSC announced the launch of an exclusive panel of solicitors and barristers to undertake Very High Cost Cases (VHCCs) in the Crown Court. These cases are among the most complex and high profile trials, and typically last more than 40 days. Access to the panel was determined by a tender in

2007, when teams of solicitors' firms and barristers with relevant experience of this type of work were asked to bid for a place on the panel. Solicitors' firms are able to instruct barristers on the panel list, or will be able to instruct non-panel advocates and negotiate a fee with them for their services. Controlling the costs of these types of case is a departmental priority; in 2007/08 the cost of VHCCs accounted for nearly 10 per cent of the criminal legal aid budget. The Department is now working closely with the LSC, the Bar and the Law Society on the design of the second VHCC panel, aiming to design a scheme that will encourage greater efficiency.

Future of civil legal aid services – new civil and family fee schemes

4.78 Alongside Lord Carter's report, *Legal Aid: a Market-Based Approach to Reform* the Department and LSC jointly published *Legal Aid: a sustainable future*. Informed by two major reviews of legal aid provision⁹, and as part of the desire to re-balance the legal aid budget and ensure that we are procuring a quality, efficient and diverse service at the best price for the taxpayer, we proposed a move to a system of best value tendering for the procurement of legal aid services.

4.79 In November 2006 we published our response to the *sustainable future* consultation in *Legal Aid Reform: the Way Ahead*. This set out plans to re-consult on aspects of the family fee schemes. Following this re-consultation, the final family schemes were published on 22 June 2007. New civil remuneration schemes were introduced on 1 October 2007:

- **Standard Fee Scheme:** introducing standard fees from 1 October 2007 for advice in these categories of law:

⁹A Fairer Deal for Legal Aid published July 2005 and Legal Aid: A Market-Based Approach to Reform published in July 2006

£16m

the additional funding for clients with civil and family legal problems

actions against the police, clinical negligence, community care, consumer, debt, education, employment, housing, personal injury, public law and welfare benefits.

- **Family Help (Private) Fee Scheme:** covering advice and negotiation in family proceedings between private parties, such as divorce, ancillary relief, child contact/residence, or domestic violence.
- **Family Mediation Fee Scheme:** covering mediation in private law family disputes, such as child contact/residence and financial issues.
- **Care Proceedings Graduated Fee Scheme:** covering advice, negotiation and representation at court (but excluding advocacy) in childcare or supervision proceedings brought by the state under the Children Act 1989.
- **Immigration and Asylum Graduated Fee Scheme:** covering advice and representation at a tribunal in asylum or immigration matters.

4.80 On 1 January 2008, the Mental Health Standard Fee Scheme, covering advice, negotiation and representation at the Mental Health Review Tribunal, was introduced.

4.81 These new fee schemes take forward our legal aid reform programme, in order to help as many people as possible within the resources available, by encouraging providers to deliver in the most effective manner.

Unified Contract Judicial Review (UCJR) agreement

4.82 The Unified Contract for civil legal aid providers, introduced in April 2007, brought conditions for not-for-profit advisors into line with solicitors who carry out civil legal aid work. The Law Society challenged the legality of one of the amendment

provisions of the contract on the basis of EU procurement law. The Court of Appeal found last November, that the power of amendment was too wide to comply with the procurement regulations.

4.83 In early April 2008, the MoJ, LSC and the Law Society announced that they had reached agreement on the best way forward following the Court of Appeal's judgment. This agreement ensures a period of certainty and stability for providers, enabling them to adapt to the changes already introduced, and to plan properly for future reforms. We now expect that the civil unified contract will run its course until April 2010. The LSC and MoJ will be working with the Law Society and others on the likely content of future contracts.

4.84 The legal aid reform programme continues, and the Department remains fully committed to its objectives of improving client access to quality services and providing value for money for the taxpayer.

Civil bid round

4.85 On 21 December 2007, the LSC announced additional funding of just over £16m for clients with civil and family legal problems.

4.86 The LSC undertook a tender process and awarded contracts for 67,000 extra cases across civil categories of law in addition to the 850,000 cases budgeted for at the start of the financial year.

4.87 The types of cases receiving the new funding are:

- family and domestic violence: 33,000 cases worth £8.94m
- community care: 5,500 cases worth £2m
- welfare benefits: 8,428 cases worth £1.5m

- housing: 7,485 cases worth £1.4m
- debt: 7,945 cases worth £1.4m
- employment: 3,885 cases worth £930,000.

4.88 Integrated Social Welfare Legal Advice – centres and networks

The LSC continued the development of better co-ordinated legal and other advice services through centres and networks in some of the most deprived communities in England and Wales:

- the first centre opened in Gateshead in April 2007
- centres in Leicester, Portsmouth and Derby were opened in early April 2008
- a centre in Hull is due to open later in 2008.

4.89 The centres and networks will provide the same services but the structure for delivery may differ. Centres will be run by a single legal entity (although some services maybe subcontracted) and delivered from a central office, along with outreach. Networks will see a group of providers come together to provide a shared service. This guarantees that any client can access the full range of services on offer.

4.90 The LSC is jointly commissioning these centres and networks with others (primarily local authorities). This will allow both local authorities and the LSC to maximise the value of their resources where they share common objectives.

4.91 The aim and objective of the centres and networks is to:

- enable people to protect their fundamental rights and resolve legal disputes

- tackle disadvantage and promote social inclusion
- deliver legal advice services under the same strategic framework but delivered according to the needs and priorities of local communities
- provide quality integrated legal advice services ranging from basic information to representation in court
- tackle clients' multiple and often interrelated legal problems in one place, minimising the need for referral.

4.92 Every centre and network will provide, as a minimum, advice and representation in community care, debt, employment, family, housing, welfare benefits and any public law relating to these categories. They will also provide general advice and identify opportunities for tackling common causes of local problems.

Assuring quality on legal advice and assistance

4.93 MoJ and LSC are committed to improving quality standards for clients so only those providers who deliver good quality advice to clients will be able to work in legal aid in the future.

4.94 As part of our reforms leading to our proposed goal of best value tendering, MoJ and LSC are putting into place many of the features and benefits of the Preferred Supplier Scheme, such as:

- quality assurance through the Specialist Quality Mark
- quality assessment through peer review or file assessment quality
- electronic working
- devolving responsibility to providers for more civil case decisions

- remote performance monitoring
- relationship management.

4.95 There is therefore no need to introduce a separate scheme as originally proposed. The LSC has published a policy paper explaining how we will assure quality.

Asylum and immigration legal aid

4.96 The new Immigration & Asylum Graduated Fee Scheme was introduced on 1 October 2007. The scheme covers all immigration work and the majority of asylum cases, with separate arrangements for services excluded from the main scheme.

4.97 Work continues on the pilot scheme set up in Solihull with the Border & Immigration Agency to improve asylum decisions through the provision of early and interactive legal advice to clients being dealt with through the New Asylum Model. Evaluation began in December 2007, but early legal advice will still be available to clients who are likely to benefit from the Solihull arrangements until it is complete.

4.98 Following the successful pilot schemes for detained asylum seekers and immigrants, the LSC issued tenders for specialist contracts giving access to high quality and easily accessible services for advice and representation at police stations and Immigration Removal Centres (IRCs). Individuals detained at police stations will now have access to advice from specialist immigration lawyers on non-criminal immigration matters, and an onsite advice surgery and fast track duty scheme will now operate for those detained in certain IRCs.

4.99 Amendments were made to regulations which extend the power of the Asylum and Immigration Tribunal in April 2007. They also gave judges the authority to make a costs order for preparation

work undertaken by representatives for a reconsideration hearing that has been ordered, but does not then take place. Before this amendment, there was no absolute or straightforward way in which to claim these costs.

Improving efficiency across the justice system

4.100 In addition to the reforms, which are specific to legal aid, the MoJ and LSC are also working with partners in the criminal and family justice system on national and local initiatives, which will help improve efficiency across the justice system as a whole. For example, at national level, the LSC is working with defence solicitors, HMCS and other agencies to drive the delivery of the CJSSS initiative. There have already been successes as a result, including new criminal court procedures, which are reducing delays.

4.101 Locally, achievements include:

- introducing staggered bail times in Devon and Cornwall to reduce provider and defendant waiting times
- in Wales, making custody records available to defence solicitors on arrival at police stations so that interviews can take place more quickly
- in Sussex, introducing a new police text message system to update defence solicitors on changes to bail conditions.

4.102 There is important work under way in the family justice system too. For example, in Greater Manchester, the LSC is working with the Local Family Justice Council to look at ways of improving efficiency and has also provided training to local authorities on family legal aid.

Legal services reform

4.103 The Legal Services Act 2007, which received Royal Assent on 30 October

2007, reforms the way in which legal services are regulated in England and Wales. The Act will establish an oversight regulator, the Legal Services Board (LSB) and the Office for Legal Complaints (OLC), which will administer a new independent complaints-handling body. It will also allow for alternative business structures, which will enable firms to explore new ways of organising their business to be more cost-effective, including permitting different kinds of lawyers and non-lawyers to work together and allow for external investment.

Plan for implementation of Legal Services Act 2007

4.104 Implementation of the Legal Service Board (LSB) and the Office for Legal Complaints (OLC) is expected to take approximately three years, with the LSB being fully established by early 2010 and the OLC fully established by late 2010.

4.105 The early focus of the implementation team has been on recruitment of the chair and other board members for both the LSB and the OLC. Analysis has also been undertaken to provide the incoming boards with high-level organisational design options for the LSB and OLC. This will enable both the LSB and OLC to make timely and evidence-based decisions about how to take forward the establishment of their respective bodies.

4.106 The Government has continued to consult widely and listen to different stakeholder views in taking forward implementation. The Government will continue to work closely with consumer groups through the Justice Secretary's Consumer Advisory Panel. We are also committed to drawing on the expertise and perspectives of the professions affected by the changes through established channels of consultation, such as the Implementation Working Group.

Legal Services Board – appointment / recruitment of chair and board members

4.107 The first chair of the Legal Services Board was appointed in April 2008. The recruitment exercise for the other board members began in January 2008 and they are expected to be in post by autumn 2008.

4.108 The recruitment is being carried out in line with the guidance of the Office of Commissioner for Public Appointments (OCPA). The newly appointed chair of the LSB will then be part of the appointment panel for the other board members.

Office of Legal Complaints

4.109 The LSB chair, will be responsible for appointing the OLC chair as well as the other board members. It is planned that the OLC chair will be in place by autumn 2008.

Developing a diverse judiciary and legal profession

4.110 The MoJ aims to develop a high quality, strong, independent and diverse judiciary, representative of the community it serves, thereby increasing confidence in the administration of justice.

4.111 The MoJ, Judicial Appointments Commission (JAC) and the Directorate of Judicial Offices (DJO) have a trilateral agreement to increase diversity in the judiciary. This aims to bring about a more diverse judiciary with increased understanding of the communities it serves, in order to ensure a judiciary of the highest quality which contributes to increased public confidence in the justice system. The MoJ has overall responsibility for delivering the Justice Secretary's strategy, providing the overall policy and statutory framework, and for judicial terms and conditions of service. There is a four-strand strategy in place:

- to promote judicial service and widen the range of people eligible to apply for judicial office
- to encourage a wider range of applicants to ensure the widest possible choice of candidates for selection
- to promote diversity through fair and open processes for selection to judicial office solely on merit
- to ensure that the culture and working environment for judicial office holders encourages and supports a diverse judiciary and increases the understanding of the communities served.

4.112 The MoJ is responsible for the first strand of the trilateral strategy, and is jointly responsible for the fourth strand with the DJO, the JAC is responsible for strands two and three, and these will be featured in its own annual report. Work underway includes:

Eligibility changes

4.113 The Tribunals, Courts and Enforcement Act 2007 provides for, from 2008, changes to eligibility for judicial appointment allowing fellows of the Institute of Legal Executives, Registered Patent Agents, and Registered Trademark Attorneys to apply for the first time for some judicial appointments. In addition, instead of showing possession of rights of audience to appear before the courts, applicants will be required to demonstrate relevant Post Qualification Legal Experience (PQLE). The period of experience required will be reduced to five or seven years, depending on the nature of the post in question. Applicants will continue to be assessed against a competence framework by a rigorous process and in competition with all others who apply, whatever their professional backgrounds. These changes will make it possible for the judicial system to benefit from the skills, experience

and expertise of a wider range of legal professionals.

Solicitors initiative

4.114 This MoJ initiative seeks to raise awareness of the opportunities available to solicitors, who make up a large percentage of the legal profession but do not apply for judicial appointment in similar numbers. The MoJ is working with a number of regional and London-based law firms who have signed up to a five point action plan, designed to encourage and promote judicial service within their firms. A Solicitors' Forum has also been established which meets quarterly to discuss real and perceived barriers to judicial appointment, and to explore how to encourage more solicitors to apply for judicial appointment. The forum is developing a guidance and information pack for solicitors about potential judicial careers and providing a forum for the exchange of best diversity practice between law firms.

Promotional and outreach work

4.115 MoJ representatives have attended promotional events such as university law fairs to promote judicial service to those who might never have considered it as part of their career path. The MoJ and the Law Society have jointly written to all solicitors who have become newly eligible to apply for judicial office as a result of the number of years for which they have held rights of audience. The MoJ also submits articles promoting judicial service for inclusion in publications read by solicitors. Promotional activity is also undertaken by the judiciary, many of whom act as mentors to students and young lawyers and participate in judicial work shadowing schemes.

Mentoring

4.116 Consideration is being given to extending the mentoring scheme to salaried judges, following a regional pilot scheme, in which circuit judges mentored

District Judges. The purpose of the pilot was to assess the potential benefits which mentoring could bring to judicial office holders in terms of helping them in their current post and assisting in career development. These aims mirror those of the District Bench mentoring scheme for deputy District Judges in both the county court and magistrates' court. We are currently evaluating the pilot.

Reasonable adjustment policy for judicial office holders and applicants

4.117 A reasonable adjustment policy for serving judicial office holders and applicants for judicial appointment was published by the MoJ in consultation with the DJO in August 2007. It sets out the policies and procedures to be followed to ensure that any request for a reasonable adjustment (for example in respect of working arrangements, access, equipment etc.) from a disabled office holder or applicant is dealt with appropriately. The DJO has ensured that all judicial officeholders have access to the policy.

Diversity in the legal professions

4.118 We recognise that judicial diversity cannot be improved without a more diverse legal profession. We are working closely with others to consider the best ways to support developments in this area. In autumn 2007, the MoJ suggested an 'expert network' for legal bodies and organisations. This would act as a resource for exchanging best practice in the diversity field as well as a research group taking forward discrete pieces of work. It is anticipated that this network will work alongside other networks or forums, exchanging ideas and research.

4.119 Following on from Lord Neuberger's report on barriers on entry to the Bar, published in November 2007, MoJ officials are working with members of his working party and the Bar Council to take forward

recommendations on increasing the diversity of applicants to the Bar.

Volunteer magistrates

4.120 In 2007/08, the MoJ funded and supported 74 recruitment campaigns by local advisory committees throughout England and Wales. Continuing progress on opening up the magistracy to under-represented groups through targeted recruitment remains a key priority. To further promote diversity, the MoJ has provided substantial funding grants to the Magistrates' Association's 'Magistrates in the Community' project, Operation Black Vote's 'Magistrates Shadowing Scheme' and the Citizenship Foundation's 'Magistrates' Courts Mock Trial Competition'. We are also continuing work to support the retention of magistrates, for example by engaging with employers to raise awareness of the importance of supporting employees who wish to serve as magistrates.

4.121 Judicial Studies Board training

The aim of the Judicial Studies Board's (JSB) training in fair treatment is to equip judicial office holders to carry out their judicial functions with awareness and understanding in a complex, diverse and changing society. The JSB continues to update the Equal Treatment Bench Book (available on the JSB's website), to integrate fair treatment training into the courses it delivers and to develop and improve the training provided.

74

Number of recruitment campaigns funded and supported by the MoJ helping to open up the magistracy to under-represented groups

National Offender Management Service

Protecting the public and reducing re-offending



Moj's role

5.1 Our aim is to reduce re-offending and protect the public, by ensuring that the punishment fits the crime, through ensuring that violent and dangerous offenders remain in prison for as long as they remain dangerous, breaking the cycle of re-offending through increased use of effective community penalties and rehabilitation, bringing more offences to justice and enforcing the orders of the court.

5.2 The National Offender Management Service (NOMS) was established in 2004 to introduce offender management, a new case management approach designed to manage offenders more seamlessly across community and custodial boundaries and reduce re-offending. This was supported by a commissioning approach to align service delivery with priority offender needs and greater involvement of the private and third sectors.

5.3 The key objectives for NOMS are:

- to protect the public
- to reduce re-offending
- to deliver the sentences of the court.

5.4 Lord Carter of Coles review *Securing the Future - Proposals for the Efficient and Sustainable use of Custody in England and Wales* (December 2007) noted the need for further changes to be made to help achieve these three objectives. It addressed the issue of balancing the demand for prison places with supply and achieving further efficiency in the offender management system by making structural changes within NOMS. A re-shaped NOMS came into effect from 1 April as part of the

new Moj structure. The changes bring together into a single organisation both the commissioning and performance management responsibilities for public and private prison services, probation services and the third sector. The merger and streamlining of what were three separate headquarters is intended to focus resources on front line delivery and drive efficiency through the management of service level agreements and contracts that will deliver best value.

5.5 In support of the Permanent Secretary's sponsorship function for NOMS, from April 2008, the Offender Management Supervisory Board will provide oversight of the strategic direction, performance and risk management of the NOMS agency. It will also oversee the implementation of the recommendations of Lord Carter's (2007) review of the prison system in England and Wales and their integration with the existing offender management change programme.

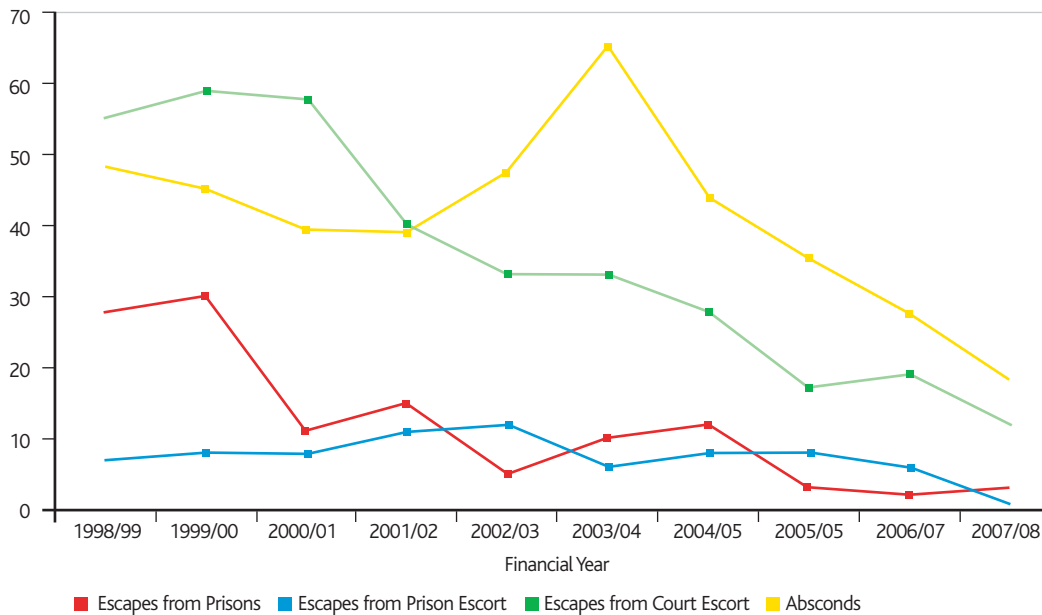
Protecting the public

5.6 NOMS aims to reduce the risk to the public by the ongoing identification and management of those offenders assessed as likely to cause serious harm.

Preventing escapes from custody

5.7 The rate of escapes from prisons and prison escorts has fallen steadily in recent years. This is despite the fact that the prison population is today around one third greater than it was in 1998. Escapes from both secure closed prisons and those from open prisons (where the act of escape is defined as an 'abscond') are now running at low levels not seen for many decades. The figure below shows the trend over the last ten years including provisional outturns¹⁰ for 2007/08.

¹⁰Prison System figures are provisional outturns for 2007/08 and subject to further validation before final publication. It is anticipated that these figures will change for a number of measures.



5.8 Since 1996 those prisoners considered to present the greatest risk to the public (Category A prisoners) have been held in specially designated prisons with enhanced security. These prisons are managed together as part of what is known as the High Security Estate. There have been no escapes of Category A prisoners since the establishment of the High Security Estate.

5.9 Underlying the considerable success across all parts of the custodial services in reducing escapes has been a tremendous effort on the part of management and staff to improve procedures and to ensure that these are followed.

5.10 Recent examples include:

- improved compliance with procedures when prisoners are taken out to external hospitals (a major risk of escape which has been targeted this year with great success);
- collaborative work with the courts to improve security during trials,

including constant improvements in security equipment within the High Security Estate ;

- effective intelligence systems and excellent collaborative work with the police and other Criminal Justice System (CJS) partners ;
- efforts by open prisons to identify and move to closed prisons potential absconders and to work with the police and the Crown Prosecution Service to punish those who do abscond.

NOMIS Programme

5.11 The development of Prison-NOMIS (a version of C-NOMIS) is underway prior to a national roll-out to all public prisons. Work is progressing on replacing/improving legacy case management systems in the National Probation Service. An approach to sharing data between prisons and probation case management systems is being developed. Furthermore, a project is underway to replace the prison offender risk assessment system (OASys) and its probation counterpart (eOASys) with a single national system.

ViSOR

5.12 ViSOR, a secure system developed to support Multi-Agency Public Protection Arrangements (MAPPA) is the first IT service to be jointly used by the police, prison and probation services. Its use will increase our ability to share intelligence, enhance public protection measures and make a very positive contribution to the way in which we manage our most dangerous offenders. Already in use by the police, ViSOR is now in live use across all public prisons and 30 probation areas including London and Greater Manchester. Full deployment is scheduled for completion by May 2008.

Effective assessment and supervision of high risk of harm offenders

5.13 Assessing and managing the risk posed by offenders under supervision in the community is key to effective offender management and, therefore, to public protection. There have been a number of initiatives designed to improve the quality of risk of harm at work.

5.14 During 2007/08, the third version of the risk of harm resource and training pack was rolled out to probation and prison staff. This contains the most recent and reliable information on making accurate assessments of the risk of harm presented by offenders and how to manage them. The learning from this and other initiatives should, coupled with the implementation of end-to-end offender management, feed through into improved quality of risk assessment reports to the Parole Board.

5.15 We also issued revised guidance for MAPPA, with new standards, for implementation from April 2008. These are designed to measure the effectiveness of MAPPA in managing those offenders in the community who have committed the most serious sexual and violent offences and are assessed as presenting a high risk of serious

harm to the public. The revised guidance includes a chapter on disclosure, to assist responsible authorities in knowing how and when disclosure of an offender's history should be made to protect potential victims.

5.16 We have worked closely with the Home Office to implement the recommendations from the Child Sex Offender Review, published in June 2007. The recommendations include a strengthened regime for approved premises (the old probation and bail hostels), more effective treatment for sex offenders and the development of a new disclosure model, to be piloted in selected areas in 2008/09.

5.17 We take seriously any incidence of serious further offending by offenders under supervision. That is why probation boards are required to review any case of serious further offending and submit their reviews to the Public Protection Unit (PPU), with action plans, where reviews have indicated any need for improvement. The PPU quality assures all reviews, ensuring that they are rigorous and comprehensive, and follows up to ensure that action plans have been implemented.

The Dangerous and Severe Personality Disorder (DSPO) Pilot Programme

5.18 The programme's aims are to enhance protection of the public and improve mental health outcomes by understanding better how to assess, treat and deliver interventions that reduce risk of re-offending of the DSPD group. Moj and the Department of Health jointly own this programme and pilot services are in place. Occupancy levels across all sites continued to improve with units moving towards the required 90 per cent levels as available capacity opened for use. A review setting out the current state of progress for the pilot was completed on time

– its recommendations are being further developed.

Effective management of mentally disordered offenders

5.19 The Mental Health Unit (MHU) manages a caseload of about 5,300 mentally disordered offenders at any one time, many of whom had been diverted from prison custody in order to receive appropriate treatment. During 2007/08, MHU took nearly 20,000 decisions in relation to them. As a result of MHU supervision, the re-offending rate for violent and sexual offences for those offenders who were followed up for two years was maintained at 2 per cent. The MoJ also worked with the Department of Health on a pilot scheme to reduce the time taken to transfer mentally ill prisoners to hospital.

5.20 The Justice Secretary has asked Lord Bradley to undertake a review to examine the extent to which offenders with mental illness or learning disability could be diverted from prison to other services and what the barriers might be. This forms part of the better management of offenders with a mental illness and identification of what more needs to be done to prevent these vulnerable people from being sent to prison. This review will aim to be complete in the summer of 2008.

Reducing re-offending

5.21 Our aim is to ensure that fewer and less serious crimes are committed by known offenders by addressing factors which cause offending behaviour. NOMS aims to do this by focusing on the seven pathways that lead to re-offending and by developing partnerships with the public, private and voluntary sectors.

Delivery of milestones in the national and regional reducing re-offending delivery plans

5.22 The latest published results for 2005¹¹ show that we have reduced adult re-offending by 7.4 per cent compared with 2000 on the predicted rate. This means that we are on track to hit the target set in the 2002 Spending Review. To continue to build on our success in reducing re-offending, we need to improve further our work with partners, both within government and through our regional and local partnerships. To this end, 2007 has seen a number of important milestones:

- the natural alignment between reducing crime and reducing re-offending was recently made clear in the new Crime Strategy, published by the Home Office in July 2007. This strategy explicitly integrated the reducing re-offending agenda with the wider crime reduction agenda, providing us with stronger levers to help drive performance nationally, regionally and locally
- the 2007 'Make Communities Safer' PSA includes a specific indicator on reducing re-offending. This new PSA, in place from April 2008, provides for a much more sophisticated understanding of re-offending. Whilst we have historically only counted the number of people who re-offend, we will now also be able to monitor the number of re-offences as well as the level of serious re-offending, and drive work to tackle the most persistent and challenging offenders
- this PSA also has close links to the Government's work on drugs and alcohol and socially excluded adults through their respective PSAs, providing additional opportunities for NOMS, and MoJ more broadly, to promote a cross-government

¹¹Re-offending of Adults: New measures of re-offending 2000-2005

response to reducing re-offending, through accessing resources for offenders as a socially excluded group

- the introduction of a measure of re-offending at probation area level has, for the first time, enabled local monitoring of performance and will help local partners assess the impact of their collective work
- local area agreements will be pivotal in ensuring an integrated drive to reduce re-offending at a local level. NOMS has liaised closely with government offices and the regional offender managers / Welsh director of offender management, to provide support and direction during negotiations with local partners.

5.23 To support the introduction of the new PSAs and re-offending targets, we will be launching the new Reducing Re-offending Strategic Plan and Third Sector Action Plan in June 2008. This will set out how we meet the challenge of the new PSA as well as the contribution which reducing re-offending can make to reducing overall crime levels and protecting the public.

5.24 Reducing re-offending is about doing the right things with the right people in the right way and the plan will emphasise the need to prioritise effectively our resources thereby maximising our impact and ensuring best value. NOMS has been working through partnerships with the public, private and voluntary sectors to explore what services can be secured by commissioning from a range of sources to maximise the resource we have available to rehabilitate offenders.

Completion of accredited offending behaviour programmes

5.25 Targeting offenders and the underlying causes of their offending behaviour makes a genuine impact on

crime and anti social behaviour. We have continued to deliver evidence based interventions, which tackle offending related needs. The target for the numbers of offenders completing offending behaviour programmes during 2007/08 is 24,630. The National Probation Service has met programme targets for 2007/08. HM Prison Service has met both our Living Skills target and our Sex Offenders target for 2007/08.

Offender health strategy

5.26 Offenders are a socially excluded group. They find it hard to access health services, and when they do it is too often only when their situations have led them to crisis point. It should be cheaper and more effective for health and social services to intervene earlier, to improve and promote the health of vulnerable people whose situations might lead them to offend.

5.27 The Department of Health is leading on a consultation document *Improving Health, Supporting Justice* which will examine ways in which health and social care services for people in contact with the criminal justice system can be improved. The consultation gives service users, third sector organisations and professionals in the health, social care and criminal justice fields the opportunity to tell government about the improvements we can make to the services provided to this group of people, many of whom have complex needs which require partnership working across multiple government agencies. The consultation was completed in March 2008 and will lead to the production of a final strategic document following the Bradley Review, referred to in paragraph 5.20.

Delivering the sentences of the courts

5.28 Our aim is to ensure the effective delivery of the punishment and rehabilitation elements of the sentence in both custody and community.

Criminal Justice and Immigration Bill

5.29 The Criminal Justice and Immigration Act received Royal Assent on 8 May 2008. It contains a wide range of measures which will support the delivery of a fair, efficient, simple and speedy criminal justice system which will protect the public and deliver justice for all. In particular, it will help focus prison and probation resources on serious and dangerous offenders. To this end the Act contains a number of measures to reform the sentencing framework and bail arrangements as recommended in Lord Carter of Coles report of December 2007.

Preventing self inflicted deaths

5.30 One of the most challenging areas of prison work is that of safer custody and the prevention of self-inflicted deaths. Although the high level Key Performance Indicator (KPI) for reduced self-inflicted prisoner death rates by prisoner population was met in 2007/08 for the third year in a row, there was a rise in numbers to 85 from 73¹².

5.31 Many hundreds of prisoners have been helped by the care and timely interventions of staff. Revised suicide prevention and self-harm management guidance for prison staff was published in October 2007 and the ACCT (Assessment, Care in Custody and Teamwork) care system for at-risk prisoners was rolled-out across the entire estate in 2007. Our aim is that these tools, along with a range of other measures including improved

staff training on mental health and other issues, a renewed emphasis in on deaths in segregation units and peer support recruitment, will better prevent deaths in the future.

5.32 We have placed greater emphasis on maximising learning from deaths. A high level forum for sharing and learning lessons from deaths in all custodial settings, the Forum for Preventing Deaths in Custody, was established in 2006 and continued to meet in 2007. It brings together - under independent chairing and with an observer from the Parliamentary Joint Committee on Human Rights - healthcare and criminal justice professionals including police, prisons, the Department of Health, the main inspection and investigative agencies, and Coroners and interest group representatives. The findings of an independent review of the Forum and related high level machinery were published in January 2008.

Young Offenders

5.33 The Department for Children, Schools and Families assumed joint responsibility with the Ministry of Justice for youth justice issues on 28 June 2007. We have worked with colleagues in that Department to establish joint working arrangements which ensure that we benefit from the additional focus which this partnership brings. The Children's Plan published at the end of last year set out our joint priorities and intentions to review our approach to preventing youth crime and tackling offending.

5.34 The Children's Plan also signalled the development of the Youth Crime Action Plan which will set out cross-government arrangements for tackling the overall level

¹²Prison System figures are provisional outturns for 2007/08 and subject to further validation before final publication. It is anticipated that these figures will change for a number of measures.

of youth crime, including preventing young people offending in the first place; reducing re-offending rates; tackling wider welfare needs and risk factors that contribute to offending; and addressing public concern about youth crime. It will also seek to strengthen preventative measures to stop young people offending. A key element of the Action Plan will be the Resettlement Green Paper which will aim to explore how we can improve post-justice continuity of care following custody and YOT supervision to improve outcomes and reduce re-offending. Both the Action Plan and the Green Paper are due to be published in the summer.

5.35 In October 2007, an independent joint review of restraint in juvenile secure settings – Young Offender Institutions, Secure Training Centres and Secure Children’s Homes was established. The review has consulted widely with stakeholders as part of the review and plans to submit its recommendations to Ministers in June 2008.

Corston report

5.36 In December 2007, the Government published its response to the report by Baroness Corston of her review of women with particular vulnerabilities in the CJS. The report contained 43 recommendations aimed at improving the approaches, services and interventions for women offenders and women at risk of offending, almost all of which were accepted. The focus of the Government’s response is on improving community based interventions and services for women so that problems associated with their offending are addressed at an earlier stage in the community, and that custody is only used for those women who really need to be there.

5.37 Baroness Corston highlighted that key to the successful implementation of

her proposals was high-level leadership at ministerial level and better co-ordination across departments. In response, the Reducing Re-Offending Inter-Ministerial Group now provides governance and ensures ministers from across the relevant departments are engaged. In addition, the Parliamentary Under Secretary of State, Maria Eagle MP, has been appointed as Ministerial Champion for Women in the CJS to give this work the leadership and priority it needs. She has convened a sub-group of Ministerial colleagues to ensure the Government’s commitments in response to Corston are driven forward.

Roll out of offender management model

5.38 The Offender Management Model (OMM) aims to establish a whole-system approach to the management of offenders with one community based offender manager overseeing the whole of a sentence including periods in custody. It is being implemented in phases with offenders under supervision in the community and offenders in custody assessed as high / very high risk of serious harm or classed as ‘Prolific or Other Priority’ serving a determinate sentence of 12 months or more, already covered. Phase 3 began in January 2008 and extended OM to offenders serving an indeterminate sentence of imprisonment for public protection (IPP).

5.39 A Strategic Review was commissioned in July 2007 to set a clear and achievable direction for offender management aligned with the longer term commissioning strategy. The review, which reported in January 2008, reinforced the commitment to offender management and to the consolidation of phases which had already been implemented. It made a number of recommendations aimed at identifying practical solutions to the application of the model while delivering its objectives. It has also sought

to achieve a balance between national prescription and local autonomy allowing freedom to target local resources in line with national priorities.

Establishing probation trusts

5.40 In July 2007 the Offender Management Act became law, allowing the creation of Probation Trusts. The concept is that Trusts can have greater independence and flexibility to innovate than Probation Boards and ensure that the most appropriate services are delivered in their local area to reduce re-offending, protect the public and deliver the sentence. Where a Trust is failing to provide the standard of service the public can expect, the Secretary of State will have the option of using another organisation – whether public, private or charitable – which has shown it can do a better job. Six Probation Trusts were created on 1st April 2008, and early experience from these will help inform the final model for introducing trusts.

Managing the Prison Population

5.41 The prison population has continued to increase steadily as a direct impact of catching and imprisoning the most serious and dangerous offenders and dealing more effectively with persistent and voluminous offenders. 60 per cent more serious and violent offenders were imprisoned in 2007 than in 1997.

5.42 Over the past 12 months prison capacity has been significantly stretched. As a result, MoJ instigated the End of Custody Licence (ECL) on 29 June 2007. Prisoners, excluding highest risk categories, serving between 4 weeks and 4 years, were granted release on licence for the final 18 days of their custodial sentence.

5.43 Unexpected increases in the prison population during August significantly eroded the headroom in prison capacity gained through ECL. The population

continued to rise through the second half of the year and on 2 May 2008 the prison population reached a new all time high of 82,501 prisoners.

5.44 The MoJ has a number of contingencies in place to manage population pressures effectively. One of these is Operation Safeguard, a formal agreement between NOMS and ACPO to hold prisoners in police cells instead of prison at times of very high population pressure. It is a tried and tested approach to managing short-term pressures in capacity. A limited number of court cells were also made available in February 2008 to help ensure that exceptional population pressures could be managed safely and securely.

5.45 Our aim is to increase capacity sufficiently to create a sustainable margin which can absorb variations in the prison population without the need to employ short-term contingency measures.

Prison Capacity

5.46 In July 2006 the Government announced a capacity programme to deliver 8,000 places by 2012. In June 2007 the programme was increased to 9,500 places. These places are being delivered through new prisons (both public and private sector builds) and through expansion at existing sites.

5.47 Lord Carter of Coles made a number of recommendations in his report of December 2007 relating to improved management of the prison estate including the provision of extra prison places. In response to Lord Carter's recommendations up to £1.2bn has been made available towards the provision of a further 10,500 places which are due to come on stream by 2014. (Further funding for this expanded build programme will be considered in the next spending

96,000

Prison places by 2014

round). This will include up to three Titan prisons capable of holding as many as 2,500 prisoners each. This will meet the anticipated need for extra capacity and, once operational, enable us to close old and inefficient places elsewhere in the estate. Further efficiencies and organisational changes recommended for NOMS and prison service HQ to improve the focus on service delivery and offender management will be taken forward by a new implementation board and are in line with the Department's wider organisational review.

All of this work will bring net capacity to around 96,000 places by 2014.

5.48 Working to a particularly demanding timetable, a total of 1,522 new places were delivered in 2007 at Lowdham Grange, Kennet, Featherstone, Garth, Channings Wood, Altcourse, The Mount, Stocken, Whatton, Haverigg, Lindholme, Highdown and Hindley and this made a significant contribution to coping with the growing population pressures. In 2008 the capacity programme will build on the experience and expertise it has developed and is expected to deliver around 2,500 new places.

Compliance with licence or order and swift enforcement action where failure to comply

5.49 In the year ending 31 March, we recalled 11,980 determinate sentenced offenders for breaching the conditions of their licence. Of these:

- 3,462 were treated as emergency recalls because they were deemed to present an unacceptable and immediate risk of further offending of which 3,301 (95 per cent) had their licences revoked within the two hour target deadline

- 8,518 recalls were completed as standard recalls, of which 7,158 (84 per cent) were issued within the 24 hour target.

5.50 The number of prisoners recalled for a breach of licence increased by 749 on the total number of recalls for the previous year. The increase is mainly due to more prisoners being sentenced under the provisions of the Criminal Justice Act 2003 being released into the community. These prisoners are on licence and liable to recall until the end of sentence whereas prisoners released under the provisions of the Criminal Justice Act 1991 were only on licence until the three quarter point of their sentence.

5.51 We revoked licences for 107 life-sentenced offenders in the last year of which 105 were recalled on an emergency basis and two were standard. We completed 88 of the 105 emergency recalls within the two-hour deadline. The number of life sentenced prisoners recalled reduced by 71 compared to the previous year.

5.52 In addition to recalling prisoners for breaches of their licence we also recalled 1,570 prisoners for breaching the conditions of the Home Detention Curfew Scheme. Of these, 1,511 (96 per cent) were recalled within the target timescale of 24 hours after notification of the breach:

- 1,385 were recalled because of a breach of the curfew or damaging monitoring equipment and a further
- 185 were recalled because they could no longer be monitored in the community (normally arising from a loss of address).

5.53 The number of offenders recalled for breaching the conditions of the Home Detention Curfew scheme reduced by 432 on the previous year.

5.54 On 1 April 2007 we introduced the new end to end recall target, for the first time monitoring the performance of all the agencies involved in the recall process.

- 75 per cent of emergency recalls must be implemented within 74 hours
- 80 per cent of standard recalls within a target of 144 hours.

5.55 Performance against the whole system target for returning offenders to custody for the first 10 months of the year was 59 per cent overall. We returned 62 per cent of emergency cases and 58 per cent of standard cases to custody within the target. Local Criminal Justice Boards (LCJBs)

are responsible for monitoring performance in their area.

Community payback initiative

5.56 Community Payback was originally launched in 2005 as a particular focus for Unpaid Work with the intention of:

- increasing the visibility of the work done
- raising public awareness of Unpaid Work
- encouraging communities to contribute to the decisions about what work offenders should do
- increasing public confidence in community sentences.



**Community Payback
Case study**

Offenders sentenced by Community Justice Salford magistrates dedicated more than 1,600 working hours to a community justice project in Eccles, Greater Manchester.

Almost 30 offenders took part in the project, levelling the ground, landscaping and putting up fencing to turn derelict allotments into an orchard for the local community.

One of the unpaid workers involved, said: "Doing this work has helped me as much as it has helped the community. I can communicate and talk to people a lot better now."

Community Payback aims to encourage local people to get more involved in the delivery of justice. The Eccles project was launched when the Chairman of Tindall Street Allotment Committee, approached the Salford Unpaid Work Unit for help.

According to the chairman: "The offenders that worked on this orchard did so for the benefit of the community. It has been a fantastic project, which has made a massive difference."

5.57 From the outset, this has meant that there has been an increase in the amount of publicity material and the number of projects where signs, plaques etc. advertise the work being done. In 2007/08 this has been taken further with the Mayoral Projects. Almost every area in the country has developed projects sponsored by the newly elected mayors and, consequently, generated considerable positive publicity. The last year also saw the introduction of Planet Payback, a joint venture between NOMS and DEFRA to celebrate existing good practice in work contributing to conservation and the green agenda, and to encourage all probation areas to look for even more imaginative ways to engage in partnerships to pursue that end. To give further acknowledgement of its importance, NOMS has sponsored a Butler Trust award for 2008 for this area of work. This year will also see the development of a web based forum for promoting and exchanging good practice to allow staff in different parts of the country to learn from each other easily and quickly.

Criminal Justice

A more effective, transparent and responsive criminal justice system for victims and the public



45%

Increase in offences brought to justice since 2001/02

Criminal Justice Reform

6.1 MoJ shares responsibility for the Criminal Justice System (CJS) with the Home Office and the Attorney General’s Office. In November 2007, the Government published its Strategic Plan for Criminal Justice: Working Together to Cut Crime and Deliver Justice: The Criminal Justice Strategic Plan 2008-2011¹³. This sets out the shared vision for a CJS which:

- is effective in bringing offences to justice
- engages the public and inspires confidence
- puts the needs of victims at its heart
- has simple and efficient processes.

6.2 This vision, and the specific commitments set out in the CJS Public Service Agreement (PSA)¹⁴, supports the delivery of the Government’s wider crime and reducing re-offending strategies. The strategies, and the PSAs which support their delivery, provide a greater focus on tackling serious violent and serious acquisitive crime, while providing local services with greater flexibility to respond to local community concerns.

6.3 The three CJS departments work in partnership, supported by the trilateral Office for Criminal Justice Reform. Partnership is also central to delivery at local level through Local Criminal Justice Boards (LCJBs) made up of local criminal justice delivery agencies working increasingly with Crime and Disorder Reduction Boards (Community Safety Partnerships in Wales) and other local partnerships.

Effective in bringing offences to justice

6.4 Effectiveness in bringing offences to justice is fundamental if the CJS is to play its part in reducing crime and re-offending. The prosecution process needs to be well managed, the guilty convicted and the innocent acquitted in a way that meets the needs of victims and treats all sections of the community fairly. Sentences and orders of the court must be robustly enforced.

6.5 The CJS is better able to reduce re-offending by taking a problem-solving approach, focusing on offence and offender and working with a range of partners so that offenders are able to access the services needed to reform.

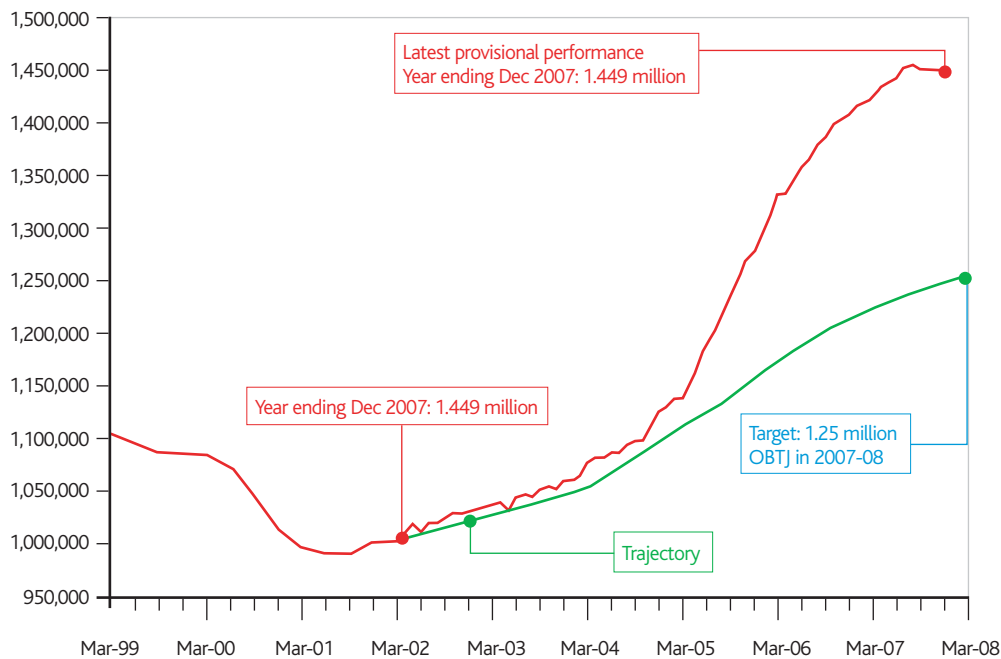
Offences Brought to Justice

6.6 Performance against the Offences Brought to Justice (OBTJ) PSA target has been very strong: 1.449 million offences were brought to justice in the year to December 2007 – a 45 per cent increase since 2001/02 and well above the level required by the PSA. Key performance targets for LCJBs were set in the CJS Business Plan 2007/08. We continue to work with and provide support to LCJBs to assist them in improving their performance in bringing offences to justice. Local board performance information is available on CJS Online (<http://www.cjsonline.org/index.html>).

6.7 We have made progress on a new PSA measure more focused on tackling serious crime and driving efficiency throughout the CJS. The ‘Justice for All’ PSA seeks to deliver a more effective, transparent and responsive CJS over the period 2008-11, and includes a commitment to improve

¹³CM 7247, November 2007.

¹⁴PSA 24. Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public http://www.hm-treasury.gov.uk/media/5/C/pbr_csr07_psa24.pdf



the efficiency and effectiveness of the CJS in bringing offences to justice.

6.8 We have increased the focus on more serious offences including the investigation and prosecution of rape. LCJBs are now provided with enhanced data on their performance in bringing to justice serious violent, sexual and acquisitive crimes. They are developing plans to support local delivery of the crime strategy and agency performance frameworks have been assessed on how they support strategic priorities. A cross-agency Rape Performance Group now drives improvements in the investigation and prosecution of rape by examining police and CPS performance quarterly and reviewing systems and procedures supporting victims with the aim of achieving successful judicial outcomes.

6.9 We have improved handling of serious offences including support for the CJS terrorism simulation model to map CJS resource and capability requirements for terrorist cases. 14 high security courtrooms

at key locations and suitable for hearing terrorist trials were operationally effective by the end of March 2008. A cross-CJS operational meeting convenes regularly to monitor operational issues affecting the management of terrorist cases and these arrangements will continue.

6.10 Provision was made in the Criminal Justice and Immigration Act to create a presumption that defendants who fail to appear for trial in a magistrates' court will be tried in absence.

6.11 We are working towards a more consistent and effective use of out-of-court disposals (such as cautions and penalty notices). A steering group now oversees and ensures a coherent framework for their development and use. Guidance for practitioners on the use of out of court disposals for adults has been produced and a leaflet is being finalised for adult offenders. We completed national roll-out of the Conditional Caution Scheme on target (by 31 March 2008) and will issue

£250m

Target to recover assets from proceeds of crime in 2009/10

a revised circular on simple cautions later in 2008.

6.12 We have commissioned guidance on effective practice in dealing with offenders with mental health issues - *A Review of Effective Practice in the Provision of Mental Health Services to Individuals in the Criminal Justice System* has been prepared and will be published soon. A 'Mental Health Effective Practice Audit Checklist' has been produced and piloted, and a simpler version developed for use in a review of provision across England.

Enforcement

6.13 In order to develop a national framework for a more distinct, professional and better skilled enforcement service, and to ensure a greater focus on the hard-core group of offenders, we have undertaken a programme of work to improve collaboration and increase intelligence sharing across agencies.

6.14 We tested new or enhanced ways of working through the pathfinder, which commenced in April 2006 in the North West and Cheshire to establish whether best practice models for implementation could be developed, which could then be replicated nationally.

6.15 Guidance on improving the enforcement of backed for bail warrants (where the defendant is re-bailed to attend at a specified time) has been agreed and will be published shortly. Good results are being achieved from access to credit databases to help trace people wanted on a Failure to Appear (FTA) warrant. We are on track to deliver the national target for improvements in timeliness of FTA warrant execution. Text messaging of fine defaulters was piloted in the North West and showed itself to be an effective tool for communicating with

individuals with chaotic lifestyles who are normally unresponsive to traditional forms of enforcement methods, such as the sending of a letter. This also showed how text messaging can reach people who are normally unreachable for minor fines offences. For example a text message was sent to an individual who responded while on holiday in Spain, he paid £500 immediately and is now making regular payments against the rest of his fine. Texting was rolled-out nationally within HMCS during 2007.

6.16 The establishment of Regional Confiscation Centres allows Her Majesty's Courts Service (HMCS) to play a major part in achieving its part in the target, set by the Prime Minister, to double the amount of assets recovered from the proceeds of crime, from £125m in 2006/07 to £250m in 2009/10. The centres provide an operational environment where highly skilled and specialised officers, who have an innate understanding of national best practice and access to the latest intelligence, are successfully enforcing confiscation orders in co-operation with local criminal justice partners throughout England and Wales. HMCS has developed a network of nine regional confiscation centres, rationalising 63 confiscation units/sites. There is one centre in each region, except the Midlands and North West, where due to the size and the location of the staff with expertise in this area of work, the local management boards have decided two centres will be more beneficial. The last centre was established in July 2007

Engaging the public and inspiring confidence

6.17 To build public confidence, the CJS needs to inform, consult and involve local communities, and to account to them on both performance and how the CJS is responding to local concerns. To do

this, delivery must be locally led and supported nationally.

Public confidence in the criminal justice system

6.18 We are ahead of the target to deliver the 'Confidence' PSA 'to build public confidence in the CJS without compromising fairness'. In the year to December 2007, 44 per cent of people were confident that the CJS is effective in bringing offenders to justice and 60 per cent of victims and witnesses were satisfied with the police and other agencies' handling of the incidents.

6.19 Work in 2007/08 has included a new PSA target measure for 2008-11 'to increase public confidence in the fairness and effectiveness of the CJS'. This will be measured using a series of questions in the British Crime Survey. Data for the period October 2007-March 2008 will provide the baseline for the new target. A new performance management framework has been agreed. This will require LCJBs to deliver strategies and action plans to demonstrate improvements in effective community and staff engagement.

Community engagement

6.20 Justice must be seen to be done in order to build confidence in the CJS. Some communities are blighted by the problems of drug-related crime, others by anti-social behaviour. Work with these communities is important in order to tackle these crimes and to ensure that penalties imposed are visible.

6.21 A Community Engagement Strategy is being developed making a clear commitment to ensuring that criminal justice services are accessible and accountable to all sections of the community. The strategy draws together good practice and provides a set of core

principles which will be at the heart of all CJS community engagement activity. It highlights the benefits of criminal justice agencies working together to maximise the benefits for communities and for the CJS.

Improved services to jurors

6.22 Juror needs are of high importance, reflecting MoJ's belief that jury service is one of the most important civic duties a person can be asked to perform.

6.23 We have implemented a long trial strategy with the judiciary, comprising a number of measures designed specifically to assist those juries on longer trials. In conjunction with the Samaritans, a national counselling service for jurors who feel distressed by their experience has been introduced. HM Inspectorate of Court Administration (HMICA) has reported on the services for jurors in HMCS. We are currently working on the recommendations in the report. These include reviewing the guidance on pursuing non attendance by jurors, ensuring that correct action is taken by courts to confirm jurors' eligibility to serve, and ensuring that all information provided to jurors by HMCS is clear and non-discriminatory.

6.24 We have published the results of a major research project into the ethnicity of jurors, whether juries reflect the communities they represent and whether race has an effect on jury verdicts. The study concluded there is no evidence of any unwillingness to do jury service or any particular lack of trust in the fairness of the jury system among the BME community or the British public in general. As to whether juries discriminate against defendants based on race, the case simulation research demonstrated that mixed race juries in highly diverse communities do not discriminate against defendants (based on the race of the defendant). Following this,

we have commissioned supplementary research into the verdicts of all-white juries.

Public awareness

6.25 Information and promotion of greater understanding so as to increase public confidence in CJS has included:

- public involvement in the People's Award, as part of the Justice Awards, which recognises teams and individuals in the CJS who have made outstanding contributions to delivering justice
- the public were also encouraged to participate in more than 100 public-facing events in 40 Local Criminal Justice Boards during 'Inside Justice Week' in November 2007
- CJS Online continued to evolve as a source of information for the public and jurors will benefit from an interactive walkthrough in 2008.

Bichard 7 project

6.26 The Bichard 7 project was established to take forward Recommendation seven of the 'Bichard Inquiry Report' issued in June 2004, which required that the responsibility for updating court results onto the police national computer should be transferred from the police to the courts. A technical solution has been developed. Nationwide roll-out will commence in 2008/09 and should be completed by March 2009. The successful roll out of Bichard 7 will mean that 90 per cent of court results will be on the police national computer within one day of the case being validated on the court's computer system.

Human rights issues in the CJS

6.27 A framework for advice, training and communications on human rights and a web-based advice service (located on the Frontline Matters section of the MoJ website) has been created to promote a better

understanding of human rights issues amongst criminal justice practitioners. A Human Rights Scrutiny Panel has been established to monitor Human Rights Act issues in the CJS.

The Criminal Cases Review Commission

6.28 Work on improving performance in handling miscarriages of justice-related cases has included improving efficiency in handling applications for compensation by agreeing a new three-step procedure for deciding on eligibility for miscarriage compensation. The Criminal Cases Review Commission is meeting its target to complete reviews on as many cases as it receives. It has also reduced significantly the number of cases waiting for reviews to begin and the time taken before a review starts.

Putting the needs of victims and witnesses at the heart of the criminal justice system

6.29 A strong focus on supporting victims and witnesses, especially victims of serious crime, is essential to public confidence and supports the Government's wider harm reduction and public protection aims.

6.30 The continued effectiveness of CJS relies on the contribution of victims, witnesses and jurors and improving their experience in court is a Government priority. CJS partners are working locally and nationally to deliver these outcomes.

Victim and witness confidence in the CJS

6.31 We are on course to deliver the 'Confidence' PSA target 'to increase the proportion of victims and witnesses who are satisfied with the CJS. Support for LCJBs in improving performance has included extensive guidance on using surveys and other data sources to help improve victim and witness satisfaction.

6.32 A review of compliance with the code of practice for victims of crime was undertaken. Help and support has been provided to LCJBs and guidance on methods of monitoring compliance revised and reissued.

6.33 Roll-out of the Witness Charter began in 2007/08 in the ten Beacon LCJBs (Cheshire, Cumbria, Greater Manchester, Lancashire, Leicestershire, London, Merseyside, Staffordshire, Suffolk and Thames Valley). The charter will be rolled out to remaining areas during 2008/09, subject to evaluation of the police standards.

6.34 The Victims Advisory Panel continues to advise ministers and CJS policy makers of the views of victims and has met CJS Ministers twice this year. Recommendations being taken forward include improving the collection of data about the experiences of victims of serious and sexual crime and young victims of crime.

Delivery of improved services for victims and witnesses

6.35 Victim Support 'plus' began national roll-out in September and provides an improved business model, expanding and improving services to victims through the national charity, Victim Support – making them faster, more consistent and practical, and more tailored to victims' needs. The specialist support sector received support through the Victims' Fund: £1.25m for victims of sexual violence and £250k each for victims of homicide and hate crime. The Victims' Surcharge which provides funding for additional services was implemented at the start of the year. The Criminal Injuries Compensation Authority began implementing a major reform programme to speed up its case processing and improve its user-focus.

6.36 The Victims' Advocates Scheme has been piloted in five Crown Court centres to explore how the CJS can improve the support, information and voice available to relatives in murder and manslaughter cases.

6.37 Work has continued on supporting vulnerable and intimidated witnesses and improving assistance to give best evidence in court. Updated practitioner guidance on interview techniques and support for vulnerable and intimidated witnesses was published in October 2007. An intermediary scheme for providing support for vulnerable witnesses with communication difficulties was rolled out nationally from November 2007. The consultation paper *Improving the Criminal Trial Process for Young Witnesses* was published in June 2007. The consultation period closed in October and the Government is currently considering responses.

6.38 Video link equipment has been installed in all major Crown Court Centres and 77 per cent of magistrates' courts. Older equipment has been replaced in 56 Crown Court courtrooms. Amongst other benefits, the new equipment can easily be upgraded to allow videoconferencing links to be made. These enable evidence to be given remotely, which will mean that victims and witnesses will not have to go to the courthouse where the trial is being held, but give evidence from another location. A rolling programme of videolinks upgrade is planned during 2008-11.

DVD: Going to Court – A step by step guide on being a witness

6.39 Going to court as a witness or a victim to a crime can be a difficult experience. For most people the court is an unfamiliar environment and it can be rather daunting, since witnesses are not sure of

£1.25m

Funding for victims of sexual violence through Victim Support 'plus'

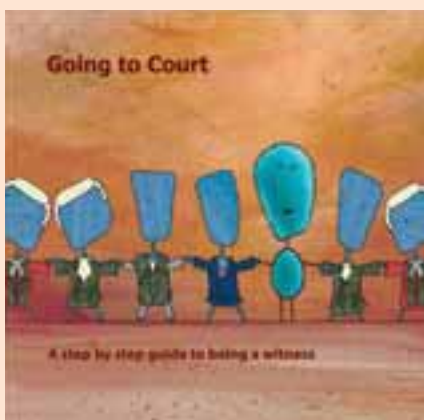
what to expect. If their first language is not English, then the experience can be even more stressful. To improve understanding a DVD was launched throughout England and Wales at the end of September 2007.

6.40 The DVD targets all victims and witnesses, particularly socially-excluded and vulnerable witnesses. It is available with voiceovers and subtitles in English and Welsh, and eight additional languages all on one disc. The DVD is distributed

via Witness Care Units, defence solicitors and the court-based Witness Service. It is available to view and download online at www.direct.gov.uk/goingtocourtvideo. Initial feedback has been very positive.

Simple and efficient processes

6.41 Efficient services make best use of resources, expertise and technology. They free up the police to tackle crime and criminal justice agencies to be more effective in processing the more serious



DVD: Going to Court Case study

Witnesses who have watched the DVD felt more confident about appearing at court: "The DVD was the only thing that persuaded me to go to court because I thought it was reassuring."
Witness 1

"The DVD made me feel more confident because you knew where you were going...when you don't know where you are going you are more apprehensive."
Witness 2

'The DVD 'Going to Court – A step by step guide to being a witness' is an interactive, multilingual, animated DVD designed especially to help adult prosecution and defence witnesses understand their role in the court process.

It is an easy to follow animation seen through the eyes of a witness. It explains what to expect throughout the court process and follows the journey a witness makes from making a statement right through the criminal court process and after the trial.

The DVD aims to:

- improve victim and witness understanding of their responsibilities
- improve victim or witness attendance
- improve witness confidence and satisfaction in the CJS.

In making the DVD, HMCS worked with Victim Support, the agency that helps around 400,000 victims and witnesses through court every year. Gillian Guy, Victim Support Chief Executive, believes: "Going to Court will be a useful source of information for witnesses and will complement the work the Witness Service does."

cases. Improved efficiency helps drive up public confidence and improves the experience of victims and witnesses as people see cases handled in a speedier and more streamlined way.

Publication of a new CJS PSA in October and CJS Strategic Plan

6.42 A new CJS PSA was published in October and the CJS Strategic Plan in November 2007. These launched new targets for the CJS for the period 2008-11 and support the 'Crime Strategy and the Make Communities Safer' PSA by focusing on increasing the effectiveness and efficiency of the CJS in bringing offences to justice, especially serious offences. The CJS targets and project portfolio to implement the new Strategic Plan and PSA during 2008/09 were published in the CJS Business Plan 2008/09 in February.

6.43 We have made progress in delivering the CJS targets for 2007/08 by LCJBs. We are piloting the Beacon Approach, working with ten LCJBs to develop a new way of managing the criminal justice reform programme nationally and of delivering sustainable improvements locally. The Beacon Approach aims to improve the ability of LCJBs to identify, manage and implement change locally, to strengthen the relationship between OCJR and the local boards based on an agreed reform agenda and ultimately deliver tangible improvements in the efficiency and effectiveness of LCJBs. The approach is being evaluated in March.

6.44 Delivery of IT-based systems improving efficiency, included CJS Exchange links between police, CPS and courts case management systems (covering a third of the CJS so far) which speeds up cases and reduces unnecessary hearings. PROGRESS, a tool to help manage case progression through the system, was

piloted and work started on 'virtual courts' which use video links between the police and magistrates' courts for first hearings.

6.45 We have produced high-quality statistical and performance management information and research evaluations to provide public information, improve performance management and support reform. Performance reports included Criminal Statistics and Race and the CJS, and quarterly reports on public confidence in the CJS and the experience of victims and witnesses at court. An end-to-end simulation model of the CJS at local level and a high level process map of the CJS have been developed to help identify possible system performance improvements.

Review of remand population

6.46 A review was conducted of how to reduce the remand population by identifying and disseminating ways of improving custody timeliness. The key focus of this work has been on improving the timeliness of Pre Sentence Reports (PSR) as a means of ensuring that those not eventually given custodial sentences do not spend unnecessarily long times on remand. Work is now focusing on six areas where the largest improvements can be made. Pilots are also underway to improve the timeliness of psychiatric reports.

Criminal Procedure Rule Committee

6.47 Work on streamlining and modernising the rules underpinning the running of trials in criminal courts included two statutory instruments to amend the 2005 Criminal Procedure Rules. The first made new rules about service of documents, the indictment and witness summonses, warrants and orders. The second standardised rules about appeals to the Court of Appeal, introduced procedures for making an application to change a plea of guilty in summary proceedings

and introduced procedures for making an application in a trial on indictment. Some changes were made to the rules about appeals to the Crown Court to accommodate new primary legislation about football banning orders and to clarify by whom appeals to the Crown Court can be heard.

Sentencing policy

6.48 The Criminal Justice Act 2003 introduced the first radical change to the sentencing framework for over a decade. It provides a sentencing framework that is clearer and more flexible. The legislation sets out for the first time in statute the purposes of sentencing for adults, namely, punishment, crime reduction, reform and rehabilitation, public protection, and reparation. Sentences were reformed. Most significantly, the various kinds of community order for adults were replaced by a single community order with a range of possible requirements. New sentences for serious and violent offenders were introduced to ensure that they are kept in prison or under supervision for longer than previously in order to manage the risks they present. The framework has enabled the courts to provide each offender with a sentence that best meets the need of the particular case, at any level of seriousness, and for sentences to be more effectively managed by the correctional services working closely together in delivering the new sentences.

6.49 The new sentences have proved popular with the courts and are generally working well. But in the criminal justice field it is inevitable that measures have to be kept under constant review. We are now refining the legislation so that it focuses even more where the real need lies – on the most serious and dangerous offenders – so that we make the very

best use of resources. This is against a background of more than 20,000 prison places provided during the past decade due to more offenders being brought to justice, including 60 per cent more violent and dangerous offenders, and being sentenced for longer. In 2006/07 the probation service had its best performance year with the highest ever rates of enforcement, record numbers of offenders completed accredited programmes and unpaid work, and more offenders starting and completing drug rehabilitation than in any previous year. At the same time the fine payment rate is higher than ever before at over 90 per cent. These efforts to improve performance have carried over into 2007/08, against a backdrop of a rising community sentence caseload.

6.50 The Government's constant attention to sentencing policy ensures that it remains responsive to the demands of a modern society and sensitive to the needs of victims and the general public.

Lord Carter's recommendations on a Sentencing Commission

6.51 In his report on the use of custody, *Securing the future*, published in December 2007, Lord Carter of Coles recommended that the Government should establish a working group to consider the advantages, disadvantages and feasibility of a structured sentencing framework and permanent Sentencing Commission, which will lead and inform the public debate on these issues.

6.52 The Government accepted this recommendation, and the Justice Secretary and Lord Chief Justice have established the Sentencing Commission Working Group under the chairmanship of Lord Justice Gage. The group comprises 16 further members, including judges, academics, parliamentarians and criminal justice professionals. It is supported

by a secretariat of MoJ policy officials, statisticians and researchers, led by a senior civil servant.

6.53 The working group has embarked on a wide process of consultation, including visits to see comparable systems in the United States, to courts in England and Wales, a seminar for the judiciary and other stakeholder meetings. A public consultation document was issued in March and a large scale conference to discuss the issues involved is planned for April.

6.54 The Working Group will report to the Justice Secretary and Lord Chief Justice in summer 2008.

Delivering for the Public



Moj's role

7.1 Our aim is to create a modern, efficient and effective Department which has the capacity and capability to deliver excellent public services. We will ensure that:

- our business is delivered in the most efficient and cost effective way and that we are living within our means
- we are positioned to deliver a service which is based on the current and future needs of our users, the public and stakeholders
- we continue to develop our capability and capacity to deliver our businesses and commitments.

Departmental strategy

7.2 Moj was established on 9 May 2007. We serve the public by taking responsibility for setting out the framework within which rights and responsibilities are protected and enforced. Our goal is to uphold and protect justice and democracy.

We have four strategic objectives:

- **Democracy, Constitution and Law**
Strengthening democracy, rights and responsibilities
- **Access to Justice**
Delivering fair and simple routes to civil and family justice
- **National Offender Management Service**
Protecting the public and reducing re-offending
- **Criminal Justice**
A more effective, transparent and responsive criminal justice system for victims and the public

7.3 In creating Moj the intention was to recognise the vital linkages between the administration of justice and the mandate given by society to institutions like the courts and our prisons: in turn, putting into practice the ambition of putting the needs of the public at the heart of this agenda of working for a democratic and just society; and to improve the justice system for the public.

7.4 However, the creation of the Moj has enabled much more:

- first, by bringing many of the organisations, agencies and stakeholders who have to work together to deliver a successful justice system, under the responsibility of one Department. This helps the system to join-up and work together as never before, building on what already works to deliver a more effective system for the public
- secondly, the creation of a new more influential Department enables issues around justice and democracy to be led by a major Government department as in most other European countries. This, in turn, provides the focal point for leadership both at a local and a national level.

7.5 The challenge over time for Moj is to grasp the opportunities these changes present and use what we learn from criminal, civil, family and administrative justice to make the justice system as a whole work better and serve the public.

Financial planning

Comprehensive Spending Review (CSR) 2007

7.6 The 2007 CSR looked three years ahead and set the departmental budget for the years 2008/09, 2009/10 and 2010/11.

7.7 The former Department of Constitutional Affairs (DCA) reached an early settlement of £4bn, announced by the Chancellor of the Exchequer in his pre-budget report in December 2006. In March 2007 the Prime Minister announced a transfer to the Ministry of Justice for NOMS and OCJR of c. £4.6bn in 2007/08 rising to £4.8bn in 2010/11 from the Home Office settlement previously announced in Budget 2006.

7.8 The final settlement for the newly formed MoJ was agreed in October 2007 and provided us with approximately £9.5bn per annum, across the CSR period. The settlement also provided additional funding to build and run additional prison places, which was supplemented in December 2007 with additional funding of up to £1.2bn as a result of the Government's response to Lord Carter of Coles Review of Prisons. Therefore, MoJ budget is approximately £10bn per annum.

Business Plan

7.9 The first MoJ business plan was produced in October 2007 and focussed on the effective and efficient use of resources to deliver key and demanding

responsibilities. The departmental business plan for 2008/09 will be structured around the Departmental Strategic Objectives (DSOs). The business plan will set out what we need to deliver and focus on:

- priority objectives which will support the delivery of the DSOs and the Public Service Agreement (PSAs)
- key financial information.

Efficiency

7.10 As part of the Spending Review 2004 (SRO4), Sir Peter Gershon was invited to conduct a review on the scope for making efficiency savings in central government, with a view to reallocating resources to frontline service delivery.

7.11 The three year Gershon efficiency programme covered the period to 31 March 2008. During this time, the Department has worked hard to deliver more efficient, effective public services.

7.12 The latest figures to 31 December 2007 showed strong performance:

Table 1 Efficiency targets and latest performance

	Target (end March 08)	Q3 07-08 (end Dec 07)
Financial savings	£292m	£396m*
Headcount reductions	1,473 FTEs*	1,364 FTEs*
Relocated posts	280 FTEs**	524 posts*

* combines savings from former Department of Constitutional Affairs and National Offender Management Service

** target to 31 March 2010

Financial savings

7.13 At the end of December 2007 MoJ had delivered £396m savings against a target of £292m, including £355m cashable savings. These savings were delivered through a range of initiatives such as:

Table 2 Financial savings

Area	Delivered by 31 Dec 07 £m
National Offender Management Service <ul style="list-style-type: none"> • NOMS HQ efficiencies • NOMS – Criminal Justice (CJIT) BENEFITS • NOMS procurement including electronic monitoring 	£15m
Her Majesty's Prison Service <ul style="list-style-type: none"> • Phoenix Programme and National Shared Service Centre • Procurement including Logistics Review • Sickness absence reduction 	£37m
National Probation Service <ul style="list-style-type: none"> • National initiatives • Local initiatives 	£5m
Legal Aid <ul style="list-style-type: none"> • Fixed fee legal help scheme to cover the family-civil representation • Capping civil legal help by use of tailored fixed fee scheme • Inclusion of 'cracked' trials, guilty pleas and Crown Courts • Controlling the costs of very high cost criminal cases • Capping civil legal help - CLS direct (Community Legal Service Direct is now called Community Legal Advice) 	£152m
Cross CJS <ul style="list-style-type: none"> • Xhibit system in Crown Court • Performance improvement to reduce cracked and ineffective trials 	£31m
HMCS <ul style="list-style-type: none"> • Rationalising HMCS estate • Streamlining support functions through area restructuring 	£59m
Procurement <ul style="list-style-type: none"> • Greater use of Government Procurement Card • Savings from office supplies contract 	£31m
Tribunals Service <ul style="list-style-type: none"> • More efficient asylum appeal process in Asylum and Immigration Tribunal • Restructuring corporate services 	£57m
Corporate Services <ul style="list-style-type: none"> • Reducing sick absence • Restructuring HQ services (finance, IT, HR) 	£10m

Headcount reductions

7.14 MoJ had a target to reduce workforce by 1,473 full time equivalents (FTEs) by 31 March 2008. By December 2007 headcount had been reduced by 1,364 FTEs from the following areas:

Area	Reductions by December 2007 (FTEs)
Ex-DCA	1,055
National Offender Management Service*	303
Office of Criminal Justice Reform	6

* Reductions in back office staff following creation of MoJ on 9 May 2007

Relocations

MoJ has a target of relocating 280 posts by 31 March 2010. By December 2007 MoJ had relocated 524 posts from the following areas:

Area	Number of relocated posts
Legal Services Commission	5
HMCS	9
Judicial Studies Board	10
E-Delivery Group	35
Land Registry	39
Tribunals Service	11
OCJR - CICA	130
HMPS - Phoenix	285

Value for money

7.15 During SR04 our focus was on improving the efficiency of the services we provide. From 2008/09,

we will combine this with looking at how resources can be re-balanced to target high value activity by scaling back or stopping lower value activity.

MoJ's Value for Money programme aims to deliver over £1bn of savings by 2010/11. Highlights of this programme include:

- zero-based approach to budgeting across the MoJ to ensure resources are targeted in best value for money activities
- implementing policy recommendations in Lord Carter of Coles report *Securing the Future: Proposals for the efficient and sustainable use of custody in England and Wales*
- strategic workforce planning to ensure we secure the right workforce, capacity and capabilities required and that these are used in the right place
- implementing *Legal Aid Reform - the Way Ahead*, legal aid reforms to deliver savings through the progressive extension of fixed and graduated fees, as well as targeted reductions to the prices paid for some aspects of criminal legal aid
- Her Majesty's Courts Service working with the judiciary to improve case management and listing, supporting case progression with better technology and enhancing efficiency and effectiveness of back office functions
- Transforming Tribunals Programme targeting five core areas: new business model, rationalisation of the estate, restructuring of non-public facing functions, rationalisation of IT legacy systems, and development of a common case management system.

7.16 Full details of the Value for Money programme can be found in our Value for Money Delivery Agreement published on the MoJ website on 18 February 2008.

Risk management

7.17 The active management of

risk is fundamental to the effective and economical achievement of the Department's objectives and has a central role in the way our business is conducted. It informs the financial planning process, operational decision-making, contingency planning and the Department's management of change. The formation of MoJ will improve the ability of the justice system to serve the public. The effective identification and response to the uncertainties faced by the Department will be central to success.

7.18 A number of steps have been taken this year further to strengthen our risk management capability, both corporately and within each of our departmental bodies. Building upon existing best practice, a common policy and framework for risk management and reporting across MoJ has been developed. Improved supporting guidance on risk identification, assessment and management has also been published in the form of a handbook for use by staff.

7.19 Other key aspects of the Department's framework for managing risk include:

- maintenance of local business area risk registers across the organisation
- monthly update of corporate risks to the Department's Management Board, with mitigating actions agreed and owned by Board members
- regular identification, assessment and monitoring of key financial risks, through an internal financial planning process
- an established network of risk co-ordinators to support best practice and the effective escalation and sharing of cross-cutting risk information.

7.20 In the coming year the MoJ Risk Management Policy and Framework will

be further embedded through provision of additional training and support to staff. The effectiveness of risk management across the MoJ will be reflected in the 'Statement on Internal Control' for 2007/08, which will be reviewed by the Corporate Audit Committee and published as part of the Annual Resource Accounts.

MoJ organisational review

7.21 Following the creation of the MoJ, a review was announced to consider the best possible structure and ways of working to deliver improved services for our users and the public. It was clear that we needed to bring together existing business areas into a clear and coherent structure and as well as to deliver on existing priorities such as end-to-end offender management, commissioning and the 'breakthrough' initiative in the courts.

7.22 The review focused on how to ensure that roles and responsibilities are clear and governance (decision-making) processes are simple and effective for the new Department. That means ensuring we do not have any overlaps or duplication of responsibilities and checking that there are no gaps in strategy, policy, corporate services or delivery.

7.23 Key activities in devising the new organisational structure have included:

- looking at organisational models and best practice in Whitehall and beyond
- consulting with staff, Ministers, and key stakeholders to understand their views and preferences
- analysing this information to develop a new departmental structure and business model.

7.24 Other factors were also taken into consideration, such as Lord Carter's review

(published in December 2007) and ongoing discussions with the judiciary.

7.25 The new organisational structure was announced in January, and details are available at www.justice.gov.uk.

Capability Review

7.26 The Capability Review programme is part of the wider Civil Service reform agenda aimed at developing a Civil Service that can deliver its existing targets, understand its future challenges and rise to meet them efficiently and effectively. The reviews are run for the Cabinet Secretary by the Capability Reviews team in the Cabinet Office and provide an assessment of capability for Departments, identifying key areas for improvement and setting out key actions.

7.27 The first Capability Review for the MoJ was conducted during February 2008 when the Department was undertaking significant changes to its organisational structure and senior management responsibilities. It provided a baseline assessment which the Department will use to measure its progress and assess what further work still needs to be done to meet its current and future challenges.

7.28 The Capability Review identified four key areas for action MoJ needs to address. These were to:

- clearly communicate a unifying thread which binds together staff in the different parts of the MoJ
- define clear roles, responsibilities and business models and make them work
- improve the Department's ability to make prioritisation and resource allocation decisions on the basis of robust data and evidence

- address the challenge of building capacity across the MoJ in an environment of financial constraint.

7.29 The review recognised that MoJ had already taken significant steps forward to address these areas for action as part of its Organisational Review. Important progress has been made since to put in place the organisational structure, strategies and processes needed to meet the Department's current delivery challenges and create the strong foundations needed for the future. It also noted that there exists a commitment and enthusiasm among the Department's Ministers and staff to introduce the changes needed and develop the Department for the future. Further work is now taking place to assess if there are any gaps identified in the review which are not being addressed by current improvement plans and what action needs to be taken to meet these requirements.

Better regulation

Overview

7.30 The MoJ is not a major regulator when compared to some other central Government departments but does undertake a range of regulatory activity. During the year, further steps have been taken to confirm that policy development throughout MoJ takes full account of the principles of better regulation. The Department's Better Regulation Unit (BRU) has worked with colleagues within the Department and throughout associated organisations to embed best practice and ensure current developments are widely disseminated, including via a number of seminars held throughout the summer of 2007.

Simplification and administrative burdens reduction

7.31 The first MoJ Simplification Plan was published on 11th December 2007 and

can be found at: <http://www.justice.gov.uk/publications/moj-simp-plan.htm>. It builds on the first plan published by DCA and relevant sections of the first Home Office plan, both published in December 2006, to chart progress on the delivery of the Department's public commitments and to set out future plans.

7.32 The MoJ's 2007 Simplification Plan described how net savings of administrative burdens of £70m have been identified against the Department's public commitment to produce net savings of £92m by May 2010. Further work is underway to ensure that the department's next plan will show how we will deliver our full public commitment of £92m. The main highlights of the 2007 plan are savings of over £15m per annum already delivered as a result of changes to legal aid contracts and the potential savings arising from the current Review of the Land Registration Rules.

7.33 As well as describing what the Department is doing to reduce administrative burdens on businesses and the third sector, the 2007 plan also describes what the Department is doing to reduce burdens on its front-line staff. MoJ is responsible for a number of major front-line delivery organisations and each was canvassed during the second half of 2007 to identify the top irritants for front-line staff. Action is being taken to tackle these and progress will be reported in the 2008 plan. Work has also taken place to identify all of the datastreams that the front-line organisations are required to collect on behalf of the centre of the Department. A target to reduce the overall number of datastreams has been agreed and once again progress will be reported in the 2008 plan.

Improving policy development and impact assessment

Engagement and consultation

7.34 The MoJ engages extensively with a wide range of external stakeholders as a means of informing its policy development. A range of methods are used, ranging from formal sectoral stakeholder meetings to electronic discussion groups and consultation papers. On consultations, during the year, DCA and latterly the MoJ launched a total of 30 written public consultations¹⁵. 25 of these were full public consultations lasting for 12 weeks or more.

7.35 The five limited consultations were all authorised by a Minister as required in accordance with the Government's code of practice on public consultation. The limited consultations lasted less than 12 weeks and were targeted at a specialist audience. Each limited consultation paper contained the required ministerial authorisation and set out the reasons why a limited consultation was appropriate. The reasons for authorising limited rather than full public consultation were that only minor, procedural amendments were being made or that the consultation was of a specialised nature of interest to a small and clearly defined group of stakeholders.

7.36 Each consultation paper issued by the Department during the year which required an impact assessment in order to comply with the 'Impact Assessment Guidance' issued by the Department of Business, Enterprise and Regulatory Reform (BERR) did so. There were a range of reasons why consultation papers did not require an Impact Assessment. These included where an initial assessment indicated no significant costs or savings

to business, third or public sectors, where a full assessment had been carried out for earlier primary legislation and still remained current, or where proposals were at too early a stage to make a sensible assessment and a commitment was given to produce an impact assessment once they were more clearly defined.

Impact assessment

7.37 Effective use is made of impact assessment throughout the Department as a means of analysing policy options and assessing associated risks. For example, in May 2007, the Department published a consultation paper, which presented a number of Law Commission proposals concerning the amendment and revision of a number of aspects of damages law. The Department rejected one of the commission's recommendations on psychiatric illness. A regulatory impact assessment was developed as a means of presenting the evidence for this decision to stakeholders and to allow them the opportunity to make an informed consideration and to comment on the Department's decision. The new impact assessment introduced in May 2007 is now in use throughout the Department and its associated offices. Its introduction has been accompanied by training and education activity and further training will take place in 2008.

Policy development

7.38 On the wider question of developing and maintaining proportionate and transparent regulation, a good example of the Department's approach concerns our responsibility for regulating the provision of claims management services. The Claims Management Regulation HQ Team at MoJ has overall responsibility for the regulation and the day to day

¹⁵ as of 18.12.07 for period 1.4.07-31.3.08: will add up final total at end of Mar 08

monitoring and compliance function is carried out by the Claims Management Monitoring and Compliance Unit, provided under contract by Staffordshire County Council Trading Standards.

7.39 The MoJ team has recently undertaken an internal review of its own regulatory processes to ensure that regulation is carried out according to better regulation principles. The team is committed to keeping up-to-date with developments in better regulation and to learn from other regulators' best practice. This contributes to the ongoing effort to ensure the regulatory regime is proportionate, flexible and risk-based.

Common commencement dates and annual statements

7.40 MoJ does not produce significant amounts of regulation which impacts on business or the third sectors. However, it is committed to producing its first statement of regulation which impacts on those sectors during 2008 and will then update this annually.

Communications

7.41 We aim to increase the scope and impact of communications to connect better with users, the public and stakeholders.

Correspondence from MPs and peers

7.42 The Department has a target to reply within 20 working days. For the period 1 January – 31 December 2007, Ministers replied to 4,777 separate pieces of correspondence with the target met in 90 per cent of cases compared to 84 percent in 2006.

Correspondence from members of the public

7.43 The Department has a target to reply within 15 working days. For the

period 1 January – 31 December 2007, 7,210 separate pieces of correspondence (including e-mails) were answered with the target met in 91 per cent of cases compared with 86 per cent in 2006.

Tribunals Service – user satisfaction

Service strategy

7.44 The Tribunals Service is building on the high levels of customer service delivered within individual tribunals to develop a user strategy that will focus on users and the community by “putting the user at the heart of everything we do”.

Charter Mark and 'The Standard'

7.45 As part of its service strategy, the Tribunals Service has used the Charter Mark framework to validate its service delivery and to drive continuous improvement in the service it provides. The Asylum and Immigration Tribunal (AIT), the Employment Tribunals Service (ETS) and the majority of the Special Tribunals have continued to achieve accreditation.

7.46 The evaluation of the first Tribunals Service corporate evidence template took place in November 2007 and will form a solid baseline for achieving Tribunals Service-wide accreditation. The future strategy is to move to area based applications will include all tribunal jurisdictions, following the revised accreditation system, 'The Standard'.

User feedback

7.47 The complaints handling procedure was reviewed and as a result standardised categories were introduced in the electronic recording and monitoring package. This has enabled the Tribunals Service to provide in-depth analysis about what is important to its customers. It has also provided information which has

enabled tribunals to learn from complaints received and to share best practice.

User insight

7.48 The Tribunals Service has commissioned a three year national survey which commenced in October 2007 and is linked to the key drivers of satisfaction: service delivery, timeliness, information, how staff dealt with users and the hearing venue environment.

7.49 It will use the results of the satisfaction survey to set its Key Performance Indicator (KPI) for user satisfaction and to provide an analysis of where the service it provides may not meet expectations. It is developing a range of supporting indicators and will be introducing a consistent set of service standards to test timeliness and quality of service.

HM Courts Service (HMCS)

Service excellence

7.50 As part of its service strategy, HMCS has adopted the Government's national standard, Charter Mark, to help it focus on the needs of the public and to shape services around the needs of court users. Achievement of the standard is rigorously and regularly tested by independent assessors.

7.51 HMCS has an established assessment programme affecting every part of the agency and considers this a driving strength to help achieve service improvements, greater consistency and excellence in all that it does.

7.52 The quality of the corporate evidence against the Charter Mark standard was evaluated for the second year in September 2007 and it was confirmed that performance had been significantly strengthened since the previous assessment.

7.53 For 2008/09, Charter Mark has been revised and 'The Standard' has replaced the Charter Mark accreditation system. This new standard brings with it a range of more challenging requirements that will help and enable HMCS improve service by applying user research and analysis more robustly and to develop, focus and target any service improvement work. And for the first time 'The Standard' will be opened to the private sector and will provide an even more comprehensive test of service standards reaching beyond the public sector.

User insight

7.54 HMCS has commissioned a national survey, managed by Ipsos MORI, covering all courts in England and Wales over a three-year period (2006-2009). Measuring and understanding court users' views about the service they have experienced and identifying how it could be improved is fundamental to improving service delivery.

7.55 The HMCS court user survey measures satisfaction against a series of key service areas, previously identified by users as those that mattered most to them. These service areas also align closely to the standards we are striving to achieve through Charter Mark and are:

- accessibility
- how staff deal with users
- information
- waiting/timeliness, and
- the court environment.

7.56 The first year survey results (2006/07) concluded that 80 per cent of HMCS court users were generally satisfied with the service provided, with significant recognition being given to the way users are treated by court staff.

7.57 From these results, HMCS has also identified areas for improvement, such as management of waiting times. Waiting times are critical, as research has shown that not only are they a key priority for court users, they are also the single most critical factor that drives overall satisfaction levels.

7.58 HMCS continues to use survey results to help decide on any improvement work needed and has developed a KPI to specifically measure and target user

satisfaction and to challenge the agency to deliver continuous improvement.

Handling user feedback

7.59 During the period April 2007 - 31 March 2008 HMCS recorded 26,281 complaints. The figures below show how HMCS performed against its complaint handling target.

7.60 During the above period, HMCS recorded a total of 6,449 compliments, where people expressed satisfaction with the service they received from HMCS staff.

	Target	Q3 07-08
Individual Courts	Handle 85% of complaints within 5 days	84.1 %
Area Directors Office	Handle 85% of complaints within 10 working days	86.6%
Customer Service Unit (HQ)	Handle 94% complaints within 15 working days	97 %

National Offender Management Service (NOMS)

Service satisfaction

7.61 In 2007/08, NOMS received 1,200 and 3,050 requests for information under the Freedom of Information Act 2000 (FoIA) and Data Protection Act 1998 respectively. 91 per cent of these were completed within the statutory deadline. However in March 2008, the Information Commissioner issued a 'Practice Recommendation' covering the way in which FoIA deadlines are extended to allow consideration of the use of exemptions. Whilst many requests for information have involved issues requiring careful consideration before information is released, for example because there may be security or public protection considerations, the Information Commissioner's advice is accepted and MoJ is working to improve

future performance and reduce delays in such cases.

Employee Engagement Project

7.62 The Employee Engagement Project has been set up to develop the Department's understanding of how our employees experience 'work'; how that experience motivates them to contribute extra effort to achieving organisational goals; and how that extra effort results in increased business performance.

7.63 The aim of the project is to develop an engagement strategy with activities and materials to support implementation - with a view to achieving a highly engaged workforce, helping to create a high performing organisation. This activity is being led and implemented by MoJ businesses.

7.64 A number of groups have been set up to include business representatives from throughout the MoJ to support the development of engagement activities. They include:

- a steering group which drives the direction and approves expenditure
- an engagement forum – open to employees at all levels – a market place for engagement ideas, activities, to share best practice, materials, experience and learning.

7.65 There are currently two working groups:

- the first (virtual working group) has helped to develop managers' support materials (see below) and consists of more than 100 people from around the MoJ who will also be involved in the review of these materials towards the end of 2008
- the second is looking at the design of an Engagement Study to incorporate an MoJ-wide staff opinion survey (SOS/ES) and will include work on the MoJ values and behaviours.

7.66 Trade Union Side (TUS) representatives have joined the steering group and will be joining the SOS/ES working groups. We are also working with the Cabinet Office to inform developing work on employee engagement, which will be rolled-out across government over the next couple of years.

7.67 Activities include the development and launch of materials for all managers to provide support in improving their approaches to facilitated leadership. Also the engagement team, together with a pan-MoJ working group, will be developing an Engagement Study (incorporating the

next staff opinion survey) covering all MoJ staff. This will have a focus on identifying what questions help us to measure levels of staff engagement, and what 'drivers' have an effect on those levels, so that we can target future interventions and materials. This survey will also include work relating to the development of the MoJ values and behaviours (see below).

7.68 Proposals for a pan-MoJ Engagement Champions Network are being developed, and we will also be working throughout the MoJ, to include all staff, in defining the values and behaviours for the Department. These values and behaviours will not replace existing agency / unit values and behaviours and will form an overarching set of values and behaviours for the Department.

Human Resources (HR)

Organisational change

7.69 As a new Government department with over 80,000 people, HR has played a key role in supporting the business to manage the people implications of significant organisational change. This has helped ensure that the organisation is fit for purpose and delivering successful end-to-end justice.

Core business activity

7.70 Our objectives are:

- driving organisational development and business change to ensure that the Department delivers effective justice
- building leadership and management capability across the Department
- transforming how people are managed to ensure that leaders at all levels are providing effective performance management linked to business objectives

- developing and leading a people strategy to speed up the transformation of the business of justice
- driving through a transformational employee engagement and culture change agenda which will place the Department as a high quality, high performing workplace
- delivering effective and efficient HR services to support our people.

There are a number of critical work-streams being delivered at great pace to drive this agenda and support the changes the Department is currently experiencing.

MoJ HR project

7.71 A joint MoJ working group (HR representatives from all areas of the MoJ) has been established to manage these critical HR work-streams. Working collaboratively with the Home Office a protocol was agreed to maintain and effectively manage business as usual activities whilst fuller consideration was given to the people implications of the creation of the new Department.

7.72 The role of these critical work-streams is to design and develop all the necessary HR strategies, policies and procedures needed for the new Department. An early decision was made to implement the pay deal for former DCA staff. This was the culmination of over two years' work to integrate the 50 plus sets of terms and conditions we inherited as a result of the mergers to create HMCS and the Tribunals Service.

7.73 In the meantime, and in accordance with Cabinet Office guidelines, staff transferring to the new Department from the Home Office retained their Home Office pay, terms and conditions at the point of transfer and adopted the Home Office pay award for 2007.

7.74 HM Prison Service has separate collective bargaining arrangements. The challenge is now to develop a reward strategy for the new MoJ. Work is well underway to establish the current reward situation across the Department and identify the key issues. As the project progresses there will be full engagement of HR, business leaders and the Trade Unions to develop strategies for the near and long term.

Pay and grading

7.75 A four-year pay deal for the 28,000 staff in the former DCA staff was implemented on 1 August 2007. The deal is a result of one of the most complex pay and grading reviews undertaken in Whitehall. Prior to the deal there were over 50 plus sets of terms and conditions in place across the Department. The aim was to deliver fair, consistent and competitive pay across the organisation, addressing the significant pay disparities inherited. The deal is being implemented within the agreed remit providing for average annual pay increases of 3.7 per cent over the four years of the deal.

7.76 The deal introduced:

- a flexible six-banded grading structure
- five regional pay ranges, better enabling the organisation to recruit staff with the skills required where they are needed
- common pay and pay progression arrangements - with larger increases for those paid the least within each pay band so addressing unequal pay, and higher rewards for outstanding performers and an improved recognition and reward scheme
- specialist pay ranges to recruit and retain staff with professional qualifications skills and experience necessary to achieve departmental objectives

- a flexible benefits package, including childcare vouchers.

7.77 The introduction of the deal has been a significant administrative exercise with all staff given a personalised options letter enabling them to choose to opt in to the deal or remain on legacy terms and conditions. We anticipate that around 95 per cent of staff will opt in to the deal.

Learning and development, leadership, talent management and senior staffing

7.78 With the creation of the MoJ we have been reviewing our approaches in the areas of learning and development, leadership, talent management and senior staffing to identify how they might be improved better to support the Department and the outcomes we want to achieve.

7.79 As a result of this, during 2008 we will introduce a new, more business driven, approach to learning which will support the Department in ensuring we have the level of skill and capability we need. Key to achieving this will be:

- provision of learning and development consultancy to all parts of the Department to ensure learning supports their business needs
- introduction of blended learning, incorporating e-learning as appropriate
- use of a learning management system
- enhanced support for leadership across the Department.

7.80 Work on the leadership strategy builds on earlier work done in individual business areas, with a new focus on creating shared leadership expectations across the department. It will dovetail with the development of MoJ values and the staff engagement project.

7.81 At the centre of the strategy is a 'Leadership Pathway' which encourages and supports staff to take responsibility for their own development.

7.82 Talent management is a key part of the leadership strategy and is a core role for HR in partnership with business areas. There is a range of talent management programmes within MoJ, which specifically focus on:

- fast streamers
- senior civil servants identified as high potential candidates
- future leaders at various career points below Senior Civil Service (SCS) grade
- programmes aimed at under-represented groups.

7.83 In the course of 2008/09 we will:

- launch the Leadership Pathway
- build a culture of coaching across the Department
- review our approach to talent management and succession planning to develop further corporate schemes for the MoJ
- take steps to improve diversity at senior levels, and on the talent management programmes
- develop a consistent approach on performance and potential to ensure parity and equality.

7.84 Immediate operational needs have also been supported during the year, for example:

- new leadership and management modules have been implemented aimed at raising management capability

- the learning and development team supported the introduction of a new performance management system for former DCA staff, running extensive training sessions and producing a range of associated quick guides
- staff have been funded to undertake NVQ Customer Service and Administration qualifications and to participate in the Prince's Trust Team Programme
- we have also seen the first graduate of the F4GOV Degree Scheme across central government and have a number of people in their first and second years of study.

Shared services

7.85 During 2007/08 HR continued to explore progress towards shared services as outlined in the HR Operating Model. The creation of the MoJ has created a new context within which the analysis of options for HR is being conducted. The position within the Department on HR shared services is mixed with various operating units at different stages of development and engagement.

7.86 The Prison Service is well advanced with a shared services operation, based in Newport Gwent, covering finance, purchase to pay and HR (with payroll provided by Home Office Pay & Pensions Services (HOPPS) and using an Oracle platform. This covers the transactional processes but also some less directly operational activities, particularly in HR. This is already well established and will be fully functioning by mid 2008.

7.87 The former DCA – covering DCA HQ, HMCS, Tribunals, and Associated Offices such as Office of the Public Guardian (OPG) – has its finance and payroll transactional operations (again using

Oracle) outsourced to Liberata. HR services are currently undertaken in-house using an Oracle platform.

7.88 National Offender Management Service (NOMS) and Office for Criminal Justice Reform (OCJR) currently receive their services through the Home Office (with payroll using HOPPS) whilst the Probation Service uses a variety of providers, many based in local government.

7.89 The Department continues to evaluate how to ensure it delivers high quality, cost-effective HR services using a shared services model. In the meantime, HR continues to invest in service development which will support a shared services framework such as technology improvements in resourcing, learning and development, and self-service.

Managing attendance

7.90 The constituent parts of MoJ currently have their own managing attendance policies and work towards different absence targets. All, however, have been proactively working towards reducing absence rates. Workshops, seminars and training events have taken place to ensure managers understand and apply the existing policies and can use the tools provided to deal with sick absence.

7.91 The former DCA had developed a closer and more productive working relationship with our occupational health provider to help reach the shared goal of reducing absence levels.

7.92 In HMPS a full time occupational health adviser is based at the Shared Services Centre and is working to assist with sick leave excusals, serious underlying medical conditions etc, and is helping case workers to speed up existing absence cases.

7.93 For the future, the MoJ will be working towards developing a new cross-MoJ approach to managing attendance.

Target number of days sick absence per person per day			
	Days	Currently	As at 31/3/08
Former DCA	7.5	10.7	10.8
HMPS	11	11.67 (rolling for financial year (April – Nov))	11.7
NOMS HQ	7.5	7.18 (subject approx 10% under reporting)	6.5
OCJR	7.0	5.67	3.3

Equality and diversity

7.94 The MoJ places great importance on equality and diversity. It strives to ensure an effective equality and diversity programme for its staff and the public to whom it delivers.

7.95 All parts of the Department are involved in ensuring equality and diversity is embedded into daily business as well as in policy development. Staff use equality impact assessments to ensure they take account of equality and diversity issues when developing new policies and services. A central team ensures that we deliver fully on our statutory requirements under equality legislation in respect of gender, race and disability (legislation requiring all public authorities to take an active role in promoting equality of opportunity and eliminating discrimination).

7.96 The Home Office and the former DCA published equality schemes for race, gender and disability covering the Department's current responsibilities. These schemes have been updated to reflect the

priorities of the new Ministry of Justice and were published by the end of the financial year 2007/08.

7.97 The Prison Service has a detailed and comprehensive Race Equality Action Plan that sets out all the high-level actions being taking on race equality. It builds on the joint action plan agreed with the Commission for Race Equality (CRE) and includes actions to address the recommendations of the Zahid Mubarek Inquiry and the areas for development identified by HM Chief Inspector of Prisons (HMCIP) in the 'Parallel Worlds' thematic report on race relations in prisons, as well as the programme of work to meet and go beyond our legal obligations as set out in the Prison Service's Race Equality Scheme. Amongst the key measures in place to manage race equality are:

- race equality impact assessments of establishment service delivery, as well as national policy, with around 1500 having been completed across the Prison Service
- key performance targets on race equality

that combine measures of management processes, outcomes for prisoners and prisoner and visitor perceptions to provide an indicator of progress at establishment level

- Race Equality Action Teams, a sub-group of the Senior Management Team led by the Governor or Deputy Governor, meeting regularly to drive the work in each establishment, supported by race equality officers (with this being a full-time role in well over half of establishments).

7.98 There is a range of networks across MoJ providing advice and support to staff on disability, caring responsibilities, minority ethnic, sexual orientation, faith and women's issues. These provide regular outreach events for staff across the country and represent the Department at wider diversity events. Champions support each of the strands at board level, to ensure that diversity and equality are embedded in the top-level decisions.

7.99 The MoJ also has a range of development activities to help staff in minority groups to develop skills and to progress to more senior levels. This includes a new scheme we have developed for women and minority ethnic staff where we arrange a co-coach for them with a similar level person in the private sector. This will be extended to staff with disabilities and to lesbian, gay and bi-sexual staff during 2008.

7.100 We also continue to take forward the Civil Service 'Ten Point Plan' to improve the representation of people from minority groups in the SCS and the feeder grades.

Investment and banking

7.101 The Investment and Banking Programme was established to modernise services provided by the Court Funds Office (CFO) and the trusts and estates work

of the Public Trustee. These activities are responsible for managing money belonging to members of the public. At CFO this is when funds are under control of a court order. Historically, the Public Trustee provided trust services on a commercial as well as last resort basis.

7.102 Our main activity this year has been the review of the Public Trustee. In 2004 the National Audit Office (NAO) recommended the Public Trustee should establish a pro-active strategy to divest itself of all trusts and estates cases other than those of last resort. Following a written ministerial statement in May 2006, a contract was let with Capita Trust Company Ltd in March 2007. During this year we have completed the project to retire as trustee in favour of Capita Trust Company Ltd. This completes the repositioning of the Public Trustee onto work of last resort only.

7.103 At CFO we implemented the revision to Part 36 of the Civil Procedure rules. This removed the need for funds to be paid into court as part of a civil case and replaced it with an exchange of letters between the parties. This was the first element of the modernisation strategy, which we are developing with CFO.

Sustainable development

7.104 As a new Department, we are committed to improving our performance on sustainable development and achieving the Government's sustainable development targets. To achieve this, work during the year has focused on developing a structure to support implementation of the Government's sustainable development policy in its own operations. The new structure will enable us to build on the good work carried out previously by HM Prison Service and HMCS, and provide a basis for further improvements in the coming years.

7.105 Key actions taken during the year are:

- establishment of the MoJ Sustainable Development (SD) Steering Group comprising senior representatives from each activity area within the MoJ. The steering group representatives are responsible for promoting sustainable development within their area and overseeing the implementation of the departmental Sustainable Development Action Plan (SDAP)
- establishment of the MoJ SD Working Group comprising representatives from each activity area within the MoJ. The group is responsible for implementing the SDAP and establishing systems, standards and procedures to ensure proactive and long-term promotion and management of SD within the Department
- the SDAP is the overarching document which identifies specific activities and provides the reporting framework for it to report on progress against the key commitments. Each delivery area, no matter its size or activity, has an important role in contributing to the achievement of the SD commitments made by the Department
- the phasing-out of bottled water from the meeting rooms in MoJ. Water is now served in carafes in the headquarter buildings.

7.106 The following steps have been taken:

- publication of the MoJ's Sustainable Development Action Plan (SDAP) (<http://www.justice.gov.uk/publications/sustainable-development.htm>)
- completion of a departmental audit, to establish baseline on sustainable development performance across the MoJ

- development of an intranet site, to increase staff awareness and raise the profile of SD issues.

7.107 The following steps are planned:

- work with executive agencies in the development of their own SDAPs and monitor performance against sustainable development targets
- continued work to increase energy efficiency and reduce carbon emissions across the MoJ estate
- continued implementation of the waste management strategy to achieve a standard of best waste management practice across the MoJ
- continued work to phase out the use of bottled water across the MoJ estate
- the creation of a network of environmental management representatives, involving staff from business units across the country, to improve communication and encourage best practice.

MoJ IT delivery

7.108 Information technology is increasingly at the centre of the work of the Department. It is both vital to the day-to-day running and efficiency of the organisation and a key enabler for change and reform. Elsewhere in this report you will read about how we are using information and technology to increase the efficiency and effectiveness of our services in the courts, prisons, tribunals and other areas of the Department. Delivering the IT to support the successful launch of the new MoJ last May was a significant achievement for the central IT department.

7.109 During last year we also completed the transition of the former DCA IT infrastructure services (the networks

and computers) for our courts, tribunals, the Office of the Public Guardian, and headquarters, moving to a single joined-up network provided by our new supplier, Atos Origin. The transfer of business applications (the programs that run on a computer that automate manual processes) to LogicaCMG is underway, and will be completed during this year. These new contracts provide the framework to enable us to support further modernisation of our services.

7.110 Underpinning successful IT delivery, the Government IT Profession was launched last autumn across the Moj by the Department's Chief Information Officer and Head of IT profession. By investing in career development, the Profession will ensure that our IT staff are equipped with the right skills, experience and qualifications to provide high quality IT services for the Department and public.

7.111 Work is being taken forward in a number of areas aimed at joining-up Moj IT. These are:

- development and implementation of a pan-Moj IT strategy, including implementation of a common architectural governance framework. This will ensure all future IT developments across the Department align with the required Moj-wide strategy, architecture, security and compliance standards
- the implementation of a common commercial and financial approach (in line with work undertaken by the Moj commercial division) to ensure we maximise value for money across our commercial activities
- development of a centralised information assurance approach consistent with government security standards and ISO

27001. This will ensure data handling across the Department through the sharing of data with other parties.

HM Courts Service change programme

7.112 HMCS has a number of initiatives in place to transform the way in which courts do business. The HMCS Change Programme governs all these, ensuring they are aligned with HMCS business strategy, deliver better services for lower cost, make savings, and lead to standardised and modernised processes, to deliver sustainable change.

7.113 Going forward, the programme aims to improve the CJS, in partnership with the Office for Criminal Justice Reform and other criminal justice agencies, modernise magistrates' courts, transform the civil and family courts and rationalise the court estate.

7.114 During 2007 we saw two major improvements introduced to magistrates' courts:

- Criminal Justice: Simple, Speedy, Summary was implemented across all courts. The result is fewer, more effective hearings set, with less time between charge and disposal. This should ensure shorter waits for both victims and witnesses;
- the magistrates' courts case management application has been implemented successfully in 25 per cent of courts replacing out-of-date legacy systems and enabling improved joining-up and sharing of information between the courts and other criminal justice agencies. More importantly our new system will enable us to implement more consistent processes and service delivery across all our courts.

7.115 In 2008, we will complete delivery of the system and processes, and implement the electronic transfer of court results into the Police National Computer (PNC) ensuring the PNC is updated faster and more reliably.

7.116 In the civil and family courts, we are also introducing a modern IT system. Pilots in some courts and our Bulk Centre have proven the system works well to support our operations, and we can now start to roll out the system nationally from 2008. The new system will also enable us to modernise how we manage our work between courts, potentially moving some work into back offices, for more efficient ways of working.

7.117 The Change Programme will also provide more focus and support for the implementation of family changes into HMCS operations. A Family Reform Programme will draw together the substantial legislative change and unification of family services, with the IT developments required to support them. The programme aims to improve processes, skills and to modernise service delivery for family justice.

7.118 Strategically, our longer-term aim is to implement an electronic filing and document management service which would become the main communication channel between the courts and court users, bringing benefits to HMCS, judges, users and their legal representatives.

Tribunals change programme

7.119 The Transforming Tribunals Programme was set up in April 2007 to deliver the new operational structure and business model for the Tribunals Service. In addition to the new regional management structure, early achievements

include moving posts out of London in line with the MoJ's commitment to the Lyons Review recommendations. The programme will deliver six multi-jurisdictional Administrative Support Centres (ASCs) designed to do back office processing in support of around 50 multi-jurisdictional hearing centres. It will also deliver an efficient and effective common IT platform. It is planned that the first ASC will be located in Birmingham and will be operational in late 2008.

7.120 The programme underwent a review by the Office of Government Commerce in late 2007 and, as a result, was restructured into three constituent projects – Commissioning of Administrative Support Centres (ASC), Commissioning of Multi- Jurisdictional Hearing Centres (HC), and the Tribunals, Courts and Enforcement (TCE) Act Implementation. By adopting this approach, the programme will be able to ensure that the delivery of ASCs and HCs is fully compatible with the changes outlined in the TCE Act.

7.121 These changes will enable the Tribunals Service to maximise operational efficiencies by bringing together the work of the various tribunals to ensure simple processing systems. They will also improve access to services and rationalise the Tribunals Service estate by developing a network of multi-jurisdictional hearing centres in major towns and cities, focused on providing a choice of services to users.

Sustainable development in the Tribunal Service

7.122 The Tribunals Service is actively supporting the MoJ commitment to supporting the environment through sustainable development. During the year, it has identified ten sites for developing Environmental Management Systems

(EMS) and is now running pilot schemes at each. In the longer term, the Tribunals Service will seek EMS ISO 140001 accreditation.

Balancing supply and demand for prison places

7.123 Lord Carter of Coles reported in December on his review of prisons. The report contained proposals for the expansion and improved efficiency of the prison estate; the establishment of a sentencing commission and the reorganisation of NOMS HQ. All the proposals in the report were accepted. More detailed coverage of the action now agreed to increase the number of prison places (to around 96,000 by 2014) is provided in chapter 5. However, whilst an increase in prison places is vital, an arguably even more fundamental issue is to find a solution to the challenge of balancing supply and demand for prison places and this too was addressed in Lord Carter's report.

7.124 In order to achieve that better balance, Lord Carter highlighted the need for a mechanism which reconciles prison capacity with criminal justice policy. He recommended the introduction of a structured sentencing framework and permanent Sentencing Commission. Such a framework would allow the drivers behind the prison population to be addressed and managed in a transparent, consistent and predictable manner through the provision of an indicative set of sentencing ranges. It does not mean that sentencers would be constrained by the availability of resources at any particular time. Custody will remain the option for those who need it.

Offender Management Change Programme

7.125 The Offender Management

Change Programme will focus on managing offenders, increasing capacity of the offender management system, improving front-line service effectiveness and increasing efficiency. The Offender Management Supervisory Board and NOMS Change Management Programme Board are being set up as the overarching governance for the Offender Management Change Programme and its composite programmes and workstreams. Work is currently underway to finalise the scope and structure of the programme and there are currently four programmes strands within the overarching offender management programme:

- Strategy and Regulation Programme – this will provide the mechanism for delivering specific strategies identified through the work of the Strategic Planning and System Policy Unit within the Criminal Justice Group (CJG) of the MoJ
- Organisational Restructuring Programme – this will be responsible for the effective restructuring of NOMS and implementation of the agency / CJG element of the MoJ restructure
- Prison Capacity Programme – this programme will deliver up to 20,000 additional new prison places within the prison system in England and Wales by 2014, in order to achieve objectives and obligations for enforcing the orders of the courts, public protection, decency of treatment of prisoners, and the maintenance of good order and control within prison establishments
- Organisation Effectiveness and Efficiency Programme – this will comprise the following workstreams aimed at ensuring effectiveness and efficiency in NOMS, performance enhancement, specifications and costing, implementing probation trusts, organisational

effectiveness, C-NOMIS, offender management model implementation and work force modernisation.

7.126 Sub-programmes and workstreams will, during their lifecycle, move between the CJG and NOMS, to enable strategic development to be taken forward.

Welsh language

HM Courts Service' Welsh Language Scheme

7.127 HMCS has adopted the principle that, in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages equally. Its Welsh Language Scheme sets out how it will apply this principle when providing services to the public in Wales, where court users have the right to give evidence in either English or Welsh. Specific protocols exist to facilitate the use of the Welsh language in court hearings and trials.

7.128 Two strategies were published during the year whose objectives are to underpin the Welsh Language Scheme:

- a Welsh Language Strategic Plan was adopted in order to promote greater awareness on the use of the Welsh language within daily administration, making it better able to provide a bilingual service at all points of delivery
- the Welsh Skills Strategy aims to increase the number of staff comfortable in using the Welsh language at work thereby ensuring that courts and offices are better able linguistically to meet the needs of their local communities.

7.129 HMCS Wales has also identified a Welsh language champion in all of its courts/offices who will play an important role in disseminating information internally about the Welsh language and raising its profile.

7.130 HMCS has a dedicated Welsh Language Unit. It provides practical support to the courts which includes translating material, bilingual design, proof reading and giving advice on terminology. The unit also undertakes work for other Departmental agencies.

Moj Welsh Language Scheme

7.131 The Moj has also adopted the principle that, in the conduct of public administration and justice in Wales, it will treat the English and Welsh languages on the basis of equality. When the Moj's Welsh Language Scheme is published it will set out how we will give effect to that principle in the services to the public in Wales for which it is responsible.

7.132 A new version of the Moj's draft Welsh Language Scheme is being finalised and subject to approval by the Welsh Language Board, we then intend to submit it for public consultation in 2008.

Health and safety

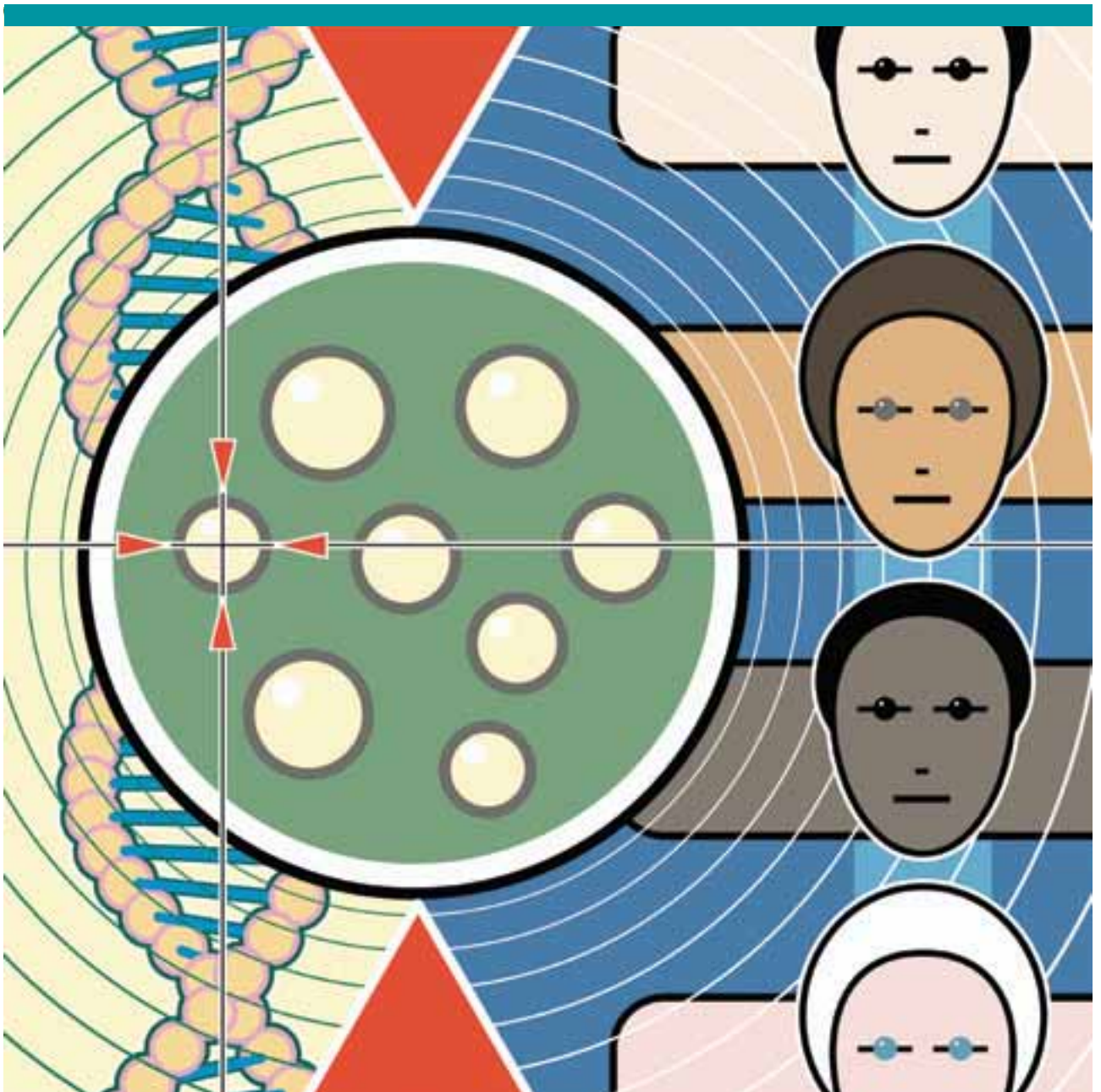
7.133 The Moj is committed to ensuring the health, safety and welfare of its employees, the judiciary, visitors, detainees, contractors and all others who may be affected by its activities. It accepts fully its responsibilities under the Health and Safety at Work etc Act 1974.

7.134 The Moj acknowledges that positive, proportionate health and safety risk management prevents harm and enables efficient delivery of services across the Department. We also recognise that good health and safety management has a significant positive impact on the well being of staff, service delivery and achieving financial targets. Our corporate arrangements provide a framework for the leadership and co-ordination which are essential for achieving a positive health and safety culture.

7.135 Delivery of our positive health and safety culture has been supported by the introduction, over the last year, of an improved corporate health and safety management system which has:

- increased the provision of in-house professional health and safety advice to accommodate the formation of the MoJ
- provided health and safety outreach to all business areas
- increased health and safety guidance and information systems
- introduced a programme of health and safety management system audits.

Ministry of Justice Agencies and Other Offices



8.01 In this chapter we have included:

HM Courts Service
 HM Prison Service
 The Tribunals Service
 The Legal Services Commission
 The Youth Justice Board

8.02 The full list of the organisations that are sponsored by the MoJ can be found on our website at: www.justice.gov.uk/about/organisationswesponsor.htm

Her Majesty's Court Service

8.03 Interim Chief Executive: Neil Ward

Her Majesty's Court Service (HMCS) is an executive agency of the Ministry of Justice and is responsible for managing magistrates' courts, the Crown Court and county courts in England and Wales. It also manages the Royal Courts of Justice, where the majority of High Court and Court of Appeal cases are heard.

8.04 HMCS has a strategic goal: "All citizens according to their differing needs are entitled to access to justice, whether as victims of crime, defendants accused of crimes, consumers in debt, children in need of care, or business people in commercial disputes. Our aim is to ensure that access is provided as quickly as possible and at the lowest cost consistent with open justice and that citizens have greater confidence in, and respect for, the system of justice."

Objectives and performance – delivering better public services

8.05 The key objectives for HMCS in 2007/08 are defined within the 'Breakthrough' commitments, published in March 2007. In summary, these are:

- give greater priority and urgency to public law (family) cases
- simplify and speed up criminal cases in the magistrates' courts
- embed the underlying principles behind community justice in all magistrates' courts
- encourage more families to resolve issues themselves
- ensure that the vast majority of civil business is initiated online
- provide a simpler and quicker service in the county courts
- reduce the time taken to deal with cases in the Crown Court
- provide a knowledgeable, personalised and readily accessible service.

8.06 As an executive agency of the MoJ, HMCS also contributes towards the Ministry's Public Service Agreement (PSA) targets. The contribution of HMCS is monitored by a series of Key Performance Indicators (KPIs) and Supporting Measures. More detail on the 'Breakthrough' Commitments and the KPI's is available in the HMCS Business Plan for 2007/08:

http://www.hmcourts-service.gov.uk/cms/files/businessplan_2007_2008.pdf

8.07 Measurement of progress towards the Breakthrough objectives, together with more information on HMCS's performance against its KPIs, will be published in the HMCS Annual Report and Accounts in July 2008.

Management of resources

8.08 HMCS continues to strive for best value for money in delivering its services. We have set ourselves the challenge of simplifying our systems and processes, both for staff who use our services and for staff, whilst improving performance. This will in turn bring down our operating costs.

Contact details

Her Majesty's Courts Service	T: 020 7210 1373
Selborne House	F: 020 7210 1459
54-60 Victoria Street	www.hmcourts-service.gov.uk
London SW1E 6QW	

Her Majesty's Prison Service (Public Sector Prisons)

Chief Officer: Phil Wheatley CB

8.09 In May 2007 the Prison Service, along with the rest of the National Offender Management Service (NOMS) became part of the new Ministry of Justice (Moj). The Prison Service contributes to the NOMS purpose and aims as well as the Moj's strategic objectives, PSAs and PSA Standards and commitments in the Strategic Plan for Criminal Justice 2008-2011, *Working together to cut crime and deliver justice*. Lord Carter of Coles Review of Prisons (December 2007) identified that the existing structures and business operating model led to considerable duplication of work within NOMS and the Prison Service, with each operating their own systems to administer the processes. From 1 April and as part of the restructure of the Moj a single NOMS delivery organisation, led by Phil Wheatley, previously Director General of the Prison Service, has been created to join together and deliver prison and probation services more effectively. It is expected that this delivery arm will become an Executive Agency.

Prison Service Statement of Purpose

8.10 HMPS serves the public by keeping in custody those committed by the courts. Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release.

Objectives for 2007/08

- Decency
- Diversity and Equality
- Maintaining Order and Control
- Organisational Effectiveness
- Public Protection
- Reducing Re-offending
- Security

Performance for 2007/08

8.11 Latest position reported is that HMPS is on course to meet nine of its 12 delivery targets

8.12 We also developed a portfolio of interlocking change programmes designed to secure delivery of particular themes. HMPS has met its efficiency and headcount targets and is likely to record a small under-spend for the year.

Contact details

HM Prison Service,
Cleland House, Page Street,
London SW1P 4 LN

T: 020 7217 6000
F: 020 7217 6403
www.hmprisonservice.gov.uk

The Tribunals Service

Chief Executive: Peter Handcock CBE

8.13 The purpose of the Tribunals Service (TS) is to:

- provide a more responsive and efficient Tribunals Service and administration
- promote and protect the independence of the judiciary
- contribute to the improvement of the quality of original decision making across Government
- reform the tribunals' justice system for the benefit of users and the public.

Objectives for 2007/08

- to deliver a high quality and effective service underpinned by a move to a regionally structured multi-jurisdictional business model
- to improve continuously the way we provide access to services by focusing on, and meeting the diverse needs of, our users and the wider community
- to work to make the best possible use of resources both to drive reform and to maintain a quality service for users
- to develop our capability to deliver reform by unlocking our people's potential - improving leadership and developing our people's skills
- to work effectively and continuously with the Judiciary, initial decision makers and other relevant bodies to improve services and efficiency.

Performance for 2007/08

8.14 The Tribunals Service has 3 key performance indicators:

- speed of service: at the time of writing, the TS is on course to meet its aim of

dealing with 75 per cent of tribunal applications within target time

- user satisfaction: a survey was completed in February 2008 to baseline levels of satisfaction. An improvement in outcomes will be targeted for 2008/09
- efficiency: the TS met its aim of delivering an annual reduction of 1.1 per cent in its operating costs (in real terms) during 2007/08.

Delivering better public services

8.15 During 2007/08, the following milestones were achieved:

- the Tribunals, Courts and Enforcement Act 2007 was passed, leading to a new legislative framework for Tribunals headed by Lord Justice Carnwath as Senior President
- a new Tribunals Service senior management team was appointed and a new regional operational structure established
- plans to move to a new delivery model centred on a network of multi-jurisdictional hearing centres and 'back office' centres were set in train
- rationalisation of the Tribunals Service estate has begun
- removal of unnecessary management overheads has begun, concentrating staff on front line services, where feasible moving work out of London
- joint working with the Judiciary has been strengthened by the introduction of a joint senior management board and by leadership forums at area level.

Management of resources

8.16 The Tribunals Service has an annual budget of £290m and employs around 2,750 staff. Its CSR2007 settlement

includes investment of £27m to support a programme of change that will realise savings of £55m over the four-year period,

and ongoing annual savings of £22m. In 2007/08 the TS delivered its efficiency target of £2.2m.

Contact details

Tribunals Service
Communications Unit
5th Floor, Fox Court
14 Grays Inn Road
London WC1X 8HN

T: 020 7712 2644
E: TSCommsUnit@tribunals.gsi.gov.uk
www.tribunals.gov.uk

Contact details for other TS offices are listed in the 2007/08 Annual Report and Accounts

Legal Services Commission

Chief Executive: Carolyn Regan

8.17 The Legal Services Commission (LSC) funds legal aid and advice in England and Wales through two schemes: Community Legal Service (CLS) and the Criminal Defence Service (CDS). Delivered through dedicated service providers, its work helps to maintain the fair, efficient and effective operation of the civil and criminal justice systems.

8.18 It is a public body sponsored by the MoJ. The Justice Secretary, the Right Honourable Jack Straw MP, is accountable to Parliament for its activities and performance.

8.19 A board of non-executive commissioners oversees its work, which is responsible for guiding and monitoring the overall strategic direction of the LSC. The organisation is divided into four areas of responsibility.

- policy
- corporate services
- service delivery
- transformation.

More information on our work is available at www.legalservices.gov.uk

Objectives for 2007/08

8.20 The LSC has four strategic objectives for 2007/08:

- an affordable scheme delivered within the resources available and that demonstrates effective financial control
- a transformed organisation that enables the delivery of objectives and excellence in all it does

- clients have access to quality services that meet their needs
- providers deliver quality, value for money and client focused services.

Performance for 2007/08

8.21 The legal aid reform programme is progressing and remains on track to achieve its important goal of continuing to help the greatest number of people possible within a budget that is necessarily limited.

8.22 The LSC continues to reform the way it funds legal services; during 2007/08 the LSC has introduced standard, fixed or graduated fees for:

- magistrates' courts (April 07)
- Crown Court advocates (April 07)
- civil legal help (October 07)
- childcare proceedings (October 07)
- family law private (October 07)
- immigration and asylum (October 07)
- mental health (January 08)
- police stations (January 08),
- Crown Court litigators (January 08)

8.23 While reforming the way it funds legal services the LSC has maintained its 100 per cent coverage of duty solicitors in magistrates courts and provided legal aid to some of the most vulnerable people in society.

8.24 More information on the LSC's performance in 2007/08 will be available in the LSC annual report.

Delivering better public services

8.25 The LSC has worked closely with the MoJ to give effect to the proposals set

out in *Legal Aid Reform: The Way Ahead*, by developing and consulting on a wide range of policies and initiatives in both criminal and civil legal aid. The package of legal aid reforms aims to offer improved services for clients, better value for taxpayers and more certainty for legal aid providers. Full details are set out in chapter 4.

Management of resources

8.26 Legal aid is a major area of expenditure. The Commission's budget in

2007/08 was £116.8m for administration and just under £2.02bn for the CLS Fund and CDS. Year-end expenditure will be reported in the LSC annual report 2007/08.

8.27 The structure of the LSC is evolving as the organisation responds to changing business needs. The Commission is transforming the way it engages with legal aid users, stakeholders and service providers.

Contact details

85 Gray's Inn Road,
London,
WC1X 8TX

T: 020 7759 0000
F: 020 7759 0433
E: Carolyn.Regan@legalservices.gov.uk
www.legalservices.gov.uk

Youth Justice Board

Chief Officer Ms Ellie Roy

8.28 The Youth Justice Board for England and Wales (YJB) is a non-departmental public body created by the Crime and Disorder Act 1998. The YJB is jointly sponsored by the MoJ and the Department for Children, Schools and Families (DCSF). The YJB chair and board members are appointed by the Justice Secretary and the Secretary of State for Children, Schools and Families. YJB oversee the youth justice system in England and Wales. It works to prevent offending and re-offending by children and young people under the age of 18, and to ensure that custody for them is safe, secure and addresses the causes of their offending behaviour.

8.29 It is a statutory requirement that the YJB produce an annual report and accounts to report on their functions. The YJB also produce an annual corporate and business plan and annual statistics.

8.30 MoJ funded the YJB for £423.86m in 2007/08. The YJB also received funding of £23m from DCSF and £31m from the Home Office. There are approximately 223 staff employed within the YJB (including regional offices).

Objectives for 2007/08

8.31 The YJB

- advise the Justice Secretary and the Secretary of State for Children, Schools and Families on the operation of, and standards for the youth justice system
- monitor the performance of the youth justice system
- purchase places for, and place

children and young people remanded or sentenced to custody

- identify and promote effective practice
- make grants to local authorities or other bodies to support the development of effective practice
- commission research and publish information.

Performance for 2007/08

8.32 YJB are working towards achieving six targets in 2007/08. These are:

- prevention - fewer first time entrants
- reducing re-offending
- reducing the use of custody
- improving assessment and access to services
- race equality - reducing local differences
- secure estate - separate provision.

8.33 More information on the YJB's performance in 2007/08 will be available in the YJB annual report

Delivering better public services

8.34 The Machinery of Government changes in July 2007 brought youth justice under the joint sponsorship of the MoJ and the DCSF. The new joint sponsorship arrangements are a positive development for the youth justice sector which will enable the YJB to more effectively meet the challenges of reducing offending by children and young people.

8.35 Frances Done CBE began her role as the new YJB Chair on 1 February 2008.

Management of resources

8.36 In 2007/08 the YJB had a total budget of £501m (£477m resource and £24m capital. The £477m resource budget was derived from NOMS £423m,

DCSF £23m and the Home Office £31m. The £24m capital budget was provided by NOMS. The forecast outturn is £2m within budget (more than one per cent).

Contact details

Diana Luchford,
Head of Joint Youth Justice Unit
4th Floor, Sanctuary Buildings
London SW1P

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F: 0870 001 2345
E: Diana.luchford@dcsgsi.gov.uk
www.justice.gov.uk/www.dcsf.gov.uk

Accounts



Asset management strategy

9.1 MoJ is now responsible for a major property portfolio of over 2,000 buildings valued at almost £10bn. We are continuing to develop a strategic approach, ensuring that the estates network meets our current and future needs in each of our business areas. We aim to provide users with high quality facilities whilst having regard to value for money. In achieving this we are looking to align the needs of our different businesses and identify opportunities for joint solutions, both in provision of public facing operations and 'back-office' administration centres.

9.2 Current activity and plans include:

- increasing prison capacity with the expansion of the building programme announced in response to the Carter Review. This will increase capacity to around 96,000 places by 2014. 1,522 new places were delivered in 2007 with a further 2,500 planned for 2008
- improving the courts estate – a number of new courthouses were completed and became operational during 2007/08 (Manchester Civil Justice Centre, Liverpool Youth Court, Bristol and Hendon magistrates' courts, Blackwood and Chelmsford Civil and Family courts, and Huntingdon Justice Centre) with Loughborough due to open in March. Seven schemes are currently under construction (UK Supreme Court, Business Court, Bristol Civil Justice Centre, Isleworth Crown Court, Cambridge magistrates' court, and Justice Centres at Caernarfon and Salisbury), with Westminster magistrates' court and Justice Centres at Aberystwyth and South Warwickshire in planning or procurement. Future funding has now been agreed for a programme of new court buildings including
 - new magistrates' courts planned for Birmingham, Liverpool, Bolton and Salford, a new combined court for Sunderland, and a new Crown Court at Aylesbury. It is expected that these courts will be open for business around 2012. In addition, integration has been achieved at nine locations, three of which involve using new courthouses, combining Crown, county and magistrates' courts in the same location where possible. Further opportunities for integration will be explored
- for the Tribunals Service (TS), the move to a new multi-jurisdictional service delivery model with six administrative support centres (ASC) and a smaller network of improved hearing centres will enable substantial rationalisation. 11 sites, mostly small under-utilised offices of the Social Security and Child Support Appeals, will have closed during 2007/08. This is primarily through relocation to other tribunal sites in the same vicinity and in all cases service delivery in the location will be maintained. Planning is well underway for the pathfinder ASC in Birmingham, as well as the centralised TS Finance centre in Bristol, both of which will also allow for relocation of work and staff from London. In addition, the relocation of the Mental Health Review Tribunal from Central London to additional space in Leicester, to co-locate with a future ASC, was completed by 31 March 2008 which has relocated 80 staff as part of the Department's commitment under Lyons
- refurbishment of the former Home Office HQ site at Queen Anne's Gate in London will soon be completed enabling major rationalisation of our HQ estate during 2008/09. This provides a short-medium term solution to the expiry or break points in leases on nine current sites, and we will be reviewing the longer-

term scope for relocating functions from London

- as part of the work to create MoJ we are reviewing the way we manage our

estates, currently with separate teams in each agency, and developing a property asset management plan.

Monitoring spending on consultancy and professional services

Expenditure with external consultants 2006/07 in 000s

£,000	DCA	HMCS	PGO	Tribunals
Consultancy	6,552	3,292	250	627

Expenditure with external consultants for MoJ for 6 months from April to September 2007 in 000s

£,000	MoJ (former DCA, includes HMCS, OPG and Tribunals)	NOMS	HM Prison Service	Office for Criminal Justice Reform (OCJR)
Consultancy	2,700	1,600	768	394

9.3 Within MoJ, the following definition of consultancy is used:

“Provision of expertise by an outside organisation to undertake a specifically defined study or project and to provide advice, analysis, possible solutions and implementation plans as required.”

9.4 Engaging consultancy support offers MoJ a fast and flexible way of obtaining skills and experience which are not available in house. Additionally, it is an efficient and cost effective way of meeting one-off requirements and provides better value for money than expanding our payroll.

MoJ is engaged in the cross-departmental work being led by Office of Government and Commerce (OGC) which takes account of the recent National Audit Office (NAO) cross-government report. As a result work has started to review the use of consultants and other external resources across MoJ as a whole. The initial focus will be to develop common processes governing the engagement of consultants and others, to be in operation in the first quarter of next year. We will also be developing a strategy for increasing value for money, reducing costs and increasing benefits from the use of external resources used during the course of 2008/09.

Sponsorship

9.5 No corporate sponsorship income was recorded for 2007/08. The Department requires that such offers be made in writing, that the procurement division records, formally authorises and where necessary reports such an arrangement, and provides advice on whether a formal contract is required. This complies with Cabinet Office guidelines.

9.6 Under the Wider Markets Initiative the Department has generated additional income from maximising the use of its assets. This includes allowing some courts to be hired as film and television shooting locations, rental of court car parking spaces to the public, provision of venues for corporate events and corporate training, and for ceremonies such as weddings and civil partnerships

Public Accounts Committee

9.7 51st report *Legal Services Commission: Legal aid and mediation for people involved in family breakdown*

The report, published on 16 October 2007, considered the current system for referring clients to mediation in legally aided family cases. It also considered the actions the Legal Services Commission (LSC) has in progress to increase referrals to mediation services, to improve the quality of mediation offered, and to strengthen the LSC oversight of solicitors and mediation providers.

9.8 The report was in response to the National Audit Office's (NAO's) Value for Money Report, October 2006, into the use of mediation in family breakdown cases. The NAO approached the LSC as a follow-up to an examination they carried out in 2002 and to recommendations made by the Public Accounts Committee (PAC) in

their report on the same subject (24th Report of 2002-2003).

9.9 The 51st Report, containing the LSC's response was published in the form of Treasury minutes on 18 December 2007.

9.10 PAC conclusions and the LSC response are summarised as follows:

- PAC – lack of disclosure by solicitors to clients about the option of mediation
 - LSC – LSC intends that all clients seeking legal aid for representation will be assessed for suitability for mediation by a professional mediator.
- PAC – concern about the quality of mediation offered
 - LSC – under the Mediation Quality Mark user feedback is taken into account. LSC will review a sample of these records to gain a better understanding of client satisfaction. LSC has also implemented a mediation provider Contract Management Review Criteria Report; will continue to meet regularly with the mediation representative bodies regarding solicitor and mediator performance and will contract only with quality providers.
- PAC – fee rates have acted as a financial disincentive for solicitors to refer clients to mediation
 - LSC – funding arrangements implemented in October 2007 for family and mediation cases are designed to encourage an increase in referrals to mediation.
- PAC – savings could be made by referrals to mediation which cost less than a referral to court funded by legal aid costs
 - LSC – agrees that more needs to be done to incentivise and promote referrals

to mediation. Changes to the funding scheme will lead to more referrals.

- PAC – limited local access to mediators

LSC – LSC will undertake a detailed analysis of client need against current provision by July 2008, with a view to informing ways in which an expansion package to ensure access in all areas will be developed.

- PAC – LSC has poor management data on mediation

LSC – developing a new supplier management database for mediators due to be implemented in April 2008.

- PAC – children are not routinely consulted

LSC – mediation services are able to provide direct consultation with children under LSC's contracting arrangements and adjustments to the fee scheme have been made to accommodate this practice.

- PAC – perceived costs of mediation may deter parties who are not legally aided

LSC – LSC will consider all options for increasing the number of clients who attend mediation.

Generally

9.11 The LSC has proposed far-reaching changes to legal aid for family breakdown. These include the requirement that client seeking legal aid be screened for their suitability for mediation; and a new fixed fee system to give solicitors more incentive to refer their clients to mediation.

Explanation of the nine core financial tables

Core Financial Tables Explanation

Title	Description	Period Covered
Table 1 Total public spending for MoJ	Shows a summary of the Department's total budget, including spending by local authorities on functions relevant to the Department.	2002/03 to 2010/11
Table 2 Resource budget for MoJ	Shows how the Department allocates and spends the resources allocated to it by Parliament to deliver the services within its various responsibilities.	2002/03 to 2010/11
Table 3 Capital budget for MoJ	Shows how the Department allocates and spends the capital allocated to it by Parliament to deliver the services within its various responsibilities.	2002/03 to 2010/11
Table 4 Capital employed by MoJ	Shows capital employed in meeting the Department's objectives.	2002/03 to 2010/11
Table 5 Administration budgets for MoJ	Provides a breakdown of the staff and other general costs (including accommodation and other office costs) related to the running of the Department.	2002/03 to 2010/11
Table 6 Staff in post in MoJ	A staffing count for the MoJ and its Sister Departments	2002/03 to 2010/11
Table 7 MoJ's total spending by country and region (over a spread of years)	Provides analysis of spending in each UK country and nine regions of England.	2002/03 to 2008/09
Table 8 MoJ's Total spending per head by country and region (over a spread of years)	Provides analysis of spending per head of population in each UK country and nine regions of England	2002/03 to 2008/09
Table 9 MoJ's total spending by function or programme, by country and region (for latest outturn year 2006/07)	Provides analysis of spending in each UK country and nine regions of England, under each function of Government.	2006/07

Financial accounts

Table 1 Total public spending

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource budget									
Resource DEL									
1) To promote the development of a modern, fair, cost effective and efficient system of justice for all	7,908,734	7,280,443	7,328,983	7,777,887	8,136,458	8,746,382	9,112,949	9,160,117	9,225,117
2) To support the Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	9,727	18,716	13,893	13,997	6,993	24,913	7,124	7,424	6,324
3) To support the Justice Secretary in discharging his role of representing Wales in the UK government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	3,132	3,042	3,803	4,222	4,395	5,479	7,683	7,483	3,634
Total resource budget DEL	7,921,593	7,302,201	7,346,679	7,796,106	8,147,846	8,776,774	9,127,756	9,175,024	9,235,075
<i>of which: near-cash</i>	6,484,474	7,076,491	7,611,602	7,652,489	7,891,096	8,500,074	8,476,735	8,503,351	8,539,402
Resource AME									
4) To promote the development of a modern, fair, cost effective and efficient system of justice for all	323,317	-	-	875	-	-	-	-	-
5) Judicial Pensions Schemes									
Total resource budget DEL	424,617	58,082	61,655	82,197	83,737	102,019	131,439	98,888	96,796
<i>of which: near-cash</i>	36,145	-11,211	-12,170	20,166	-6,344	1,499	14,542	-156	-1,567

Table 1 Total public spending cont £'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
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Total resource budget DEL	8,346,210	7,360,283	7,408,334	7,878,303	8,231,583	8,878,793	9,259,195	9,273,912	9,331,871
<i>of which: depreciation</i>	191,289	201,353	247,283	343,256	330,658	421,228	384,527	419,520	439,520
RFR1	191,005	201,065	246,995	342,894	330,430	420,598	384,007	419,000	439,000
RFR2	247	253	253	233	180	369	265	265	265
RFR3	37	35	35	129	48	261	255	255	255

**Capital budget
Capital DEL**

To promote the development of a modern, fair, cost effective and efficient system of justice for all	350,069	357,727	589,728	499,235	529,949	970,436	680,734	768,000	733,000
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To support Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	88	13	76	64	-	100	100	100	100
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To support the Justice Secretary in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	34	51	194	127	33	23	766	766	766
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Total capital budget DEL	350,191	357,791	589,998	499,426	529,982	970,559	681,600	768,866	733,866
Capital AME	-	-	-	-	-	-	-	-	-
Total capital budget AME	-	-	-	-	-	-	-	-	-
Total capital budget	350,191	357,791	589,998	499,426	529,982	970,559	681,600	768,866	733,866

Total departmental spending†

To promote the development of a modern, fair, cost effective and efficient system of justice for all	8,391,115	7,437,105	7,671,716	7,935,103	8,335,977	9,296,220	9,409,676	9,509,117	9,519,117
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Table 1 Total public spending cont

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Capital budget									
Capital DEL									
To support the Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	9,568	18,476	13,716	13,828	6,813	24,644	6,959	7,259	6,159
To support the Justice Secretary in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	3,129	3,058	3,962	4,220	4,380	5,241	8,194	7,994	4,145
Judicial Pensions Scheme	101,300	58,082	61,655	81,322	83,737	102,019	131,349	98,888	96,796
Total departmental spending[†]	8,505,112	7,516,721	7,751,049	8,034,473	8,430,907	9,428,124	9,556,178	9,623,258	9,626,217
<i>of which:</i>									
Total DEL	8,080,495	7,458,639	7,689,394	7,952,276	8,347,170	9,326,105	9,424,829	9,524,370	9,529,421
Total AME	424,617	58,082	61,655	82,197	83,737	102,019	131,439	98,888	96,796

[†] Total departmental spending is the sum of the resource budget and the capital budget less depreciation. Similarly, total DEL is the sum of the resource budget DEL and capital budget DEL less depreciation in DEL, and total AME is the sum of resource budget AME and capital budget AME less depreciation in AME.

Spending by local authorities on functions relevant to the Department

Current spending	379,217	411,908	436,836	3,798	3,341	2,807	-	-	-
<i>of which:</i>									
financed by grants from budgets above	274,951	279,977	299,010	-	484	-	-	-	-
Capital spending	40,013	32,473	41,679	-	-	-	-	-	-
<i>of which:</i>									
financed by grants from budgets above ^{**}	43,839	34,809	46,325	1,121	678	1,500	-	-	-

^{**} This includes loans written off by mutual consent that score within non-cash resource budgets and aren't included in the capital support to local authorities line in Table 3.

Table 2 Resource budget DEL and AME £'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
1) To promote the development of a modern, fair, cost effective and efficient system of justice for all	7,908,734	7,280,443	7,328,983	7,777,887	8,136,458	8,746,382	9,112,949	9,160,117	9,225,117
<i>of which:</i>									
Headquarters and Associated Offices	575,785	794,123	994,402	1,889,391	1,719,965	2,261,108	2,175,366	2,222,140	2,197,310
Headquarters and Associated Offices	171,833	297,953	505,141	690,277	416,769	495,237	360,300	456,230	366,980
National Offender Management Service HQ	48,488	256,411	212,032	863,171	954,425	1,393,293	1,521,381	1,639,090	1,703,510
HM Prison Service - Private	265,700	175,741	193,415	237,821	233,794	264,789	163,014	-	-
Office of Criminal Justice Reform (OCJR) HQ	89,764	64,018	83,814	98,122	114,977	107,789	130,671	126,820	126,820
Executive agencies	2,707,756	2,808,789	2,870,419	2,916,132	3,132,360	3,181,612	3,247,207	3,402,040	3,478,340
<i>of which:</i>									
HM Courts Service	-	-	-	913,166	939,777	1,096,301	1,059,240	991,960	996,100
Court Service	530,875	509,461	497,170	-	-	-	-	-	-
Tribunals Service	151,860	169,475	160,988	157,354	277,789	292,427	297,470	287,750	269,310
Office of the Public Guardianship and Court of Protection	-	-	-	-	-	195	1,100	290	-110
Public Guardianship Office	13,437	7,808	663	-359	961	-	-	-	-
HM Prison Service - Public	2,011,584	2,122,045	2,211,598	1,845,971	1,913,833	1,792,689	1,889,897	2,122,040	2,213,040
Local authorities: magistrates' courts grants	274,951	279,977	299,010	-	-	-	-	-	-
Publicly funded legal services	2,116,518	1,874,057	1,540,967	1,564,853	1,703,967	1,673,768	2,070,196	1,954,787	1,954,787

Table 2 Resource budget DEL and AME cont.

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
<i>of which:</i>									
Community Legal Service (CLS)	988,155	689,037	359,151	297,452	445,730	494,172	855,800	878,927	878,927
Costs from Central Funds	39,535	41,093	48,694	69,201	91,208	55,968	45,000	45,000	45,000
Criminal Defence Service (CDS)	1,088,828	1,143,927	1,133,122	1,198,200	1,167,029	1,123,628	1,169,396	1,030,860	1,030,860
Non departmental public bodies	2,233,724	1,523,497	1,624,185	1,407,511	1,580,166	1,629,894	1,619,680	1,581,150	1,594,680
<i>of which:</i>									
Legal Services Commission: administration	73,366	80,686	100,998	97,647	99,978	118,930	114,530	97,000	97,000
Youth Justice Board	350,146	358,946	370,064	361,789	419,899	425,349	423,000	407,000	407,000
Parole Board	3,752	4,698	4,300	5,480	6,639	-5,231	8,000	-	-
Probation (LAB)	561,488	566,775	689,022	719,358	829,001	859,042	865,850	877,490	886,720
OCJR - Criminal Injuries Compensation Authority	1,224,597	503,102	451,012	211,169	204,046	214,632	189,300	180,660	184,960
OCJR - CCRC	12,049	7,729	7,645	7,109	6,868	7,274	7,000	7,000	7,000
Information Commissioner's Office	8,326	1,561	1,144	4,959	7,331	6,350	5,000	5,000	5,000
Judicial Appointments Commission	-	-	-	-	6,404	3,548	7,000	7,000	7,000
Loan charges	-	-	-	-	-	-	-	-	-
2) To support the Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	9,727	18,716	13,893	13,997	6,993	24,913	7,124	7,424	6,324

Table 2 Resource budget DEL and AME cont £'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
<i>of which:</i>									
Scotland Office	9,727	18,716	13,893	13,997	6,993	24,913	7,124	7,424	6,324
3) To support the Justice Secretary in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	3,132	3,042	3,803	4,222	4,395	5,479	7,683	7,483	3,634
<i>of which:</i>									
Wales Office	3,132	3,042	3,803	4,222	4,395	5,479	7,683	7,483	3,634
Total resource budget DEL	7,646,642	7,022,224	7,047,669	7,796,106	8,147,846	8,776,774	9,127,756	9,175,024	9,235,075
<i>of which:</i>									
Near-cash	6,481,474	7,076,491	7,611,602	7,652,489	7,891,096	8,500,074	8,476,735	8,503,351	8,539,402
<i>of which:†</i>									
Pay	2,374,775	2,711,333	2,816,556	3,155,480	3,544,956	5,655,284	3,973,865	3,809,329	3,917,048
Procurement	3,141,686	3,577,491	3,722,239	4,172,077	4,124,156	2,438,813	4,502,870	4,694,022	4,622,354
Current grants and subsidies to the private sector and abroad	665,995	507,690	773,797	315,118	221,527	405,977	-	-	-
Current grants to local authorities	274,951	279,977	299,010	-	484	-	-	-	-
Depreciation	191,289	201,353	247,283	343,256	330,658	421,228	384,527	419,520	439,520

Table 2 Resource budget DEL and AME cont

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
Resource AME									
4) To promote the development of a modern, fair, cost effective and efficient system of justice for all	323,317	-	-	875	-	-	-	-	-
<i>of which:</i>									
Non departmental public bodies	323,317	-	-	875	-	-	-	-	-
<i>of which:</i>									
Probation (LAB)	323,852	-	-	875	-	-	-	-	-
Parole Board	-535	-	-	-	-	-	-	-	-
5) Judicial Pensions Scheme	101,300	58,082	61,655	81,322	83,737	102,019	131,439	98,888	96,796
Total resource budget AME	424,617	58,082	61,655	82,197	83,737	102,019	131,439	98,888	96,796
<i>of which:</i>									
Near-cash	36,145	-11,211	-12,170	20,166	-6,344	1,499	14,542	-156	-1,567
<i>of which:¹</i>									
Pay	-	-	-	-	-	-	-	-	-
Procurement	-535	-	-	-	-	-	-	-	-
Current grants and subsidies to the private sector and abroad	-	-	-	-	-	-	-	-	-
Current grants to local authorities	-	-	-	-	-	-	-	-	-
Depreciation	-	-	-	-	-	-	-	-	-
Total resource budget	8,071,259	7,080,306	7,109,324	7,878,303	8,231,583	8,878,793	9,259,105	9,273,912	9,331,871

¹The breakdown of near cash in Resource DEL by economic category may exceed the total near-cash Resource DEL reported above because of other income and receipts that score in near-cash Resource DEL but aren't included as pay, procurement, or current grants and subsidies to the private sector, abroad and local authorities

Notes to table

Expenditure in the MoJ's business areas will feed into Objectives and PSAs as follows:

Former DCA

Area	2007/08 Objectives	SR04 PSAs
DCA Headquarters	1,2,3,4	1,2,4,5
Public Guardianship Office ^a	1,2,3	2,5
Information Commissioners Office	3	-
Tribunals Service	1,4	3
Judicial Appointments Commission	1	N/A
Legal Services Commission	1,2	1,2,3,4,5
Community Legal Service	1,2	3,4,5
Criminal Defence Service	1	1

^a From 2007/08 the Public Guardianship Office is known as the Office of the Public Guardian.

Former Home Office

Area	2007/08 Objectives	SR04 PSA's
National Offender Management Service	5	2,3
Office of Criminal Justice Reform	4,5	2,3

9.12 Due to the specific nature of the PSAs, not all the Department's expenditure will feed directly into a PSA, although all expenditure will feed in to the Department's objectives.

Constitution and Law; Access to justice; NOMS; and Criminal Justice – plus Corporate Performance. The Business groups are underpinned by the four Departmental Strategic Objectives.

9.13 From 2008/09, the work of the Department will be organised around four policy and delivery areas – Democracy,

PSAs

From 2008/09 All PSAs are government-wide and each will cross government departments. Those related to MoJ are listed below:

Number	Lead Department	PSA Target
3	Home Office	Ensure controlled, fair migration that protects the public and contributes to economic growth
13	Department for Children Schools and Families	Improve children and young people's safety
14	Department for Children Schools and Families	Increase the number of children and young people on the path to success
15	Government Equalities Office	Address the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief
16	Cabinet Office	Increase the proportion of socially excluded adults in settled accommodation and employment education or training
21	Department for Communities and Local Government	Build more cohesive, empowered and active communities
23	Home Office	Make communities safer.
24	Ministry of Justice	Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public.
25	Home Office	Reduce the harm caused by alcohol and drugs
26	Home Office	Reduce the risk to the UK and its interests overseas from international terrorism

9.14 The MoJ was created on the 9 May 2007. The new Department incorporated all the areas of the former DCA, together with a number of areas from the Home Office, namely NOMS and the OCJR and some parts of the Privy Council Office.

9.15 As a result of the Machinery of Government change, back years figures have been adjusted to reflect the figures transferred from the Home Office. The outturn shown for 2007/08 is estimated and will be revised in the Public Expenditure Outturn White Paper. Figures for 2008/09 to 2010/11 are as set out in the CSR settlement. However, the allocation of expenditure across business areas is subject to change following the Department's Organisational Review.

Headquarters and Associated Offices

9.16 A majority of the increase between 2006/07 and 2007/08 results from costs associated with the DISC transition contract.

National Offender Management Service (NOMS)

9.17 The estimated outturn shown for NOMS HQ includes expenditure which should be classified under HM Prison Service - Public. This will be updated as part of the Provisional Expenditure Outturn White Paper.

9.18 The planned expenditure for 2009/10 and 2010/11 relating to HM Prison Service - Public and Parole Board has been similarly recorded.

9.19 Current grants and subsidies to the private sector and abroad.

9.20 At the time of publication a precise breakdown of the figures for the above for 2008/09 and future years is not known.

HMCS

9.21 The increase in expenditure between 2006/07 and 2007/08 is due to additional change programme funding and increased provisions in relation to the magistrates' courts pension transfer deficit.

Legal aid

9.22 The split of the 2007/08 Legal Service Fund (between the Community Legal Service and the Criminal Defence Service) is estimated and will be revised. The 2006/07 and 2007/08 figures are impacted by significant write back of provisions for dormant cases.

Resource AME

9.23 It is anticipated that, in accordance with HM Treasury's revised budgeting policy, HMCS will incur AME costs associated with a re-valuation impairment on their Estate in 2007/08. This is not currently included in the AME section above.

Table 3 capital budget DEL and AME

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Estimated outturn	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
1) To promote the development of a modern, fair, cost effective and efficient system of justice for all	350,069	357,727	589,728	499,235	529,949	970,436	680,734	768,000	733,000
<i>of which:</i>									
Headquarters and Associated Offices	6,385	65,977	226,881	301,611	402,494	804,203	476,534	646,800	602,330
Headquarters and Associated Offices	1,326	7,971	90,840	21,996	21,002	174,202	15,034	233,260	79,790
HM Land Registry	1,100	13,900	-	-	-	-	-	-	-
National Offender Management Service HQ	-	19,035	130,050	254,055	364,784	597,002	426,000	378,000	487,000
HM Prison Service - private	-	-	-	-	176	-	-	-	-
Office of Criminal Justice Reform (OCJR) HQ	3,959	25,071	5,991	25,560	16,532	32,999	35,500	35,540	35,540
Executive agencies	253,879	240,396	274,578	182,057	100,405	139,517	172,200	99,700	109,170
<i>of which:</i>									
HM Courts Service	-	-	-	86,148	82,682	117,755	152,700	76,180	89,000
Court Service	20,606	38,174	34,722	-	-	-	-	-	-
Tribunals Service	20	1,009	3,388	7,028	3,892	4,927	3,000	6,020	2,670
Office of the Public Guardianship and Court Protection	3,268	1,037	1,058	792	2,018	967	500	500	500
HM Prison Service - public	229,985	200,176	235,410	88,089	11,813	15,868	16,000	17,000	17,000
Local authorities: magistrates' courts grants	43,839	34,809	45,753	-	-	-	-	-	-
Publicly funded legal services	-	-	-	186	130	-	-	-	-
<i>of which:</i>									
Community Legal Service (CLS)	-	-	-	68	-7	-	-	-	-
Costs from central funds	-	-	-	-	-	-	-	-	-
Criminal Defence Service (CDS)	-	-	-	118	137	-	-	-	-

Table 3 capital budget DEL and AME cont									£'000
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated outturn	Plans	Plans	Plans
Resource DEL									
Non departmental public bodies	45,966	16,545	42,516	15,381	26,920	26,716	32,000	21,500	21,500
<i>of which:</i>									
Legal Services Commission: administration	1,174	5	4,943	2,460	3,506	3,591	7,500	-	-
Youth Justice Board	22,785	8,458	37,463	9,463	20,000	20,012	20,000	20,000	20,000
Parole Board	-	22	-	-	-	-	-	-	-
Probation (LAB)	15,590	4,273	-	2,453	2,917	-	3,000	-	-
OCJR - CICA	938	1,769	110	-	-	3,018	1,500	1,500	1,500
OCJR - CCRC	546	811	-	-	-206	95	-	-	-
Information Commissioner's Office	4,933	1,207	-	1,005	703	-	-	-	-
2) To support the Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	88	13	76	64	-	100	100	100	100
<i>of which:</i>									
Scotland Office	88	13	76	64	-	100	100	100	100
3) To support the Justice Secretary in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	34	51	194	127	33	23	766	766	766
<i>of which:</i>									
Wales Office	34	51	194	127	33	23	766	766	766
Total CAPITAL budget DEL	306,352	322,982	544,245	499,426	529,982	970,559	681,600	768,866	733,866

Table 3 capital budget DEL and AME cont

£'000

	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Estimated outturn	2008/09 Plans	2009/10 Plans	2010/11 Plans
Resource DEL									
<i>of which:</i>									
Capital expenditure on fixed assets net of sales [†]	306,352	318,709	543,673	498,285	528,255	969,059	681,600	768,866	733,866
Capital grants to the private sector and abroad	-	4,273	-	82	1,049	-	-	-	-
Net lending to private sector	-	-	-	-	-	-	-	-	-
Capital support to public corporations	-	-	-	-	-	-	-	-	-
Capital support to local authorities ^{††}	43,839	34,809	46,325	1,121	678	1,500	-	-	-
CAPITAL AME									
Total capital budget AME	-	-	-	-	-	-	-	-	-
Total capital budget	306,352	322,982	544,245	499,426	529,982	970,559	678,600	768,866	733,866
<i>of which:</i>									
Capital expenditure on fixed assets net of sales [†]	306,352	318,709	543,673	498,285	528,255	981,059	681,600	768,866	733,866
Less depreciation ^{†††}	191,289	201,353	247,283	343,256	330,658	421,228	384,527	419,520	439,520
Net capital expenditure on tangible fixed assets	115,063	117,356	296,390	155,029	197,597	559,831	297,073	349,346	294,346

[†] Expenditure by the department and NDPB's on land, buildings and equipment, net of sales. Excludes spending on financial assets and grants, and public corporations' capital expenditure.

^{††} This does not include loans written off by mutual consent that score within non cash resource Budgets.

^{†††} Included in resource budget

Notes to table

Expenditure in the MoJ's business areas will feed into Objectives and PSAs as follows:

Former DCA

Area	2007/08 Objectives	SR04 PSAs
DCA Headquarters	1,2,3,4	1,2,4,5
Public Guardianship Office ^a	1,2,3	2,5
Information Commissioners Office	3	-
Tribunals Service	1,4	3
Judicial Appointments Commission	1	N/A
Legal Services Commission	1,2	1,2,3,4,5
Community Legal Service	1,2	3,4,5
Criminal Defence Service	1	1

^a From 2007/08 the Public Guardianship Office is known as the Office of the Public Guardian.

Former Home Office

Area	2007/08 Objectives	SR04 PSA's
National Offender Management Service	5	2,3
Office of Criminal Justice Reform	4,5	2,3

9.24 Due to the specific nature of the PSAs, not all the Department's expenditure will feed directly into a PSA, although all expenditure will feed in to the Department's objectives.

Constitution and Law; Access to justice; NOMS; and Criminal Justice – plus Corporate Performance. The Business groups are underpinned by the four Departmental Strategic Objectives.

9.25 From 2008/09, the work of the Department will be organised around four policy and delivery areas – Democracy,

PSAs

From 2008/09 All PSAs are government-wide and each will cross government departments. Those related to MoJ are listed below:

Number	Lead Department	PSA Target
3	Home Office	Ensure controlled, fair migration that protects the public and contributes to economic growth
13	Department for Children Schools and Families	Improve children and young people's safety
14	Department for Children Schools and Families	Increase the number of children and young people on the path to success
15	Government Equalities Office	Address the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief
16	Cabinet Office	Increase the proportion of socially excluded adults in settled accommodation and employment education or training
21	Department for Communities and Local Government	Build more cohesive, empowered and active communities
23	Home Office	Make communities safer.
24	Ministry of Justice	Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public.
25	Home Office	Reduce the harm caused by alcohol and drugs
26	Home Office	Reduce the risk to the UK and its interests overseas from international terrorism

9.26 HM Treasury reclassified the treatment of profit/loss on disposal of assets from scoring in Resource DEL to scoring in capital DEL across all years.

9.27 MoJ was created on the 9 May 2007. The new Department incorporated all the areas of the former DCA, together with a number of areas from the Home Office, namely NOMS and the OCJR and some parts of the Privy Council Office.

9.28 As a result of the Machinery of Government change, back years figures have been adjusted to reflect the figures transferred from the Home Office. The outturn shown for 2007/08 is estimated and will be revised in the Public Expenditure Outturn White Paper. Figures for 2008/09 to 2010/11 are as set out in the CSR settlement.

However, the allocation of expenditure across business areas is subject to change following the Department's Organisational Review.

Headquarters

9.29 It is anticipated that the 2007/08 outturn is likely to be considerably lower than the £174m shown above. This is largely due to the costs associated with the MoJ move into its new headquarters falling into 2008/09 rather than 2007/08 as originally forecast.

HMCS

9.30 At the time of publication some of the spend for 2009/10 and 2010/11 for HMCS is recorded under Headquarters and Associated Offices.

Table 4 Capital employed										£'000
Assets and liabilities on the balance sheet at end of year:	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Projected outturn	2008/09 Plans	2009/10 Plans	2010/11 Plans	
Assets										
Fixed assets										
Intangible	-	-	9,915	3,397	2,335	2,000	2,000	2,000	2,000	
Tangible	6,841,705	7,082,888	7,937,316	9,319,527	10,520,788	11,136,854	11,786,546	12,541,732	13,240,431	
<i>of which</i>										
Land and buildings	6,494,266	6,725,610	7,372,615	8,674,197	9,647,966	10,168,692	10,761,192	11,259,912	11,858,632	
Plant and machinery (inc vehicles)	5,899	5,612	2,511	97,819	100,704	98,491	100,461	102,470	104,519	
Information Technology	21,760	75,879	135,783	157,809	128,086	138,008	161,524	282,535	325,159	
Other tangible fixed assets	319,780	331,243	426,407	389,702	644,032	731,663	763,369	896,814	952,121	
Investments	1,046,065	968,208	857,478	822,207	802,034	801,988	785,939	770,212	754,800	
Current assets	482,453	1,942,843	375,994	906,333	956,019	768,322	746,560	725,748	705,846	
Liabilities										
Creditors (<1 year)	- 647,924	-1,999,953	-663,664	-1,224,324	-1,365,393	-3,701,820	-3,535,092	-3,376,480	-3,225,585	
Creditors (>1 year)	-1,296,858	-984,342	-1,295,157	-1,377,070	-1,383,388	-1,579,410	-1,554,150	-1,529,416	-1,505,194	
Provisions	-39,668	-65,948	-88,317	-814,637	-1,110,273	-948,308	-953,543	-959,248	-965,420	
Capital employed within main department	6,385,773	6,943,696	7,133,565	7,635,433	8,422,122	6,479,627	7,278,260	8,174,549	9,006,878	
NDPB net assets	19,960	32,543	26,897	36,999	36,044	45,191	48,546	48,546	48,546	
Legal Aid Fund net assets	-2,246,030	-2,593,461	-2,120,282	-1,681,617	-1,370,822	-998,636	-828,636	-828,636	-828,636	
Criminal Injuries Compensation Authority	-1,163,819	-1,210,192	-1,256,504	-1,251,680	-1,187,292	-1,187,292	-1,187,292	-1,187,292	-1,187,292	
Total capital employed in departmental group	6,405,733	6,976,239	7,160,462	7,672,432	8,458,166	6,524,818	7,326,806	8,223,095	9,055,424	

Notes to table

9.31 The 2007/08 figure is the projected forecast outturn figure, is provisional and subject to revision.

9.32 The figures for 2008/09, 2009/10 and 2010/11 are projected plans based on the departments latest plans based on the CS07 settlement. These numbers are also provisional and subject to revision.

9.33 The previous years figures have been restated to account for the formation of the Ministry of Justice on 9 May 2007 and incorporate figures for National Offender Management Service, Office of Criminal Justice Reform and Criminal Injuries Compensation Authority. The figures have been taken from the balance sheet of the relevant published accounts. The figures have been further restated due to the reclassification of various balances within the balance sheet.

Table 5 Administration costs									£'000
	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated outturn	Plans	Plans	Plans
Administration expenditure									
Paybill	154,935	297,299	236,878	298,932	243,873	211,833	235,205	231,620	229,750
Other	117,219	67,277	204,808	181,920	189,026	235,530	227,095	225,527	212,568
Total administration expenditure	272,154	364,576	441,686	480,852	432,899	447,363	462,300	457,147	442,318
Administration income	-15,240	-33,146	-15,639	-17,162	-12,369	-8,180	-25,000	-26,600	-26,600
Total administration budget	256,914	331,430	426,047	463,690	420,530	439,183	437,300	426,547	411,718
Analysis by activity									
To promote the development of a modern, fair, cost effective and efficient system of justice for all	247,032	322,095	416,732	453,984	410,371	426,309	422,853	412,000	402,000
To support the Justice Secretary in discharging his role of representing Scotland in the UK Government, representing the UK Government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	6,750	6,293	5,512	5,484	5,793	7,424	6,824	7,124	6,024
To support the Justice Secretary in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	3,132	3,042	3,803	4,222	4,366	5,450	7,623	7,423	3,694
Total administration budget	256,914	331,430	426,047	463,690	420,530	439,183	437,300	426,547	411,718

Notes to table

9.34 In the 2007/08 spring supplementary £261m was reclassified from administration to programme in accordance with HM Treasury guidelines. This ensures expenditure is appropriately classified, rather than being split based on historical allocations.

9.35 As a result of this reclassification, the Department has restated the figures for admin budgets for previous years in accordance with HM Treasury guidelines. The previous years have also been restated to account for the Machinery of Government changes associated with the formation of MoJ on 9 May 2007.

Staff numbers for Ministry of Justice

Table 6: Ministry of Justice: Staff numbers **Full-time equivalents - FTEs**

	2002/03 Actual	2003/04 Actual	2004/05 Actual	2005/06 Actual	2006/07 Actual	2007/08 Actual estimated	2008/09 Plans	2009/10 Plans	2010/11 Plans
Former Department for Constitutional Affairs:									
Permanent	11,740	11,950	12,533	24,069	24,567	-	-	-	
Casual	440	460	518	498	710	-	-	-	
Ministry of Justice:									
Permanent	-	-	-	-	-	73,692	*	*	*
Casual	-	-	-	-	-	2,879			
Total	12,180	12,410	13,050	24,567	25,277	76,571	*	*	*
	Apr-03	Apr-04	Apr-05	Mar-06	Mar-07	Mar-08			

* Future year plans are still in development

Source: Actual figures for former DCA from CHRIMSON (Departmental HR system)

9.36 Figures in previous years re-stated to align and be consistent with definitions used by Office of National Statistics (ONS) and the Cabinet Office.

The figures up to 2006/07 refer to former DCA only. The increase in 2007/08 is the

result of the machinery of Government change to create MoJ, incorporating all of the former DCA and parts of Home Office, namely NOMS and OCJR. MoJ was created on 9 May 2007.

Total spending by country and region (over spread of years)

Table 7: MoJ Total spending by country and region							MoJ	£m	
	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Plans	2009/10 Plans	2010/11 Plans
North East	322.3	360.8	401.5	410.7	413.2	456.3	500.5	507.3	513.7
North West	1,062.1	1,174.8	1,257.2	1,320.4	1,329.5	1,448.7	1,481.7	1,497.5	1,501.6
Yorkshire and Humberside	664.9	731.5	808.4	813.3	816.7	902.4	896.5	910.6	921.4
East Midlands	442.9	478.1	522.4	559.5	546.2	594.6	579.8	588.8	593.3
West Midlands	645.1	700.5	784.7	839.4	845.1	924.1	911.0	915.5	918.2
Eastern	419.3	454.0	524.1	560.2	570.0	626.5	648.4	656.7	659.8
London	1,530.0	1,678.7	1,852.0	1,911.5	1,963.6	2,140.5	2,150.5	2,142.2	2,130.5
South East	669.0	693.5	762.6	784.4	816.4	900.7	868.0	883.7	893.5
South West	404.7	434.9	490.5	505.4	523.7	578.9	577.5	584.4	585.3
Total England	6,160.2	6,707.0	7,403.5	7,704.7	7,824.4	8,572.9	8,614.0	8,686.6	8,717.2
Scotland	5.1	-1.6	-1.7	-0.7	-0.9	0.2	0.2	0.0	-0.2
Wales	344.2	380.5	423.6	437.6	433.4	475.4	500.9	506.2	507.4
Northern Ireland	1.5	-0.3	-0.4	-0.1	-0.1	0.2	0.2	0.1	0.1
Total UK identifiable expenditure	6,511.0	7,085.6	7,825.1	8,141.6	8,256.8	9,048.7	9,115.2	9,192.8	9,224.4
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	6,511.0	7,085.6	7,825.1	8,141.6	8,256.8	9,048.7	9,115.2	9,192.8	9,224.4
Non-identifiable expenditure	0.6	0.7	0.8	1.0	0.9	1.0	0.0	0.0	0.0
Total expenditure on services	6,511.6	7,086.3	7,825.8	8,142.5	8,257.7	9,049.7	9,115.2	9,192.8	9,224.4

**Total spending by country and region
(over spread of years)**

Table 8: MoJ Total spending per head by country and region							MoJ	£'s per head		
	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Plans	2009/10 Plans	2010/11 Plans	
North East	126.8	142.0	157.9	161.1	161.7	176.1	192.8	195.0	196.9	
North West	156.7	172.8	184.3	193.0	194.0	208.4	212.1	213.3	212.7	
Yorkshire and Humberside	132.9	145.5	159.6	159.2	158.8	174.8	172.3	173.6	174.3	
East Midlands	104.9	112.4	121.7	129.3	125.2	135.9	131.3	132.1	131.9	
West Midlands	121.8	131.9	147.3	156.9	157.5	170.2	166.9	166.9	166.4	
Eastern	77.2	82.9	95.1	100.7	101.7	111.5	114.2	114.5	113.9	
London	207.8	228.0	250.6	256.4	261.4	284.1	282.4	278.7	274.7	
South East	83.1	85.8	93.9	95.8	99.1	108.7	103.9	105.0	105.3	
South West	81.4	86.9	97.3	99.4	102.2	112.6	111.3	111.5	110.6	
Total England	124.1	134.5	147.7	152.7	154.1	167.8	167.3	167.4	166.7	
Scotland	1.0	-0.3	-0.3	-0.1	-0.2	0.0	0.0	0.0	0.0	
Wales	117.9	129.8	143.8	148.2	146.1	159.6	167.3	168.3	167.9	
Northern Ireland	0.9	-0.2	-0.2	-0.1	-0.1	0.1	0.1	0.1	0.0	
Total UK identifiable expenditure	109.8	119.0	130.8	135.2	136.3	148.4	148.4	148.6	148.0	

Spending by function or programme, by country and region
(For latest outturn year, 2006/07)

Table 9: MoJ identifiable expenditure on services by function, country and region for 2006/07							£m
	General Public Services		Public Order and Safety		Social Protection		Total for MoJ
	Public and Common Services	Total General Public Services	Administration of Justice	Total Public order and Safety	Public Sector Occupational Pensions	Total Social Protection	
North East	0.2	0.2	413.1	413.1	-0.1	-0.1	413.2
North West	0.7	0.7	1,329.4	1,329.4	-0.6	-0.6	1,329.5
Yorkshire and Humberside	0.5	0.5	816.6	816.6	-0.4	-0.4	816.7
East Midlands	0.4	0.4	546.0	546.0	-0.2	-0.2	546.2
West Midlands	0.4	0.4	845.1	845.1	-0.3	-0.3	845.1
Eastern	0.5	0.5	570.0	570.0	-0.5	-0.5	570.0
London	0.9	0.9	1,964.1	1,964.1	-1.4	-1.4	1,963.6
South East	1.0	1.0	816.5	816.5	-1.1	-1.1	816.4
South West	0.5	0.5	523.6	523.6	-0.5	-0.5	523.7
England	5.1	5.1	7,824.3	7,824.3	-5.0	-5.0	7,824.4
Scotland	0.0	0.0	0.0	0.0	-0.9	-0.9	-0.9
Wales	0.4	0.4	433.3	433.3	-0.2	-0.2	433.4
Northern Ireland	0.1	0.1	0.0	0.0	-0.2	-0.2	-0.1
UK identifiable expenditure	5.6	5.6	8,257.6	8,257.6	-6.3	-6.3	8,256.7
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	5.6	5.6	8,257.6	8,257.6	-6.3	-6.3	8,256.7
Not identifiable	2.2	2.2	0.0	0.0	0.0	0.0	2.2
£'s Millions Totals	7.8	7.8	8,257.6	8,257.6	-6.3	-6.3	8,258.9

Notes to tables 7 to 9

9.37 Tables 7, 8 and 9 show analyses of the department's spending by country and region, and by function. The data presented in these tables are consistent with the country and regional analyses (CRA) published by HM Treasury in Chapter 9 of Public Expenditure Statistical Analyses (PESA) 2008. The MoJ's current responsibilities have been projected backwards, and therefore outturn figures for years up to 2005/06 differ from those in previous Department of Constitutional Affairs (DCA) departmental reports. The figures were taken from the HM Treasury public spending database in December 2007 and the regional distributions were completed in January and February 2008. Therefore the tables may not show the latest position and are not consistent with other tables in the Departmental Report.

9.38 The analyses are set within the overall framework of Total Expenditure on Services (TES). TES broadly represents the current and capital expenditure of the public sector, with some difference from the national accounts measure, Total Managed Expenditure. The tables show the central government and public corporation elements of TES, they include current and capital spending by the departments and its NDPB's, and public corporations 'capital expenditure', but do not include payments to local authorities or local authorities own expenditure.

9.39 TES is a near-cash measure of public spending. The tables do not include depreciation, cost of capital charges, or movements in provisions that are in departmental budgets. They do include pay, procurement, capital expenditure, and grants and subsidies to individuals and private sector enterprises. Further information on TES can be found in Appendix E of PESA 2007.

9.40 Across government, most expenditure is not planned or allocated on a regional basis. Social security payments, for example, are paid to eligible individuals irrespective of where they live. Expenditure on other programmes is allocated by looking at how all the projects across the department's area of responsibility, usually England, compare. So the analyses show the regional outcome of spending decisions that on the whole have not been made primarily on a regional basis.

9.41 The functional analyses of spending in table 9 are based on the United Nations Classification of the Functions of Government (COFOG), the international standard. The presentations of spending by function are consistent with those used in chapter 9 of PESA 2007. These are not the same as the strategic priorities shown elsewhere in the report.

Numbers of Senior Civil Service Staff by Payband

SCS STATISTICS BY PAYBAND as 31 December 2007

	Pay Band 3	Pay Band 2	Pay Band 1A	Pay Band 1	Total
	8	45	36	159	248

Senior Civil Service

	October 2003 (Former DCA)	April 2005 (Former DCA)	November 2005 (Former DCA)	December 2007 MoJ	March 2009 MoJ Target
Proportion of women	28.9%	33.7%	34.9%	36.3%	*
Proportion of women at pay band 2+	31.2%	34.4%	34.4%	36.5%	*
Proportion of minority ethnic staff	0%	2%	2.7%	5.2%	*
Proportion of staff with disabilities	2.6%	1.3%	2.0%	1.8%	*

Feeder Grades (Spans 8 & 9)

	September 2003 (Former DCA)	April 2005 (Former DCA)	November 2005 (Former DCA)	December 2007 MoJ	March 2009 Target
Proportion of women	44.2%	45.2%	47.5%	44.4%	*
Proportion of minority ethnic staff	6.1%	8.4%	7.0%	5.3%	*
Proportion of staff with disabilities	1.6%	2.1%	3.3%	2.1%	*

* future plans are under development

It is important to note that the data to 2005 is former DCA but excludes Magistrates' Courts staff. The December 2007 figures and future targets include the whole of MoJ

NDPB public appointments in 2007/08 (and re-appointments)

9.42 The Ministry has oversight of 246 executive and advisory Non Department Public Bodies (NDPB), comprising, as of 31 March 2008, a total of 7,894** ministerial and non-ministerial appointments. The majority of the appointments are the locally based Courts Boards (established from April 2005); the restructured Tribunals Service (established 2006/07); and the advisory committees on justices of the peace and general commissioners of income tax. The number of 7,894** breaks down to 5,065 male and 2,829 female.

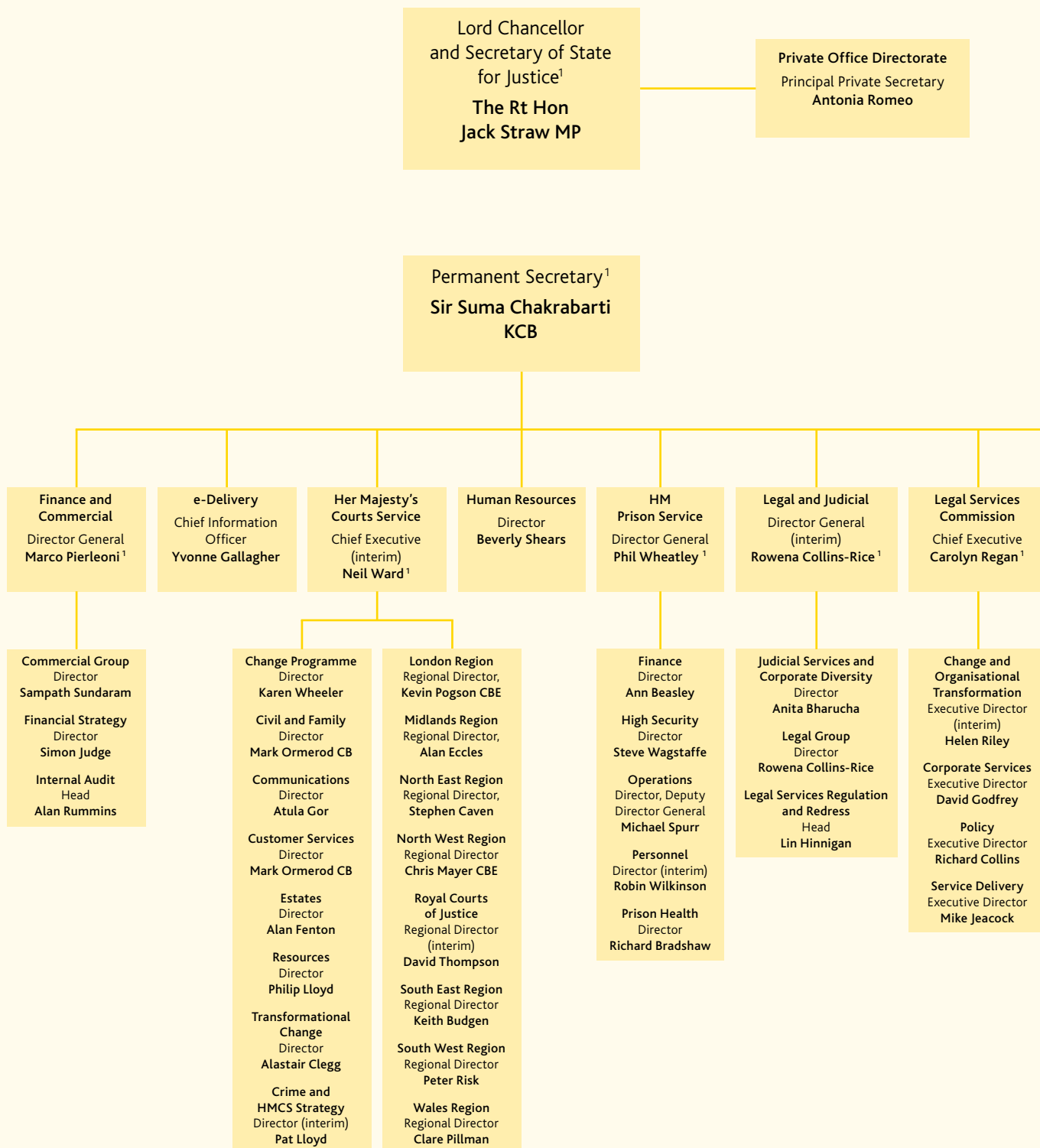
**As at 31 December 2007 MoJ took on additional responsibility for 17 transferred NDPB's. MoJ has not been in a position to fully establish the statistics from these transferred bodies but will have this information completed for the annual report 2008/09. However, on the latest figures provided there has been some change in that The Advisory Committee on Justices of the Peace in Lancashire, Greater Manchester and Merseyside has been subsumed into The Advisory Committee on Justices of the Peace in England and Wales.

The transferred NDPB appointments are from:

- Cabinet Office: one (Advisory Panel on Public Sector Information)
- Department for Education and Skills: one (Special Educational Needs and Disability Tribunal)
- Department for Trade and Industry: one (Social Security and Child Support Appeals)
- Department for Work and Pensions: two (Employment Appeal Tribunal and Employment Tribunals)
- Department of Health: one (Mental Health Review Tribunal)
- Home Office: six (Criminal Cases Review Commission; Criminal Injuries Compensation Appeals Panel; Criminal Injuries Compensation Authority; Parole Board; Youth Justice Board for England and Wales; Prison Services Pay Review Body)
- Home Office and NOMS: Five (Correctional Services Accreditation Panel; Sentencing Advisory Panel; Sentencing Guidance Council; Independent Monitoring Boards of Prisons, Immigration Removal Centres and Immigration Holding Rooms (also known as The Board of Visitors); Victim Advisory Panel).

Organisation chart as at 31 March 2008

¹ Ministry of Justice Board member(s)

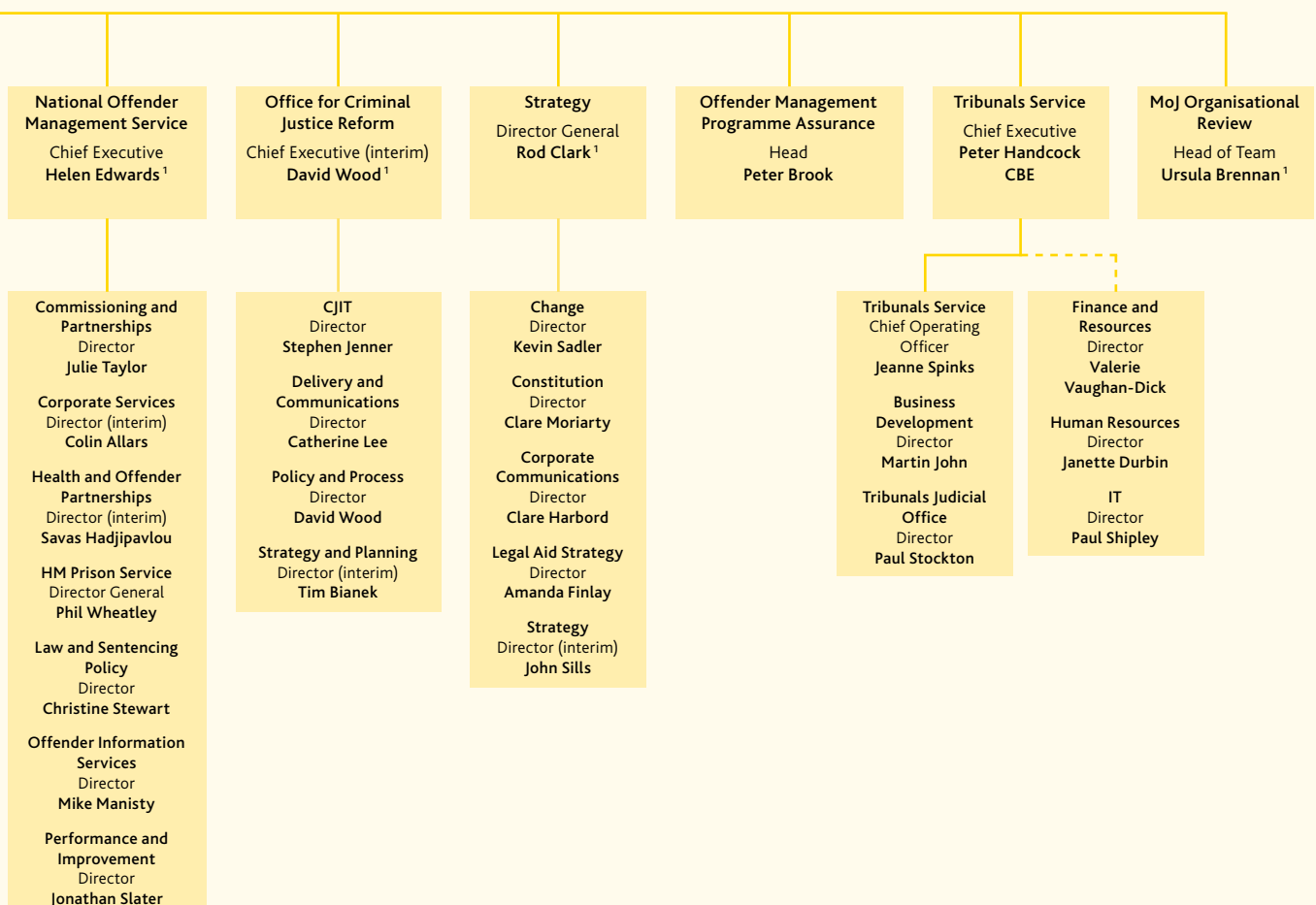


Ministerial Team¹

Minister of State The Rt Hon David Hanson MP	Minister of State Michael Wills MP	Parliamentary Under Secretary Maria Eagle MP	Parliamentary Under Secretary Lord Hunt of Kings Heath OBE	Parliamentary Under Secretary Bridget Prentice MP
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Non-Executive Director¹

Professor Georges Selim



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