



Attorney  
General's  
Office

# AGO Business Plan 2018-19

## Foreword

This business plan sets out the Attorney General's Office's (AGO) priorities for 2018-19 in achieving our core purpose of making law and politics work together at the heart of the UK constitution.

Delivering a successful exit from the European Union and looking forward to the UK taking a new place on the international stage are key government objectives in this crucial year. The Law Officers will play their part in the successful delivery of those objectives – by giving legal and constitutional advice within government, by contributing to the success of the international negotiations and the programme of domestic legislation to implement the new agreements, and by supporting preparations for future international co-operation in the Law Officers' Departments with prosecution and other criminal justice operations. The AGO will in turn support the Law Officers in the exercise of all these functions.

The Law Officers are looking forward to continuing to develop and strengthen their sponsorship relationships with the Crown Prosecution Service (CPS), Serious Fraud Office (SFO), HM CPS Inspectorate (HMCPSI), and Government Legal Department (GLD); supporting the success of their departments through a period of significant change. The AGO will be working closely with the new Director of the Serious Fraud Office, Lisa Osofsky, to ensure a smooth transition of leadership and to support the SFO's increasingly powerful contribution to tackling serious economic crime. We will also be working with outgoing Director of Public Prosecutions (DPP), Alison Saunders, and incoming DPP, Max Hill, to ensure the CPS is well placed to respond to modern prosecution challenges, including those arising from scrutiny of disclosure in the criminal justice system. The AGO, the CPS and the SFO will work with our criminal justice partners to deliver government strategies to tackle priority areas, including organised crime, serious violence, and domestic abuse, to deliver justice and provide greater support for victims of crime.

We will continue to support the Law Officers' wider advisory functions in government, including in responding to matters of law arising from international events. We will in particular develop the contribution made by government lawyers in the National Security Council (NSC) Officials Level group and to the Attorney General's participation in the National Security Council.

The Unduly Lenient Sentence scheme has now been extended to cover terrorism offences and there has continued to be a steady year on year increase in those accessing the scheme. We will ensure that the Law Officers continue to be able to discharge their public interest functions in this and other contexts, including by appearing before the Court of Appeal personally where appropriate.

The AGO is a small, diverse, and high performing department where each individual has a demanding personal contribution to make to our success. We invest in recruiting and developing powerful contributors, and in maintaining excellence in staff engagement and organisational governance. Our ethos and values are fundamental to all we do, and we are proud of our Wellbeing Strategy and its contribution to the support we provide to help our staff. We will also work with

suppliers and across the Law Officers' Departments to achieve best value for money in all we do, and share good practice in our business support functions.

2018-19 will be an historic year, with unique opportunities and challenges for the UK. I am proud of the AGO's unique responsibilities to contribute to public life, good government, and the Rule of Law in the UK at this time. I am confident that we are well placed to work with our Ministers, the Law Officers' Departments, and our colleagues across government to live up to the high standards we set ourselves in doing so.

**Rowena Collins Rice**  
**Director General, Attorney General's Office**

## Who we are

The Attorney General's Office (AGO) is a ministerial department which supports the Attorney General and the Solicitor General (the Law Officers). The Law Officers are government ministers who:

- are the chief legal advisers to the government
- sponsor and are accountable to Parliament for the Law Officers' Departments, namely:
  - 1) The Crown Prosecution Service (CPS)
  - 2) The Serious Fraud Office (SFO)
  - 3) Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI)
  - 4) The Government Legal Department (GLD), which provides legal services to government
- perform other functions in the public interest, such as looking at sentences which may be too low – these duties are independent of government.

## Our Structure

### Attorney General's Office Structure



■ = Leadership ■ = Core teams ■ = Staff groups ■ = Arms length bodies

## Our Vision

The AGO's unique contribution to public life is making law and politics work together at the heart of the UK constitution. We do that through our stewardship of the public interest in the Rule of Law, which is a fundamental principle of our unwritten constitution and a guarantee of our historic democracy and liberties.

We are a specialist ministerial department, supporting the Law Officers across the full range of their legal, government, and justice functions as a ‘crack team of problem-solvers’ helping deliver government policy. We are proud of our constitutional role, reputation for legal professional excellence and creativity, and sophisticated political and handling awareness.

Together, we work as a high-performing, multi-disciplinary, engaged and resilient team. We prioritise the Law Officers’ professional and constitutional ethos, our team spirit and values, and our investment in individuals’ development and wellbeing.

### **Our Strategic Objectives**

- A. Helping deliver government policy in the context of the Law Officers’ constitutional role in relation to the Rule of Law.
- B. Defining and delivering the Law Officers’ public interest functions in the interests of the administration of justice.
- C. Performing a visible and effective role as a leader in the domestic and international legal community.
- D. Sponsoring the Law Officers’ Departments and connecting the work of the prosecutors with wider criminal justice policy.
- E. Ensuring a high performing and efficient Attorney General’s Office which meets its legal and performance obligations.

### **STRATEGIC OBJECTIVE (A): Helping deliver government policy in the context of the Law Officers’ constitutional role in relation to the Rule of Law**

#### **Actions**

- 1. Supporting the Attorney General’s role in promoting the Rule of Law within government and publicly.
- 2. Helping the Attorney General support the Prime Minister, the Cabinet and its committees; including the European Union Exit and Trade (Domestic Preparedness, Legislation and Devolution) Committee, the National Security Council (NSC), and Parliamentary Business and Legislative (PBL) Committee, in collective decision-making, working closely with all relevant departments.
- 3. Supporting departments delivering the government’s wider domestic and international objectives, including by providing contextualised, accurate, constructive and timely risk-based Law Officer advice, contributing to interdepartmental policy governance, and by promoting awareness and understanding of legal and constitutional issues, and their impact on government policymaking.
- 4. In particular, working with relevant departments to support delivery of the government’s priorities in relation to exiting the EU and negotiating a future agreement, delivering legislation that is clear, certain, and predictable, chairing a regular senior legal officials meeting in support of the National Security Council, and supporting the UK’s devolution settlements.
- 5. Leadership of the Government Legal Profession, working in particular to enhance government lawyers’ role as expert problem-solvers in the delivery of government policy.

6. Stewardship of the Law Officers' Convention supporting the Law Officers' constitutional Rule of Law function in the context of collective Cabinet responsibility.

**STRATEGIC OBJECTIVE (B): Defining and delivering the Law Officers' public interest functions in the interests of the administration of justice**

**Actions**

1. Providing effective support for the Law Officers to deliver their statutory and common law public interest functions, including as Advocate General for Northern Ireland.
2. Supporting the Law Officers to identify and seek to address the causes of unduly lenient sentences.
3. Keeping under review the scope of the Attorney General's criminal and civil public interest functions including in relation to ensuring effective and efficient delivery of those functions.
4. Implementing AGO casework system improvements to ensure maximum efficiency.

**STRATEGIC OBJECTIVE (C): Performing a visible and effective role as a leader in the domestic and international legal community**

**Actions**

1. Maintaining and enhancing relations between the executive, the judiciary and courts, including through selective domestic and international advocacy by the Law Officers and intervening in proceedings where it is in the public interest; and by promoting engagement with the judicial leadership.
2. Promoting the UK's distinct historical and contemporary leadership on the Rule of Law at an international level.
3. Raising and maintaining the profile of the AGO through targeted engagement and outreach so that the work of the Law Officers and government legal community is well-understood and supported.

**STRATEGIC OBJECTIVE (D): Sponsoring the Law Officers' Departments and connecting the work of the prosecutors with wider criminal justice policy**

**Actions**

1. Strengthening the effectiveness of the Law Officers' statutory superintendence functions in relation to the CPS and the SFO ("the prosecutors"), including by securing their proper operational independence and promoting their effectiveness, efficiency, Parliamentary and public accountability and reputations.
2. Overseeing the relationship between policymakers in government and the prosecutors, particularly working with the Home Office and Ministry of Justice, to provide a more efficient, effective and accountable criminal justice system for victims and the public.

3. Supporting HMCPSI to deliver its functions and to provide an effective contribution to enabling improvement in the efficiency and effectiveness of the prosecutors and enhancing the quality of justice.
4. Supporting the Law Officers' sponsorship of the GLD, including by promoting its effectiveness, efficiency, accountability and reputation.

**STRATEGIC OBJECTIVE (E): Ensuring a high performing and efficient Attorney General's Office which meets its legal and performance obligations**

**Actions**

1. Providing effective governance and strategic leadership of the AGO through the Executive Board.
2. Ensuring effective financial planning and management of the AGO budget in accordance with government accounting rules and best practice.
3. Providing a safe and secure working environment that protects our information and supports all areas of business.
4. Attracting and developing talented people, and supporting staff engagement through our people plan. Investing in recruitment, induction and development of staff to create an office with clear leadership, and delivery through a diverse and inclusive workforce.
5. Designing and delivering an information management project to capture expertise, knowledge, and experience, and provide storage and access to records that meets current and future needs.
6. Responding to all litigation and inquiries, as well as parliamentary, press, and public correspondence in line with our published standards and legal obligations.

### Annex A – Review of 2017-18

In 2017-18, the AGO focused on supporting the delivery of government policy and legislative priorities, supporting the response to EU exit and wider international responsibilities, superintending the public prosecution authorities, delivering the Law Officers’ public interest litigation and associated functions, and aiming to continuously improve its service to government and the public.

In the 2017 Civil Service People Survey, the AGO achieved an Engagement Index of 84%. This was an increase of 10 percentage points from the previous year, with a response rate of 100%. The engagement result was the highest of any central government department.

The following table sets out the action we took and the outcomes we delivered.

ACTION	WHAT WAS THE OUTCOME?
<b>STRATEGIC OBJECTIVE (A): Helping deliver government policy in the context of the Law Officers’ constitutional role in relation to the Rule of Law</b>	
1. Helping the Attorney General support the Prime Minister, the Cabinet and its committees, including the European Union Exit and Trade (Domestic Preparedness, Legislation and Devolution) Committee, the NSC, and the PBL Committee in collective decision-making, working closely with all relevant departments.	<ul style="list-style-type: none"> <li>• The Attorney General has attended and supported the work of the Cabinet, National Security Council, PBL and EUXT(DPLD) committees supporting collective decision-making across a range of issues including EU exit, national security, and domestic legislation.</li> <li>• Additionally, the Solicitor General has worked to support the passage of the EU (Withdrawal) Bill as a Bill Minister.</li> </ul>

<p>2. Supporting departments delivering the government's wider domestic and international objectives, including by providing contextualised, accurate, constructive and timely risk-based Law Officer advice, contributing to interdepartmental policy governance, and by promoting awareness and understanding of legal and constitutional issues, and their impact on government policymaking.</p>	<ul style="list-style-type: none"> <li>• Working with relevant departments, the AGO has embedded the meeting of the National Security Council (Officials)(Legal) as a permanent and effective mechanism for strengthening and systematising legal work in support of NSC decision-making which helps to ensure collaboration and coherence on cross-cutting issues.</li> <li>• The AGO supported a number of cross-government strategies to help ensure that they are effective in providing a comprehensive response to UK justice and security priorities.</li> <li>• We also contributed to the cross-government Anti-Corruption Strategy and supported the delivery of commitments made at the Anti-Corruption Summit (including contributing to delivery of the Global Forum on Asset Recovery) and under international conventions.</li> </ul>
<p>3. In particular, working with relevant departments to support delivery of the government's priorities in relation to exiting the EU and supporting the UK's devolution settlements.</p>	<ul style="list-style-type: none"> <li>• On EU exit, AGO Ministers and officials have worked across Whitehall, including with the Department for Exiting the European Union, to support the management of legal risk, the superintendence of legal issues more generally, and matters relating to the Rule of Law.</li> <li>• Additionally, we worked with relevant departments on the role and interests of the prosecutors in relation to security and criminal justice issues as part of EU exit.</li> <li>• We also continued to ensure that the Advocate General for Northern Ireland is able to perform his role in relation to the devolved institutions.</li> </ul>
<p>4. Leadership of the Government Legal Profession, working in particular to enhance government lawyers' role as expert problem-solvers in the delivery of government policy.</p>	<ul style="list-style-type: none"> <li>• AGO led a review of legislative policy concerns arising from a range of prospective legislation with Parliamentary Counsel and departments to improve the quality of legislation and ensure early departmental engagement with this office.</li> </ul>

<p>5. Stewardship of the Law Officers' Convention supporting the Law Officers' Constitutional Rule of Law function in the context of collective Cabinet responsibility.</p>	<ul style="list-style-type: none"> <li>• We made key interventions in high profile national security litigation to successfully protect the government's sensitive legally privileged information and the Law Officers' Convention.</li> <li>• Additionally, we ensured that decisions on potential waiver of highly sensitive legal advice were properly taken at the right level in light of a full and proper assessment of the risks.</li> <li>• We also co-ordinated an approach to Freedom of Information responses across government to ensure consistency and mitigate the risk of a breach of the convention.</li> </ul>
<p><b>STRATEGIC OBJECTIVE (B): Defining and delivering the Law Officers' public interest functions in the interests of the administration of justice</b></p>	
<p>1. Providing effective support for the Law Officers to deliver their statutory public interest functions, including as Advocate General for Northern Ireland.</p>	<ul style="list-style-type: none"> <li>• The Solicitor General presented a number of high profile cases in the Court of Appeal, including Paterson (a surgeon convicted of causing serious harm through unnecessary operations) and Aaron Barley (a high profile multiple murder case).</li> <li>• This financial year we successfully managed a high volume of requests sent to the AGO under the Unduly Lenient Sentence (ULS) scheme. The AGO publishes statistics on the scheme and more information is available <a href="#">here</a>.</li> <li>• In 2017-18, 234 applications for consent to prosecute were scrutinised and decisions made within the necessary deadline.</li> <li>• The AGO implemented improvements to ensure a more efficient and effective response to the 110 contempt of court cases referred to the department and we successfully intervened on a number of public interest charity cases.</li> </ul>

<p>2. Supporting the Law Officers to deliver the government's manifesto commitment to extend the ULS scheme.</p>	<ul style="list-style-type: none"> <li>• We worked with the Home Office and Ministry of Justice to deliver an extension of the ULS scheme to a wider range of terrorism offences through passage of a Statutory Instrument in July 2017 and a further extension in December 2017.</li> </ul>
<p>3. Implementing AGO casework system improvements to ensure maximum efficiency.</p>	<ul style="list-style-type: none"> <li>• We implemented further improvements to our casework systems, "know how" notes and resource documents leading to speedier induction of new staff, improved productivity, and greater efficiencies.</li> </ul>
<p><b>STRATEGIC OBJECTIVE (C): Performing a visible and effective role as a leader in the domestic and international legal community</b></p>	
<p>1. Raising and maintaining the profile of the AGO through targeted engagement and outreach so that the work of the Law Officers and government legal community is well-understood and supported.</p>	<ul style="list-style-type: none"> <li>• A ministerial visits programme to CPS areas across England and Wales took place over the preceding 12 months. Wider opportunities to promote Public Legal Education (PLE) have also been incorporated, for example Ministers helping to deliver StreetLaw sessions at various universities.</li> <li>• Wider steps were also taken to promote PLE and included the creation of a Public Legal Education Panel chaired by the Solicitor General to co-ordinate PLE work across the country. Ministers also participated in Pro Bono week, with the Law Officers visiting schools and universities, as well as making several speeches. We also ran a Twitter Q&amp;A session called 'Ask the Solicitor General' on the topic of PLE to engage a wider audience in the subject.</li> </ul>

<p>2. Maintaining and enhancing relations between the executive, the judiciary and courts, including through selective domestic and international advocacy by the Law Officers and intervening in proceedings where it is in the public interest; and by promoting supportive engagement with the judicial leadership.</p>	<ul style="list-style-type: none"> <li>• The Attorney General continued to play a key role in maintaining a productive and trusting relationship between the government and the judiciary. The Attorney General delivered a speech at the swearing in of the new Lord Chief Justice (LCJ). Additionally, strategic engagement between the Attorney General, LCJ, and President of the Queen's Bench Division has taken place on various issues including constitutional matters.</li> <li>• The Solicitor General also had bi-annual meetings with the Senior Presiding Judge and the Vice President of the Criminal Division of the Court of Appeal.</li> <li>• The Attorney General published a Call for Evidence on the impact of social media in the administration of justice, which closed in December 2017 and will be responded to in due course.</li> </ul>
<p>3. Maintaining and furthering an international engagement strategy to promote the UK's distinct historical and contemporary leadership on the Rule of Law, including the promotion of legal services abroad.</p>	<ul style="list-style-type: none"> <li>• There were fewer international engagements this year, but the Attorney General has continued engagements with counterparts, including the Attorney General and Deputy Attorney General of the United States.</li> <li>• The Attorney General chaired the UK Overseas Territories Attorneys General Conference in February, together with representatives from the Crown Dependencies of Guernsey and Jersey, to discuss a range of topics relating to the Rule of Law and administration of justice in the Territories and to enhance our mutual cooperation.</li> </ul>
<p><b>STRATEGIC OBJECTIVE (D): Effective sponsorship of the Law Officers' Departments</b></p>	
<p>1. Supporting the delivery of the Law Officers' statutory superintendence functions in relation to the public prosecution departments, including by securing their proper operational independence; and promoting their effectiveness, efficiency, Parliamentary and public accountability and</p>	<ul style="list-style-type: none"> <li>• Ministers held structured superintendence meetings with the Directors of both the CPS and the SFO through the course of the year.</li> <li>• The Law Officers handled a wide variety of Parliamentary business in both Houses. During 2017/18 the Law Officers responded to 42 oral and 201 written Parliamentary Questions. The proportion of responses provided within the time limit remains one of the highest among government departments. The Oral Questions sessions remain wide-</li> </ul>

<p>reputations.</p>	<p>ranging, with a variety of questions on the work of the CPS, including hate crime and modern slavery, as well as on topics as diverse as the prosecution of returning foreign fighters, human rights, and the law in cyberspace.</p> <ul style="list-style-type: none"> <li>• The Attorney General laid two Written Ministerial Statements on the future of the SFO and section 41 applications in rape cases. He laid two Statutory Instruments (SIs); SI 2018 No. 198 under the Prosecution of Offences Act 1985 and SI 2018 No. 93 under the Proceeds of Crime Act 2002.</li> <li>• Amongst other activity, the Solicitor General responded to a Westminster Hall debate on the ULS scheme in December 2017.</li> <li>• The recruitment campaign for the next Director of the SFO was launched.</li> <li>• The Attorney General launched a review into the efficiency and effectiveness of disclosure in the criminal justice system, including specifically how processes and policies are implemented by prosecution and defence practitioners, police officers and investigators. The review aims to report in 2018.</li> <li>• Asset recovery guidance and codes of practice were updated to ensure that civil recovery is always considered as an option in appropriate cases and can be used effectively, to ensure that the prosecutors are properly equipped to use new powers in the Criminal Finances Act.</li> <li>• The Lammy Review recognised the good work that the CPS has done to ensure the fairness of its decisions for Black, Asian, and minority ethnic communities.</li> </ul>
<p>2. Supporting HMCPSP to deliver its functions and to provide an effective contribution to the Law Officers' statutory superintendence functions.</p>	<ul style="list-style-type: none"> <li>• Engagement by senior officials and Ministers with the Chief Inspector has taken place throughout the year, including in relation to thematic reports such as on modern slavery.</li> </ul>

<p>3. Overseeing the relationship between policymakers in government and the prosecutors so that the policies and actions of each reflect an appropriate understanding of the consequences for the justice system.</p>	<ul style="list-style-type: none"> <li>• We worked across Whitehall on a range of policy issues including, but not limited to, the implications of EU Exit, modern slavery, domestic abuse, and economic crime. On the latter we are further engaged in supporting the implementation of the National Economic Crime Centre.</li> </ul>
<p>4. Supporting the Law Officers' superintendence of the GLD, including by promoting its effectiveness, efficiency, accountability and reputation.</p>	<ul style="list-style-type: none"> <li>• Ministers provided support and oversight to help ensure the delivery of effective legal services to government.</li> </ul>
<p><b>STRATEGIC OBJECTIVE (E): Ensuring a high performing and efficient Attorney General's Office which meets its legal and performance obligations</b></p>	
<p>1. Providing effective governance and strategic leadership of the AGO through the Executive Board.</p>	<ul style="list-style-type: none"> <li>• Effective Executive Board decision making was actioned through cohesive working of governance committees resulting in clear prioritising and leadership for the Office.</li> </ul>
<p>2. Ensuring effective financial planning and management of AGO budgets (administrative and public interest) in accordance with government accounting rules and best practice.</p>	<ul style="list-style-type: none"> <li>• AGO met all financial requirements.</li> </ul>
<p>3. Providing a safe and secure working environment that protects our information and supports all areas of business.</p>	<ul style="list-style-type: none"> <li>• The AGO working environment continues to meet staff and security requirements.</li> </ul>

<p>4. Maintaining and furthering an effective people plan to support staff engagement in all areas of the business, including the recruitment, induction, learning and development, leadership, diversity and inclusion of AGO people to meet our business needs.</p>	<ul style="list-style-type: none"> <li>• Introduced blind recruitment practices to promote diversity and fairness.</li> <li>• Launched a new AGO Wellbeing Strategy.</li> <li>• Appointed an AGO Diversity Champion and implemented actions to improve understanding and change across the Office.</li> <li>• Introduced improved process and systems to manage recruitment campaigns and support internal achievement.</li> <li>• Implemented a revised learning and development plan to meet current and future staff requirements.</li> </ul>
<p>5. Designing and delivering an information management project to capture expertise, knowledge, and experience; and to provide effective and efficient storage and access to records.</p>	<ul style="list-style-type: none"> <li>• Reviewed and updated guidance providing support to new and experienced staff to support production of high quality decisions and information.</li> </ul>
<p>6. Responding to all litigation and inquiries; as well as parliamentary, press, and public correspondence in line with our published standards and legal obligations.</p>	<ul style="list-style-type: none"> <li>• Improved guidance drafted on all aspects of correspondence resulting in consistency of approach and high standard of response provided to deadline.</li> <li>• Creation of new AGO formal guidance on DPA and FOI requests.</li> </ul>