



Ministry of
JUSTICE

The Ministry of Justice Departmental Annual Report

2008/09



Community Payback

The photograph shows an offender wearing a high visibility jacket clearing rubbish and debris from Rochester Cemetery, part of a Kent Probation Community Payback Project. These jackets are now worn by all offenders on community schemes.

Democratic Awareness Day

This image (young girl holding a red case) shows a participant of the Democratic Awareness Day event organised by Envision, a youth organisation that supported a Ministry of Justice open day. The event allowed young people to spend a day with policy-makers, meet the Minister for Youth Engagement and visit the Houses of Parliament. The aim was to increase young people's understanding of political processes and structures.

Scales of Justice

This image represents the Department's commitment to providing access to justice.



Ministry of Justice Departmental Annual Report 2008/09

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

June 2009

This document (Cm7600) is part of a series of three documents that make up the Departmental Report of the Ministry of Justice 2008/09. The other two documents are the 2008/09 Departmental Report of the Scotland Office (Cm7601) and the Departmental Report of the Wales Office (Cm7605).

This is part of a series of departmental reports which, along with the Main Estimates 2009/10, the document *Public Expenditure: Statistical Analyses 2009*, and the *Supply Estimates 2009/10: Supplementary Budgetary Information*, present the Government's outturn and planned expenditure for 2009/10 and 2010/11.

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Foreword by the Lord Chancellor and Secretary of State for Justice



It is a pleasure to introduce the Ministry of Justice's second annual report. The creation of the Department just over two years ago proved to be a powerful catalyst for change. This report demonstrates the progress we have made over the last twelve months and the tangible difference our work is making to people's lives.

This year, as with last, we are faced with a difficult financial outlook which requires the Department to make efficiencies, target resources where they are needed most, and provide better value for money for the taxpayer. We established the

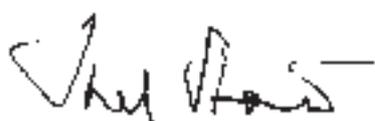
Performance and Efficiency Programme in autumn 2008 to allow us to make these changes whilst continuing to improve the service we provide to the public.

Despite the pressures of a record prison population, an increasing probation caseload and a tight financial position, there have been some notable achievements over the past year:

- **the justice system is now more effective than ever before:** crime remains at an historic low, reoffending fell by 20.3% for adults between 2000 and 2007 and 23.6% for juveniles, and we have introduced tougher sentences to tackle knife crime;
- **victims are having a greater say in the justice system:** our first ever Victims' Champion, Sara Payne, is making sure victims' concerns are heard by everyone working in criminal justice;
- **vulnerable people are being helped through the economic downturn:** lenders now have to explore alternatives to repossession before starting proceedings, and the Legal Services Commission has made £13 million available to fund additional debt, housing, employment and family cases;
- **the justice system is increasingly transparent:** offenders must now wear high visibility jackets as they pay back their debt to the community, the family courts are progressively being opened to the media, and we recently announced proposals to publish the outcomes of criminal and family cases on the internet so the public can see that justice is being done;
- **the justice system is becoming more responsive to the public:** we are working to improve the ways we seek the views of the public and the many dedicated professionals and volunteers working in and with criminal justice organisations;
- **prisons are genuinely becoming places of punishment and reform:** we have continued to invest in drug treatment, healthcare, education and training for prisoners; and

- **we are making far-reaching constitutional reforms:** we have started a national debate about the future of rights and responsibilities, and have introduced the Political Parties and Elections Bill to reform the system of electoral registration and modernise arrangements for the regulation of political party financing.

It is only through the efforts of the dedicated men and women working throughout the Ministry of Justice that we have achieved so much over the past year, and it is only through their efforts that we will continue to improve the service we offer to the public over the challenging year ahead.



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

Part 1
Introduction to the
Ministry of Justice

Introduction to the Ministry of Justice

The Ministry of Justice

The Ministry of Justice (MoJ) was created in May 2007, and brings responsibility for the justice system into one department. Our work is wide ranging: each year we provide services directly to around nine million people across the United Kingdom through courts, tribunals, prison and probation services, community justice centres and through our many delivery partners. We have important policy responsibilities for constitutional, human rights and legal reforms, which underpin our entire justice system.

We are one of the largest central government departments, with around 95,000 people across the United Kingdom (including probation services), over 2,700 buildings and a budget of more than £10bn in 2008/09.

Who we are

In April 2008, we put in place a new structure for the Department, based around five Business Groups, which aligns to our strategic objectives.

Four of our five Business Groups – Democracy, Constitution and Law, Access to Justice, National Offender Management Service (NOMS), and Criminal Justice Group – are responsible for delivering our **Departmental Strategic Objectives**, while the fifth – Corporate Performance Group – enables and supports them to deliver.

We are a multi-business department and within the Business Groups are a large number of public bodies including agencies, non-departmental public bodies and independent offices. We also rely on a wide range of delivery partners and suppliers to provide our services to the public.

We have three sister departments that report directly to the Justice Secretary: the Northern Ireland Court Service, the National Archives and HM Land Registry. The administrative functions of the Scotland Office and the Wales Office are also part of MoJ, but responsibility for the maintenance of the relationship between the devolved administrations and Westminster remains with the Secretaries of State for Scotland and Wales.

Our Ministerial and Leadership team

The Lord Chancellor and Secretary of State for Justice is the Rt. Hon. Jack Straw MP. He is supported by his ministerial team and a Corporate Management Board, which was established in April 2008 to lead the Department at official level. The Board is made up of eight executive members and two non-executive members and is chaired by the Permanent Secretary, Sir Suma Chakrabarti KCB. A set of sub-committees has been put in place to support the work of the Board.

Our mission

Our purpose is to create a safe, just and democratic society. Our four Departmental Strategic Objectives (DSOs) describe the main outcomes we will deliver for the public. We have aligned our organisational structure to these objectives so that there are clear lines of accountability and ownership. There are a number of targets, indicators and key priorities sitting underneath these DSOs, which we use to measure our success in delivering them.

Departmental Strategic Objectives

DSO 1

Strengthening democracy, rights and responsibilities

Outcome

- Constitutional modernisation, to strengthen democracy and create the conditions for increased citizen engagement.

Rowena Collins-Rice, Director General of the Democracy, Constitution and Law Group, leads on delivering this objective.

DSO 2

Delivering fair and simple routes to civil and family justice

Outcomes

- Increased efficiency and effectiveness of the civil, administrative and family justice systems
- Provision of early advice and support to enable disputes to be resolved out of court or tribunal wherever possible
- Accessible justice system that provides support where it is needed

Peter Handcock, Director General of the Access to Justice Group, leads on delivering this objective.

DSO 3

Protecting the public and reducing reoffending

Outcomes

- Protecting the public
- Reducing reoffending
- Increasing the efficiency and effectiveness of service delivery
- Work to counter the risks posed by violent extremist offenders

Phil Wheatley, Director General of the National Offender Management Service, leads on delivering this objective.

DSO 4

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

Outcomes

- Increasing the efficiency and effectiveness of the criminal justice system
- Increasing the transparency of the criminal justice system so that it inspires confidence in local communities
- A more responsive criminal justice system that has the needs of victims and witnesses at its heart

Helen Edwards, Director General of the Criminal Justice Group, leads on delivering this objective.

We also have four priority themes that run through all of our DSOs. These describe how we will go about delivering our purpose and objectives.

- Our first is to **reform public services**. This means strengthening democratic involvement in our justice system by involving frontline staff and communities in decision making, while ensuring value for money for the taxpayer.
- Our second is to **build a justice system that inspires public confidence**, where justice is not only done, but seen to be done. We must provide more information about how it works to serve the public – particularly victims, the vulnerable and their families – and ensure it is demonstrably on their side.
- Our third is to **listen to victims and the vulnerable**. We must ensure that their voices are heard in all aspects of our work and put them at the heart of the justice system.

- Our final priority is to **involve communities in justice**. We need to inform, consult and involve communities better in decision making. Communities expect to know that offenders are being punished effectively and rightly expect that the justice system is on their side.

Our Public Service Agreements

We are responsible for delivering or contributing to a number of **Public Service Agreements (PSAs)**. PSAs set out the key cross-cutting priority outcomes the Government wants to achieve in this spending period (2008/2011). We are the lead department for **PSA 24: to deliver a more effective, transparent and responsive criminal justice system for victims and the public**.

By delivering our overall strategy, we also make a contribution to the following PSAs on which other government departments lead:

- ensure controlled, fair migration that protects the public and contributes to economic growth (PSA 3);
- improve the safety of children and young people (PSA 13);
- increase the number of children and young people on the path to success (PSA 14);
- address the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief (PSA 15);
- increase the proportion of socially excluded adults in settled accommodation and employment, education or training (PSA 16);
- build more cohesive, empowered and active communities (PSA 21);
- make communities safer (PSA 23);
- reduce the harm caused by alcohol and drugs (PSA 25); and
- reduce the risk to the UK and its interests overseas from international terrorism (PSA 26).

Working together

Although we have put in place clear accountabilities for our DSOs, success in delivering each objective and the priorities that run through them will often depend on the work of many different parts of the Department and on our partners within and outside government. People's lives do not divide neatly into organisational boxes so we must work together to build our services around the public's needs. Throughout this report are examples of our staff and businesses working together to provide a better service to the public.

Our strategy for delivery

We have a challenging delivery agenda, but our relative newness as a department means that we have an opportunity to take a fresh look at the kind of organisation we want to be and how we want to work. Our delivery model describes how we will further improve our performance to deliver our mission. We cover this model in more detail at Part 3 of this report.

Our progress so far

DSO	Indicator	Status	Assessment
DSO 1: Strengthening democracy, rights and responsibilities	<ul style="list-style-type: none"> • Modernised constitutional institutions: Royal Assent to the Constitutional Renewal Bill, establishment of the UK Supreme Court and a strengthened devolution settlement. • Reformed arrangements for political party finance and expenditure. • Increasing the use, safe keeping and availability of public authority information. • A Youth Citizenship Commission, reporting in spring 2009. 	<p>Improvement</p> <p>Improvement</p> <p>Improvement</p> <p>Improvement</p>	Strong Progress
DSO 2: Delivering fair and simple routes to civil and family justice	<ul style="list-style-type: none"> • Delivery of agency key performance indicators including: <ul style="list-style-type: none"> – Provision of criminal, civil and family acts of legal advice and assistance. – Resolution of civil and family disputes. – Customer service and contact targets. – Delivery of public law targets carried over from the 2004 Spending Review to reduce delay in care proceedings. • Achievement of Legal Services Commission, Office of the Public Guardian and civil court cost recovery targets. • Delivery of the transforming tribunals agenda. 	<p>Maintained</p> <p>No Improvement</p> <p>Improvement</p>	Some Progress

DSO	Indicator	Status	Assessment
DSO 3: Protecting the public and reducing reoffending	<ul style="list-style-type: none"> • Maintaining current performance of no Category A escapes. • Maintaining the existing very low rate of escapes from prison or prisoner escorts as a percentage of the average prison population. • Maintaining the existing very low rate of absconds from the open/semi-open estate as a percentage of the average prison population. • Levels of reoffending and levels of serious reoffending. • Delivery of National Offender Management Service (NOMS) key performance indicators. • Delivery of relevant Youth Justice Board key performance indicators. 	<p>Maintained</p> <p>Maintained</p> <p>Improvement</p> <p>Not yet assessed</p> <p>Improvement</p> <p>Improvement</p>	Strong Progress
DSO 4: A more effective, transparent and responsive criminal justice system for victims and the public	<ul style="list-style-type: none"> • Increase performance of bringing serious offences to justice. • Magistrates' court and Crown Court timeliness. • Increased levels of public confidence recorded by the British Crime Survey. • Increased levels of victim and witness satisfaction as recorded by the Witness and Victim Experience Survey. 	<p>Maintained</p> <p>Improvement</p> <p>Maintained</p> <p>Improvement</p>	Some Progress
PSA24: Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public	<ul style="list-style-type: none"> • Efficiency and effectiveness of the Criminal Justice System in bringing offences to justice. • Public confidence in the fairness and effectiveness of the Criminal Justice System. • Experience of the Criminal Justice System for victims and witnesses. • Understanding and addressing race disproportionality at key stages in the Criminal Justice System. • Recovery of Criminal Assets. 	<p>Maintained</p> <p>Maintained</p> <p>Improvement</p> <p>Improvement</p> <p>Improvement</p>	Some Progress

A selection of our award winners

The Ministry of Justice's success comes from its people and we are proud that their achievements are not only recognised by us but also by others. Below is a selection of our staff who have won awards over the past year for their work in the Ministry of Justice.



Senior officer **Fiona Brown**, who works at Her Majesty's Prison Wakefield in Leeds, scooped an award at the Civil Service Diversity and Equality Awards. Fiona won the Innovation Award for her work on projects with elderly and disabled prisoners, including a new scheme to promote a healthier lifestyle. The awards honour individuals and teams for outstanding achievement in promoting equality and diversity in the civil service and in the delivery of public services.

Natalie Ceeney, National Archives Chief Executive Officer, won the Information World Review Professional of the Year Award. She was presented with the award at the Online Information Conference 2008.



Principal officer **Lee Peck**, of Her Majesty's Young Offender Institution Warren Hill, has been named Public Servant of the Year at The Guardian newspaper's Public Service Awards. One of five nominees shortlisted for the prestigious title, Lee won his category in a national public vote. The National Offender Management Service also scored a second award in the Innovation and Progress, Partnership Working category, won by **HM Prison Liverpool** for its innovative kitchen work scheme.

Moj staff won four awards at the Treasury's Government Finance Awards 2008. **Dr Valerie Vaughan-Dick**, acting Director of Finance and Resources of Access to Justice Business Group, was awarded Finance Personality of the Year. The **Moj Central Financial Reporting team** were joint winners of the Finance Team of the Year for producing the first ever set of MoJ resource accounts. **Martin Jacobs**, from MoJ Corporate Finance, was named Mentor of the Year. **Sue Walker**, head of Finance at HMP Low Newton in Durham, received the Unsung Hero Award at the ceremony in Brighton.

The **National Probation Service** won an award for *Judge for Yourself* from the British Film Institute for excellence in the communication of diversity, corporate social responsibility, sustainable development and ethical debate. *Judge for Yourself* is an interactive sentencing exercise designed to help people understand sentencing and the role of the Probation Service.



Nottinghamshire Probation Service has received a Butler Trust Certificate Award for its Outreach Mentor Scheme. Set up in 2006, the scheme aims to reduce reoffending rates and ensure offenders comply with their community orders.

On 10 December 2008, the **National Taxing Team** became the first office within HMCS to achieve the Customer Service Excellence Award, launched by the Cabinet Office earlier in the year. In order to meet the requirements of the new standard, the team had to demonstrate that they had gained an in-depth understanding of their customers' needs in order to provide accurate and up-to-date information. Consultations indicated that over 94% of customers were satisfied with the service provided.

Part 2

Progress against Departmental Strategic Objectives and Public Service Agreements

Part 2 – DSO/PSA reporting

Evaluative Assessments of DSO performance

- 'strong progress' *Where more than 50% of indicators have improved*
- 'some progress' *Where 50% or less indicators have improved*
- 'no progress' *Where no indicators have improved*
- 'not yet assessed' *Where 50% or more indicators are yet to have first time data produced on progress*

Graphs showing comparative budget 2008/09

Although we have aligned Business Groups with Departmental Strategic Objectives it is recognised that certain areas will contribute to more than one DSO. The work of the Corporate Performance Group has been apportioned across the MoJ on a headcount basis. This provides a more accurate reflection of the overall spend of the Department. The percentage split shown on these graphs are based on Spring supplementary estimate budget data.

Strengthening democracy, rights and responsibilities

Good governance in the broadest sense – modern constitutional relationships with clear accountabilities, electoral arrangements which meet voters' needs and are fit for purpose, and sensible, well-drafted law – is essential to a healthy, flourishing democracy and the foundation of the contract between citizens and the State.

The purpose of this objective is to modernise the constitution, strengthen democracy and create the conditions for increased citizen engagement. The MoJ leads on the Government's constitutional, rights and legal reforms. These include work on reforming our institutions, data protection and data sharing, electoral modernisation, human rights, devolution and encouraging people to take an active part in the democratic process.

DSO Assessment: Strong Progress

Key Achievements:

- introduced the Political Parties and Election Bill. This legislation will introduce new limits on candidate spending at Parliamentary elections, enhance the transparency of political donations and make fundamental reforms to the system of electoral registration;
- published '*Rights and Responsibilities: developing our constitutional framework*'. This Green Paper was published in March 2009 to generate a nationwide public debate around rights, responsibilities, values and social citizenship;
- delivered a major package of secondary legislation to facilitate holding elections for the European Parliament in June 2009;
- published '*An elected Second Chamber: further reform of the House of Lords*'. The paper sets out options for delivering the House of Commons' 2007 vote in favour of a wholly – or mainly – elected second chamber;
- led the UK Government's successful Universal Periodic Review of its human rights performance by the UN Human Rights Council;
- led a successful range of European and international activity, including agreement on European Union instruments such as the European Supervision Order and the conclusion of negotiations on Rome 1 (choice of law in contracts) and family maintenance.

Right Here, Right Now'

In July 2008, we published *Right Here, Right Now: teaching citizenship through human rights*. This teaching resource, aimed at Key Stage 3 pupils (ages 11-14), is part of the MoJ funded Human Rights in Schools project, a partnership between the MoJ, the British Institute of Human Rights, the Department for Children, Schools and Families, Amnesty International and a number of other organisations.

Through its 12 lesson plans, the teaching resource links the concepts of universal human rights with everyday experience, focusing on what human rights mean in practice. It brings human rights to life within the classroom to form the basis of fresh discussion and debate and to ensure everyone within a school understands their rights and responsibilities and those of people around them.

We have received excellent feedback on the resource and to date several thousand electronic copies of the resource have been downloaded from the Teachernet website.

"I welcome the publication of the 'Right Here, Right Now' resource. This is a really positive step forward on the journey to a society in which children's rights are routinely respected. This resource will provide teachers of citizenship with the tools to make sure not only that children and young people understand human rights, but also the way in which they can benefit everyone."

Professor Sir Al Aynsley-Green, Children's Commissioner for England

Delivery and Funding

Democracy, Constitution and Law (DCL) group has lead responsibility for this objective, working closely with colleagues in Access to Justice on judicial issues and on establishing a Supreme Court. DCL also works closely with the Criminal Justice Group on criminal law and policy and community justice. The efficient and effective delivery of all MoJ's public services contribute to a democratic system that the public has confidence in, and DCL provides support across MoJ's DSOs through the provision of legal advice and information management.

Democracy, Constitution and Law – proportion of 2008/09 MoJ Budget



DSO Outcomes

Modernised constitutional institutions, a legal framework founded on respect for human rights and a strengthened devolution settlement

Constitutional reform and renewal have been vital to the success of this country. Modern constitutional relationships across the executive, legislature and the judiciary, which provide clear accountabilities, continue to be essential to a strong and vigorous democracy.



The introduction of a Supreme Court for the United Kingdom in October 2009 will enhance the independence of the Law Lords and increase the transparency between the judicial system and Parliament. We have made significant progress over the past year, including the refurbishment of Middlesex Guildhall, which will house the Court, and the appointment of the President and Chief Executive designate.

We have developed the framework for the regulation of political parties and donations, and are taking steps to modernise the delivery of elections. In July 2008, the Political Parties and Elections Bill was introduced into Parliament. This legislation will strengthen the Electoral Commission's regulatory role with a greater range of powers and sanctions, introduce new limits on candidate spending at Parliamentary elections, and enhance the transparency of political donations. It will also make far-reaching reforms to the system of electoral registration.

Our Governance of Britain programme is designed to revitalise the relationship between citizens, government, and Parliament. In March 2009, we published the Green Paper, *'Rights and Responsibilities: developing our constitutional framework'*, to generate a nationwide public debate around rights, responsibilities, values and social citizenship. This will also provide the opportunity to consider the fundamental arguments for and against a Bill of Rights and Responsibilities.

The Government is finalising the clauses of a Constitutional Renewal Bill in response to consultation and parliamentary scrutiny, and intends to introduce the Bill before the summer recess in July.

The Youth Citizenship Commission was launched last summer to examine ways of developing young people's understanding of citizenship and increase their participation in politics. In October 2008, the Commission published a consultation paper on lowering the voting age to 16. It is also

examining ways in which we involve and engage young people in their community and political system and is due to deliver its final report in summer 2009. The Commission has run awareness days over the past year to help improve young people's understanding of citizenship and democracy:

"The open day initiative by the MoJ shows a positive stance to democratic engagement. The sessions on human rights and life in the day of a press officer were very informative and the young people were able to give their views in the citizenship workshop run by the Youth Citizenship Commission. I now have a clear idea of what I want to be... a press secretary. Without the Department's proactiveness, we would never have had the opportunity to visit the Houses of Parliament and a central government department."

Pupil from Whally Range Girls School, Manchester, following an awareness day.

We continue to encourage and promote judicial and legal diversity so that the justice system is more representative of those it serves. Our work with the Judicial Appointments Commission widens the range of people eligible to apply for judicial office and increases judicial office holders' understanding of the communities served. In April 2009, we established the Advisory Panel on Judicial Diversity. The panel, chaired by Baroness Neuberger, will identify the barriers to a more diverse judiciary, making recommendations to achieve speedier and sustained progress to a judiciary more reflective of the people it serves. The panel will work with and utilise the expertise of the senior judiciary, the Judicial Appointments Commission, the legal professions and those in the equality and diversity sector, before reporting back to the Lord Chancellor and Secretary of State for Justice in November 2009. To improve diversity in the legal profession more widely, MoJ has launched an innovative research project to investigate the barriers that prospective lawyers face as they attempt to gain entry into the legal profession.

We have also set up a new team to promote better law – law which is modern, accessible and evidence-based and takes full account of resource considerations within MoJ and more widely across Whitehall.

We continue to review and amend the Freedom of Information (FOI) and Data Protection Acts to ensure they provide appropriate rights of access to, and safeguards for, official and personal information. We play a key leadership role in sharing best practice and providing advice to government departments on the most challenging FOI and data protection queries.

A Ministry of Justice, which is seen as a respected contributor and a leader on a wide range of Justice and Home Affairs issues in Europe, and which can play a major role in supporting and establishing justice systems in the developing world

The challenges facing MoJ have both a European and international dimension. As personal mobility and globalisation increase, so does the frequency with which crime and terrorism, contractual disputes and family issues cross national borders. The international reputation of our justice and legal systems mean that the UK is the location of choice for resolving international disputes, positioning us ideally to support developing countries in establishing their own justice and constitutional systems and in complying with their international obligations.

In the European Union, we have concluded successful negotiations on the European Supervision Order which strengthens co-operation with our justice partners across Europe by providing for effective monitoring of those given bail by courts in other countries.

We are responsible for the communication between the UK Government and the three Crown Dependencies: Jersey, Guernsey and the Isle of Man. This year, we saw through Royal Assent for over 100 laws originating in the Crown Dependencies. The first democratic elections were also held in Sark in December 2008.

We ran three major and six minor justice assistance projects in the European neighbourhood in places as diverse as Algiers and St Petersburg, training court and correctional staff in more effective ways of working. Next year we will continue our successful justice assistance inter-governmental projects, providing support to more countries to develop successful justice systems.

Romania Conference

As part of a one million Euro twinning project with the Ministry of Justice in Bucharest, we assisted the Romanian probation service in developing their work with the courts and other partners.

Over 40 staff from the National Offender Management Service helped their Romanian counterparts for reducing reoffending, trained their new staff in basic intervention skills and in working with victims of crime. The leadership of the service was also trained in strategic planning and leadership, as well as best practice in working with other agencies. Work in Romania was underpinned by professional visits to the UK and other member states of the EU.

The project was funded by the EU Commission for Enlargement as part of the Romanian justice reform programme following their accession to the Union.



The creation of MoJ's first International Directorate will allow us better to lead the development of the United Kingdom's contribution to international justice. We intend to build on existing relationships with international institutions and countries, including the United States, Canada and Australia, to develop policies which best serve the UK's interests in justice matters.

Increased trust and confidence in the handling and disclosure of information by public authorities and in the domestic and international framework for information rights in the private and public sector

Electronic technology has revolutionised the way information is collected and used by government departments and, in turn, how we deliver services to the public. While this brings significant benefits, it also brings new challenges, including how we increase the efficiency, effectiveness and accessibility of services. The public expect us to handle personal data responsibly and securely.

We have responded to these challenges by creating a new Information Directorate which, for the first time, brings together end-to-end responsibilities within MoJ for the supply and management of information, including records management and library services, and which has policy responsibility for freedom of information and data protection. We aim to increase public confidence in the openness and protection of information through developing government policy on freedom of information and data protection and by influencing Whitehall and others to improve performance in this area.

We have established a dedicated Information Sub-Committee of the Corporate Management Board to provide high level accountability and governance of our information assets and risks. The Departmental Senior Information Risk Owner chairs the Sub-Committee.

As the guardian of the Freedom of Information (FOI) and Data Protection Acts, MoJ plays a key leadership role in providing information and advice to government departments on sensitive and complex FOI requests.

We also sponsor the Information Commissioner's Office (ICO), which is an executive public body responsible for regulating and enforcing access to, and use of, personal and public information. The ICO has secured the highest levels of public awareness ever in 2008, with 90% aware of their right to see personal information held about them, up from 74% just three years ago. The National Archives, a non-ministerial department and executive agency, has a key policy role in information management across government and the wider public sector. Its main duties are to preserve official records, to set standards and to support innovation in information and records management across the United Kingdom.

In the European Union, we successfully negotiated the Data Protection Framework Decision. This has established a common level of privacy protection and a high level of security when exchanging personal data in criminal law and policing. We will continue to work with our international partners to develop further robust cross-border data sharing arrangements.

Table of Performance against DSO 1

Strong Progress – Improvement against all three indicators

Constitutional modernisation, to strengthen democracy and create the conditions for increased citizen engagement	
<i>Indicator</i>	<i>Performance</i>
Modernised constitutional institutions: Royal Assent to the Constitutional Renewal Bill, establishment of the UK Supreme Court and a strengthened devolution settlement.	<p>Improvement</p> <p><i>Constitutional Renewal Bill</i> Pre-legislative scrutiny concluded and Joint Committee published its report on 31 July 2008. The Government intends to introduce the Constitutional Renewal Bill before the Summer Recess in July.</p> <p><i>Supreme Court Implementation Programme</i> Middlesex Guildhall has been completely renovated and the final stage of preparation is underway to ensure the building's security. The Supreme Court is on track to open in October 2009.</p> <p><i>House of Lords Reform</i> Meetings of a cross-party group on reform culminated in the publication of the White Paper in July 2008.</p> <p><i>The framework for elections</i> Reforms to the system of electoral registration were introduced as amendments to the Political Parties and Elections Bill.</p> <p>Consultation on the paper 'Election Day' which proposed moving elections to the weekend, closed on 24 September 2008. A response to the consultation is currently being prepared.</p> <p><i>Rights and Responsibilities</i> Publication of a landmark Green Paper on Rights and Responsibilities, starting the next phase of work after the Human Rights Act.</p>

<i>Indicator</i>	<i>Performance</i>
Reformed arrangements for political party finance and expenditure.	<p>Improvement</p> <p>Political Parties and Elections Bill introduced on 17 July 2008 and entered its Lords' stages on 3 March 2009.</p>
Increasing the use, safekeeping and availability of public authority information.	<p>Improvement</p> <p><i>Data Sharing Review</i> Legislative provisions informed by consultation on new powers and funding arrangements for the Information Commissioner and the Data Sharing Review are currently being taken forward in the Coroners and Justice Bill, introduced in January 2009.</p> <p><i>The Dacre Review</i> In response to the Dacre Review on the 30 Year Rule Review that there should be a 'substantial reduction' to the 30 year rule for the transfer of historical records to the National Archives, we are currently conducting a thorough assessment of the review's recommendations in conjunction with other government departments and will implement changes as soon as possible after this process is complete.</p> <p>Internally, a Corporate Management Board Sub-Committee on Information has been set up. It has made good progress in identifying the highest strategic information risks and ensuring those risks are managed effectively. Good progress on implementing Data Handling Review measures is being made.</p>
A Youth Citizenship Commission reporting in Spring 2009.	<p>Improvement</p> <p>13 Commissioners appointed, including three young people. It reports in summer 2009. The Commission's consultation on lowering the voting age to 16 closed on 20 January; 523 responses were received.</p>

Delivering fair and simple routes to civil and family justice

This objective aims to make civil, family and administrative justice more accessible by providing early advice and support, simplifying our systems and processes and, where appropriate, providing greater opportunities to help people resolve problems without the need to go to court.

The civil, administrative and family justice system supports some of the most vulnerable and disadvantaged members of society and seeks to ensure that they get the help, advice and support that they need. In the current economic climate, the accessibility of these services is ever more important. Often early, quick and easily understood information on debt, welfare or housing can prevent problems from spiralling out of control.

DSO Assessment: Some Progress

Key Achievements:

- almost a million people helped by the Community Legal Service;
- four Community Legal Advice centres opened in Leicester, Derby, Hull and Portsmouth;
- high customer satisfaction rates for the Community Legal Advice Helpline and the Crown, County and magistrates' courts;
- European Crystal Scales of Justice Award won by the Small Claims Mediation Service, beating 37 other applications from 15 European countries;
- Mortgage Arrears Pre-action Protocol introduced, working in conjunction with a package of other measures introduced by the government to directly help people who are facing home repossession, resulting in a reduction of 43% in the numbers of mortgage possession claims issued in the courts in the first quarter of 2009 compared to the same period in 2008;
- the Tribunals Service reformed by creating two-tier Tribunals, delivering a more effective and efficient service; and
- a new Tribunals Service Administrative Support Centre opened in Birmingham, delivering more effective and efficient support for Tribunals and new ways of working.

Her Majesty’s Courts Service Small Claims Mediation Service

Disputes can arise over any sort of transaction. The aim of civil mediation is to solve them in a proportionate way without recourse to the courts.

HM Courts Service mediation service has only been up and running for just over a year but already it has conducted almost 9,240 mediations with a settlement rate of 72%. Most importantly, it has achieved a customer satisfaction rate of 98%. There have been a number of innovative settlements, including donations to charities, provision of a courtesy car during repair work, re-activation of business contracts and a new tattoo design (see below).

- The claimant was dissatisfied with his tattoo because it appeared ‘wonky’ and took out a claim for £2,500 against the owner of the tattoo parlour for the cost of removing it. The owner said that the claim should have been made against the specific artist because all the artists were self-employed. Nevertheless, the mediation took place, the tattoo was shown and the owner agreed it was indeed crooked. The owner said that he would dispense with the services of the artist due to the poor standard of the work. However, the claimant did not want the responsibility of someone losing their livelihood. Instead, the defendant offered to correct the work by covering the tattoo with a design that could incorporate the existing work. A tribal design was agreed between the parties and the matter was settled with no money changing hands, and no recourse to the courts.

Delivery and Funding

Access to Justice group has lead responsibility for this DSO, working with partners across government and the third sector. Through provision of legal aid, and the work of the criminal courts, they also have a major part to play in improving the efficiency and effectiveness of the criminal justice system.

Access to Justice – proportion of 2008/09 MoJ Budget



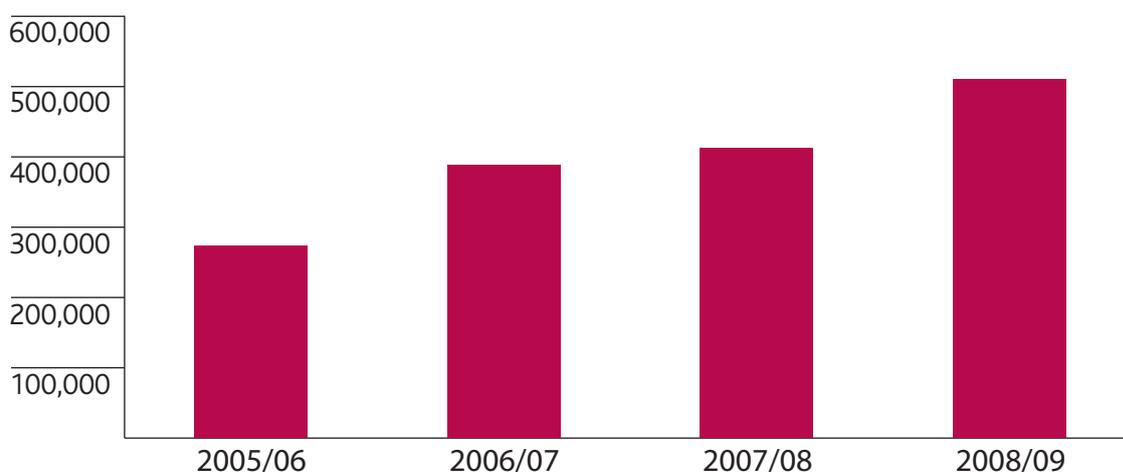
DSO Outcomes

Provision of early advice and support to enable disputes to be resolved out of court or tribunal wherever possible

Unnecessary court proceedings offer poor value for money for both the taxpayer and the parties to the dispute, and can cause needless worry and stress. We want the public to be able to reach a decision about how best to avoid or settle their disputes, informed by a good understanding of their rights and responsibilities and what each option will entail.

Over the last year we have continued to improve the quality and quantity of our early advice and support services. Her Majesty's Courts Service (HMCS) Small Claims Mediation Service was set up just over a year ago. We are actively looking at other areas of our business where a greater focus on mediation might be appropriate. We have been piloting a helpline service on family issues, adding five areas of law to the areas the Community Legal Advice line already advises on (employment, debt, housing, welfare benefits and education).

Calls made to the Community Legal Advice line



Source: *Community Legal Advice, Legal Services Commission 2009*

The economic downturn has increased the number of people vulnerable to having their homes repossessed. We have extended free legal representation for these cases and introduced a Mortgage Arrears Pre-action Protocol. This requires lenders to demonstrate to courts that they have tried to discuss and agree alternatives to repossession when borrowers get into trouble with their mortgage repayments. We are also exploring options to ensure that both tenants and borrowers have the opportunity to discuss their arrears with an independent advice provider. Additionally, the Legal Service Commission funds 112 Housing Possession Court Duty Schemes across England and Wales, which offer free, immediate legal advice and representation in court for those who are at risk of losing their homes. This advice is making a real difference: in 84% of possession proceedings held in Derby, clients were able to remain in their home following the court hearing.

Accessible justice system that provides support where it is needed

Some groups, particularly those vulnerable to social exclusion, are more likely to need our services. Often civil justice disputes can trigger wider welfare issues leading to a cluster of problems that increase vulnerability to social exclusion and may even eventually find their way through to the criminal justice system. We work with our partners to ensure that the justice system is open to all who need it.



Over the last year, we have made it easier for people to get legal advice by opening Community Legal Advice centres in Leicester, Derby, Hull and Portsmouth to provide an integrated advice service for clients. We will continue to expand the network over the next year. The Legal Services Commission made £13m available for additional debt, housing, employment and family cases and our Community Legal Advice telephone service has

“£13m available for additional debt, housing, employment and family cases”

also continued to grow. In April we increased the civil eligibility limits for legal aid by 5% to help those most in need in the current economic climate. Up to three quarters of a million additional people are now eligible for help and representation.

We have made it easier for the public to access our services with greater use of the web to provide cheaper and faster routes to justice. Next year, we will improve our online services further by moving MoJ websites to the Government’s website ‘Directgov’ and by developing new civil justice web content to inform the public about the options available to them. We have also made improvements to two of our key online services, Money Claim Online and Possession Claim Online, which allows people cheaper and faster routes to justice.

The Office of the Public Guardian (OPG) continues to provide vulnerable people with protection from financial and other forms of abuse as part of the ‘safeguarding vulnerable adults’ initiative. The new OPG website, www.publicguardian.gov.uk has been designed as a one-stop shop for public and media enquiries about the OPG.

We are working to protect the vulnerable in other ways. For example, in November 2008, we implemented the Forced Marriage (Civil Protection) Act 2007, which protects those in danger of being forced into marriage and provides recourse for those already in forced marriages. This forms part of the trilateral work on tackling honour based violence led by MoJ, the Home Office and the Foreign and Commonwealth Office, with assistance from many voluntary and charitable organisations:

“People are now far more aware of the consequences of forcing someone into marriage and realise they can’t just take them out of the country and force them to marry someone against their will.”

Shahnaz Khanam (Case Progression Officer, Luton County Court).

We are also taking forward proposals that should significantly improve the experience of bereaved people and reduce delays in the coroner system. Provisions currently going through Parliament as part of the Coroners and Justice Bill (introduced January 2009) will introduce national standards for the coroner service for England and Wales, which will be headed by a new post of Chief Coroner.

Following two consultations, we have also introduced new rules on media attendance in family courts. For the first time, journalists are able to attend both the higher and lower courts to report on family hearings. This opens up the workings of these courts and will improve public understanding of these complex cases. The plans, introduced in a paper 'Family Justice in View' in December 2008, aim to place family courts on the same footing as youth courts.

We have increased our consumer protection of consumers' rights through the direct regulation of claims management companies. The Moj regulation team has delivered a significant reduction in cold calling in person for compensation claims. This practice was organised and endemic prior to the introduction of regulation but now reported instances average only four to five a month. Unauthorised claims marketing in hospitals has been completely eliminated, compared with some 300 instances reported in the year prior to the regulation commencing. The misleading use of 'no win, no fee' and unfair terms in contracts have been targeted and Moj has helped in the fight against organised fraud.

Moj's Claims Management Regulation tackling fraud

In October 2008, two directors of a claims business were found guilty of a variety of offences relating to insurance fraud. The criminal case came from an onsite audit carried out by a team from Moj's Claims Management Regulation Compliance Unit, in partnership with West Yorkshire police.

Whilst undertaking the audit, a number of damaged vehicles were identified by the team as likely to form the basis of multiple fraudulent insurance claims. West Yorkshire police arranged to have the vehicles seized to form the basis of a criminal investigation. As a result, 'claimants' confessed that no accidents had occurred and the resulting personal injury claims were false. The staged accidents had been orchestrated by the business. The directors were found guilty and sentenced to five years in prison and the business was stripped of its claims management authorisation.

We have also made good progress in improving the quality of independent legal advice. In 2009/10 the new Office for Legal Complaints will begin its work, providing consumers with a new, quick, fair and accessible complaint system. We have also appointed a chair and members of a new Legal Services Board, which will reform and modernise the legal services in the interests of the consumer, enhance quality and ensure value for money.

Increased efficiency and effectiveness of the civil, administrative and family justice systems

We want to create an efficient and effective justice system, built around our customers. This means ensuring cases are completed in a timely manner, removing unnecessary steps in our processes and focusing on getting the right results first time round.

HMCS has made excellent progress in increasing efficiency and effectiveness by implementing LEAN ways of working. LEAN has three main principles: identifying and removing all types of organisational waste, preventing mistakes from happening and simplifying processes.

The newly established Unified Family Service has also helped make better use of judicial, staff and estate resources within a co-located court building and administration. Additionally, it has enabled parties and practitioners to attend family courts away from a criminal court environment. In December 2008, we implemented provisions in the Children and Adoption Act 2006 to improve enforcement of court contact orders. The Act will also allow us to show parents that any delays in these situations may have a serious impact on their children. We are also taking forward key recommendations from Lord Laming's report on the protection of children in England – see page 37 for more details.

We have improved the efficiency and effectiveness of the Tribunals Service with a new two-tier structure which streamlines the appeals process. The first-tier and Upper Tribunals both consist of chambers, grouping together jurisdictions dealing with similar work or requiring similar skills. The Tribunals Service also established the first Tribunal Administrative Support centre in Birmingham, with a customer service team to deal with incoming enquiries. This has freed up other staff to concentrate on complex casework.

Table of performance against DSO 2

Some progress – Improvement against one out of three indicators

Increased efficiency and effectiveness of the civil, administrative and family justice systems. Provision of early advice and support to enable disputes to be resolved out of court or tribunal wherever possible. Accessible justice system that provides support where it is needed.	
Indicator	Performance
Delivery of Agency Key Performance Indicators (KPIs).	Maintained 31 out of 42 (74%) delivered. Performance of those deemed to be key are detailed below.
Provision of criminal, civil and family acts of legal advice and assistance. Measured by the Legal Services Commission (LSC) acts of assistance KPI (annual target 1 million).	964,000 acts of assistance were delivered from April 2008 – February 2009 (the most recent figures). The LSC is expecting to achieve the annual target.
Resolution of civil and family disputes: <ul style="list-style-type: none"> • Increase the proportion of civil settlements to 65%; and • Increase proportion of Family Orders made by consent to 37% in all HMCS areas. 	April 2008 to February 2009 data: <ul style="list-style-type: none"> • Civil settlements: 71% • Family Orders made by consent: 42%.
Customer satisfaction and contact targets: <ul style="list-style-type: none"> • HMCS achieves 41% of very satisfied and 82% overall; • Tribunals Service achieves 72% or more; • LSC achieves 90% or more; and • OPG: No target as previous year was based on customer opinion of the old Public Guardianship Office. 	<ul style="list-style-type: none"> • Latest exit survey results¹ for HMCS show 42% of court users are very satisfied and an overall satisfaction rate (the combined very and fairly satisfied) of 83%. • Latest survey results are below target and the annual target will not be met. Plans are in place to improve performance. • LSC has achieved its target. • Targeted surveys have been carried out during 2008/09. The results will be published in the OPG's Annual Report and will determine a baseline across key customer groups for 2009/10.
Delivery of public law targets carried over from the 2004 Spending Review to reduce delay in care proceedings.	For performance data see SR 2004 PSA 4 entry in the report (page 36).

¹ Data source: Ipsos MORI exit survey results from April to December 2008.

<i>Indicator</i>	<i>Performance</i>
<p>Achievement of LSC, OPG and HMCS civil court cost recovery targets.</p> <p>Measured by the individual agency cost recovery targets. Indicator will be achieved if the LSC, OPG and HMCS meet their respective targets.</p>	<p>No improvement</p> <p>LSC: Target exceeded.²</p> <p>OPG: Target met.</p> <p>HMCS: Not yet assessed. Full year cost recovery targets will be available in HMCS annual accounts.</p>
<p>Delivery of the Transforming Tribunals Programme.³</p>	<p>Improvement</p> <p>The first of the multi-jurisdictional Administrative Support Centres opened in Birmingham in September 2008 and already deals with both Social Security & Child Support and Asylum and Immigration Tribunal work. The new East London multi-jurisdictional hearing centre is still on track to be operational by the autumn of 2009. The first-tier and Upper Tribunals commenced operation in November 2008.</p>

² Reduce the debit notes outstanding as at 31-03-2008 by £30m, including a recovery target of £16m.

³ Previously known as Transforming Tribunals agenda.

Table of Performance against PSA4 SR2004

PSA4 SR2004: By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10%. This means achieving 48% of care centre (County court) cases and 56% of family proceedings court cases (magistrates' courts) completed within 40 weeks.

This PSA covers a key priority from the 2004 spending round for the former Department for Constitutional Affairs (DCA), and for which MoJ is now responsible.

<i>Measures</i>	<i>Latest Outturn</i>
<p>By 2009/10, increase the proportion of care cases being completed within 40 weeks by 10 percentage points in the family proceedings courts (magistrates' courts).</p> <p>Target will be achieved if by March 2010 the family proceedings courts (magistrates' courts) achieve 56%.</p>	<p>Slippage</p> <p>The current financial year to date performance (April 2008 – February 2009) is: 48%</p>
<p>By 2009/10, increase the proportion of care cases being completed within 40 weeks by 10 percentage points in the care centres (county courts).</p> <p>Target will be achieved if by March 2010 the care centres (county courts) achieve 48%.</p>	<p>Slippage</p> <p>The current financial year to date performance (April 2008– February 2009) is: 37%</p>

Overall assessment

With under a year left until the end date of this target (March 2010), current trends suggest that this target will not be met. Whilst the total of care applications for the financial year 2008/09 is comparable to previous years, when looking at the last two quarters there has been a significant rise, which is at least in part due to the publicity surrounding the Baby Peter criminal court case in November 2008, and subsequent media focus on the care proceedings system. These, often complex, applications take time to progress through the courts. The Care Proceedings Review, published in 2006, recognised that the causes of delay were complex and that many were beyond the control of HMCS. The Review recommended a number of reforms that have been taken forward, including revised statutory guidance to local authorities and streamlined court case management, both introduced on 1 April 2008. However, due to the time it takes to progress care cases, and to clear the backlog of complex long running cases, the benefit of these reforms will not be seen before the end of the next financial year.

Lord Laming in his report⁴ also recognised the complex and interlinked nature of the family justice system, and that efforts to reduce delays in the system would require co-ordinated effort. The Government announced a new National Safeguarding Delivery Unit in May, in which MoJ will play an active part, to ensure that all those with a role in the family justice system improve performance. A system-wide target will acknowledge that all agencies have a role to play in reducing damaging delays.

Additional work contributing to PSA4 2002 includes:

- **Better case preparation by local authorities**
Revised statutory guidance issued to local authorities requires them properly to evidence care applications, reducing the volume of applications and ensuring court resources are not used unnecessarily.
- **Better case management**
A revised judicial case management tool, the Public Law Outline, streamlines the court process from six stages to four stages and introduces a less prescriptive process, enabling cases to move at a speed appropriate for the child.
- **Experts Practice Direction**
A new Experts' Practice Direction clarifies both the role of experts in care proceedings and the court's requirements regarding proposed instruction of experts.
- **Allocation Order**
A new order clarifies the allocation of cases between care centres and family proceedings courts, producing a more efficient and effective business allocation mechanism in the family justice system.

⁴ *The Protection of Children in England: A Progress Report*, 12 March 2009.

Protecting the public and reducing reoffending

Protecting the public and reducing reoffending is central to our mission. Success means fewer people suffering the pain of being a victim of crime and increased confidence in the whole justice system. NOMS was launched as an executive agency of MoJ in April 2008 to lead delivery of this objective and drive wider system reforms to increase the efficiency and effectiveness of service delivery.

Work in this area has a direct impact on PSA 23 (Making communities safer) and PSA 24 (A more effective, transparent and responsive criminal justice system for victims and the public), on which MoJ leads. Through work to counter the risks posed by violent extremist offenders, we also contribute to cross-government work on reducing terrorist risks to the UK (PSA 26 'Reduce the risk to the UK and its interests overseas from international terrorism').

DSO Assessment: Strong Progress

Key Achievements:

- maintained progress towards achieving the target for reducing the frequency rate of reoffending since 2005 for adult offenders (11.1% fall) and for juvenile offenders (7.5% fall);
- more than 4,600 prison places delivered since our Prison Capacity Programme began;
- new training and employment opportunities made available for offenders through increasing numbers of partnerships with employers, including a new Timpson Academy launched at HMP Liverpool;
- pioneering Integrated Offender Management projects established with the Home Office, providing a co-ordinated approach to managing offenders, winning the support of local authorities and a wide range of partners;
- delivered a new strategy to address the specific needs of women offenders through the Gender Specific Standards for women prisoners, and committed £15.6 million of new funding over two years to provide additional service to the community for women offenders;
- justice seen to be done by requiring offenders to wear high visibility vests when repaying their debt to local communities through Community Payback;
- the Youth Crime Action Plan published aiming to reduce the number of offences committed by young people;

- the first six Probation Trusts established, providing probation services with more independence to focus their work on the needs of local communities;
- additional measures put in place to address offender drug dependency by implementing the recommendations in David Blakey’s report on reducing the illicit drug supply in prisons, including work to minimise, find and disrupt illicit mobile phones; and
- legislation introduced to enable a mandatory polygraph testing of certain sex offenders to improve the management of these offenders in the community.

Rehabilitating Offenders: Marriott Hotels, Northumbria

Staff in Northumbria Probation Area have secured an opportunity for offenders to gain work-related skills and experience to help them gain employment in the hospitality industry. A work trial scheme has been introduced in partnership with Job Centre Plus, the DePaul Trust and Newcastle Marriott Gosforth Park Hotel.

Offenders attend a presentation to find out about the different career opportunities available within the hospitality industry and then complete an application form with support from probation staff. A work placement shadowing hotel staff provides them with first-hand experience. At the end of the placement offenders receive a certificate providing evidence of their achievement for future employers.

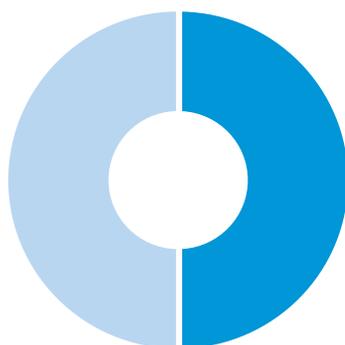
Offenders who work hard and demonstrate an aptitude for the work may also be considered for any vacancies. Three offenders have already been offered jobs with Marriott and one of them, Marc, was recently runner-up in a local employment award. As part of this, Marc features in a video which is being used by the Local Employment Partnership, in which he talks about the support he received from probation and how this helped him to turn his life around.



Delivery and Funding

NOMS agency has lead responsibility for this DSO, working with colleagues in Access to Justice, Criminal Justice Group, and with partners across government, in the criminal justice system, and third sector. Successful delivery of NOMS objectives is also a major contributor to public confidence in the criminal justice system, and its efficiency, effectiveness and fairness.

National Offender Management Service – proportion 2008/09 Budget



 National Offender Management Service 50%

DSO Outcomes

Protecting the public

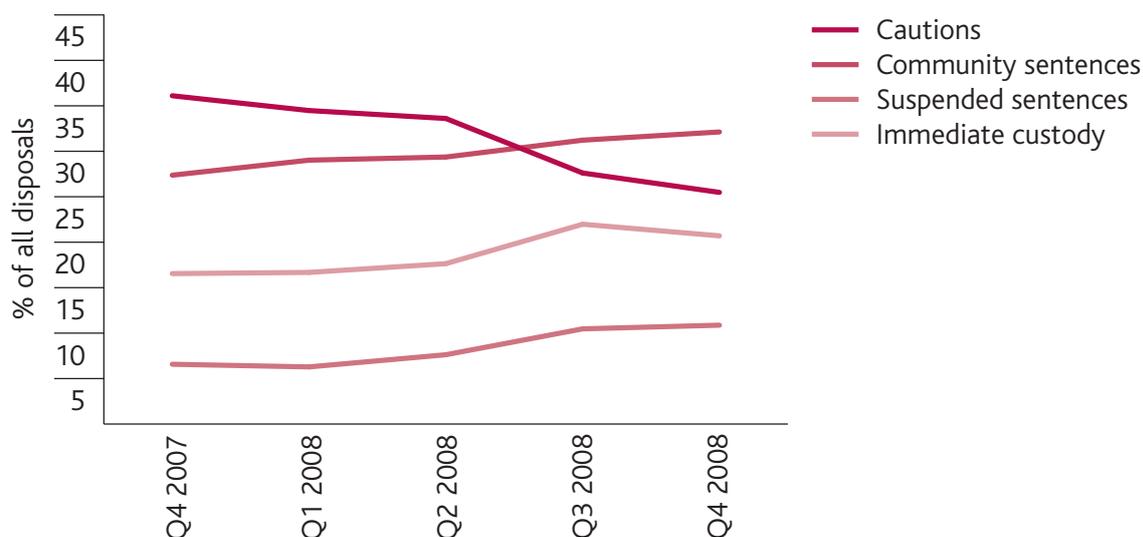
We have maintained our progress over the last year in reducing the risk to the public from offenders.

At court, we have continued to provide sentencers with accurate pre-sentence reports to support their decision making and ensured that the sentencing framework provides adequate options to control those offenders who pose the greatest threat, including Indeterminate Public Protection (IPP) sentences.

To keep secure those offenders presenting the greatest risk we need to make sure prison places are available. We made a commitment to bring the total number of prison places up to 96,000 by 2014, in line with the recommendations from Lord Carter. Work is in place to deliver this additional capacity through a combination of building new public and private prisons and the expansion of existing sites, and modernising the estate by closing older, less efficient accommodation. Following consultation on the proposals, we now intend to deliver 7,500 of the additional places through five prisons holding 1,500 offenders, each divided into smaller units.

In response to public concern about knife crime, changes have been introduced to sentencing guidelines. As a result, the courts are implementing tougher penalties to crack down on knife crime and more offenders are now being sent to jail for those crimes. The number of offences resulting in immediate custody has risen from 1,125 in the last quarter of 2007 to 1,386 in the same period of 2008. Offenders sentenced for such crimes are also being sent to custody for longer, with the average immediate custodial sentence length rising by 38% in the same period and fewer cautions being issued (numbers fell 31% over the same period).

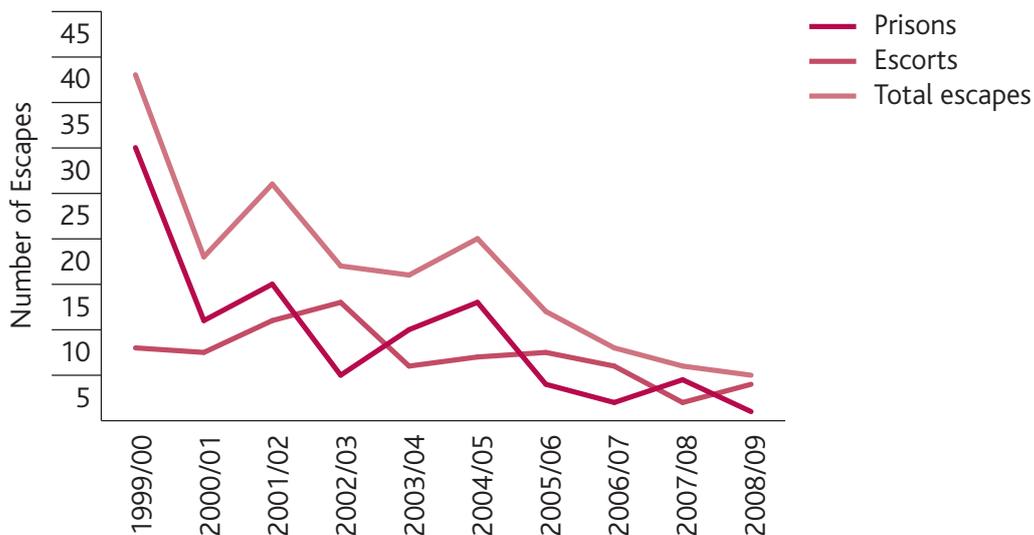
Disposals for knife and offensive weapon possession for England and Wales



Source: Knife Crime Sentencing Quarterly Brief, October to December 2008, England and Wales (Ministry of Justice Statistics Bulletin), March 2009.

We have protected the public by holding prisoners securely in custody, supporting the Parole Board with accurate information to inform its decisions as to whether it is safe to release offenders into the community on license. We have maintained our strong performance over the last year. There have been no escapes from Category A prisons and the rate of escapes from other establishments or from prison escort remains low.

Number of escapes



Source: Prison Service Incident Reporting System

In April 2009, we implemented a new parole process to ensure parole hearings are held on time and to improve the information available to the Parole Board. We have improved the capability of the prison and probation services to manage the risk of radicalisation and extremism within prisons, thereby contributing to the reduction of the UK terrorist threat and we have also put in place arrangements to ensure those convicted of terrorist offences are effectively supervised post-release.

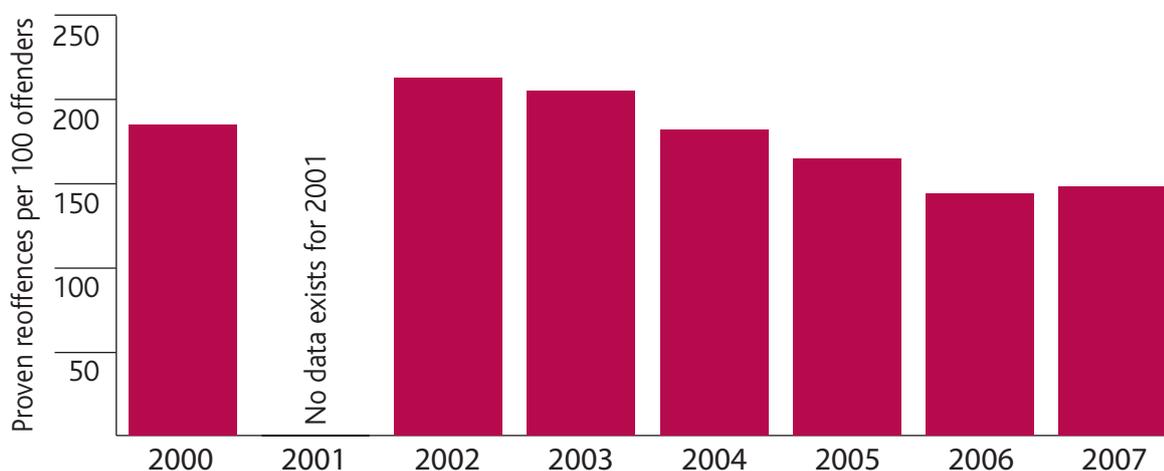
In the community, offender managers assess the risk of harm from offenders. They manage these risks with proportionate controls, seeking the correct interventions and taking enforcement action, based on existing best practice and guidance. We have significantly improved our performance over the last year and have exceeded our targets for 60% of community order breaches to be resolved within 25 days and for 71% of cases to reach the six month stage without requiring breach action. Where the behaviour of offenders under licensed supervision in the community gives cause for concern, we have ensured that they are recalled to custody. Our Multi-Agency Public Protection Arrangements continue to provide a vital framework to assess and manage the risk presented by offenders convicted of the most serious sexual and violent offences and other dangerous offenders whose previous offending and current behaviour suggest they pose a risk of serious harm.

Reducing Reoffending

Reducing reoffending makes an important contribution to an overall reduction in crime – we estimate that around half of all crime is committed by people with previous convictions. We have maintained the recent progress made in reducing the number of proven reoffences committed by both adults (11.1% fall between 2005 and 2007) and juveniles (7.5% fall in the same period)⁵.

Adult Reoffending

Frequency Results for Adult Reoffending



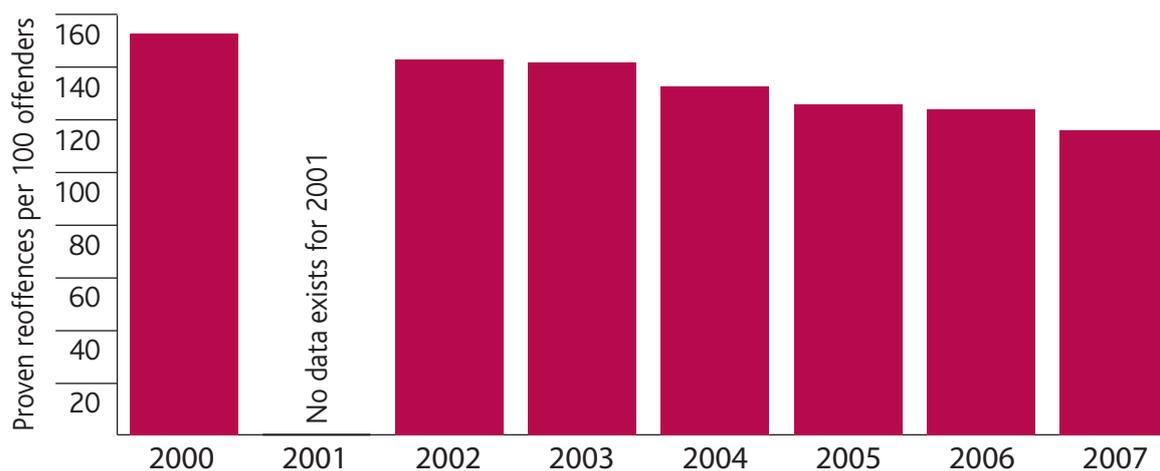
N.B. Data for 2001 have not been produced.

The target for adult reoffending is to reduce the number of proven offences committed by 10% between 2005 and 2011. This represents a reduction from 165.7 offences per 100 offenders in 2005 to 149.1 offences per 100 offenders in 2011.

⁵ Reoffending of adults: results from the 2007 cohort (Ministry of Justice, May 2009) and Reoffending of juveniles: results from the 2007 cohort (Ministry of Justice, May 2009).

Youth Reoffending

Frequency Results for Youth Reoffending



N.B. Data for 2001 have not been produced.

The target for juvenile reoffending is to reduce the number of proven offences committed by 10% between 2005 and 2011. This represents a reduction from 125.0 offences per 100 offenders in 2005 to 112.5 offences per 100 offenders in 2011.

We are continuing our work to reduce and maintain reductions in the frequency of reoffending, through a combination of addressing the root causes of offending behaviour, reducing social exclusion and working across government and sectors through the pathways out of offending. During 2008/09, more than 15,000 offenders completed drug treatment and almost 22,000 completed an accredited programme to address their offending behaviour, either in custody or under probation supervision.

Our responsibilities for increasing the number of offenders in the community who are in employment and/or accommodation also forms the NOMS contribution to PSA 16 (Increase the proportion of socially excluded adults in settled accommodation and employment, education or training⁶). More than 65,000 offenders have now been referred to the Learning and Skills Council for training. 26% of prisoners entered employment on release and 44% of offenders were in employment at termination of their order or licence. These results were both on target. 86% of prisoners moved to settled accommodation on release from prison and 78% of offenders were in settled and suitable accommodation at the end of their order or licence – both above target.

⁶ For full reporting against PSA 16 please refer to the *Cabinet Office Departmental Annual Report*.

We continue with our commitment to reducing youth reoffending. The Youth Crime Action Plan (YCAP) was published jointly with the Department for Children Schools and Families and the Home Office in July 2008, and sets out the cross-government strategy to reduce the number of young people entering the criminal justice system for the first time and the rate of young offenders reoffending. YCAP provides £100m of additional funding for its approach of prevention and early intervention, support for young people and their families and rigorous enforcement when young people cross the boundaries of acceptable behaviour.

The Youth Justice Board (YJB) is leading the development of the new cross-government reducing youth reoffending delivery plan. This includes work-streams to improve youth offending team (YOT) practice and performance, improving knowledge and skills in the sector, and promoting improved partnership on access to key services that address risk factors, including a focus on resettlement from custody. It will also be introducing its *Scaled Approach* intervention model for YOTs, alongside the introduction of the new Youth Rehabilitation Order in the autumn.

We have also continued to focus on reducing the most serious sexual and violent offences⁷. The frequency of serious reoffending is a volatile measure, because of the low numbers of offences involved. Therefore, careful interpretation of any change in figures is needed. Overall, the number of adult reoffences classified as serious decreased by 9.8% (from 0.85 per 100 offenders to 0.77 per 100 between 2005-2007), although an increase was recorded between 2006 and 2007. For juvenile offenders, the number of reoffences classified as serious fell by 19.0% (from 0.90 per 100 to 0.73 per 100 between 2005 and 2007).

MoJ has already taken strong action with the Home Office, along with other partners across government, to support Integrated Offender Management (IOM) in six pioneer areas, currently managing well over 2,000 priority offenders. MoJ will continue to work with the Home Office and other key partners across government to promote the spread of IOM and to ensure that we offer a clear choice to the offender between the opportunity for reform for those who comply and punishment for those who do not.

We have continued to make significant progress in implementing the Government's response to the Corston Report: a review of women with particular vulnerabilities in the criminal justice system. We have established a cross-departmental Criminal Justice Women's Unit and provided financial support to regional projects to reduce women offending. We have also published a National Service Framework for Women Offenders, and the Offender Management Guide to Working with Women, to support all those delivering services to women in prisons and probation. We remain determined to go even further which is why we are investing £15.6m over two years to help divert vulnerable women, who are not serious or dangerous offenders, from custody. We plan to reduce the number of women in prison and to provide additional services in the community for women offenders and women at risk of offending.

“£15.6m
to divert women
from custody”

⁷ Including homicide and child destruction, attempted murder, wounding or other act endangering life, causing death by dangerous/careless driving, causing death by aggravated vehicle taking, possession of firearms with intent to endanger life, rape, sexual assault, sexual activity without consent, abuse of children through prostitution and pornography and trafficking for sexual exploitation.

Reducing Reoffending Corporate Alliance

We have strengthened partnerships with employers through the Reducing Reoffending Corporate Alliance. Nick Pollard, CEO of Boris Lend Lease, has taken over as Chair of the group and other new members have come on board, such as James Timpson, Managing Director of Timpsons Ltd, with whom we have a programme to increase the number of prison workshops. Both of these employers are involved in the training and employment of offenders and are well placed to champion what they do with others.

Timpson Ltd run an Academy workshop at HM Prison Liverpool, offering offenders a guaranteed job interview on release providing they successfully complete the training. Cisco Systems Ltd is working in partnership with the HM Prison Service to run some 20 workshops within prisons delivering recognised Information and Communication Technology qualifications.

The importance of training and employment to reducing reoffending and social exclusion was recently highlighted in the positive press coverage of offenders getting work opportunities on large-scale development projects such as the London 2012 Olympics.

Increasing the efficiency and effectiveness of service delivery

Over the last ten years, we have delivered major improvements in both the way we manage offenders and the range of interventions that help to reduce the risk of reoffending. These improvements are not always recognised by the public and a single high profile incident can undermine public confidence in the whole system. The challenges of further reducing reoffending and improving public protection, particularly from high risk offenders, within our financial constraints will require us to focus our resources where they will make most difference, develop and implement more efficient and effective ways of working with offenders and work well in partnership. We aim to achieve this through implementation of the Offender Management Model, strengthened commissioning arrangements and a range of change programmes.

In the first year since NOMS was established as an agency, we have made good progress in changing the way we work. Our value for money initiatives saved £82m in 2008/09 alone and we have begun to put in place new structures, including a leaner central headquarters and streamlined regional structure, to reduce our cost base further. The standardised core day, implemented from July 2008, has improved consistency of regime delivery across the prison estate and helped to maximise prisoners' access to available activities without compromising the running of safe, decent and secure establishments.

**“£82m
saved by NOMS
in 2008/09”**

Following pilots in two regions, nine Directors of Offender Management (DOMs) are now in place across England and Wales. The remaining appointment will be made over the next year. DOMs are responsible for commissioning all prison and probation services, whether from public, private or third sector providers. They have a key role in ensuring that NOMS works well with local agencies and partners, and that it acts in a coherent and joined-up way. DOMs will be supported by a Specifications, Benchmarking and Costing Programme to enable them to target resources on the most valuable work to punish and reform offenders. The first full specification for Victim Contact was completed in March and for Unpaid Work in April. These will be deployed into the business later in the year to underpin best value exercises. Work is continuing on the development of specifications for women offenders in custody and in the community.

We have established the first six Probation Trusts. These provide probation services with more independence to focus their work on the needs of local communities. Over the next year we will complete the assessment of all Probation Boards for Trust status.

Table of Performance against DSO 3

Strong Progress: All indicators improved or maintained

Protecting the Public	
<i>Indicator</i>	
Maintaining current performance of no Category A escapes.	<p>Maintained</p> <p>We have continued to protect the public by keeping the most dangerous prisoners secure.</p>
Maintaining the existing very low rate of escapes from prison or prisoner escorts as a percentage of the average prison population.	<p>Maintained</p> <p>The rate of escapes as a proportion of the average prison population from April to March 2009 was 0.006%, considerably lower than the national target of less than 0.05%. This maintains the low level of escapes recorded at the same time last year.</p>
Maintaining the existing very low rate of absconds from the open/semi-open estate as a percentage of the average prison population.	<p>Improvement</p> <p>An annualised rate of 15.6 absconds per 100,000 prisoner days at the end of March is a reduction from the same time last year and a 32% improvement on the target rate of 22.8 for 2007/08.</p>

Reduced Reoffending	
<i>Indicator</i>	<i>Performance</i>
Levels of reoffending as per the PSA 23 indicator ⁸ .	<p>Improvement</p> <p>Baseline (Adults): 165.7 reoffences per 100 offenders (2005).⁹</p> <p>Latest Outturn (Adults): 147.3 reoffences per 100 offenders (2007).</p> <p>Baseline (Youths): 125.0 reoffences per 100 offenders (2005).</p> <p>Latest Outturn (Youths): 115.7 reoffences per 100 offenders (2007).</p>
Levels of serious reoffending as per the PSA 23 indicator.	<p>Improvement</p> <p>Baseline (Adults): 0.85 serious offences per 100 offenders (2005).¹⁰</p> <p>Latest Outturn (Adults):¹¹ 0.77 serious offences per 100 offenders (2007).</p> <p>Baseline (Youths): 0.90 serious offences per 100 offenders (2005).</p> <p>Latest Outturn (Youths): 0.73 serious offences per 100 offenders (2007).</p>

⁸ For full reporting against PSA 23 please refer to the *Home Office Departmental Report*.

⁹ The rate of reoffending for adults has been revised for the period 2000-2006 reflecting the correction of an error. The baseline rate was revised from 167.9 to 165.7 offences per 100 offenders. For more information on the revisions please see the 2007 adult reoffending results (<http://www.justice.gov.uk/publications/reoffendingofadults.htm>)

¹⁰ The rate of reoffending for adults has been revised for the period 2000-2006 reflecting the correction of an error. The baseline rate was revised from 0.88 to 0.85 serious offences per 100 offenders. For more information on the revisions please see the 2007 adult reoffending results (<http://www.justice.gov.uk/publications/reoffendingofadults.htm>)

¹¹ These figures must be treated with a degree of caution, due to the small number of serious re-offences in the data. There is less than one serious offence per 100 offenders in the cohort.

Increasing the efficiency and effectiveness of service delivery	
<i>Indicator</i>	<i>Performance</i>
Delivery of NOMS Key Performance Indicators.	<p>Improvement</p> <p>27 out of 28 national targets for 2008/09 were met. The sole indicator which was slightly below target for 2008/09 was the percentage of license recall request reaching the NOMS Post Release Section within 24 hours of the decision by the Offender Manager. The outcome was 87% against a target of 90% although the target level was met in the final quarter.</p> <p>A previous area of concern reported in the Autumn Performance Report was ensuring that offenders have access to the most appropriate programmes to address their offending behaviour. Performance on appropriate programme starts in the community has improved steadily in recent months, in part due to improvements in the completeness of area data, and at the end of March was 84% against a target of 81%.</p>
Delivery of relevant Youth Justice Board Key Performance Indicators.	<p>Improvement</p> <p>The Youth Justice Board has achieved a 10.2% reduction in first time entrants to the Youth Justice System in 2007/08 compared with its 2005/06 baseline, far exceeding its 5% target. Data for 2008/09 will be published in November 2009.</p>

Through work to counter the risks posed by violent extremist offenders, the Ministry of Justice contributes to PSA 26

<i>Indicator</i>	<i>Performance</i>
<p>The PSA Delivery Agreement for Counter Terrorism is not being published.</p>	<p>By its nature, the PSA Delivery Agreement contains information about the UK counter-terrorism effort that could potentially be useful to those who threaten the UK and its interests.</p> <p>In so far as is possible and consistent with national security, scrutiny arrangements for this PSA, including parliamentary scrutiny, will mirror those in place for other PSAs with progress reports made public during the CSR period. However, we are not able to publish the information in this report.</p> <p>We are fully integrated into the Government’s CONTEST strategy for countering international terrorism.</p>

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

Our contribution to the criminal justice system (CJS) is a key responsibility of the Ministry of Justice and one of the central ways in which we protect the public. This objective aims to increase the efficiency and effectiveness of the CJS and increase its transparency so that it inspires confidence in local communities. It works towards a more responsive CJS that has the needs of victims and witnesses at its heart. This objective directly contributes to PSA 24 and both are reported on in this section.

DSO Assessment: Some Progress

PSA 24 Assessment: Some Progress

Key Achievements:

- plans published to build stronger, community-focused partnerships between the CJS and local people, through the 'Engaging Communities in Criminal Justice' Green Paper;
- appointed the first ever Victims' Champion to give victims a greater voice in the CJS;
- improvements in the law through the Criminal Justice and Immigration Act 2008 and the Criminal Evidence (Witness Anonymity) Act 2008;
- improved CJS efficiency through speedier and more streamlined processes, supported by better use of modern technology;
- improved public confidence in the CJS and an increase on the number of offences brought to justice between 2004 and 2008, delivering on PSA targets as set by the last spending review; and
- appointed a new Ministerial Volunteer Champion, giving volunteers across the criminal justice system a more direct channel for getting their views heard.

The intermediary scheme

In September of last year, the intermediary scheme was introduced in all police and Crown Prosecution Service areas in England and Wales. Intermediaries are helping to make the justice process accessible to some of the most vulnerable people in our society. It has provided support to over 2,000 vulnerable people to date.

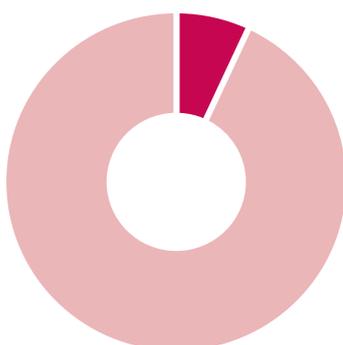


A 64 year old man with severe learning disabilities was a witness. At first, he gave evidence through a video-recorded statement. In court, an intermediary was used to help him give his account clearly and with the least upset and distress. The intermediary produced a report on the witness for the Judge and for prosecuting and defence counsel. In the event, defence counsel did ask questions the intermediary had reported that the witness would be unable to answer but these were challenged. Without an intermediary this questioning would have gone unchallenged, giving the appearance to the jury that the witness was unsure of his account and therefore unreliable.

Delivery and Funding

Criminal Justice Group has lead responsibility for this objective, and for PSA 24, working internally through the trilateral Office for Criminal Justice Reform and with NOMS and Access to Justice. It sponsors the Youth Justice Board and works closely with the Department of Children, Schools and Family, through the Joint Youth Justice Unit, to deliver improvements to the Youth Justice System. It also works with a wide number of other partners across government, the criminal justice system and third sector and particularly at a local level through Local Criminal Justice Boards (LCJBs), which unite criminal justice agencies working on the frontline.

Criminal Justice Group – proportion of 2008/09 MoJ Budget



Criminal Justice Group 7%

DSO Outcomes

Increasing the transparency of the criminal justice system so that it inspires confidence in local communities.

Public confidence in the criminal justice system has increased steadily, from 39% in 2003 to 44% in 2008¹². This has been achieved by cutting crime, bringing more offences to justice, providing more effective rehabilitation to offenders and improving services to victims and witnesses.

However, we cannot be complacent when less than 40% of people are confident that the CJS as a whole is effective and less than 60% of people are confident that the CJS as a whole is fair. Recent developments, including neighbourhood policing, Community Justice, Community Payback and implementation of the Race for Justice Action Plan to tackle hate crime have put us in a good position to make substantial progress. We are committed to making the CJS more joined-up, more relevant and more responsive to local people's priorities, demonstrating to them that their interests are at the heart of the system and that offenders face serious consequences for committing crime.

We have made good progress over the past year, building stronger, community-focused partnerships between the CJS and local people. We have extended the 'community justice' approach to magistrates' courts to solve problems caused by offending in local areas – during the year we have opened four drug courts and increased the number of Specialist Domestic Violence Courts to 122, and begun piloting a new mental health court model. We will also be testing community impact statements over the coming year to explore how best to give communities an opportunity to set out their crime concerns and priorities.

Despite all the progress we have made, the system can still feel too remote from people's everyday lives and the justice it delivers not visible enough. In April 2009, we published the 'Engaging Communities in Criminal Justice' Green Paper, setting out our proposals to make the CJS more accessible to local communities by:

- **strengthening the connections between communities and their prosecution and court services** – building on the success of Community Justice and the problem-solving approach to help the community and enable offenders to reform and to make amends.
- **ensuring that justice outcomes are more responsive and more visible** – increase visibility and responsiveness of Community Payback and other forms of reparation and compensation so that justice is delivered and seen to be delivered, and promoting the use of Restorative Justice to increase victim satisfaction; and
- **keeping communities informed, getting people involved, empowering communities** – empower communities by improving information the public receives about case outcomes: ensuring the public can see a real connection between the crime and the punishment (and reform) meted out in response.

¹² Ministry of Justice Public Service Agreement 4 of Spending Review 2004. See *Moj Autumn Performance Report 2008*. www.justice.gov.uk/publications/docs/moj-autumn-performance-report2008.pdf

We continue to focus on tackling race disproportionality in the justice system through Local Criminal Justice Boards (LCJBs). Through the Race for Justice initiative, we are ensuring more effective prosecution and handling of hate crime by criminal justice agencies. We are also looking at our own practices and are piloting a tool to help LCJBs identify why some staff from minority communities fail to progress in criminal justice system organisations, or leave earlier than their white counterparts.

A more responsive criminal justice system that has the needs of victims and witnesses at its heart

We continue to focus on those who are in the justice system through no fault of their own – victims and witnesses. It is essential that we provide them with support and ensure that the CJS is built around their needs. The appointment, in January 2009, of Victims' Champion Sara Payne, will provide them for the first time with an independent public voice.



Sara Payne – Victims' Champion

In the course of her one year appointment as Victims' Champion, Ms. Payne will listen to the views and concerns of victims and witnesses, represent their views to Ministers, Government officials and the media, challenge criminal justice agencies further to reform their practices in relation to victims and witnesses and prepare the foundations for the appointment of the Victims' Commissioner in 2010.

"Over the last eight years I have been asking for victims to have a louder voice and for the Government to listen more closely to what they have to say. I am proud I will now be their Champion and look forward to bringing the voice of victims and witnesses to the heart of Government."

Sara Payne

We have also increased the provision of support to victims. Last year we provided funding of £37m to Victim Support to assist 1.5 million victims of crime, and introduced new processes that provide victims with a full needs assessment and both emotional and practical support. Funding was also provided to support vulnerable families bereaved by homicide, women trafficked into the UK for sexual exploitation and, through the Victims' Fund, £1.74m to provide specialist support for victims of sexual crime, hate crime and homicide. This has provided a range of frontline services including helplines, counsellors, therapy and outreach workers. To improve services for victims of domestic violence, we have also introduced more specialist courts and launched a DVD, *'You don't have to live in fear'*, to provide an insight into the court process for people seeking redress against abusive partners.

**“£37m
provided to
Victim Support”**

We have introduced new ways of working in the Criminal Injuries Compensation Authority (CICA). In July 2008, we moved to geographically focused teams in order to improve partnerships with local criminal justice agencies and a new case-working model for claims, which places greater emphasis on supporting victims through the process. The outstanding caseload is now at the lowest level for 20 years. We have also improved the balance between the compensation paid to victims of crime and that paid to miscarriages of justice victims.

We have improved services to witnesses. The Witness Charter has been implemented to improve witnesses' experience of the CJS and we have implemented the Intermediaries Scheme, which supports vulnerable witness to giving testimony.

After a House of Lords decision largely removed courts' powers to permit evidence to be given anonymously, we acted swiftly to introduce legislation enabling the courts to grant witness anonymity orders in criminal proceedings where this is consistent with the right of a defendant to a fair trial. It was enacted a month later as the Criminal Evidence (Witness Anonymity) Act 2008.

Increasing the efficiency and effectiveness of the criminal justice system

Criminal justice services have improved significantly over the last ten years. Crime has reduced dramatically, the average time from arrest to sentence for persistent young offenders has more than halved and our performance on enforcement has greatly improved. However, within that reduction we have been less effective at tackling certain types of crime.

To improve performance further, we are focused on supporting LCJBs. These local boards are best placed to identify local concerns and opportunities to improve efficiency and outcomes. We have put in place programmes and local delivery and governance structures to increase the proportion of serious offences brought to justice.

We have introduced 'Realising the Potential'. This programme aims to increase the capacity and capability of the CJS by making LCJBs the leaders of change in the CJS and driving reform to achieve continuous improvement.

We are making better use of technology to increase efficiency and improve CJS services. We have improved the IT infrastructure through which we, with our justice partners, can share information, manage cases and work together in a secure and joined-up way. A new and more efficient CJS Video Conferencing System has been implemented. This will provide a range of services including prison to court, police to court, and Probation Service to prison links, with significant efficiency improvements and cost savings.

As well as changing structures and harnessing technology to improve the performance of the criminal justice system, we have also been working on improving the clarity of underpinning legislation to ensure it is up-to-date. We have put in place important new measures to tackle crime, cut reoffending and promote and improve access to justice. The Criminal Justice and Immigration Act 2008 introduced the following reforms:

- clarified the laws of self defence making it more accessible and easier to understand;
- updated the obscenity laws through extreme pornography provisions, ensuring we keep pace with social and technological changes;
- amended the law relating to public protection sentences, changed release arrangements for some prisoners sentenced under previous legislative regimes and introduced speedy new recall and re-release arrangements for offenders who breach their licence; and
- introduced a new offence criminalising incitement to hatred against persons on the basis of their sexuality, following on from similar legislation in regard to race and religion.

The Coroners and Justice Bill 2009 was introduced in January 2009. It contains key proposals designed to modernise the coroner system, boost support for victims and witnesses and improve fairness in sentencing including:

- the appointment of a new post of Chief Coroner for England and Wales;
- new national standards for coroners' investigations;
- investigation into anonymity orders to protect the identity of people who help investigations into gang-related gun and knife homicides;
- a new Sentencing Council to secure further consistency and transparency in sentencing;
- a civil recovery scheme to help prevent criminals from profiting from publications about their crimes;
- extending the driving bans of offenders who are also given prison sentences; and
- clarification of the law regarding online encouragement to commit suicide.

Table of Performance against DSO 4

Some progress – Improvement against two out of four indicators¹³

While there has been improvement in relation to two of the four indicators, overall progress on the two key indicators of bringing serious offences to justice and increasing public confidence has been limited, with no improvement in relation to certain elements.

Increasing the efficiency and effectiveness of the criminal justice system	
Indicator	Performance
Increase performance of bringing serious offences to justice.	<p>Maintained</p> <p>The effectiveness of the CJS in bringing serious sexual offences has been assessed by comparing data for the year ending December 2008 with the baseline year 2007/08, though this assessment is provisional due to the three month overlap of the data periods being compared. Current performance indicates some progress.</p> <p>The number of serious sexual offences brought to justice has risen 6% since 2007/08, while the number of these recorded crimes has fallen by 1% over the same period.</p> <p>The number of serious acquisitive offences brought to justice has fallen 3% since 2007/08, while the number of these recorded crimes has fallen by a greater amount (4%) over the same period.</p> <p>The number of serious violent offences brought to justice remains stale, but data on the number of recorded serious violent crimes are not currently available.</p>

¹³ Most of these performance data are provisional and published at <http://www.lcjb.cjsonline.gov.uk>

<i>Indicator</i>	<i>Performance</i>
Magistrates' court and Crown Court timeliness.	<p>Improvement</p> <p>The latest available magistrates' court timeliness (March 2009) data stands at 6.9 weeks, which shows an improvement in magistrates' court timeliness from a baseline of 8.8 weeks in March 2007, against a target of fewer than six weeks. The magistrates' court timeliness measure includes adult charged cases only (excluding cases sent or committed to the Crown Court for trial) and is the estimated average time from charge to completion.</p> <p>Latest Crown Court timeliness data stands at 80%, 2% above the target level of 78%. The 'sent for trial' element of this Key Performance Indicator shows a gradual improvement in the year to December 2008.</p>

Increasing the transparency of the criminal justice system so that it inspires confidence in local communities	
<i>Indicator</i>	<i>Performance</i>
Increased levels of public confidence recorded by the British Crime Survey.	<p>Maintained</p> <p>If current performance trends continue, the element of this indicator covering the fairness of the criminal justice system will be met.</p> <p>The baselines stand at 56% for confidence in the fairness of the CJS and 37% for confidence in the effectiveness of the CJS. Latest performance data shows that confidence in the fairness of the CJS has increased to 58%, whilst confidence in the effectiveness of the CJS has so far remained static. Although the latest recorded figure on confidence in the effectiveness of the CJS (based on nine months ending December 2008) is 38% this does not represent a statistically significant increase.</p>

A more responsive criminal justice system that has the needs of the victims and witnesses at its heart

<i>Indicator</i>	<i>Performance</i>
<p>Increased levels of victim and witness satisfaction as recorded by the Witness and Victim Experience Survey.</p>	<p>Improvement</p> <p>If current performance continues, the element of the indicator covering victim and witness satisfaction with the CJS as a whole will be met.</p> <p>The baseline for victim satisfaction with the Police stands at 81%. More recent performance data is not yet available.</p> <p>The baseline for victim and witness satisfaction with the CJS stands at 81%. Latest performance has shown an improvement to 82% (six months ending 30 September 2008).</p>

PSA 24 Deliver a more effective, transparent and responsive criminal justice system for victims and the public¹⁴

Some progress – Improvement against three out of five indicators¹⁵

While there has been improvement in relation to three of the five indicators, overall progress on the two key indicators of efficiency and effectiveness and increasing public confidence has been limited, with no improvement in relation to certain elements. As noted below, while performance on recovering criminal assets is showing improvement, it is currently below trajectory.

Deliver a more effective, transparent and responsive criminal justice system for victims and the public	
<i>Indicator</i>	<i>Performance</i>
Indicator 1: Efficiency and effectiveness of the CJS in bringing offences to justice.	<p>Maintained</p> <p>The effectiveness of the CJS in bringing serious sexual and serious acquisitive offences to justice has been assessed by comparing data for the year ending December 2008 with the baseline year 2007/08, though this assessment is provisional due to the three month overlap of the data periods being compared. Current performance indicates some progress.</p> <p>The number of serious sexual offences brought to justice has risen 6% since 2007/08, while the number of these recorded crimes has fallen by 1% over the same period.</p> <p>The number of serious acquisitive offences brought to justice has fallen 3% since 2007/08, while the number of these recorded crimes has fallen by a greater amount (4%) over the same period.</p> <p>The number of serious violent offences brought to justice remains static, but data on the number of recorded serious violent crimes are not currently available.</p> <p>After a 45% increase in total expenditure on the CJS since 1998/99, the budgeted CJS spend in bringing offences to justice is projected to fall by approximately 3.2% over the period 2008/11 in real terms as efficiency savings are made. The budgeted spend in 2008/09 is £7.47bn compared to £7.55bn in 2007/08</p>

¹⁴ As reported above the Department's DSO under the same title shares several of the same indicators as this PSA. For clarity purposes these indicators have been reported on again here.

¹⁵ Most of these performance data are provisional and published at <http://www.lcjb.cjsonline.gov.uk>

<i>Indicator</i>	<i>Performance</i>
<p>Indicator 2: Public confidence in the fairness and effectiveness of the criminal justice system.</p>	<p>Maintained</p> <p>If current performance trends continue, the element of this indicator covering the fairness of the criminal justice system will be met.</p> <p>The baselines stand at 56% for confidence in the fairness of the CJS and 37% for confidence in the effectiveness of the CJS. Latest performance data shows that confidence in the fairness of the CJS has increased to 58%, whilst confidence in the effectiveness of the CJS has so far remained static. Although the latest recorded figure on confidence in the effectiveness of the CJS (based on nine months ending December 2008) is 38% this does not represent a statistically significant increase.</p>
<p>Indicator 3: Experience of the criminal justice system for victims and witnesses.</p>	<p>Improvement</p> <p>If current performance continues, the element of this indicator covering victim and witness satisfaction with the CJS as a whole will be met.</p> <p>The baseline for victim satisfaction with the Police stands at 81%. More recent performance data is not yet available.</p> <p>The baseline for victim and witness satisfaction with the CJS stands at 81%. Latest performance has shown an improvement to 82% (six months ending 30 September 2008).</p>
<p>Indicator 4: Understanding and addressing race disproportionality at key stages in the criminal justice system.</p>	<p>Improvement</p> <p>Progress towards the 2011 PSA milestone is on schedule, with LCJBs already collecting and analysing data on race disproportionality and taking steps to address it where it is unjustified. Should this milestone be met, the CJS will be better informed to identify and explain race disproportionality at key points within the system, and tackle it where it is shown to be unjustified.</p>

<i>Indicator</i>	<i>Performance</i>
Indicator 5: Recovery of criminal assets.	<p>Improvement</p> <p>Baseline: £125m recovered in 2006/07.</p> <p>Current performance shows that £105.7m has been recovered between April 2008 and December 2008.</p> <p>Although current performance shows improvement, it is still below trajectory to recover £250m in 2009/10. Actions are underway to address the performance gap.</p>

Part 3

How we deliver

How we deliver

So far we have reported against how we are delivering outcomes for the public. We are also focused on building our underpinning capabilities to improve our performance further. The Capability Review baseline assessment and the delivery model set out in our corporate plan¹⁶ form our capability priorities.

Capability Review

At the Capability Review stocktake in November, it was noted that we had made progress in all four areas for action and particularly by:

- developing and communicating the Department's narrative and linking it to the Departmental Strategic Objectives (the reviewers found that the Board is focused on the narrative and engaging staff at all levels);
- building an excellent foundation for prioritising resources and maximising value for money by establishing the Performance and Efficiency Programme; and
- building capability through a number of new appointments, such as a Director of Research and Analysis, which will contribute to the Department's commitment to improving its evidence based decision-making.

However, the Capability Review team also thought that there was more to do to embed the narrative throughout the Department, explaining its purpose and the added value derived from being a single Ministry of Justice. In the one year review this summer the Capability Review team will be looking for evidence that we are developing improved management information that is both useful and reliable; increasing the understanding of staff at all levels of the purpose and added value of the Department, and what it means for them; and building on the organisational and personnel changes that have already been made, to drive future development forward with clear accountabilities and effective ways of working.

Capability Review Baseline Assessment: Key areas for action

- Clearly communicate a unifying thread which binds together staff in the different parts of MoJ
- Define clear roles, responsibilities and business models, and make them work
- Improve the Ministry's ability to make prioritisation and resource allocation decisions on the basis of robust data and evidence
- Address the challenge of building capability across MoJ in an environment of financial constraint.

April 2008

¹⁶ www.justice.gov.uk/publications/docs/corporate-plan-2009-11.pdf

Our delivery model

Our Corporate Plan sets out a model to help us focus on capability building in the right areas, so that we:

- manage public and physical assets well;
- manage and protect information assets;
- get the best from our people;
- develop whole system policy and delivery frameworks; and
- develop appropriate culture, structures and planning systems.

This section sets out what we have achieved in these areas over the past year.

Managing public money and physical assets well

As a major government department, we must focus on making the best use of our resources, estate and information technology, improving our procurement practices and ensuring we build a sustainable Department for the future.

Financial Planning

The MoJ's Comprehensive Spending Review 2007 (CSR07) settlement is approximately £10bn per annum (capital and resource). This includes additional funding to increase prison capacity as a result of the Government's response to Lord Carter of Coles' review of prisons.



Our initial CSR07 settlement committed the MoJ to delivering £1,007m net of costs and cash releasing Value for Money (VfM) savings by 2010/11. This equates to over 3% per annum and a 5% real reduction in our administration budget, as set out in the Value for Money Agreement published in February 2008.

This target was increased following the 2009 Budget, with additional VfM savings of £70m to be delivered in 2010/11. This brings the overall CSR savings target to £1,077m. This target presents the Department with a significant challenge, which has been heightened by the difficult economic climate. Based on provisional outturn data, it is estimated that £332m of VfM savings have been achieved during 2008/09.

To respond to this challenge and ensure that money is spent on areas that will have the maximum impact on our priorities and strategic objectives: (protecting the public and improving the justice and democratic systems), the Department has initiated the Performance and Efficiency Programme. This programme is focussed on creating and delivering the initiatives that will ensure that MoJ meets its VfM savings target, whilst continuing to improve performance. The analysis underpinning PEP has allowed us to identify and target areas where savings can be made to ensure services are delivered in the most efficient and effective way.

Business Group financial allocations for 2009/10 for Near-Cash and Capital are set out in the table below, and are shown net of agreed savings initiatives.

Business Group	Near-Cash (£m) ¹⁷	Capital (£m) ¹⁸
Access to Justice	3,477	177
National Offender Management Service	4,130	561
Corporate Performance Group	295	6
Democracy, Constitution and Law	130	4
Criminal Justice Group	586	41
Managed Funds	115	163
Total	8,733	952

Notes:

- The figures reflected in the table above include funding for the Electoral Commission.
- The figures above do not include funding movements which have been agreed with other government departments.
- The table assumes that the MoJ will be able to draw down on certain funding agreed outside our CSR07 settlement (such as Carter). Should this funding not be received financial allocations will need to be adjusted to reflect this.
- Non-Cash (being the component of the Resource DEL budget that which reflects accounting charges such as depreciation, impairment, cost of capital and new provisions) has not been included in this table.

¹⁷ Near-Cash reflects resource DEL budget less Non-Cash charges (such as depreciation, impairment, cost of capital, new provisions) including accruals.

¹⁸ Capital reflects the funding available to undertake capital projects.

Value for Money 2008/09

Based on provisional outturn data, it is estimated that during 2008/09 the following value for money savings have been achieved:

Delivery Strategy	Provisional VfM savings 2008/09 (£m)
National Offender Management Service (NOMS)	82
Legal Aid Reform ¹⁹	46
Legal Services Commission administration	7
Her Majesty's Courts Service (HMCS)	82
Tribunals Service	18
Corporate Services	97
Total Value for Money Savings	332

¹⁹ Legal Aid reform savings have been calculated on a resource rather than near-cash basis.

The table below sets out some examples of where and how our sustained, net cash releasing savings have been achieved.

Name of Initiative	Description	Provisional VfM savings 2008/09 (£m) ²⁰
National Offender Management Service		£82m
Standardisation of the core day	Introduction of standard core day in prisons has brought greater consistency and predictability to prison operations and allowed prison staff arrangements to be re-profiled, releasing savings.	
Clustering	Merging services between prisons in close proximity.	
Reduced area office staffing	A standard core resource for each area office has been set following a major review in 2007/08. Areas with higher levels of resource have been set reduction targets.	
Reduced IT costs	Contractual negotiations have resulted in a lower unit charge for basic IT equipment such as desktops and laptops.	
Residual shared service savings	Residual savings from the restructuring of the human resources function across the prison estate.	
Prisons (local savings)	A wide variety of local efficiencies are providing substantial levels of overall savings. Examples of such initiatives include re-grading officer posts and implementing video links.	
NOMS other	Other savings have been achieved in NOMS through administrative and property savings as well as capping contract costs.	

²⁰ Rounded figures.

Access to Justice		£154m
Legal Aid Reform Programme ²¹	All key 'Way Ahead' fixed and graduated fee schemes have now been implemented. Interim changes to Family Graduated Fees are expected to achieve further savings over the CSR period. Ultimately the aim is to harmonise barrister and solicitor Family Advocacy Fees. Further consultation on Best Value Tendering is planned later this year. Crown Court Means Testing is due to be piloted in 2010.	£46m
Legal Services Commission administration	Business process efficiency improvements enabling reductions in headcount.	£7m
Her Majesty's Court Service	<p>HMCS is delivering efficiency savings and reducing the scope of planned initiatives in the following broad areas:</p> <ul style="list-style-type: none"> – Crime & Enforcement savings from IT upgrade projects and innovation in the courts; – Civil & Family savings generated by delaying the roll-out of digital audio recording (DAR) and Libra development; – change programmes include consolidating administrative functions into back offices and improving electronic links with other agencies and local authorities; – procurement savings generated by renegotiating and rationalising of a range of contracts; – HQ administration savings by reducing HQ Budgets; – libraries' savings through a reduction in expenditure. 	£82m
Tribunals Service	<p>The Tribunals Service moved to a regional structure in 2007/08. Restructuring has allowed for a reduction in staff posts and a significant number of job relocations.</p> <p>New business model: a new Pathfinder Administrative Support Centre (ASC) opened in Birmingham to ensure efficient back-office processing.</p> <p>There has been a reduction in expenditure on hiring venues for hearings.</p>	£18m
Other Savings Achieved		£97m
Corporate services	Introduction of Development, Innovation and Support Contracts (DISC) and old IT suppliers phased out.	

²¹ Legal Aid reform savings have been calculated on a resource rather than near-cash basis.

The MoJ as a whole was required to make a 5% real reduction in administration budgets this year. The MoJ can demonstrate that it is meeting its savings target, based on a comparison of forecast outturn and the counterfactual. An internal audit has been completed by the Department to ensure that structures are sufficiently robust to validate VfM gains.

Future Savings Plans

MoJ savings plans have been set out in a VfM delivery agreement in February 2008²² with an update provided in April 2009²³. Over the next six months the MoJ will implement a number of different initiatives. The table below sets out Business Group plans to build on those savings over the CSR to around £573m by the end of 2009/10. The actual mix and value of savings is subject to change, for example as assumptions about inflationary pressures such as changing volumes are revisited. To ensure the savings are robust MoJ is undertaking work to test and refine the value for money assumptions, for example on inflationary pressures.

Name of Initiative	Description
National Offender Management Service	
Specification, Benchmarking and Costing	Achieving better value for money by standardising wider service provision in prisons.
Streamlining and restructuring	Regional structure and headquarters streamlining.
Access to Justice	
Accelerating cost recovery	Accelerating cost recovery in our courts through the introduction of increased fees.
Management overhead reduction	The HMCS and Tribunals Service Management Overheads project is aiming to cut or minimise management and administrative overheads, especially through removing duplication and working more consistently together.
Improving productivity	HMCS and Tribunals Service are working on improving productivity and efficiency in courts and tribunal operations, using LEAN as a tool to help build a culture of continuous improvement.
Better control of legal aid spend	There are a number of initiatives focused on better control and targeting of our legal aid spend. Two major projects are Crown Court Means Testing and reducing the cost of providing legal services in prisons.

²² <http://www.justice.gov.uk/publications/docs/value-for-money-2008.pdf>

²³ http://www.cabinetoffice.gov.uk/media/203122/value_for_money.pdf

Corporate and Headquarters	
Overhead reduction and efficiencies	Overhead reduction and efficiencies to reduce the cost base.
Cancellations and spend adjustments	Shared services cancellation, estates efficiencies, adjustments to funds.



Estates

The MoJ has a significant estate: over 2,700 buildings, both specialist (courts, hearing centres and prisons) and administrative. 2008/09 has been a year of considerable change for the Department's administrative estate, taking the first steps in using MoJ's office space much more efficiently. Staff have moved out of five buildings in London and into one flagship headquarters (HQ) – Petty France. This brings 2,300 MoJ people into a

single, modern, flexible building for the first time. The second stage in this project will see the introduction of flexible workspace at Petty France as a further 1,000 people move in to the building, achieving savings of more than £10m per annum.

The third stage of our work on the administrative estate will be the development of a nationwide administrative estate strategy. This will reduce further the number of administrative buildings in London to four, and create a new national HQ 'hub'. Flexible working will be rolled out to all HQ buildings.

We are also transforming our specialist estate. As part of our significant Prison Capacity Programme we have delivered over 4,600 prison places and 106 refurbishment and maintenance projects were successfully completed in 2008/09, ranging from replacement of emergency lighting at HMP Ford to the full refurbishment of B wing at HMP Leeds. We also completed a High Dependency Unit at HM Young Offender Institute Wetherby for the Youth Justice Board including a 48 place accommodation block and workshop.

In the court estate we have opened a new magistrates' court in Cambridge, completed the build of Caernarfon Justice Centre (three courtrooms) and we are on track to deliver the new Supreme Court in October 2009 along with three more new court buildings.



Sustainable development

The current MoJ Sustainable Development Action Plan²⁴ focuses on performance against targets to improve MoJ's overall performance, the quality of data recording and reporting, and joining up sustainable development across the different Business Groups.

Given the size of our estate, meeting targets on Sustainable Operations on the Government Estate (SOGE) is important, although challenging. We have made progress on these and they will be formally reported on in July 2009, at the same time as other government departments. We expect to see evidence of an increased focus on sustainable development from all our businesses.

We have taken advantage of our move to Petty France to increase the sustainability of our HQ estate. We have increased video conferencing facilities to reduce the need for staff to travel to meetings, reduced the use of thousands of plastic bin bags and established a network of environmental management representatives, involving staff from across the country to encourage best practice.

We have also made substantial improvements at the frontline. In the specialist estate, HM Prison Service has implemented a Carbon Management Programme through the Carbon Trust and won a range of awards for its environmental contribution. HMCS has started developing a corporate Environmental Management System to help monitor progress against SOGE targets and the Tribunals Service is working towards applying for Environmental Management System accreditation for ten of its sites.

In 2009/10, we will begin to monitor performance on energy efficiency and carbon emissions, implement a waste management strategy to achieve a standard of best waste management practice across MoJ and develop a new strategy for meeting carbon reduction commitment requirements. We will be reviewing our Sustainable Development Action Plan in the coming months and will publish a new plan later this year.

Information Technology

Over the past year we have focused on increasing the efficiency and cost-effectiveness of IT provision in the justice system, and improving links between business areas.

To increase efficiency, we moved IT contracts from six suppliers to two thereby saving £110m. Next year, we will increase our efficiency further by establishing a single IT function for MoJ, bringing together services which have previously been provided by NOMS and OCJR into the Corporate Performance Group. To improve links between business areas, we have completed implementation of the Libra case management system which is now operating in all magistrates' courts. This improves the exchange of information between the courts and criminal justice partners.

²⁴ <http://www.justice.gov.uk/docs/sustainable-development.pdf>

We are also committed to building our internal expertise. We have made strong progress in assessing our IT professionals against the Skills Framework for the Information Age (SFIA), which will provide a solid base as we develop our specialist knowledge in this area. Establishing the single IT function will also enable us to build our capability.

Procurement

Procurement has been a corporate priority this year. The inherited structures of MoJ have meant that we are not always getting the best value for money or taking advantage of our collective buying power. Whilst there is some best practice, most notably in the HM Prison Service portfolio, significant improvement is required in other business areas. This has been recognised by the National Audit Office, Public Accounts Committee and Office of Government Commerce (OGC).

In November 2008, the Corporate Management Board approved a new procurement strategy and a far reaching improvement programme for the whole of MoJ called 'Procurement Success'. By implementing Procurement Success, MoJ expects to realise cumulative savings of £141.6m on third-party spend by the end of 2010/11 and £3.3m p.a. on the cost of procurement by the start of 2010/11.

Pillows and mattresses

NOMS Procurement Directorate awarded a new contract for the supply and disposal of mattresses and pillows used in prisons. The project was unique in that it sought an end-to-end solution for the manufacture and subsequent disposal of products. In addition to achieving savings in excess of £4.5m over the life of the contract, by recycling the waste mattresses and pillows, MoJ will reduce the amount of waste it sends to landfill by the equivalent of 31 double decker buses per annum. The project has been used as an example of best practice by the National Audit Office in reports it has produced on both sustainable procurement and innovation in government.

Expenditure with external consultants 2008/09

Category	Moj Spend £000's
Consultancy	53,600

The MoJ subscribes to the same definition of consultancy provided by OGC in their document Consultancy Value Programme – Business Case Guidance Notes.²⁵

“The provision to management of objective advice and assistance relating to strategy, structure, management or operations of an organisation in pursuit of its purposes and objectives. Such assistance will be provided outside of the ‘business-as-usual’ environment when in-house skills are not available and will be immaterial and time-limited. Services may include the identification of options with recommendations, or assistance with (but not the delivery of) the implementation of solutions.”

The MoJ has recently established its own Procurement Directorate which, amongst other initiatives, has introduced *spend analysis* as a tool to manage spend in accordance with OGC guidelines. Effective spend analysis relies on collecting and regularly analysing spend data.

The above value provided for consultancy spend in 2008/09 across the MoJ (includes NOMS, MoJ HQ, HMCS, HMCS Estates and Tribunals Service) represents the first iteration of spend data and will be subject to change.

Manage and protect information assets



Electronic technology has revolutionised the way information is collected and used by government departments, both internally and in the way in which they interact with the public. While this brings significant benefits, including increased accessibility of services, it also places increased responsibility on departments to handle the personal information of citizens responsibly and securely in order to retain public confidence in their stewardship of information.

The public expects us to be able to make effective use of all the information we collect. Increasingly, therefore, the way we handle, use and protect personal data is as fundamental to the public’s confidence in government as our ability to manage our finances and physical assets. Internally, it is also key to our staff and partners’ confidence in our ability to manage the Department. Given recent high-profile data losses across government, confidence in this area both externally and internally has suffered.

²⁵ http://www.ogc.gov.uk/documents/Business_Case_guidance_notes.pdf – page26

Our response to the challenge has been to set up a dedicated Information Sub-Committee of the Corporate Management Board to provide high level accountability and governance of our information assets and risks. The Departmental Senior Information Risk Owner (SIRO) chairs the Sub-Committee. The Sub-Committee has made good progress in identifying the highest information risks and ensuring those risks are managed. We were also able to report good progress on implementing the Cabinet Office Data Handling Review measures.

We have published guidance for staff on managing and protecting information and a Statement of Intent, which includes a commitment to raise staff awareness of information management and handling issues, through education and training initiatives delivered as part of our commitment to an Information Assurance training programme. In the future, we will also be looking to extend our network of Knowledge and Information Liaison Officers across MoJ to provide an identifiable and accessible point of expertise for all information issues.

Access to Justice, which brings together many of our key delivery arms, has provided security awareness packs for staff, line managers and Information Asset Owners. Interactive workshops have also been organised, helping staff focus on their Information Assurance responsibilities. We have been sharing best practice for Information Assurance and will continue to drive a culture of information security.

The Capability Review recognised that we needed to do more to improve the information base on which we make our policy and business decisions. The work done to inform our Performance and Efficiency Programme has been a step forward in this area. We are now preparing a more in-depth project to improve management information.



Get the best from our people

We need to build the capability and raise the performance of our workforce, and end working practices that constrain our development. We also need to manage staff successfully through significant change.

We have made strong progress over the past year. To ensure that MoJ has the leadership required to meet its challenges, and a culture

that is focused on delivery of services to the public, we have renewed our senior leadership group by running competitive selection exercises for a quarter of Senior Civil Service positions. We have improved our succession planning arrangements to have a clear idea of who our strong performers are and identify where shortfalls in skills need to be addressed. We continue to set tough standards for senior managers to improve the timelines of staff appraisals, to ensure that individual performance and areas of concern are being actively managed, and that performance is focused on delivery.

We have launched a new corporate learning centre, the Justice**Academy**. It will have e-learning at its core, providing a far more cost-effective and accessible approach. Our first mandatory e-learning programme on Information Assurance has been delivered and our Justice**Academy** portal has enabled us to track and monitor learners, ensuring staff across the organisation understand their responsibilities in respect of the management of information. Business area faculties, which target learning where it is needed, have been established. Material devised to support the Performance and Efficiency Programme to help achieve the required cost savings of over £1bn and improve Moj's performance focused training sessions called 'skillshops' and mini seminars called 'mindstretches' have been piloted, linking learning content to organisational and customer needs.

We also continue to work through the practical effects of organisational change, including most recently, the assimilation of core terms and conditions for those former Home Office staff who assimilated to the Ministry of Justice. This builds on the successful introduction of common terms and conditions in the Ministry of Justice (excluding NOMS who have separate pay arrangements) in 2007. As a consequence more than 97% of these staff are now on a common pay structure. An equal pay audit after the implementation of the 2008 pay award gave a positive outcome for this group of staff with an overall mean gender pay gap of 10.5% which is significantly lower than the average across the economy.

A review of key people policies across the full range of employment took place, with added emphasis on the role of the line manager. We have launched a new and stronger Moj Conduct Policy which will be reinforced by an increased focus on identifying future talent to support the development of engaging and confident leaders, able to motivate their people, reward excellence and tackle poor performance.

As part of a wider restructure of Human Resources operations, we have made a number of improvements to speed up recruitment and save money. These include:

- streamlining our recruitment processes to improve efficiency;
- launching a vacancies page on Moj's external website to improve access to vacancies and reduce cost and delay;
- creating a single site for external recruitment to create Moj roles; and
- introducing internal resourcing consultants and launching a new customer friendly telephone process to reduce correspondence and speed up the interview process.

Since introducing online application forms for external recruits, the number of paper copies sent out has significantly reduced delay, creating staff efficiency. For example in parts of the Department an auto sift tool has eliminated the need for line managers to carry out a sift on many administrative jobs, releasing management time and reducing the sift time from two weeks to two days.

We have worked closely with the National Audit Office to validate these improvements and to ensure that current best practice is factored into future planned improvements.

Employee Engagement

We were the first Department to undertake the new style Cabinet Office Engagement Survey in the autumn 2008. The response rate was 65%. This is a 15-point increase in response rate on previous surveys in the former Department for Constitutional Affairs and Prison Service. The results from the survey have improved our understanding of employees' experience at work, how that experience motivates them and how it affects performance in delivering services, and value for money, to the public. A number of activities and materials were developed by the Employee Engagement Project to support this work which have been praised across government and externally as being 'best in class'. We set up a cross MoJ network of over 100 Engagement Champions, with representatives from each part of MoJ, to lead implementation in their areas. Alongside this, over 145 facilitators were trained to lead sessions in Business Groups on the survey findings.

The Staff Engagement Survey highlighted many positive things:

- a high level of commitment was shown to delivering for our customers;
- positive attitudes displayed towards diversity; and
- across MoJ, many are clear about our immediate goals.

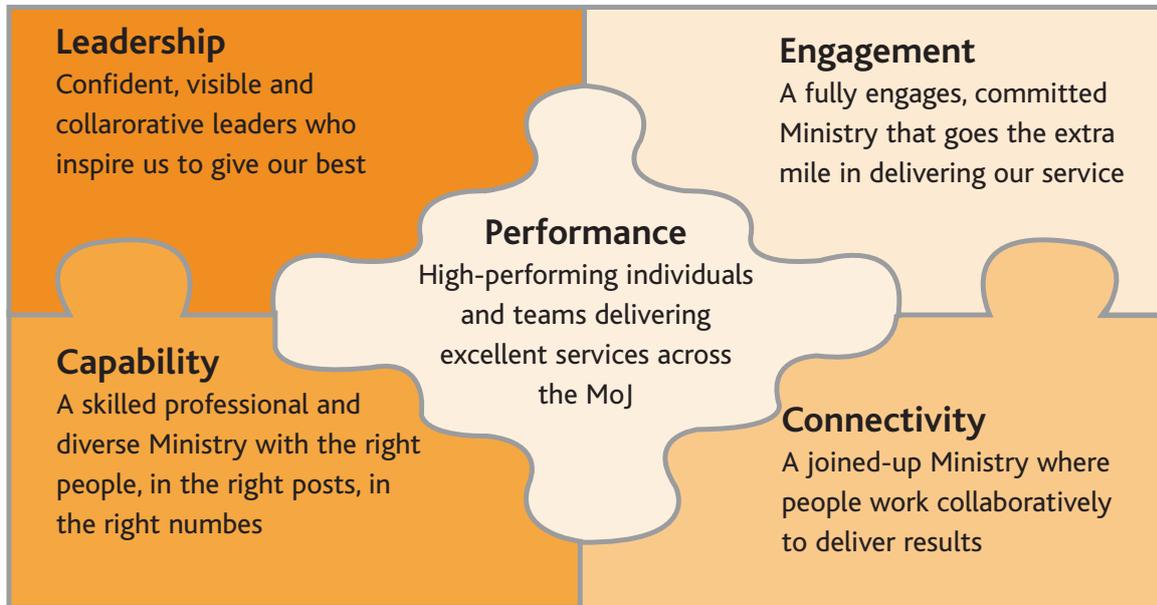
There were also some MoJ-wide development needs:

- to develop our ability to handle and lead change;
- to build on the high levels of commitment to deliver for our customers; and
- to develop good levels of engagement at the local level, to increase people's understanding of, and identification with, the wider organisation.

'People Proposition'

Our strategy to raise the performance of our people is set out in our 'People Proposition', which was launched as part of the Corporate Plan in January 2009. At the centre of our Proposition is our ambition to foster high-performing individuals and teams delivering excellent services across MoJ. The Proposition is a deal which sets out what we offer as an employer and what is expected in return of everyone who works in the Department. It provides the framework that links MoJ people and our ways of working to how MoJ is improving performance, delivering its objectives and improving its efficiency.

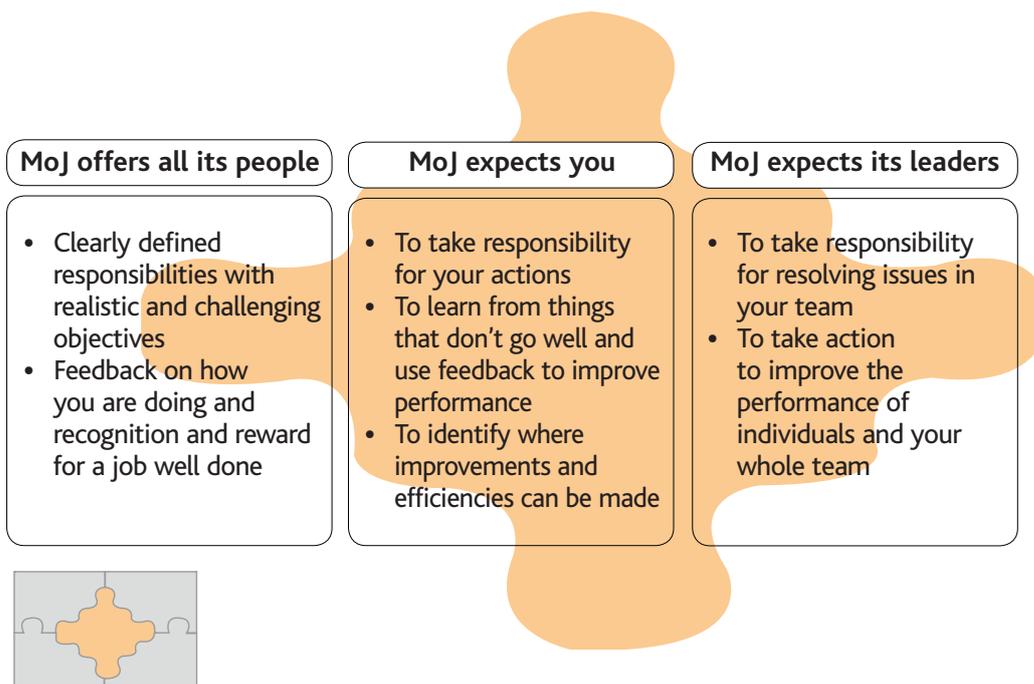
Our people framework



Our expectations

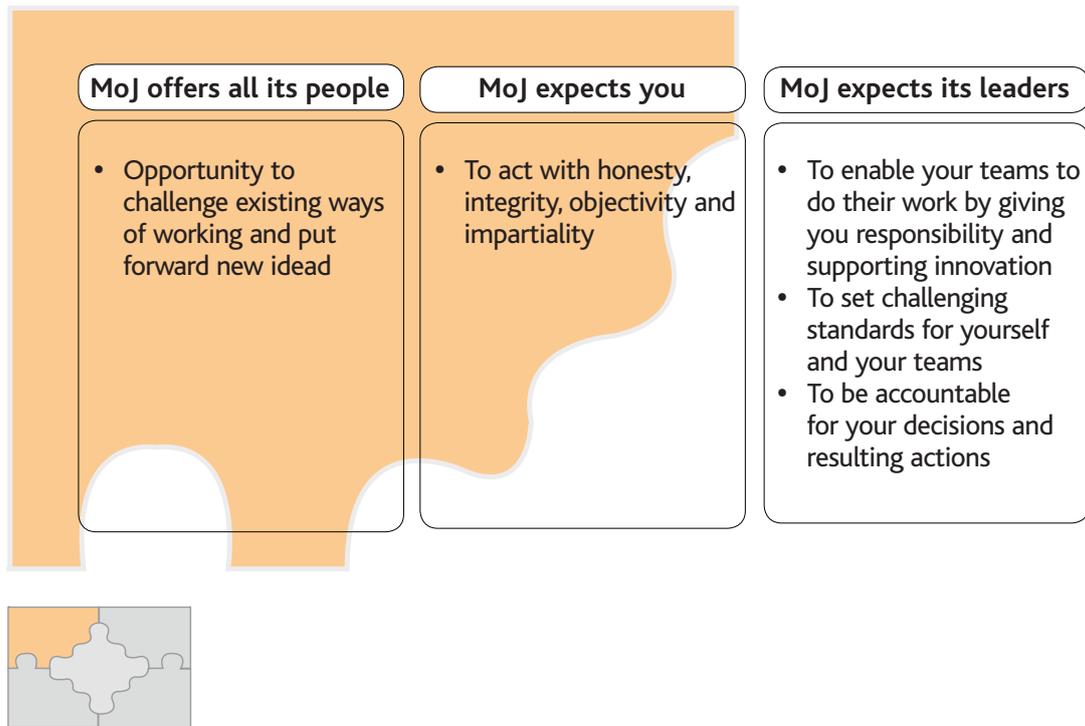
Performance

High-performing individuals and teams delivering excellent services across the MoJ



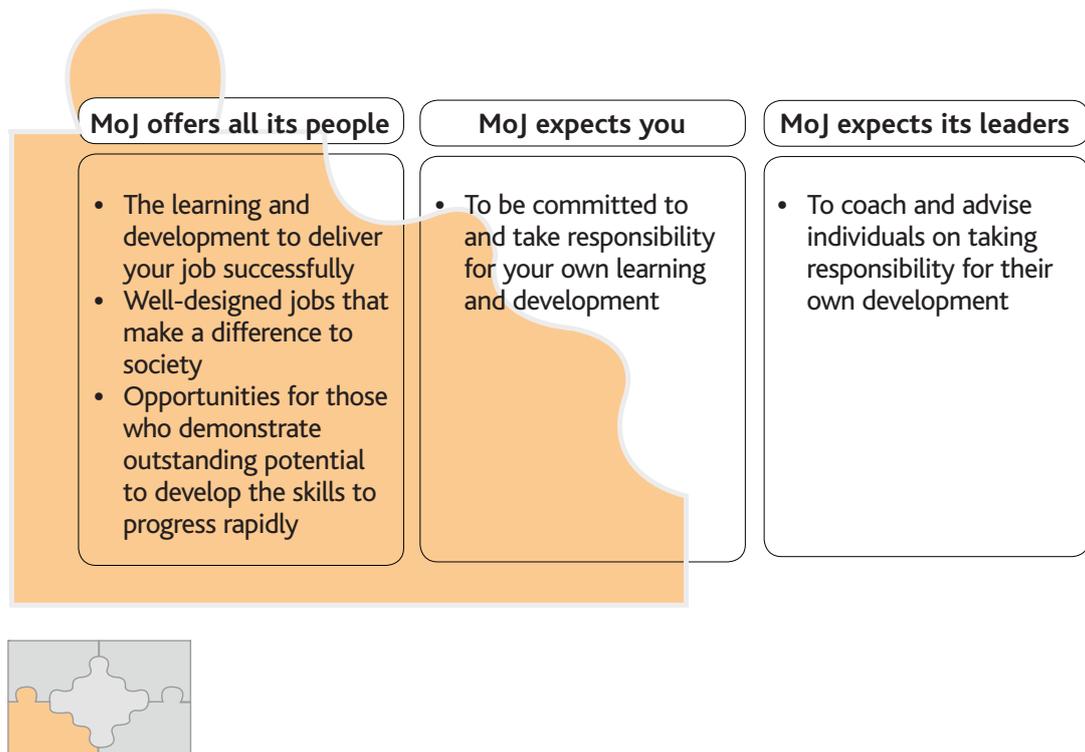
Leadership

Confident, visible and collaborative leaders who inspire us to give our best



Capability

A skilled, professional and diverse Ministry with the right people, in the right posts, in the right numbers



Engagement

A fully engaged and committed Ministry that goes the extra mile in delivering our service

Moj offers all its people

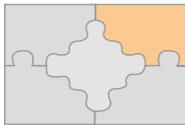
- An involvement in future plans and changes
- Practical advice and support to help you have a healthy work-life balance
- Equality of opportunity

Moj expects you

- To be open and honest about any concerns you have
- To have an open-minded attitude to change
- To challenge inappropriate behaviour
- To work constructively with managers to give your best
- To treat all colleagues and those who use and deliver our services with dignity and respect

Moj expects its leaders

- To listen to your teams and involve you in decision making
- To act swiftly to stop inappropriate behaviour continuing
- To demonstrate personal commitment to valuing diversity and creating a culture in Moj that includes people from all backgrounds



Connectivity

A joined-up Ministry where people work collaboratively to deliver results

Moj offers all its people

- Heko and guidance to enable you to move across the Ministry to fill other jobs in other teams

Moj expects you

- To do your work with the citizen in mind and the contribution you are making to a fairer society
- To be a team-player, working with other parts of Moj, the Justice sector and the Civil Service to achieve Moj's goals

Moj expects its leaders

- To take full account of the wider context, financial constraints, risks and impacts on others when making decisions
- To pass on important information to your teams and share knowledge and experience beyond your own work area



Equality and Diversity

We can only be successful if we represent the diverse communities that we serve. We are working hard to embed equality and diversity into our planning and delivery systems and into our delivery against our DSOs.

NOMS already have specific objectives to improve the diversity of prison staff; OCJR leads on a specific PSA indicator to understand and address race disproportionality in the CJS; and we are trying to improve the diversity of the Judiciary, as part of a tripartite judicial diversity strategy and through the work of the Advisory Panel on Judicial Diversity chaired by Baroness Neuberger, launched in April 2009. Our Corporate Management Board is one of the most diverse across Whitehall, but we still need to do more.

In July 2008 the Cabinet Office launched 'A Strategy for the Civil Service', a successor to the 10 Point Plan for promoting equality and diversity. In response, we published our own new 5-year Diversity Strategy. We have also published new guidance and refresher courses to improve our Equality Impact Assessments. The Cabinet Office has assessed us as well placed to deliver this agenda and noted that we have particular strengths in talent management.

In December 2008, the Secretary of State published a report on the progress made by MoJ against delivering disability equality as a requirement of the Disability Discrimination Act. A co-coaching scheme for women, ethnic minority staff, lesbian, gay, bi-sexual and transgender and disabled staff, which was launched initially in 2005 with a pilot in the Department for Constitutional Affairs and PricewaterhouseCoopers. This scheme gained momentum during 2008/09 and to date, over 200 participants from 22 organisations have completed the nine month development programme.

The table below provides the 'make-up' of 260 Senior Civil Servants in the Ministry of Justice.

Table to show the gender distribution of the Senior Civil Servants in the Ministry of Justice				
	<i>Male total and percentage</i>		<i>Female total and percentage</i>	
SCS	163	62.7%	97	37.3%
% Pay Band 1	129	64.0%	74	36.0%
% Pay Band 2	31	63.3%	18	36.7%
% Pay Band 3	3	37.5%	5	62.5%

Table to show the disability distribution of the Senior Civil Servants in the Ministry of Justice

	<i>*Declared Disabled</i>	<i>*Non Disabled</i>	<i>Undeclared</i>
Percentage	3.4%	96.6%	33.1%
Total	6	168	86

Table to show the ethnicity distribution of the Senior Civil Servants in the Ministry of Justice

	<i>*BME</i>	<i>*White</i>	<i>Undeclared</i>
Percentage	5.8%	94.2%	26.9%
Total	11	179	70

**Disabled and ethnicity percentages are expressed as a percentage of those who have declared*

Develop whole system policy and delivery frameworks

The creation of the MoJ has provided the opportunity to look across the justice system at aspects of the law that were previously spread across government, and build an evidence base that provides an understanding of the complex network of links and interdependencies that run through the system.

We are developing a more robust approach to policy development, supported by a new delivery framework. To support this we have:

- established a Policy Sub-Committee to oversee this work and ensure we have the capability to deliver it;
- refreshed our intranet content and are developing toolkits, guidance and other learning resources to support both effective policy development and policy makers' own skills development;
- commissioned work on how we should organise our policy functions;
- appointed the Department's first Director of Analysis and Research; and
- agreed an Evidence and Analysis plan that aligns our research and analysis projects for 2009/10 against our departmental priorities.

We are increasing our understanding of the operational impact of policy changes and the reasons for regional variations in spend and performance. As part of this work, we will understand better the costs that policies in one part of the system impose on another. We will focus on improving our approach to Impact Assessments with the aim of ensuring that all major policy projects have appropriate analytical and frontline input from early stages and a firm evidence base. The use of Impact Assessments also comes within the remit of our Better Regulation Team. A full report on our work towards Better Regulation can be found at Part 4 – Other Areas of Public Interest.

To date, research and analysis resource has tended to be fragmented into specific policy areas, rather than taking a whole system approach. Analytical resource will be deployed from the start of policy development and allocated strategically to support our overall mission. To do this, we are changing the way our analysts work, bringing together social researchers, operations researchers, statisticians and economists into a single multi-disciplinary team, focused on providing analytical resource to particular Business Groups.

We also aim to become more disciplined in reviewing the continuing contribution of our policies to the outcomes we wish to achieve. These steps will ensure that our policy development is increasingly flexible and responsive to changing priorities – leading to better outcomes for the public.

Develop appropriate culture, structures and planning systems

We need to ensure that the relationship between the corporate centre and delivery arms creates the right balance of freedom and control throughout the organisation. We will develop a stable corporate planning cycle which ensures strategic, financial and business planning decisions are properly integrated and develop an appropriate MoJ culture that reflects our strategy and the needs of our business.

Structure

When MoJ was created it worked in legacy teams which bore no relation to our overall objectives. Over the last year we have overhauled this structure and created new Business Groups aligned behind clear strategic objectives, with Board members formally accountable for each. This has provided clarity on what each Business Group must deliver and has led to a sharper performance management regime. We have a new governance model with a new Corporate Management Board in place, supported by a coherent set of sub-committees.

While most of these changes have worked well, there will be further adjustments as our structure evolves into one that properly reflects the needs of our business. The corporate centre of the Department needs to continue to work most closely on setting priorities and agreeing business plans with parts of our business whose work is central to our mission and reputation and which carry the greatest risk. Other areas will have more freedom to decide how best to deliver within the overall framework set out in our Corporate Plan. To ensure that this balance is right, we will review the principles by which we govern arms length bodies and establish a new centre of excellence to oversee improvements across the Department.

Further details of the Department's configuration can be found in the 'Moj Business Model'.²⁶ The Business Model describes how the Department works, and defines the responsibilities and accountabilities of different parts of the Department. It also sets out the high-level organisation and key Department-wide processes for the management and delivery of our public services, giving clear accountability for our contributions to Public Service Agreements.

Moj Culture

We have clarified our mission and the Corporate Plan articulated our priorities for the next two years and the behaviours we must demonstrate. All our senior leaders are now held to account for their corporate behaviour through a dedicated objective and meet together regularly to ensure critical issues are discussed as a Department and not in silos. Corporate communications have worked hard to ensure that our story and our key objectives are communicated across the Department.

Work will continue in this area, as we build on findings from our Staff Engagement Survey and on the best practice in place across the Department, to raise our performance overall.

Planning

As we have brought clarity to our structures, we have been working to bring similar clarity to our processes and planning cycle. Our challenge has been to tie together the multiple planning systems so that we could agree what we would achieve as a Department in this spending period, how and with what resource. Our Corporate Plan was the culmination of a huge amount of work to provide that clarity. Given the need to agree further value for money savings announced in the Pre-Budget Report 2008 however, we were unable to provide two-year budget allocations, which was our aim.

Following the Corporate Plan, each Business Group has developed a business plan showing the contribution they will make to it. This has allowed people right across MoJ to agree personal objectives that align, through these plans, to our overall strategic objectives and purpose of the whole Department. We will continue to build on these improvements to develop a stable corporate planning cycle which ensures that strategic, financial and business planning decisions are properly integrated and focuses the whole Department on achieving better outcomes for customers and the public.

²⁶ <http://www.justice.gov.uk/publications/ministry-of-justice-business-model-2009.htm>

Risk Management

In a Department of our size and complexity, effective risk management is essential to achieve our objectives. Last year, we put in place a common policy and framework for risk management across MoJ. This is regularly updated to reflect organisational changes. The framework includes:

- local business area risk registers across the Department, regularly discussed at local management boards;
- quarterly reporting to the Corporate Management Board of the Department's 'Top Ten' corporate risks, with exception reporting for intermediate months;
- quarterly reporting to the Corporate Management Board of the capability of risk management across Business Groups using the Treasury's Risk Management Assessment Framework; and
- regular identification, assessment and monitoring of key financial risks, through an internal financial planning process.

Managing a 'Top Ten' risk

An example of MoJ's ability to manage high level risk is the series of co-ordinated actions taken to address lack of capacity in the prison estate. These have included short term measures, such as Operation Safeguard to house prisoners in police cells, and longer term initiatives, including implementing the recommendations of the Carter Review on improving the balance between the supply and demand for prison places. The updated controls are monitored monthly by the NOMS Board and the risk is reported quarterly to the MoJ Corporate Management Board. The outcome has been an easing of the risk during the course of the year.

Part 4

Other areas of public interest

Better regulation

Better regulation is now the responsibility of MoJ's newly created Legal Policy Team, which allows us to make the link between the better law and better regulation agendas. This means more emphasis on evidence-based policy making, legislating and regulating only when necessary, looking for alternative means of achieving the same end, and taking full account of resource considerations. The Permanent Secretary hosts a forum to discuss with staff on the frontline ways of improving performance across MoJ and this has had a part to play in identifying ways of reducing burdens on staff.

Administrative burdens

The second MoJ Simplification Plan was published on 10 December 2008.²⁷ This reported on all aspects of better regulation. The MoJ has a target to reduce administrative burdens on the private and third sector by £92m (25% of the 2005 baseline). £39.4m has already been delivered through savings to legal aid contracts, the early stages of the roll out of e-conveyancing and from changes to the procedures for pension providers in relation to pension sharing on divorce provisions. We are currently forecasting a reduction of £77.8m in administrative burdens against the £92m target and work continues to identify the additional £14.2m of savings required.

Burdens on frontline staff

We have a target to reduce form-filling requirements of frontline staff by 30% by May 2010, and have already identified reductions of 20%. One example of such a reduction is the removal of form-filling relating to the issue of County Court claims. These data are now available electronically and has reduced the burden for 29 courts.

Staff in the Tribunals Service identified the need for a simplified management structure. This has been implemented and there are now better links with colleagues across geographical areas, improved cover arrangements and an enhanced support structure.

Small businesses

The MoJ is conscious of the need to minimise the burdens that its policies place on small firms. One of the key simplification measures we have delivered is in the claims management market. We have reduced the initial regulatory fee for businesses with a turnover under £103,600. Following a consultation on the fee level for 2008/09, we reduced the level of the annual renewal fee payable, allowing those with a low turnover to pay a lower fixed fee between £100-£400, as opposed to a fixed fee minimum of £400. This means that a small business with a modest turnover of under £5,000 now pays £100 for the whole year of regulation, as opposed to £400 which was previously payable. The measure has benefited 450 existing businesses and will continue to benefit new businesses entering the claims management market.

²⁷ <http://www.justice.gov.uk/publications/moj-simp-plan2008.htm>

Legislative reform

The MoJ is currently working to deliver two Legislative and Regulatory Reform Orders (LRROs). The first amends the Penalty Notice for Disorder (PND) form, which is the 'on the spot fine' form for anti-social behaviour, or the equivalent of a road traffic ticket to give police forces the freedom to design their own tickets and remove the obstacle to electronic issuing presented by an inflexible ticket format. The second LRRO is intended to amend existing burial law and will affect both public and private sector organisations. This LRRO will remove duplication and unnecessary applications from the procedures for gaining exhumation licences, simplify and make more consistent the notification procedures that must be taken to develop burial grounds and simplify and make more consistent other areas of burial law.

Progress on Impact Assessments

Policy officials use Impact Assessments to think through and understand the consequences of a particular proposal for the private, public and voluntary and charitable sectors. During 2009/10, we will launch a strategy to improve the quality of impact assessments in the Department. We are continuing to build on the work of the last few years to embed better awareness and understanding of the impact assessment process.

We are improving the analytical support provided to policy teams on Impact Assessments and will introduce a system where all impact assessments must be signed off by the Director of Research and Analysis. A new Impact Assessment steering group has been set up to drive forward standards across MoJ, better co-ordinate best practice and ensure consistency of approach.

We are currently carrying out a wide-ranging review of the implementation of the Mental Capacity Act 2005. The purpose is three-fold: to determine what impact the Act has made to people's lives since coming into force; to examine how well the services that the Office of the Public Guardian offers to its customers are meeting their needs and to fulfil our obligation to carry out post-implementation reviews of recently introduced laws.

Changing attitudes and a more risk-based approach to regulation

Better regulation principles inform the work of MoJ's two independent regulators, the Information Commissioner and the Legal Services Board (LSB). The primary legislation under which the LSB operates was designed with better regulation at its core. The Information Commissioner has made public his awareness of, and commitment to, the principles of better regulation, in particular a risk-based approach to regulation.

MoJ is committed to ensuring that stakeholders understand what European Union policies and legislation means for them. In February 2009, we published guidance on changes to cross-border law in respect of non-contractual obligation created by the Rome II Regulation, which came into effect on 11 January 2009.

MoJ makes extensive use of public consultations as a means of informing its policy development. Between 1 April 2008 and 31 March 2009, we undertook 31 written public consultations. 24 of these were full public consultations lasting for 12 weeks or more. The seven limited consultations were all authorised by a minister, as required by the Government's code of practice on public consultation. Each consultation paper issued by the Department which required an impact assessment did so.

Two examples of policy development informed by public consultation are:

- as a result of the joint response from the Justices' Clerks' Society and the Magistrates' Association to the consultation 'Children and Adoption Act – Court Rules', we clarified the policy for handling suspended enforcement orders (orders requiring unpaid work as a means of enforcing contact orders); and
- following the responses made to the 'Murder, Manslaughter and Infanticide' consultation paper, we made a number of significant changes to the proposed partial defence of loss of control. These included replacing the concept of an 'exceptional happening' with 'circumstances of an extremely grave character' and adding a specific provision to the effect that the partial defence would not be available if the defendant acted in a considered desire for revenge. We also accepted the strong view of many respondents that we should postpone the reform of complicity in murder so that it could be looked at in the context of the Law Commission's subsequent report on complicity as a whole.

Ministerial correspondence

We are committed to responding to correspondence helpfully and promptly, fostering a positive culture of openness.

The Department has a target to reply to correspondence from Members of Parliament and peers within 20 working days. For the period 1 January to 31 December 2008, Ministers replied to 5,231 separate pieces of correspondence with the target met in 82% of cases, compared to 90% (4,777 cases) in 2007.

The Department has a target to reply to correspondence from members of the public within 15 working days. For the period 1 January to 31 December 2008, 7,627 separate pieces of correspondence (including emails) were answered within target in 90% of cases, compared to 91% (7,210 cases) in 2007.

Plans are in place to change processes in handling correspondence in order to drive up performance in this area.

Health and Safety

The MoJ is committed to the health, safety and welfare of its employees, the Judiciary, detainees, visitors, contractors and all others who may be affected by its activities. The integration of good health and safety management is central to achieving our priorities. We have identified and prioritised the key five Health and Safety risks across MoJ and put measures in place to control them.

Effective health and safety performance comes from the top, and whilst members of the Corporate Management Board have both collective and individual responsibility for health and safety, MoJ has chosen Marco Pierlioni (Director General Finance and Commercial) as the Health and Safety Champion. This helps MoJ to establish ownership of health and safety issues.

As part of our commitment to continual improvement we are currently reviewing:

- the corporate health and safety risk register;
- health and safety information, guidance and information systems; and
- health and safety management audit systems, allowing us to assess continually our health and safety management performance.

Welsh Language

The MoJ has adopted the principle that, in the conduct of public administration and justice in Wales, it will treat the English and Welsh languages equally so far as is both appropriate in the circumstances and reasonably practicable. When MoJ's Welsh Language Scheme is published, it will set out how we will deliver this principle in public services in Wales for which it is responsible.

Work is progressing on finalising a new version of MoJ's Welsh Language Scheme and, subject to approval by the Welsh Language Board, we then intend to submit it for public consultation later this year.

Parts of the Department already have a Welsh Language Scheme. For example, HMCS sets out how it will provide services to the public in Wales where court users have the right to give evidence in either English or Welsh. Specific procedures exist to facilitate the use of the Welsh language in court hearings and trials.

HMCS also 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 MoJ agencies.

Part 5

Accounts

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.	2003/04 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.	2003/04 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.	2003/04 to 2010/11
Table 4	Capital employed by MoJ	Shows capital employed in meeting the Department's objectives.	2003/04 to 2011/12
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.	2003/04 to 2010/11
Table 6	Staff in post in MoJ	A staffing count for the MoJ and its sister departments.	2003/04 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.	2003/04 to 2010/11
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.	2003/04 to 2010/11
Table 9	MoJ's total spending by function or programme, by country and region (for latest outturn year 2005/06)	Provides analysis of spending in each UK country and nine regions of England, under each function of Government.	2007/08

Financial Accounts

Table 1 Total Public Spending
£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	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	7,279,425	7,327,948	7,801,556	8,120,316	8,716,598	9,053,748	9,241,167	9,157,988
2) To support the Secretary of State 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	18,716	13,893	13,997	24,912	7,488	8,424	7,424	6,324
3) To support the Secretary of State 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	3,042	3,803	4,222	4,395	5,069	5,096	7,483	3,634
Total resource budget DEL	7,301,183	7,345,644	7,819,775	8,149,623	8,729,155	9,067,268	9,256,074	9,167,946
of which: Near-cash	7,075,473	7,610,567	7,676,437	7,863,596	8,460,537	8,611,360	8,586,925	8,476,690
Resource AME								
4) To promote the development of a modern, fair, cost effective and efficient system of justice for all	–	–	-24,125	–	161,942	595,000	-10,000	-10,000
5) Judicial Pensions Scheme	58,082	61,655	81,322	83,737	102,739	130,193	130,636	150,975
Total resource budget DEL	58,082	61,655	57,197	83,737	264,681	725,193	120,636	140,975
of which: Near-cash	-11,211	-12,170	-4,834	-6,344	4,476	13,307	5,079	16,219

Table 1 Total Public Spending (continued)								£'000
	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Total resource budget	7,359,265	7,407,299	7,876,972	8,233,360	8,993,836	9,792,461	9,376,710	9,378,921
<i>of which:</i> depreciation	201,353	247,283	343,256	330,902	525,345*	1,051,377	410,396	419,346
RFR1	201,065	246,995	342,894	330,674	525,116	1,050,883	409,876	418,826
RFR2	253	253	233	180	181	265	265	265
RFR3	35	35	129	48	48	229	255	255
Capital budget								
Capital DEL								
To promote the development of a modern, fair, cost effective and efficient system of justice for all	357,727	589,728	499,235	529,949	745,264**	960,727	767,668	732,668
To support the Secretary of State 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	13	76	64	–	–	80	100	100
To support the Secretary of State 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	51	194	127	33	145	85	766	766
Total capital budget DEL	357,791	589,998	499,426	529,982	745,409	960,892	768,534	733,534
Capital AME								
Total capital budget AME	–	–	–	–	–	–	–	–
Total capital budget	357,791	589,998	499,426	529,982	745,409	960,892	768,534	733,534
Total departmental spending†								
To promote the development of a modern, fair, cost effective and efficient system of justice for all	7,436,087	7,670,681	7,933,772	8,319,591	9,098,688	9,558,592	9,588,959	9,461,830

Table 1 Total Public Spending (continued) £'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
To support the Secretary of State 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	18,476	13,716	13,828	24,732	7,307	8,239	7,259	6,159
To support the Secretary of State 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	3,058	3,962	4,220	4,380	5,166	4,952	7,994	4,145
Judicial Pensions Scheme	58,082	61,655	81,322	83,737	102,739	130,193	130,636	150,975
Total departmental spending†	7,515,703	7,750,014	8,033,142	8,432,440	9,213,900	9,701,976	9,734,848	9,623,109
<i>of which:</i>								
Total DEL	7,457,621	7,688,359	7,975,945	8,348,703	9,099,203	9,581,783	9,614,212	9,482,134
Total AME	58,082	61,655	57,197	83,737	114,697	120,193	120,636	140,975
Spending by local authorities on functions relevant to the department								
Current spending	410,787	435,253	3,798	3,341	3,932	3,092		
<i>of which:</i>								
financed by grants from budgets above	456,766	488,607	195,528	233,309	228,582	142,603		
Capital spending	32,473	41,679	–	–	–	–		
<i>of which:</i>								
financed by grants from budgets above††	34,809	46,235	1,121	1,727	21	1,952		

* The estimated outturn figure for AME depreciation in 2008/09 has increased mainly due to the impairment of the HMCS and NOMS estate.

** The estimated outturn figure for capital in 2008/09 includes the capital outturn for 102 Petty France.

† 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 and capital budget AME less depreciation in AME.

†† 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 DEL and AME
£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	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	7,279,425	7,327,948	7,801,556	8,120,316	8,716,598	9,053,748	9,241,167	9,157,988
<i>of which:</i>								
Policy, Corporate Services and Associated Offices	793,105	993,367	1,888,339	1,700,266	1,955,956	2,036,290	590,240	849,142
Policy, Corporate Services and Associated Offices	296,935	504,106	689,225	397,070	492,322	407,699	419,908	680,901
National Offender Management Service HQ	256,411	212,032	863,171	954,425	1,114,007	1,161,144	–	–
Prison Service – Private	175,741	193,415	237,821	233,794	259,426	278,131	–	–
Office of Criminal Justice Reform HQ	64,018	83,814	98,122	114,977	90,201	189,316	170,332	168,241
Executive agencies	2,808,789	2,870,419	2,916,132	3,132,361	3,398,797	3,706,545	5,042,098	4,867,902
<i>of which:</i>								
HM Courts Service	–	–	913,166	939,777	1,057,392	1,235,422	994,113	991,060
Court Service	509,461	497,170	–	–	–	–	–	–
Office of the Public Guardian	7,808	663	-359	962	-1,516	173	-2,310	-2,310
Tribunals Service	169,475	160,988	157,354	277,789	285,970	295,848	239,799	242,208
National Offender Management Service HQ	–	–	–	–	–	–	332,557	325,302
National Offender Management Service Operations	–	–	–	–	–	–	3,477,939	3,311,642
Prison Service – Public	2,122,045	2,211,598	1,845,971	1,913,833	2,056,951	2,175,102	–	–
Local authorities: magistrates' courts grants	279,977	299,010	–	–	–	–	–	–
<i>of which:</i>								
Local authorities: magistrates' courts grants	279,977	299,010	–	–	–	–	–	–
Publicly funded legal services	1,874,057	1,540,967	1,564,574	1,705,950	1,647,733	1,909,695	2,073,492	1,907,700

Table 2 Resource DEL and AME (continued)								£'000
	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
Resource DEL								
<i>of which:</i>								
Community Legal Service	689,037	359,151	297,425	443,968	446,180	686,091	827,345	786,850
Costs from Central Funds	41,093	48,694	69,201	91,208	65,060	72,044	60,000	60,000
Criminal Defence Service	1,143,927	1,133,122	1,197,948	1,170,774	1,136,493	1,151,560	1,186,147	1,060,850
Non departmental public bodies	1,523,497	1,624,185	1,432,511	1,581,739	1,714,112	1,401,218	1,535,337	1,533,244
<i>of which:</i>								
Legal Services Commission: administration	80,686	100,998	97,647	101,551	113,205	123,824	121,050	109,850
Youth Justice Board	358,946	370,064	361,789	419,899	438,667	446,336	427,000	427,000
Criminal Cases Review Commission	7,729	7,645	7,109	6,868	6,867	7,088	6,954	6,954
Parole Board	4,698	4,300	5,480	6,639	7,383	8,667	9,840	9,840
Criminal Injuries Compensation Authority	503,102	451,012	211,169	204,046	301,591	-66,754	166,748	166,748
Information Commissioner's Office	1,561	1,144	4,959	7,331	6,201	5,991	6,000	6,000
Judicial Appointments Commission	–	–	–	6,404	6,848	8,151	7,556	7,556
Probation (LAB)	566,775	689,022	744,358	829,001	833,350	867,051	780,426	780,426
Legal Services Board	–	–	–	–	–	864	3,639	4,274
Office of Legal Complaints	–	–	–	–	–	–	6,124	14,596
2) To support the Secretary of State 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	18,716	13,893	13,997	24,912	7,488	8,424	7,424	6,324

Table 2 Resource DEL and AME (continued)
£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Resource DEL								
<i>of which:</i>								
Scotland Office	18,716	13,893	13,997	24,912	7,488	8,424	7,424	6,324
3) To support the Secretary of State 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	3,042	3,803	4,222	4,395	5,069	5,096	7,483	3,634
<i>of which:</i>								
Wales Office	3,042	3,803	4,222	4,395	5,069	5,096	7,483	3,634
Total resource budget DEL	7,301,183	7,345,644	7,819,775	8,149,623	8,729,155	9,067,268	9,256,074	9,237,946
<i>of which:</i>								
Near-cash	7,075,473	7,610,567	7,676,437	7,863,596	8,460,537	8,611,360	8,586,925	8,476,690
<i>of which:</i>								
Pay	2,710,720	2,815,930	3,154,841	3,559,045	3,677,378	3,852,989	–	–
Procurement	3,492,786	3,721,830	4,072,864	4,095,502	4,240,452	4,242,827	4,629,750	4,458,475
Current grants and subsidies to the private sector and abroad	507,690	688,797	315,118	99,007	326,292	248,544	–	–
Current grants to local authorities	364,277	384,010	98,800	123,004	127,200	–	–	–
Depreciation	201,353	247,283	343,256	330,902	375,361	446,377	410,396	419,346

Table 2 Resource DEL and AME (continued)

£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Resource AME								
4) To promote the development of a modern, fair, cost effective and efficient system of justice for all	–	–	-24,125	–	161,942	595,000	-10,000	-10,000
<i>of which:</i>								
Policy, Corporate Services and Associated Offices	–	–	–	–	–	430,000	–	–
<i>of which:</i>								
National Offender Management Service	–	–	–	–	–	430,000	–	–
Executive Agencies	–	–	–	–	149,984	175,000	–	–
HM Courts Service	–	–	–	–	149,984	175,000	–	–
Non departmental public bodies	–	–	-24,125	–	11,958	-10,000	-10,000	-10,000
<i>of which:</i>								
Probation (LAB)	–	–	-24,125	–	11,958	-10,000	-10,000	-10,000
5) Judicial Pensions Scheme	58,082	61,655	81,322	83,737	102,739	130,193	130,636	150,975
Total resource budget AME	58,082	61,655	57,197	83,737	264,681	725,193	120,636	140,975
<i>of which:</i>								
Near-cash	-11,211	-12,170	-4,834	-6,344	4,476	13,307	5,079	16,219
<i>of which:</i>								
Pay	–	–	–	–	–	–	–	–
Procurement	–	–	–	–	–	–	–	–
Current grants and subsidies to the private sector and abroad	–	–	–	–	–	–	–	–
Current grants to local authorities	–	–	–	–	–	–	–	–
Depreciation					149,984	605,000		
Total resource budget	7,359,265	7,407,299	7,876,972	8,233,360	8,993,836	9,792,461	9,376,710	9,308,921

†The 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

For full details on the MoJ Departmental Strategic Objectives and Public Service Agreements to which we contribute, refer to Part 1 of this report 'Introduction to the Ministry of Justice'.

From 2008/09, the work of the Ministry of Justice (MoJ) has been organised around four policy and delivery areas – Democracy, Constitution and Law; Access to Justice; a Delivery-Focused NOMS; and Criminal Justice and Offender Management Strategy – plus Corporate Performance. The Business Groups are underpinned by the four Departmental Strategic Objectives.

The MoJ was created on the 9 May 2007 and incorporated all the areas of the former Department for Constitutional Affairs (DCA), together with a number of areas from the Home Office, namely National Offender Management Service and the Office for Criminal Justice Reform and some parts of the Privy Council Office.

As a result of the Machinery of Government change, back years figures have been adjusted to reflect figures transferred from the Home Office. The outturn shown for 2008/09 is estimated and will be revised in the Public Expenditure Outturn White Paper. Figures for 2010/11 are as set out in the Comprehensive Spending Review settlement. However, the allocation of expenditure across business areas is subject to change.

Policy, Corporate Services and Associated Offices

A majority of the increase between 2006/07 and 2007/08 results from costs associated with the DISC transition contract. The increase in 2010/11 is due to provision yet to be assigned to business areas.

National Offender Management Service (NOMS)

Following on from the MoJ organisation review, NOMS agency has been created which has resulted in structural changes being made to the 2009/10 MoJ Estimate and tables 2 and 3 in the 2008/09 Departmental Annual Report. NOMS financial data is now shown at two levels, NOMS HQ and NOMS Operations.

Current Grants and subsidies to the private sector and abroad

At the time of publication a precise breakdown of the figures for the above for 2010/11 is not known.

Her Majesty's Courts Service

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

The split of the 2009/10 and 2010/11 Legal Service Fund (between the Community Legal Service and the Criminal Defence Service) is estimated and may be subject to revision. The 2006/07 and 2007/08 figures are impacted by significant write back of provisions for dormant cases.

Resource Annually Managed Expenditure

In accordance with HM Treasury revised budgeting policy, HMCS and NOMS have incurred AME costs associated with revaluation impairment on their Estate in 2007/08 and 2008/09.

Table 3 Capital budget DEL and AME
£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
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Resource DEL

1) To promote the development of a modern, fair, cost effective and efficient system of justice for all

	357,727	589,728	499,235	529,949	745,264	960,727	767,668	732,668
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of which:

Policy, Corporate Services and Associated Offices

	65,977	226,881	301,611	402,494	598,612	764,002	192,415	39,536
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Policy, Corporate Services and Associated Offices

	7,971	90,840	21,996	22,051	13,735*	204,360**	171,915	18,334
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HM Land Registry

	13,900	–	–	–	–	–	–	–
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National Offender Management Service HQ

	19,035	130,050	254,055	364,784	556,333	543,678	–	–
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Prison Service – Private

	–	–	–	176	–	–	–	–
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Office of Criminal Justice Reform HQ

	25,071	5,991	25,560	15,483	28,544	15,964	20,500	21,202
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Executive agencies

	240,396	274,578	182,057	100,405	137,442	170,464	544,403	660,454
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of which:

HM Courts Service

	–	–	86,148	82,682	115,768	136,838	164,101	118,803
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Court Service

	38,174	34,722	–	–	–	–	–	–
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Office of the Public Guardian

	1,037	1,058	792	2,018	778	501	1,500	419
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Tribunals Service

	1,009	3,388	7,028	3,892	1,931	8,540	3,802	2,513
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Prison Service – Public

	200,176	235,410	88,089	11,813	18,965	24,585	–	–
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National Offender Management Service HQ

	–	–	–	–	–	–	–	–
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National Offender Management Service Operations

	–	–	–	–	–	–	375,000	538,719
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Table 3 Capital budget DEL and AME (continued)								£'000
	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Resource DEL								
Local authorities:								
magistrates' courts grants	34,809	45,753	–	–	–	–	–	–
<i>of which:</i>								
Local authorities: magistrates' courts grants	34,809	45,753	–	–	–	–	–	–
Publicly funded legal services								
	–	–	186	130	-1	–	–	–
<i>of which:</i>								
Community legal service	–	–	68	-7	-1	–	–	–
Criminal Defence Service	–	–	118	137	–	–	–	–
Non departmental public bodies								
	16,545	42,516	15,381	26,920	9,211	26,261	30,850	32,678
<i>of which:</i>								
Legal Services Commission: administration	5	4,943	2,460	3,506	5,339	7,498	5,750	6,283
Youth Justice Board	8,458	37,463	9,463	20,000	323	11,775	20,000	21,781
Criminal Cases Review Commission	811	–	–	-206	42	41	300	84
Parole Board	22	–	–	–	46	34	–	–
Criminal Injuries Compensation Authority	1,769	110	–	–	1,574	2,999	1,500	2,513
Information Commissioner's Office	1,207	–	1,005	703	135	840	100	–
Judicial Appointments Commission	–	–	–	–	-15	–	200	–
Probation (LAB)	4,273	–	2,453	2,917	1,767	3,002	3,000	2,017
Legal Services Board	–	–	–	–	–	72	–	–

Table 3 Capital budget DEL and AME (continued)
£'000

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
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Resource DEL

2) To support the Secretary of State 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

13	76	64	–	–	80	100	100
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of which:

Scotland Office	13	76	64	–	–	80	100	100
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3) To support the Secretary of State 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

51	194	127	33	145	85	766	766
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of which:

Wales Office	51	194	127	33	145	85	766	766
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Total capital budget DEL	357,791	589,998	499,426	529,982	745,409	960,892	768,534	733,534
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of which:

Capital expenditure on fixed assets net of sales†	318,709	543,673	498,285	528,255	745,388	958,940	768,534	733,534
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Capital Grants to the private sector and abroad	4,273	–	82	–	–	–	–	–
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Net lending to private sector	–	–	–	–	–	–	–	–
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Capital support to public corporations	–	–	–	–	–	–	–	–
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Capital support to local authorities††	34,809	46,325	1,121	1,727	21	1,952	–	–
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Table 3 Capital budget DEL and AME (continued)**£'000**

	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Resource DEL								
Total capital budget AME	–	–	–	–	–	–	–	–
Total capital budget	357,791	589,998	499,426	529,982	745,409	960,892	768,534	733,534
<i>of which:</i>								
Capital expenditure on fixed assets net of sales†	318,709	543,673	498,285	528,255	745,388	958,940	768,534	733,534
Less depreciation†††	201,353	247,283	343,256	330,902	525,345	1,051,377	410,396	419,346
Net capital expenditure on tangible fixed assets	117,356	296,390	155,029	197,353	220,043	-92,437	358,138	314,188

†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

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.

The MoJ was created on the 9 May 2007 and incorporated all the areas of the former DCA, together with a number of areas from the Home Office, namely National Offender Management Service and the Office for Criminal Justice Reform and some parts of the Privy Council Office.

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 2008/09 is estimated and will be revised in the Public Expenditure Outturn White Paper. Figures for 2010/11 are as set out in the CSR settlement. However, the allocation of expenditure across business areas is subject to change.

*The estimated outturn figure for Policy, Corporate Services and Associated Offices in 2008/09 includes the capital spend for 102 Petty France.

**The plans figure for Policy, Corporate Services and Associated Offices in 2008/09 includes an unallocated (DUP) capital budget, which the MoJ intends to allocate out across the business in-year.

Table 4 Capital employed									£'000
<i>Assets and liabilities on the balance sheet at end of year</i>	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans	2011/12 Plans
Assets									
Fixed assets									
Intangible	–	9,915	3,397	2,335	1,876	2,000	2,000	2,000	2,000
Tangible	7,138,344	7,937,316	9,319,527	10,520,788	11,065,111	11,089,000	11,672,000	11,869,000	12,103,000
<i>of which:</i>									
Land and buildings	6,725,610	7,372,615	8,674,197	9,647,966	9,848,546	9,823,000	10,416,000	10,677,000	10,980,000
Plant and machinery	5,612	2,511	97,819	100,704	129,191	111,000	95,000	82,000	72,000
Information Technology	75,879	135,783	157,809	128,086	114,880	202,000	226,000	194,000	152,000
Other tangible fixed assets	331,243	426,407	389,702	644,032	972,494	953,000	935,000	916,000	899,000
Investments	968,208	857,478	822,207	802,034	794,806	770,000	745,000	720,000	695,000
Current assets	1,942,843	375,994	906,333	956,019	1,040,963	1,031,000	1,020,000	1,010,000	1,000,000
Liabilities									
Creditors (<1 year)	-1,999,953	-663,664	-1,224,324	-1,365,393	-1,699,208	-1,359,000	-1,373,000	-1,387,000	-1,401,000
Creditors (>1 year)	-984,342	-1,295,157	-1,377,070	-1,383,388	-1,388,989	-1,378,000	-1,366,000	-1,355,000	-1,343,000
Provisions	-65,948	-88,317	-814,637	-1,110,273	-1,075,594	-1,387,000	-1,401,000	-1,415,000	-1,429,000
Capital employed within main department									
NDPB net assets	-3,771,110	-3,349,889	-2,896,298	-2,522,070	-2,181,909	-1,712,000	-1,622,000	-1,578,000	-1,514,000
Total capital employed in departmental group	3,228,042	3,783,676	4,739,135	5,900,052	6,557,056	7,056,000	7,677,000	7,866,000	8,113,000
NDPB net assets can be further analysed into:									
Legal Aid Funds net liabilities	-2,593,461	-2,120,282	-1,681,617	-1,370,822	-972,258	-771,000	-712,000	-686,000	-684,000
Criminal Injuries Compensation Authority net liabilities	-1,210,192	-1,256,504	-1,251,680	-1,187,292	-1,287,597	-1,021,000	-991,000	-975,000	-914,000
Other NDPB net assets	32,543	26,897	36,999	36,044	77,946	80,000	81,000	83,000	84,000

Notes to table:

The 2008/09 figure is the projected forecast outturn figure, is provisional and subject to revision.

The figures for 2009/10 and 2010/11 are projected plans based on the Department's latest plans based on the CSR07 settlement. The figures for 2011/12 are the best available estimates based on current plans. Values for all three years headed 'Plans' are also provisional and subject to revision.

Non-Departmental Public Bodies net assets analysis has been provided to show that the cause of an overall large liability value is the large effect of provisions in a) Legal Services Commission, relating to funds for legal aid, and b) Criminal Injuries Compensation Authority, relating to claims for compensation.

The previous year figures have been restated to account for the formation of the MoJ 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
	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn	2006/07 Outturn	2007/08 Outturn	2008/09 Estimated Outturn	2009/10 Plans	2010/11 Plans
Administration Expenditure								
Paybill	296,686	236,252	298,293	243,221	274,844	248,641	–	–
Other	66,872	204,399	181,507	188,977	168,814	208,754	–	–
Total administration expenditure	363,558	440,651	479,800	432,198	443,658	457,395	438,329	427,361
Administration income	-33,146	-15,639	-17,162	-12,250	-22,047	-2,181	-2,609	-3,341
Total administration budget	330,412	425,012	462,638	419,948	421,611	455,214	435,720	424,020
Analysis by activity								
To promote the development of a modern, fair, cost effective and efficient system of justice for all	321,077	415,697	452,932	409,789	409,261	442,445	421,173	414,422
To support the Secretary of State 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	6,293	5,512	5,484	5,793	7,318	7,704	7,124	6,024
To support the Secretary of State 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	3,042	3,803	4,222	4,366	5,032	5,065	7,423	3,574
Total administration budget	330,412	425,012	462,638	419,948	421,611	455,214	435,720	424,020

Notes to table

In the 2007/08 spring supplementary £261m was reclassified from admin to programme in accordance with HMT guidelines. This ensures expenditure is appropriately classified rather than being split based on historical allocations.

As a result of this reclassification, the MoJ has restated the figures for admin budgets for previous years in accordance with HMT guidelines. The previous years have also been restated to account for the Machinery of Government changes associated with the formation of the MoJ on 9 May 2007.

Staff numbers for Ministry of Justice

	Table 6 Ministry of Justice: Staff numbers				Full-time equivalents – FTEs			
	2003/04 Actual	2004/05 Actual	2005/06 Actual	2006/07 Actual	2007/08 Actual	2008/09 Forecast Outturn	2009/10 Plans	2010/11 Plans
Former Department of Constitutional Affairs (DCA):								
Permanent	11,950	12,533	24,069	24,567	–	–	–	–
Casual	460	518	498	710	–	–	–	–
Ministry of Justice:								
Permanent	–	–	–	–	73,692	74,915	*	*
Casual	–	–	–	–	2,879	1,428	*	*
Total	12,410	13,051	24,567	25,277	76,571	76,343	*	*
	Apr-04	Apr-05	Mar-06	Mar-07	Mar-08	Mar-09		

* Future year plans are still in development.

The figures up to 2006/07 refer to former DCA only.

Actual figures for former DCA have been sourced from CHRIMSON (Departmental Human Resources system).

The increases in 2007/08 and 2008/09 are the result of the Machinery of Government change to create the MoJ incorporating areas from the former DCA and parts of the Home Office namely National Offender Management Service and Office of Criminal Justice Reform. The MoJ was created on 9 May 2007.

The data is in line with the Office of National Statistics statistics and includes: MoJ HQ, National Offender Management Service (excluding Probation), HMCS, Tribunals Service and the Office of the Public Guardian.

Total spending by country and region (over spread of years)

Table 7 Ministry of Justice: Total spending by country and region							Moj	£m
	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	389.3	425.6	431.5	453.1	525.1	533.0	529.6	530.3
North West	1,127.4	1,236.4	1,306.7	1,336.1	1,451.8	1,479.0	1,448.9	1,447.3
Yorkshire and Humberside	710.7	789.7	806.4	829.9	912.4	932.9	918.2	924.3
East Midlands	484.0	530.0	579.8	570.4	615.4	630.2	619.7	621.7
West Midlands	700.9	785.8	838.1	834.2	873.0	921.1	880.8	905.5
Eastern	457.0	540.7	568.6	581.5	646.3	667.4	650.3	644.8
London	1,594.6	1,776.0	1,774.5	1,836.5	1,959.0	2,050.7	2,009.6	1,994.5
South East	709.6	743.3	781.9	828.9	989.1	1,014.9	991.3	995.5
South West	442.3	494.2	518.2	541.2	619.2	614.3	597.5	589.9
Total England	6,615.8	7,321.6	7,605.5	7,811.8	8,591.1	8,843.4	8,645.8	8,653.7
Scotland	-1.6	-1.7	-0.7	-0.9	0.6	2.0	2.2	2.3
Wales	387.0	419.4	437.6	434.5	475.7	494.4	485.2	482.8
Northern Ireland	-0.3	-0.4	-0.1	-0.1	0.3	0.6	0.7	0.7
Total UK identifiable expenditure	7,001.0	7,738.9	8,042.3	8,245.4	9,067.7	9,340.5	9,133.8	9,139.5
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	7,001.0	7,738.9	8,042.3	8,245.4	9,067.7	9,340.5	9,133.8	9,139.5
Non-identifiable expenditure	1.7	1.8	2.2	2.2	4.3	0.4	0.0	0.0
Total expenditure on services	7,002.6	7,740.8	8,044.5	8,247.6	9,072.0	9,340.9	9,133.8	9,139.5

Total spending per head by country and region (over spread of years)

Table 8 Ministry of Justice: Total spending per head by country and region						MoJ	£'s per head	
	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	153	167	169	177	205	208	206	205
North West	166	181	191	195	211	214	209	207
Yorkshire and Humberside	141	156	158	161	176	178	174	173
East Midlands	114	124	134	131	140	142	138	137
West Midlands	132	148	157	155	162	170	162	165
Eastern	83	98	102	104	114	117	113	111
London	217	240	238	244	259	269	261	257
South East	88	91	96	101	119	121	118	117
South West	88	98	102	106	120	118	113	111
Total England	133	146	151	154	168	172	167	165
Scotland	0	0	0	0	0	0	0	0
Wales	132	142	148	146	160	165	161	160
Northern Ireland	0	0	0	0	0	0	0	0
Total UK identifiable expenditure	118	129	134	136	149	152	148	147

Spending by function or programme, by country and region for 2007/08

Table 9 Ministry of Justice: Indentifiable expenditure on services by function, country and region by country and region for 2007/08									
	General Public Services			Public Order and Safety			Social Protection		
	Executive and Legislative organs	General Public Services	Total General Public Services	Law Courts	Prisons	Total Public Order and Safety	Old Age	Total Social Protection	TOTAL MINISTRY OF JUSTICE
North East	1.3	0.5	1.8	333.2	184.7	517.9	5.5	5.5	525.1
North West	4.5	1.5	6.0	819.2	613.3	1,432.5	13.3	13.3	1,451.8
Yorkshire and Humberside	2.4	0.8	3.2	468.5	430.8	899.3	10.0	10.0	912.4
East Midlands	1.8	0.6	2.4	326.6	279.5	606.1	6.9	6.9	615.3
West Midlands	2.7	0.9	3.6	445.3	414.0	859.3	10.1	10.1	873.0
Eastern	2.5	0.8	3.3	365.6	269.6	635.2	7.7	7.7	646.3
London	6.4	2.2	8.6	1,157.5	777.1	1,934.6	15.9	15.9	1,959.0
South East	3.5	1.0	4.5	516.2	457.2	973.4	11.2	11.2	989.1
South West	2.6	0.8	3.4	386.6	222.0	608.6	7.2	7.2	619.2
Total England	27.5	9.1	36.6	4,818.8	3,648.1	8,466.8	87.7	87.7	8,591.1
Scotland	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.6	0.6
Wales	1.6	0.5	1.6	274.5	192.8	467.3	6.3	6.3	475.7
Northern Ireland	0.1	0.0	0.1	0.0	0.0	0.0	0.2	0.2	0.3
UK identifiable expenditure	29.2	9.6	29.2	5,093.3	3,840.9	8,934.1	94.8	94.8	9,067.7
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	29.2	9.6	29.2	5,093.3	3,840.9	8,934.1	94.8	94.8	9,067.7
Not identifiable	0.0	0.0	0.0	4.3	0.0	4.3	0.0	0.0	4.3
£'s Millions Totals	29.2	9.6	29.2	5,097.6	3,840.9	8,938.5	94.8	94.8	9,072.0

Notes to tables 7 to 9

Tables 7, 8 and 9 show analyses of the MoJ'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) 2009. The Ministry of Justice's current responsibilities have been projected backwards, and therefore outturn figures for years up to 2005/06 differ from those in previous DCA Departmental Reports. The figures were taken from the HM Treasury public spending database in December 2008 and the regional distributions were completed in January and February 2009. Therefore the tables may not show the latest position and are not consistent with other tables in the Departmental Report.

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 NDPBs, and public corporations' capital expenditure, but do not include payments to local authorities or local authorities' own expenditure.

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 2008.

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.

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 2008. These are not the same as the strategic priorities shown elsewhere in the report.

Annexes

Annex A
Complaints to the Parliamentary Ombudsman

Annex B
Public Bodies

Annex C
Data systems used

Annex D
Public Accounts Committee recommendations

Annex A

Complaints to the Parliamentary Ombudsman

Complaints Received

The Parliamentary and Health Service Ombudsman (PHSO) addresses complaints made by members of the public, brought to her attention by MPs, where there has been maladministration by government departments and other bodies within their jurisdiction.

In the Parliamentary and Health Service Ombudsman Annual Report 2007/08, published in October 2008, MoJ was listed as the third most complained about department. However the report does note that the number of complaints about MoJ, in its various guises, has fallen. MoJ received over 500 complaints in the 2007/08 period, most of which were about HMCS. The Ombudsman investigated 22 of these complaints, with 33% of complaints fully upheld and a further 30% partially upheld. For further background detail, please refer to the *PHSO Annual Report 2007/08*.

Figures by business area, taken from the Annual Report 2007/08:

Figure 1: Complaints Received	
HM Courts Service	152
Legal Services Commission	102
Tribunals Service	100
HM Prison Service	53
Information Commissioner	39
Land Registry	34
Ministry of Justice*	25
The Office of the Public Guardian	18
Prisons & Probation Ombudsman	9
Office of Social Security and Child Support Commissioners	4
Official Solicitor	4
Legal Complaints Service	3
The National Archives	2
Advisory Council on National Records & Archives	1
Court Funds Office	1
Immigration Appellate Authority	1
Judicial Appointments and Conduct Ombudsman	1
Total	549

**Includes nine against Department for Constitutional Affairs*

Figure 2: Complaints Accepted for Investigation

HM Courts Service	7
Legal Services Commission	6
HM Prison Service	5
Ministry of Justice	1
National Probation Service	1
Official Solicitor	1
Tribunals Service	1
Total	22

Figure 3: Complaints Reported on

	<i>Reported on</i>	<i>Fully upheld</i>	<i>Partly upheld</i>	<i>Not upheld</i>
HM Courts Service	17	47%	18%	35%
HM Prison Service	3	0%	67%	33%
Legal Services Commission	3	33%	33%	33%
Information Commissioner	1	0%	100%	0%
Land Registry	1	0%	0%	100%
Ministry of Justice	1	0%	100%	0%
Tribunals Service	1	0%	0%	100%
Total	27	33%	30%	37%

Departmental Approach to Complaints

Complaints are an opportunity for the Department to improve the overall standard of our service. The reports from the Ombudsman inform the areas where we need to improve, but also inform the areas where we have performed well. Complaints are taken very seriously within MoJ and guidance from the Ombudsman is deferred to.

A recent example where HMCS sought guidance from the Ombudsman, arose as a result of extreme weather conditions. A number of courts had to be closed, which usually leads to complaints and claims for compensation. HMCS sought the advice of the PHSO regarding how such complaints should be addressed, in order to ensure that they would be acting on the Ombudsman's line.

Further to this, HMCS, which receives the most complaints in MoJ, also meets with the Ombudsman's office bi-annually to discuss key issues for both organisations and to share with each other what they are doing in particular issues or cases.

Annex B

Public Bodies

The MoJ is supported by a wide range of organisations in creating a safe, just and democratic society. Listed below are bodies which are funded or sponsored by MoJ including Executive Agencies, Non-Ministerial Departments, Statutory Office Holders, Associated Offices and other bodies. Full details of MoJ Non-Departmental Public Bodies are available separately on the MoJ internet site (<http://www.justice.gov.uk/>).

Executive Agencies

Body	About	CMB Accountability/ Interest*
Her Majesty's Courts Service	Established under the Courts Act 2003 and launched 1 April 2005. HMCS provides administration and support for the Court of Appeal, the High Court, the Crown Court, the magistrates' courts, the County courts and the Probate Service. http://www.hmcourts-service.gov.uk/cms/annual_reports.htm	Director General Access to Justice
Office of the Public Guardian	The Office of the Public Guardian, established in October 2007, supports the Public Guardian in registering Enduring Powers of Attorney, Lasting Powers of Attorney and supervising Court of Protection appointed deputies. http://www.publicguardian.gov.uk/about/statutory-documents.htm	Director General Access to Justice
Tribunals Service	Established in April 2006, to provide a responsive and efficient tribunals administration and to reform the tribunals justice system for the benefit of its customers, the wider public, and to promote and protect the independence of the judiciary. http://www.tribunals.gov.uk/Tribunals/Publications/publications.htm	Director General Access to Justice

Body	About	CMB Accountability/ Interest*
National Offender Management Service (NOMS)	<p>NOMS brings together the headquarters of the Probation Service and HM Prison Service to enable more effective delivery of services. The two bodies remain distinct but have a strong unity of purpose to protect the public and reduce reoffending. Both services ensure the sentences of the courts are properly carried out and work with offenders to tackle the causes of their offending behaviour.</p> <p>NOMS is responsible for commissioning and delivering adult offender management services in custody and in the community in England and Wales. It manages a mixed economy of providers. Decisions on what work is to be done and who it will be done by will be based on evidence and driven by best value.</p>	Director General NOMS

Non-Ministerial Departments

Body	About	CMB Accountability/ Interest*
The National Archives	<p>The National Archives is the UK Government's official archive and has a key policy role in information management across government and the wider public sector. Its main duties are to preserve official records and to set standards and support innovation in information and records management across the UK.</p> <p>http://www.nationalarchives.gov.uk/about/operate/reports.htm</p>	Director General Democracy, Constitution and Law
HM Land Registry	<p>HM Land Registry has been a non-ministerial government department since 1862. It was established as an executive agency of the Lord Chancellor in July 1990 and as a trading fund in April 1993.</p> <p>The main statutory function of Land Registry is to keep a register of title to freehold and leasehold land throughout England and Wales. On behalf of the Crown, it guarantees title to registered estates and interests in land. State-backed registration gives greater security of title, providing protection against claims of adverse possession.</p> <p>In addition to the registration of title, Land Registry also has responsibility for the functions of the Land Charges Department and the Agricultural Credits Department.</p> <p>http://www.landregistry.gov.uk/</p>	Director General Access to Justice
The UK Supreme Court (from October 2009)	<p>The UK Supreme Court was established by Part 3 of the Constitutional Reform Act 2005 and will officially come into being on 1 October 2009. It will replace the House of Lords in its judicial capacity and assume the jurisdiction of the House of Lords under the Appellate Jurisdiction Acts 1876 and 1888.</p> <p>The UK Supreme Court will be the final court of appeal in the United Kingdom.</p> <p>The UK Supreme Court will also have jurisdiction in relation to devolution matters under the Scotland Act 1998, the Northern Ireland Act 1998 and the Government of Wales Act 2006; this was transferred to the UK Supreme Court from the Judicial Committee of the Privy Council.</p>	Director General Democracy, Constitution and Law

Statutory Office Holders

Body	About	CMB Accountability/ Interest*
HM Inspectorate of Prisons	<p>HM Inspectorate of Prisons for England and Wales (HMI Prisons) is an independent inspectorate which reports on conditions for and treatment of those in prison, young offender institutions and immigration detention facilities.</p> <p>The Prisons Inspectorate also has statutory responsibility to inspect all immigration removal centres and holding facilities. In addition, HM Chief Inspector of Prisons is invited to inspect the Military Corrective Training Centre in Colchester, prisons in Northern Ireland, the Channel Islands and Isle of Man.</p> <p>http://inspectorates.homeoffice.gov.uk/hmiprison/about-us/annual-reports.html/?view=Standard</p>	Director General Criminal Justice
HM Inspectorate of Probation	<p>HM Inspectorate of Probation is an independent Inspectorate that reports directly to the Secretary of State.</p> <p>HM Inspectorate of Probation's remit is:</p> <ul style="list-style-type: none"> ● to report to the Secretary of State on the effectiveness of work with individual offenders and children and young people aimed at reducing reoffending and protecting the public; ● to report on the effectiveness of the arrangements for this work, working with other Inspectorates as necessary; contribute to improved performance by the organisations whose work we inspect; contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners. <p>http://inspectorates.justice.gov.uk/hmiprobation/about-us.html/annual-reports.html/</p>	Director General Criminal Justice
Assessor for Compensation of Miscarriages of Justice	<p>The mission of the Assessor is to modernise and simplify the system of state compensation for miscarriages of justice, and to bring about a better balance in the treatment of victims of crime.</p>	Director General Criminal Justice

Body	About	CMB Accountability/ Interest*
Judicial Appointments and Conduct Ombudsman	<p>The Judicial Appointments and Conduct Ombudsman investigates complaints about the judicial appointments process and the handling of matters involving judicial discipline or conduct.</p> <p>There are two distinct aspects to his work: to seek redress in the event of maladministration and through recommendations and constructive feedback, to improve standards and practices in the authorities or departments concerned.</p> <p>http://www.judicialombudsman.gov.uk/publications/publications.htm</p>	Director General Access to Justice
HM Inspectorate of Court Administration	<p>The Courts Act 2003 made provision for the setting up of HM Inspectorate of Court Administration (HMICA) in April 2005.</p> <p>HMICA's remit is to inspect and report to the Lord Chancellor on the system that supports the carrying out of the business of the Crown, county and magistrates' courts, the services provided for those courts and to discharge any other particular functions which may be specified in connection with the above courts functions or related functions of any other person.</p> <p>http://www.hmica.gov.uk/annreps.htm</p>	Director General Access to Justice
Legal Services Ombudsman	<p>The Ombudsman derives her powers from the Courts and Legal Services Act 1990. In creating the role of Ombudsman, it was Parliament's intention to protect the interests of the consumers of legal services – clients and members of the public. The Ombudsman does this by ensuring that the professional bodies conduct fair, thorough and efficient investigations of complaints about their members.</p> <p>http://www.olso.org</p>	Director General Access to Justice

Associated Offices

Body	About	CMB Accountability/ Interest*
Prisons and Probation Ombudsman	The Prisons and Probation Ombudsman investigates complaints from prisoners, those on probation and those held in immigration removal centres. He also investigates all deaths that occur among prisoners, immigration detainees and the residents of probation hostels (known as Approved Premises). http://www.ppo.gov.uk/	Director General Criminal Justice
Office for Judicial Complaints	The Office for Judicial Complaints (OJC) supports the Lord Chancellor and the Lord Chief Justice in their joint responsibility for the system of judicial complaints and discipline. It seeks to ensure that all judicial disciplinary issues are dealt with consistently, fairly and efficiently. http://www.judicialcomplaints.gov.uk/publications.htm	Director General Access to Justice
Legal Services Complaints Commissioner	The Legal Services Complaints Commissioner is an independent, government-appointed regulator. The Commissioner's main powers are in the Access to Justice Act 1999 at sections 51 and 52, and Schedule 3 to the Act. Under section 52(2) of the Act the Commissioner has powers to: <ul style="list-style-type: none"> a. require the Law Society to provide information or make reports about the handling of complaints about its members; b. investigate the handling of complaints; c. make recommendations; d. set targets; and e. require the Law Society to submit a plan for the handling of complaints. http://www.olsccl.gov.uk/publications/annual-interim-reports.htm	Director General Access to Justice
Judge Advocate General	The Office of the Judge Advocate General (OJAG) deals with criminal trials of service men and women in the Royal Navy, the Army and the Royal Air Force for serious offences (or where the defendant chooses not to be dealt with by the Commanding Officer), which are known as Courts-Martial.	Director General Access to Justice

Body	About	CMB Accountability/ Interest*
Official Solicitor and Public Trustee	<p>The Official Solicitor is part of the judicial system of England and Wales (excluding Scotland and Northern Ireland), while the Public Trustee is a separate and independent statutory body, and both are appointed by the Lord Chancellor and administered as part of the Ministry of Justice. The Official Solicitor and Public Trustee were previously administratively joined with the Court Funds Office and known as the Offices of Court Funds, Official Solicitor and Public Trustee. This joined office was separated on 1 April 2009.</p> <p>http://www.officialsolicitor.gov.uk/pubs/publications.htm</p>	Director General Access to Justice
Court Funds Office	<p>The Court Funds Office (CFO) was established in 1726 by an Act of Parliament and the creation of the post of Accountant General of the Court of Chancery (later to become CFO). We administer funds paid 'into court' as a result of civil proceedings in courts in England and Wales, including the High Court. This involves accepting monies in, known as lodgements investing monies and making payments to claimants. The Court Funds Office was previously administratively joined with the Official Solicitor and Public Trustee and known as the Offices of Court Funds, Official Solicitor and Public Trustee. This joined office was separated on 1 April 2009.</p> <p>http://www.officialsolicitor.gov.uk/pubs/publications.htm</p>	Director General Access to Justice
Directorate of Judicial Offices for England and Wales	<p>The Directorate of Judicial Offices consists of the Judicial Office for England and Wales, the Judicial Communications Office and the Judicial Studies Board. The Directorate supports the senior judiciary in carrying out their statutory functions under the Constitutional Reform Act 2005, including judicial training and communications.</p> <p>http://www.judiciary.gov.uk/publications_media/general/index.htm</p>	Director General Democracy, Constitution and Law

Other bodies

Body	About	CMB Accountability/ Interest*
Scotland Office	<p>The Scotland Office’s task is to ensure good working relations between Whitehall and the Scottish Executive and to ensure that Scottish and devolved elements are taken into account in the development and management of policy and legislation.</p> <p>For a range of corporate services for example, staffing, finance and office services, the Scotland Office is part of the Ministry of Justice. This does not affect the separate accountability of the Offices to their respective Ministers.</p> <p>http://www.scotlandoffice.gov.uk/scotlandoffice/10797.135.html</p>	Director General Democracy, Constitution and Law
Wales Office	<p>The Wales Office supports the Secretary of State for Wales in ensuring:</p> <ul style="list-style-type: none"> ● the smooth working of the devolution settlement in Wales; and ● representation of Welsh interests within the UK Government and of the UK Government in Wales. <p>While accountable to the Secretary of State for Wales and his junior Minister, and having its own distinct identity, the Wales Office benefits from being part of the Ministry of Justice, with access to its supporting services. The Wales Office relies on the Ministry of Justice for volume services, such as bill paying, payroll, and IT infrastructure and support at the desktop or away. It relies on MoJ also for professional services, such as financial accounting services, procurement, and managing premises.</p> <p>As well as being Wales’s voice in Westminster and Westminster’s voice in Wales, the Wales Office is responsible for ensuring the smooth running of Welsh legislation through Parliament and for financial transactions between the UK Government and the National Assembly for Wales. It also undertakes certain reserved functions for Wales.</p> <p>http://www.walesoffice.gov.uk/category/publications/</p>	Director General Democracy, Constitution and Law

Body	About	CMB Accountability/ Interest*
Privy Council Office and the Judicial Committee of the Privy Council	<p>The Privy Council Office provides Secretariat services for the Privy Council (that part of Her Majesty's Government which advises on the exercise of prerogative powers and certain functions assigned to The Queen and the Council by Act of Parliament).</p> <p>The Secretariat is responsible for the arrangements leading to the making of all Royal Proclamations and Orders in Council and for certain formalities connected with Ministerial changes.</p> <p>The Secretariat is also responsible for the arrangements for the appointment of the High Sheriffs of England and Wales, except the Duchy of Lancaster (Lancashire, Cheshire, Merseyside and Greater Manchester) and Cornwall, and for many Crown and Privy Council appointments to governing bodies.</p> <p>The Judicial Committee of the Privy Council is the court of final appeal for the UK overseas territories and Crown dependencies, and for those Commonwealth countries that have retained the appeal to Her Majesty in Council or, in the case of Republics, to the Judicial Committee. It is also the court of final appeal for determining 'devolution issues' under the United Kingdom devolution statutes of 1998 (although this jurisdiction will transfer to the UK Supreme Court on its establishment).</p> <p>http://www.privacy-council.org.uk/output/Page491.asp</p>	Director General Democracy, Constitution and Law
Northern Ireland Court Service	<p>The Northern Ireland Court Service (NICtS) is the Lord Chancellor's Department in Northern Ireland. It is an independent civil service in its own right, and was established in April 1979.</p> <p>http://www.courtsni.gov.uk/en-GB/AboutUs/Key+Publications/</p>	Director General Access to Justice

** The governance arrangements for the bodies described above vary and the term 'CMB accountability' is therefore used as a shorthand to describe the MoJ Business Group to which the body is linked. The relationship may range from a budgetary and/or a line management one, to one which is based on consumption of shared services and one where Ministerial responsibility may lie with non-MoJ Ministers and funding arrangements may also be separate from the MoJ vote.*

Annex C

Data systems used

DSO 1 – Strengthening democracy, rights and responsibility

No data systems are being used to assess progress against this DSO. Progress will be assessed using approved programme and project management systems.

DSO 2 – Delivering fair and simple routes to civil and family justice

Delivery of agency key performance indicators

A number of different data systems are used across Access to Justice Business Group to assess progress against the underlying agency key performance indicators. For the purposes of this report, we have only included details of the data systems used for the proxy measures being reported in Chapter 2 of this report.

'Provision of criminal, civil and family acts of legal advice and assistance'

The number of acts of assistance are tracked in two ways:

- Claims for 'face-to-face' acts of assistance are tracked through the Legal Services Commission (LSC) Online system based on submissions from external providers (solicitors and not-for-profit agencies), input either online or by LSC staff. Data integrity is dependent on accurate and timely submissions by providers and is reported in arrears. The LSC periodically carries out compliance audit reviews on claims to ensure the data are valid; and
- for telephone advice services, all data are recorded by a third party provider and reported to the LSC at month end.

'Resolution of civil and family disputes'

'Civil disputes' in this context refers to 'defended small claims'. 'Small Claims' are specified money claims for no more than £5,000. This target measures the proportion of small claims cases that settle before they reach a hearing. These are measured by monitoring the number of defended cases that are resolved in the county courts, excluding family matters. The data are captured by the HMCS CASEMAN computer system.

'Family disputes' in this context refers to 'residence and contact orders' made by consent in the county courts (excluding cases involving allegations of harm). The data are captured by the HMCS FAMILYMAN case management system. These data are published in Judicial and Crime Statistics, which is a candidate National Statistic and will be assessed by the UK Statistics Authority during 2009/10. The integrity of the data are dependent on the accurate entry of data at the courts.

'Customer service and contact targets'

Customer Service is assessed differently across each of the key service delivery organisations. For the purposes of this report, the following customer surveys are being used to monitor progress:

HM Courts Service: A customer survey is conducted on a rolling basis by IPSOS MORI on behalf of HMCS. Overall satisfaction in the courts is measured by a single question in the survey questionnaire that asks whether the respondent, irrespective of the result of their hearing or case, is happy about the way they were treated at court. Feedback is obtained via random exit surveys undertaken as part of a structured programme across the Crown, county and magistrates' courts. Around 50% of those approached agreed to take part in the survey. Results are collated by IPSOS MORI from over 11,000 interviews per year. This sizeable sample ensures that the data covering the 'overall satisfaction' question is accurate to +/- 1 percentage point at the 95% confidence level.

The Tribunals Service: A customer satisfaction survey is conducted by FDS International. It was first completed in 2007, and it will continue throughout 2008 and 2009 on a quarterly basis, providing an annual performance measure of customer satisfaction. In Year 1, a telephone survey interviewed 2,459 customers. To accommodate the special needs of Asylum & Immigration Tribunal and Asylum Support Tribunal customers, a postal questionnaire was used to capture feedback, supported by telephone interviews with representatives. All customers were asked to consider the administrative processes and procedures involved with their case and rate their level of satisfaction with the overall service they received.

In year 2 it is predicted that around 3,500 customers with hearings will take part in a telephone interview. A postal version continues with Asylum and Immigration and Asylum Support customers. Customer satisfaction for those taking part in the telephone survey is cumulatively 65% after three quarters. This will be updated when the fieldwork is completed (quarterly results: Q1 68%; Q2 61%; Q3 67%). We are 95% confident that the true nature of those satisfied with the service they receive lies between 63% and 67%. The response rate to date is 29%.

Office of the Public Guardian: During 2008/09 the OPG appointed IPSOS MORI to conduct a customer satisfaction survey. The OPG will devise measures concentrating on the quality of service delivered through the Contact Centre and publish the results in their *2008/09 Annual Report*.

Legal Services Commission: The LSC conducts quarterly client surveys which focus on the views of its 'end-user' clients. The target response level is to achieve 300 completed questionnaires per quarter nationally. Both phone and postal surveys are used to achieve the required sample. Clients are asked a number of questions, but the key question used for the KPI is 'Overall how satisfied are you with the service you received from the LSC?'. All the results are entered into spreadsheets regionally and then collated nationally to form part of the LSC's overall Customer Service Score. The results are also used to feed back into service improvement.

Delivery of public law targets: Details of the data systems used to measure this target can be found under SR2004 PSA 4 (page 34).

Achievement of Legal Services Commission, Office of the Public Guardian and civil court cost recovery targets. The financial management systems used to track cost recovery for these three areas is as follows:

- **Legal Services Commission:** Costs recovery is tracked through the LSC proprietary debt recovery system. Debit notes outstanding are downloaded from the LSC CIS system, and the debt recovery system reports after each settlement run and highlights differentials. This methodology has been the same for the last two financial years and has recently been validated by LSC Internal Audit.
- **Office of the Public Guardian:** The cost recovery overrun is calculated using a full cost model to compare the income and expenditure streams of the OPG and Court of Protection. The cost estimates used in the model are based upon the full year forecast overrun for the OPG and the Court of Protection as taken from the Management Accounts each period. This represents the full resource based cost of the organisation including non-cash items and HQ recharges.

The model is driven by ratios and staff numbers. For service areas, eg Finance, Performance and Change, Post Room etc. a set of ratios is used to allocate their cost to an operational area. The following data are incorporated in the model: full forecast overrun from monthly Management Accounts; staff numbers from the monthly staffing returns from Heads of Division; and HQ recharges. As with other OPG KPIs this is validated annually by MOJ Internal Audit.

- **HMCS civil courts:** Fee income is recorded into local accounting books within the civil courts on a daily basis and subsequently journaled to HMCS Oracle General Ledger of Account (GL) on a monthly basis. Actual civil fee income (year to date) is then reported directly from the GL after the accounting period has been closed.

Reporting against the civil cost recovery target can only be completed after the end of each financial year. As such, an assessment of actual fee income for the reporting period plus a forecast for the remaining period to the end of the financial year will be used to assess progress against the fee income target. 'Civil costs' in this context include only civil court costs. They exclude costs for probate and family courts.

Delivery of transforming tribunals agenda

No data systems are being used to assess progress against this indicator. Progress will be assessed using approved programme and project management reporting systems.

DSO 3 – Protecting the Public and Reducing reoffending

A range of data sources (including prison data, probation data and police national computer data) are used to produce the data for the PSA 23 reoffending target. These data sources are compiled based on information from individual prisons/probation areas and police forces.

Data on offenders discharged from prison (following completion of sentence or on license) and data on offenders commencing court orders under probation supervision in the first quarter of each year are matched to data held on the Ministry of Justice extract of the Police National Computer. This matched dataset provides the cohort used to measure reoffending. In 2007, 97.4% of offenders were matched using basic offender details (name, date of birth, gender), although the total number of offenders included in the cohort is lower than this once additional matching has been done on conviction dates within +/- 7 days, ensuring that offences were committed in England and Wales and were not breach offences, and removing multiple offender entries.

The Police National Computer is used to count the number of proven offences committed in a one year follow up period (with an additional six month waiting period included for offences to be proved by a conviction), as well as the number of serious offences and the proportion of offenders who reoffend.

As with any large scale administrative IT system, the PNC is subject to possible errors with data entry and processing.

The extraction of the criminal histories is checked via a small sample of random offenders from the cohort in order to validate the outputs of the Structured Query Language programme.

Work continually takes place in order to ensure that the PNC data quality is maintained at a high level, such as updates to the coding and classification of offences and court disposal, updates to the methods used to identify the primary offence and removal of duplication of records within the database.

A full summary of the limitations of the methods used and risks involved are included in the introduction to each reoffending report and in the quality section. These reports can be found at:

- <http://www.justice.gov.uk/publications/reoffendingofadults.htm>
- <http://www.justice.gov.uk/publications/reoffendingjuveniles.htm>

DSO 4 – A more effective, transparent and responsive criminal justice system for victims and the public

Offences brought to justice are sourced from the following computer systems:

- HMCS
- Police.

Validation checks on court conviction data are run monthly to check whether outcomes and sentencing are consistent with legislation eg: if an offence is age specific, is the age of the defendant within the required range. Additional validation is carried out on police cautions data to confirm that cautions have been used appropriately. Full reconciliation of Penalty Notices for Disorder is carried out annually with police forces.

Validation checks on police recorded crime data are run on monthly returns to check whether changes are outside a reasonable range. There is also manual inspection of data for plausibility prior to publication and a reconciliation exercise with forces prior to the main annual publication. As well as this, Force Crime Registrars are in post in all police forces, outside of the performance management chain, with a responsibility for data quality. They undertake local audits and work with the National Crime Registrar to devise the counting rules for crime. The National Crime Recording Standard was introduced in April 2002, with the backing of Association of Chief Police Officers, to introduce a more victim focused and consistent approach to recording, this being underpinned by a three year programme of audits, funded by the Home Office but undertaken by the Audit Commission, whose aim was to establish high standards in crime recording. In September 2007, the Audit Commission concluded that the standard of crime recording across England and Wales was the best that it has ever been.

Crown Court timeliness

Data are collected monthly from the Crown Court CREST management system and is available from the HMCS Performance database and the Court Statistics intranet site within MoJ and HMCS. For the purposes of this indicator, this is measured on a financial year to date basis.

Magistrates' Court timeliness

This data are collected via a survey four times a year – March, June, September, and December. The survey collects information relating to the time taken between stages of proceedings for defendants in completed criminal cases in magistrates' courts. The data are available down to court level from the HMCS Performance Database.

This is published as a National Statistic.

Victim and witness satisfaction

Victim and witness satisfaction is measured by police user satisfaction surveys and the Witness and Victim Experience Survey (WAVES). Both are collected quarterly. Police user satisfaction data are validated annually with Police Forces before publication.

The Witness and Victim Experience Survey (WAVES) is a national telephone survey of victims and witnesses in cases that have resulted in a criminal charge. Its purpose is to provide information at Local Criminal Justice Board (LCJB) level and national level (England and Wales) about victims' and witnesses' experiences of the criminal justice system (CJS), the services they receive and their satisfaction with different aspects of the system.

WAVES covers victims and prosecution witnesses aged 18 and over in the following crime types; violence against the person; robbery; burglary; theft and handling stolen goods and criminal damage. We do not interview victims and witnesses in sensitive cases, such as, sexual offences or domestic violence, crimes involving a fatality, and any crime where the defendant was a family member or a member of the witnesses' or victims' household, on ethical grounds. We also exclude police officers or other CJS official assaulted in the course of duty, and all police or expert witnesses.

WAVES asks victims and witnesses in cases where an offender was charged about all aspects of their experiences with the CJS, from their first contact with the Police to their experience at court. Interviewers ask people about the extent to which they were satisfied with the services they received. We include victims and witnesses who go to court as well as those who do not. The survey, undertaken on a quarterly basis, aims to conduct approximately 38,800 interviews a year, 9,700 each quarter.

WAVES data relate to the period in which the case was finalised by the CJS, rather than the interview period. Data are weighted to enable the survey results to be representative of all eligible victims and witnesses in England and Wales. Weights are derived from the population profiles provided by LCJB areas. Data are analysed and quality assured by researchers from the Office for Criminal Justice Reform – Evidence and Analysis Unit, prior to reporting.

British Crime Survey

The level of public confidence in the 'fairness' and 'effectiveness' of the criminal justice system is measured through the British Crime Survey (BCS). The BCS is a continuous nationally representative social survey of adults aged 16 and over living in private households in England and Wales (annual sample size of over 45,000). It measures crime victimisation, experience of and attitudes to crime.

For 'effectiveness of the CJS', respondents are asked about their confidence in the effectiveness of each of the individual agencies that comprise the CJS, followed by a question about confidence in the effectiveness of the CJS as a whole. This prompts the respondent's awareness and knowledge of the agencies within the CJS before asking about the overall CJS.

For 'fairness of the CJS', the approach is based on a set of statements covering common attitudes towards issues around 'fairness' (eg discrimination against particular groups or individuals and the balance between the victim and offender) in order to provoke consideration of these different aspects before asking the general question on perceptions of fairness in the CJS as a whole.

Social researchers from the Office for Criminal Justice Reform are responsible for undertaking the confidence analyses, and ensuring that each set of data is produced in accordance with the Unit's data quality procedures.

The British Crime Survey is published as a National Statistic.

CSR07 Public Service Agreements

PSA 24

For indicators 1, 2 and 3 please refer back to data system information provided for the above Criminal Justice DSO (page 132).

Better identify and explain race disproportionality at key points within the CJS

This target is measured by the progress of Local Criminal Justice Boards in rolling out the Minimum Dataset project. Information measuring performance is collected monthly for those Boards that have rolled out the MDS. Six-monthly updates on progress against the roll-out schedule are supplied to the Prime Minister's Delivery Unit (PMDU).

This indicator is activity-based rather than directional and relates to progress on identifying and addressing unjust disproportionality rather than being a measure of disproportionality.

Asset Recovery

The measure for asset recovery is the value of assets recovered from criminals through: cash forfeitures, confiscation orders enforced, civil recovery/taxation and international sharing agreement. It is collected monthly.

The performance figure for PSA 24 is an aggregated figure, which is derived from a number of sources. The source of the data for Cash Forfeiture and International receipts is Home Office Finance. The source of the data for Confiscation receipts is the JARD (Joint Assets Recovery Database). The source of the data for Civil/Recovery and Tax receipts is Serious Organised Crime Agency (SOCA) Finance.

SR2004 Public Service Agreement

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

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.

Annex D

Public Accounts Committee recommendations

The status of MoJ's Public Accounts Committee (PAC) recommendations were first published within its 2008 Annual Performance Report (APR) in December 2008.

Included in this update are two further Reports issued by the PAC since the APR was published:

- The National Probation Service: the supervision of community orders in England and Wales
- Compensating victims of violent crime.

On the 10 and 17 of March 2009 respectively the following two PAC Reports were issued:

- The procurement of goods and services by HM Prison Service
- Protecting the public: the work of the Parole Board.

Publication of HM Treasury minutes for these reports will take place on the 20 May. It has been agreed with HM Treasury that progress against these recommendations will be reported on in the Autumn Performance Report 2009.

Recommendations that had been reported as being implemented in the APR have been excluded from this Departmental Report update. Recommendations that have been implemented since the APR have been included in this update, alongside remaining recommendations where implementation is in progress.

1. The National Probation Service: the supervision of community orders in England and Wales (forty-eighth report published 4 November 2008)

This report considered increasing the effectiveness of community orders; building the confidence of both the court and the community in community orders; improving the funding formula; and tightening adherence to the requirements of orders through compliance and enforcement procedures.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>We welcome the Ministry's acceptance of all the recommendations made in the Comptroller and Auditor General's Report and the Action Plan which has resulted from it. The National Offender Management Service, part of the MoJ, encompasses HM Prison Service, the National Probation Service and the 42 Probation Areas, and is working to implement the Report's recommendations via a series of phased initiatives.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The MoJ has no additional comment to make on this conclusion. References to the work to implement the findings of the Comptroller and Auditor General's Report will be made elsewhere in this report.
<p>PAC Recommendation (2)</p> <p>The Ministry lacks robust, national information about which offenders are less likely to reoffend if sentenced to a community order, rather than to a short custodial sentence. Without this key information, it is harder for probation officers to advise the courts properly on what might encourage particular offenders to stop or reduce their reoffending. The Ministry's planned research study, due for publication in summer 2015, should show the type and combination of community order requirements that work best for different types of offender. Rather than waiting until 2012 to release the first results, the Ministry should report emerging findings from this work, so that they can be absorbed into Probation Officers' day to day work, including information on the extent to which offenders gain and remain in employment.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Offender Management Community Cohort Study (OMCCS) has commenced and will provide information about the characteristics of offenders on community orders, the work undertaken with them, and the short and long term outcomes including the impact on reoffending. Additional information will be provided by the Unit Cost in Criminal Justice Study, which will identify the relative costs and benefits of each intervention. ● OMCCS began to collect data in 2009. It is anticipated that initial findings on the characteristics of offenders will be available in the spring of 2010. The first results covering short term outcomes will be published in the summer of 2010.
<p>PAC Recommendation (3)</p> <p>The most widely used measure of reoffending, the reconviction rate, does not include all offences committed in the two year monitoring period after sentencing and is not comprehensive enough to be a useful measure of sentence effectiveness. Offences occurring during the two year monitoring period, but identified more than six months later are not included in the reconviction rate, which is therefore understated. To gain a fuller picture of reoffending, the Ministry should supplement its two year reconviction data with information on offences identified later.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Changes have already been made to the method of calculating reconviction, which are likely to achieve the aims of the recommendation. ● The links between reoffending rates over one year, three years and five years, using the current method, will be assessed by the end of 2009 and thereafter a decision will be taken about whether further supplementary information is required. ● The initial comparison of reconviction rates using the old method over one, two and five years shows that for the majority of offences, rates over one year are highly indicative of those over two and five years. Therefore, on the basis of current information, further changes to the calculation of reoffending do not appear necessary.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (4)</p> <p>The National Probation Service does not have accurate, complete and up-to-date information about its capacity to oversee community orders, the relative costs between areas or the number of community orders completed as sentenced. In the face of changing demands on the National Probation Service, good decision making is difficult without accurate information. The changes set out in the Ministry's Action Plan should improve the reliability and timeliness of management information, and the National Probation Service should publish periodic reports on progress made on implementation.</p>	<p>In progress</p> <p>Improvements in these areas are being taken forward via two main work programmes:</p> <ul style="list-style-type: none"> ● The <i>Specification, Benchmarking and Costing Programme</i> (SBC) has been set up to support improvements in efficiency and effectiveness by addressing unnecessary variation in service provision and developing specifications for each service which will be costed enabling fair comparison of the costs for the key services across probation. The first specifications will be completed during the period April 2009 to March 2010 (2009/10) and a full set of specifications is currently being planned, to be completed by March 2012; and ● The <i>Performance Management Framework</i> contains a number of work strands including: (1) the development of a performance information hub that widens access to performance information. (2) the development of an enhanced management information strategy which aims to make the best use of available data. (3) the implementation of 'Best Value' work for probation services as part of the <i>Probation Trust Programme</i> and will focus on work with victims and unpaid work during 2009/10.
<p>PAC Recommendation (5)</p> <p>Funding for the delivery of community orders is not aligned with the demands falling on individual local Probation Areas. The Ministry should adjust its funding arrangements to more flexibly respond to changes in demand from sentencers, as well as local Area circumstances.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● It is intended that the allocation of funds is adjusted to align better with local demands and offender needs. ● The allocation process will be informed and improved by the results of the work set out in <i>Recommendation 4</i> and by other management information, such as conviction data for each Probation Area. ● Initial adjustments to take account of such factors will be made in the 2009/10 allocations.
<p>PAC Recommendation (6)</p> <p>Some sentencers see community sentences as a 'soft option', meaning they are less likely to give them as a sentence. The Ministry could do more to improve sentencer and public confidence in community orders as a real alternative to custodial sentences by promoting community sentences more proactively to local sentencers. The Ministry could do this, for example, through using case examples and validated local information on the proportions of orders completed and breached, as well as reconviction rates.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Community sentences are being increasingly promoted. For example, joint work with the Home Office is currently progressing on the <i>Justice Seen, Justice Done</i> campaign, which will highlight what offenders pay back to their local communities via community sentences. Alongside this a <i>Community Sentences Campaign</i> is currently being prepared with similar aims. ● Case examples of best practice in sentencer communications have now been placed on the probation intranet, backed up by statistics on reoffending and probation performance. Local measures of reoffending have been developed, which provide reconviction rates for all offenders at the probation area or trust level and at local authority level; these were published in February 2009. A new protocol for probation liaison with sentencers was released in June 2008 and this will be supported by centrally developed communication materials promoting community sentences, including a Bench Guide and Handbook, DVDs and literature on community sentences.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (7)</p> <p>There are variations in the way Local Probation Areas have implemented the National Standards which underpin the enforcement of community orders. These variations mean that offenders are treated differently in different Areas, and could reduce confidence in community orders. The Ministry should publish local Area information showing performance against national standards to identify poor performance and encourage Areas to implement standards properly, particularly those relating to acceptable absences and the completion of orders.</p>	<p>Implemented</p> <p>Action has already been completed as described below:</p> <ul style="list-style-type: none"> ● Performance has been routinely reported against National Standards since 2002. These reports are published on a quarterly basis and available to probation areas and the NOMS Agency. The reports identify variations in performance, which are followed up when improvement action is required making specific reference to acceptable absences and completion of orders: Probation Circulars four and five of 2008 clarified and tightened instructions on both these areas. ● An Integrated Probation Performance Framework is published, which assesses and categorises each Probation Area on a four-point scale ranging from exceptional to serious concerns and draws on 20 performance indicators relating to National Standards. Probation Areas are held to account over their performance by their Director of Offender Management (DOM) through service level agreement review meetings.
<p>PAC Recommendation (8)</p> <p>Some of the programmes supporting the delivery of community order requirements may not be well suited to meeting the needs of women and members of minority groups, which could make it harder for these offenders to complete their order in line with court requirements. The Ministry should use the information it collects on the gender, ethnicity and disabilities of offenders, and the length and type of community orders they are serving, to check that the programmes provided meet their needs.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The delivery of programmes is monitored and appropriately targeted. The needs of different groups of offenders can be quite varied and an analysis by diversity in itself would not necessarily indicate whether a particular group's needs were or were not being met. However, it is important that offenders are suitably assessed and placed on programmes that can meet identified risks and needs. ● A review of diversity work in relation to programmes has commenced including the development of more robust baseline data and analysis, performance monitoring, and the outcome of diversity impact assessments. Staff training is underway to maximise the effectiveness of programmes. ● Directors of Offender Management (DOMs) are being appointed in 2009, they will be accountable for integrating service provision and commissioning services to address the needs of all offenders in their region.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (9)</p> <p>The Ministry's current system of delivery targets for local Probation Areas could create perverse incentives. Offender managers, for example, may be incentivised to channel offenders towards programmes that are below target, and to avoid breaching those on such programmes. In other instances, targets for some requirements, such as unpaid work, are easily exceeded. The Ministry should refocus its performance measures to drive up the quality of offender management and encourage a better spread of programmes throughout the year.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A performance framework of indicators for probation areas has been developed for 2009/10, which has screened out the potential for perverse incentives, particularly in relation to programmes and the offender assessment system (OASys) quality as described below. ● A new programme target indicator introduced in 2008/09, to limit programme access to offenders meeting the eligibility criteria, will be converted to a Key Performance Indicator (KPI) in 2009/10 and target levels set nationally. A new pilot indicator within Service Level Agreements focusing on the eligibility levels of programme completers will be introduced. It is intended to move away from less meaningful volume targets towards targets based on completion rates but will continue to collect information on the completion numbers for individual programmes to ensure that the profile of programmes provided is appropriate. ● A 'priority development indicator' will be established in 2009/10, which is a measure of the quality of OASys. A new quality assurance process for OASys will also be developed during 2009/10 with a view to having a full KPI in 2010/11. Measures of quality are complex and can be resource intensive; but these new measures will be tested before they are introduced.
<p>PAC Recommendation (10)</p> <p>Unpaid work is focused on projects which benefits local community groups but could be broadened to include more schemes which improve communal areas, such as litter clearing and chewing gum removal. Nationally, unpaid work represented some 31% of all requirements issued in 2006. The National Probation Service should promote the performance and increase the visibility of unpaid work sessions, both within the local communities in which they occur and to sentencers.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Mayors' Community Payback is in its second year and it is expected that 70 projects will be chosen by locally elected officials. ● Six Citizens' Panels have been piloted in 2008/09, in which local residents take part in identifying community payback projects, and this will be extended in subsequent years. ● 3,000 hours of community payback are being made available to the 60 Pioneer Areas as part of a joint campaign with the Home Office. This will involve media campaigns and allow members of the public to identify work projects which could include improving communal areas. ● Since 1 December 2008 offenders on community payback wear branded high visibility jackets, to ensure that work undertaken is more visible to the public.
<p>PAC Recommendation (11)</p> <p>Alcohol misuse was shown to cause a quarter of offenders to commit offences, but only 2% were given an alcohol treatment requirement. It is for the courts to determine an offender's sentence, but a lack of alcohol treatment in some areas may reduce sentencing options. This means that the cause of offending may not be being tackled effectively. The Ministry of Justice should work with the Department of Health to make the alcohol treatment requirement available to courts for all offenders with chronic alcoholism where this contributes to their offending behaviour.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● An interdepartmental working group, to take this recommendation forward, has met three times since September 2008 and completed its work in March 2009. The emerging findings are being considered, including the current pattern of provision compared to assessed need, and geographical variation of services. The aim is to inform Primary Care Trust (PCT) commissioning and to help decide the future direction.

2. Compensating victims of violent crime (fifty-fourth report published 20 November 2008)

This report considered the reasons for the deterioration in performance since we last reported and the steps that they had taken, and planned to take, to improve performance in the future.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>In 2006, 64% of victims of violent crime were unaware of the Criminal Injuries Compensation Scheme and only 5% applied. The Scheme continues to be undersubscribed and application rates varied by gender, age, location, employment status and ethnicity. The Ministry and the Authority should increase awareness of the scheme by using research and the Authority's database to examine the characteristics of both applicants and eligible victims and to improve the marketing of the scheme. It should also make information more widely available on how and where to apply, and who is eligible.</p>	<p>In progress</p> <p>The Criminal Injuries Compensation Authority (CICA) has raised awareness by:</p> <ul style="list-style-type: none"> ● Consulting widely with victims' groups and other stakeholders. ● Participating in victims' conferences and arranging stakeholder conferences. ● Revising literature and guidance notes and re-designing its website. ● Commencing research in March 2009 to establish awareness of the scheme. This will involve researchers examining CICA's database to identify the characteristics of those who have applied and identifying the characteristics of those who are eligible but who are not applying. This will enable the Authority to target their advertising to reach those victims (in addition to what they are currently doing). ● Producing a short leaflet in April 2009, which is available in public libraries, accident and emergency units and doctors surgeries.
<p>PAC Recommendation (2)</p> <p>Almost a fifth of applicants responding to the Authority's survey found the application form difficult to complete, and almost half of those using representatives did so because of the form's complexity. The Authority should:</p> <ul style="list-style-type: none"> ● make use of good practice developed elsewhere in government and by bodies such as the Plain English Campaign to make its application forms easier to complete; ● advertise its helpline number widely and encourage applicants to use the service to apply over the phone with appropriate support; and ● encourage use of its interactive online application form. 	<p>In progress</p> <ul style="list-style-type: none"> ● A single freephone help-line for all applicants has been introduced, which is publicised on all the authority's literature and its website. ● All application forms have been revised, making them easier to complete. ● Plain english is now used in all key documentation and relevant staff have received plain english training. ● An on-line application form with interactive help will be introduced by September 2009. ● A pilot began in March 2009, to allow applicants to complete their application over the phone. If successful, it will be fully implemented by December 2009.
<p>PAC Recommendation (3)</p> <p>Although not a requirement, over half of applicants were using representatives and, of those, over a quarter thought they had to be represented. The Authority should improve the information it provides to applicants to make it clear that they do not need to be represented, thus enabling them to make an informed choice.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● A new in-house telephone support team was established in July 2008 to explain to applicants that they do not need representation. ● An additional paragraph at the top of all application forms now explains that representation is not required, and will not be paid for by the Authority.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (4)</p> <p>30% of applicants pay to be represented by solicitors and only 21% are represented by Victim Support, which provides a free service. The Ministry and Authority should improve the information provided to victims to tell them about the free service provided by Victim Support and ensure that there is no encouragement given to 'no win, no fee' lawyers at public expense.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Since November 2008 applicants are advised that free support is available from Victim Support and are given the contact details. ● Scheme guidance has been amended to make it clearer that free support is available and how this can be accessed. ● Since November 2008 it is a requirement that a person choosing to use paid representation completes an additional form stating that they will be responsible for meeting the fees.
<p>PAC Recommendation (5)</p> <p>The Authority's outsourced call centre fails to answer 15% of calls, and of those that are answered half have to be referred to the Authority's staff as call centre staff are not able to resolve the query. The Authority should equip its new applicant support service with people who have knowledge of the scheme and have access to information about individual cases to answer queries effectively, and set challenging targets for the timeliness and quality of their responses.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A new caseworking model was introduced in July 2008, which placed greater emphasis on applicant support. At the same time an in-house telephone support service replaced the outsourced contract. ● More of the available resource is concentrated at the front end of the caseworking process to ensure that all calls are answered by fully trained staff. Whilst the basic service has been available since July 2008, recruitment and training of new staff was completed in March 2009. ● Through the business planning process, KPIs have been established, which challenge specifically the timeliness and quality of processes. Performance is compared to targets and included in the balanced scorecard.
<p>PAC Recommendation (6)</p> <p>After the Authority changed its policy so that it requested medical records only when the Police report indicated that a crime of violence had occurred, it took four years for the Authority to alter the standard nil award letter so that the position on requesting applicants' medical records was properly spelt out. This delay could have disadvantaged some applicants. The Authority should consider the effect of all policy changes on its standard literature and amend it as quickly as necessary, as well as put in place robust processes to ensure that this situation cannot arise in the future.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● An initial review of key documents was undertaken to ensure they are as up-to-date as possible. ● In October 2008, a single source of policy guidance was established, which can be easily referenced by all staff. ● New internal procedures were introduced in March 2009, which ensure that any changes to policy are assessed with regard to the impact on the content of standard letters and other documentation. The impact assessment also looked at the effect on processing times.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (7)</p> <p>The Authority and the Panel have not developed appropriate targets or adequate incentives and, as a result, case processing has been inefficient. The Authority and Panel should:</p> <ul style="list-style-type: none"> ● develop performance targets that cover the process from initial application to final appeal, ensuring each body is accountable for their part in the process; ● put performance management systems in place that link personal objectives to organisational targets, monitor performance, and provide incentives for delivering against those targets; and ● finish and roll out its new casework model to support caseworkers, minimise handovers and identify ineligible cases as quickly as possible. 	<p>In progress</p> <p>CICA:</p> <ul style="list-style-type: none"> ● Published its Corporate Plan in April 2008, which includes its KPIs; the associated targets; corporate values and an action plan. ● Published a Performance Management Framework in June 2008, which links personal objectives to organisational targets and which clearly sets out the key operational targets and how these will be measured. ● Since March 2008, it has reported monthly to its sponsor department on progress against targets using a balanced scorecard approach. It will continue to work closely with the Tribunal Service to identify and implement improvements in the service provided to applicants across the whole of the claims process. ● The First-tier Tribunal (Criminal Injuries Compensation), hereafter known as (TS-CIC) also has a full Performance Framework in place, which links personal objectives to organisational targets. The Tribunal Service is committed to moving, from April 2010, to a target that measures time taken from when they were logged into the system, to disposal of all tribunal cases. ● The TS-CIC and the Authority have held two workshops to develop further the caseworking model and explore the interdependencies between the appeal stage and earlier stages in the decision making process. ● The TS-CIC and the Authority continue to meet on a regular basis and are working together to introduce changes that will reduce processing delays and improve efficiency in decision making at the appeal stage.
<p>PAC Recommendation (8)</p> <p>The Authority returns only 2% of application forms immediately on the grounds of incompleteness which leads to cases which cannot be processed clogging up the system. To increase the number of ineligible applications that are identified at this early stage it should put more experienced staff on the initial application review stage and provide training.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Before the caseworking process, applications are checked for completeness and applicants contacted regarding any missing information. Around 15% of applications are returned because they are incomplete. ● More of the available caseworking resource is concentrated on the early stages of the caseworking process to ensure that all calls are answered by fully trained staff. The basic service has been available since July 2008 and the recruitment and training of new staff was completed in March 2009.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (9)</p> <p>The Authority relies on information from third parties to assess eligibility in 98% of cases but police forces, hospitals and General Practitioners often fail to meet the 30-day response deadline required by the Code of Practice for Victims of Crime. To improve performance in deciding cases:</p> <ul style="list-style-type: none"> ● the Authority should improve relations with GPs and hospitals in the short term and over a longer timescale, develop other ways of gathering medical information to decide cases; ● the Authority should review its forms to check it requires all the information requested and to make them easier to complete; ● the Ministry should discuss with the Home Office and the Association of Chief Police Officers how to improve the individual performance of police forces against the requirements of the code. Similar action will be required by the Scottish Government with respect to the Association of Chief Police Officers for Scotland. 	<p>In progress</p> <p>The Authority:</p> <ul style="list-style-type: none"> ● Has liaised with the British Medical Association and commenced work to improve and streamline the collection of medical information by March 2010. ● Has requested that applicants enclose Accident & Emergency reports with their applications since November 2008, to provide timely access to basic medical information. ● Has established regional case-working teams to work with local police forces and medical authorities. ● Is working with the Associations of Chief Police Officers (ACPO and ACPOS) and other relevant bodies to agree the best way of collecting information from police forces and to redesign the forms accordingly. This project is underway and due for completion in 2009. ● Since the introduction of the Victims' Code in 2006 in England and Wales and the requirement for police forces to return forms within 30 days, the proportion of forms returned on time has improved.
<p>PAC Recommendation (10)</p> <p>Since 2000, the Authority has introduced operational policy changes incrementally and without fully considering their impact, which have had the cumulative effect of increasing processing times. Before introducing any further changes to its operational policies or working practices, the Authority should consider the likely impact on processing times and assess whether the benefits of change outweigh any increases to processing times or unit costs.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Authority intends to continue to pilot new approaches in order to satisfy itself that there will be no unexpected impact on operational performance or cost. ● The new regional set up provides the Authority the scope to test a number of approaches under controlled conditions. Once piloted, any 'changes' will be reviewed by the Management Board before implementation.
<p>PAC Recommendation (11)</p> <p>Increases in the time taken to resolve cases and increased costs have led to a real terms increase in the Authority's administrative costs per case of over 50% between 1998/99 and 2006/07. The Authority should monitor the administrative cost per case and set targets to reduce the cost per case in real terms for each of the next three years.</p>	<p>Implemented</p> <p>Targets have been set to reduce administration costs to less than £350 per case in the next three years. The initial target, which is already being met, is to bring the cost per case to below £380. Following the introduction of a new case-handling system this target will be reviewed to see if greater administrative efficiencies can be achieved.</p>

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (12)</p> <p>There has been a real terms increase of 15% in the Panel's cost per appeal between 2005/06 and 2006/07. The Tribunals Service should examine why this is and cut costs, looking particularly for economies of scale.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Additional costs have been incurred to strengthen areas of TS-CIC's work, such as IT, Health and Safety and Learning and Development. ● However, estimated savings of £550,000 per annum have been achieved by combining Glasgow and London operations into a single Glasgow location. ● This enables the TS-CIC to work closely with the Authority and create a centre of excellence as well as allowing the TS-CIC to benefit from economies of scale and consolidate non-jurisdiction specific work with other Tribunals.
<p>PAC Recommendation (13)</p> <p>The Ministry has not set rigorous performance targets for the Authority and the Panel nor held them accountable for their performance. Only from 2006 did the Ministry take substantive action and only now does it plan to introduce an accountability and performance management framework. The Ministry should:</p> <ul style="list-style-type: none"> ● operate the framework to include regular and effective monitoring of the performance of the Authority and the Panel against its targets; and ● introduce a systematic process to review the performance of all its Executive Agencies and Non-Departmental Public Bodies regularly so that it can react quickly to poor performance and recognise and disseminate good working practices. 	<p>Implemented</p> <ul style="list-style-type: none"> ● The MoJ has created a new Business Group (Access to Justice) which includes a dedicated unit to monitor the performance of its Arms Length Bodies and to share best practice. ● This unit scrutinises KPIs at the beginning of the financial year and then meets with Arms Length Bodies as part of performance review and monitoring discussions. ● The Chief Executive Officer of the Authority is part of the Business Group's Senior Management Team, which meets quarterly to discuss performance within the Group.
<p>PAC Recommendation (14)</p> <p>The Ministry only met five of our predecessors' sixteen recommendations in full even though witnesses at Committee hearings are responsible for implementing the recommendations they sign up to in the Treasury Minute. The Ministry now plans to appoint an official to liaise with the National Audit Office and the Committee, and to monitor the Ministry's response to their recommendations. The Ministry should ensure that it has a senior official specifically tasked with tracking action on Committee report recommendations and reporting to the Accounting Officer regularly on progress. In addition, the Authority should report to the Committee on its progress before the end of the current Parliament. The Committee also looks to the Treasury to take a more proactive approach in future to following up the undertakings made by witnesses.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Each MoJ Business Group monitors progress against PAC report recommendations; receiving frequent up-dates from report and recommendation owners. ● MoJ has also given responsibility to a senior official, based in MoJ HQ, to monitor progress against all outstanding PAC recommendations. Updates on this work are provided to the Corporate Audit Committee to provide assurance to the Accounting Officer that sufficient progress is being made. ● The status of PAC recommendations are also being reported in appropriate departmental publications. ● The recommendation in the last sentence is for HM Treasury. The MoJ is complying with HM Treasury requirements to publish the status of recommendations in relevant departmental reports.

3. Legal Services Commission: Legal aid and mediation for people involved in family breakdown (fifty-first report published 16 October 2007)

This report 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.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>In around a third of cases, solicitors had not discussed the option of mediation with clients involved in cases of family breakdown. Under proposals out for consultation, the Commission intends that all clients seeking legal aid for representation in court are first assessed, by a professional mediator, on their suitability for mediation. The Commission should require mediators to maintain records of referrals and attendance, and of the decisions taken at these assessment meetings, evidenced by the mediator and client.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Under the LSC's standard contract, the mediator assesses suitability for mediation, unless an exemption applies, for example, in the case of domestic abuse or where there are imminent court proceedings. ● Mediators have been required to retain all client files and records for a minimum of three years, since April 2007. ● The LSC collects information on the source of all publicly funded mediation referrals. Currently 80% are Funding Code referrals, 5% are self-referrals and 2% are from courts. The remainder are from other sources such as Citizens Advice Bureaux and advice/counselling services. ● The LSC has agreed with the Family Mediation Council that decisions at assessment meetings or mediations should be evidenced by the mediator and client. Account managers have sampled a selection of service files to evidence that this has taken place.
<p>PAC Recommendation (2)</p> <p>Of the 148 people surveyed who commented on the quality of the mediation they received, 67 (25%) were dissatisfied. The Commission does not have sufficient information on the quality and effectiveness of individual mediators' work to be confident it is getting maximum value from legal aid funding, and that members of the public are achieving the potential benefits. The Commission should:</p> <ol style="list-style-type: none"> a) carry out regular user satisfaction surveys; b) incorporate measures of mediator performance into its quality assurance procedures including the proportion of cases in which agreement is reached; c) seek agreement from the UK College of Family Mediators, Law Society and Bar Council to share information about the quality of service provided by solicitors and mediators when funded by legal aid; d) revise its leaflets and online guidance to ask clients to copy to the Commission all complaints made to the complaints services of those professional bodies about legal aid funded work; e) in mediators' contracts include scope for financial penalties to be applied to the poorest performers including provision, ultimately, for contracts to be terminated. 	<p>In progress</p> <ul style="list-style-type: none"> ● (a) The Mediation Quality Mark requires comprehensive client satisfaction feedback. The LSC believes a more cost effective approach is to review a sample of these records to identify trends and understand client satisfaction levels. ● (b) A mediation provider Contract Management Review Criteria Report has been implemented. This will provide reports on individual mediation service performance and allows the Commission to work with mediation services to improve performance and take remedial action where it is appropriate. Results are reviewed quarterly and will underpin the contract award criteria from April 2010. Work is on-going to implement these processes into new auditing procedures. ● (c, d) Representative bodies and the Solicitors' Regulation Authority deal with all complaints about their members. LSC meet them regularly and address concerns regarding solicitor and mediator performance. ● (e) The LSC's audit activities include an assessment of performance against the quality requirements in the Mediation Quality Mark and the LSC only pay for work carried out by mediators who have passed the LSC's Competence Assessment; contracts can be terminated. LSC is also considering implementing enhanced performance management processes and will consult on the criteria for determining the quality of mediation services when new contracts are awarded from April 2010.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>Fee rates have acted as a financial disincentive for solicitors to refer clients to mediation. The new fixed fee scheme proposed by the Commission should give solicitors more incentive to refer clients to mediation. The Commission needs to evaluate the effectiveness of the new scheme after one year of its operation, to check whether it has increased the take up of mediation, encouraged earlier referrals to mediators, and led to faster resolution of cases.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● New funding arrangements for family cases were implemented in October 2007 and are designed to encourage solicitors to increase the referral to and take up of mediation. ● In the 12 months since the introduction of the new family mediation arrangements, the LSC has achieved additional savings of approximately £1m. This is as a result of a 2% increase in the proportion of cases going to mediation and a 1.6% increase in full agreements reached between October 2007 and September 2008. The LSC published a report on those findings in March 2009.
<p>PAC Recommendation (4)</p> <p>On average, a referral to court funded by legal aid costs around £930 more than a mediated case. In response to the National Audit Office survey of recipients of legal aid, 33% said they had not been told about mediation and, of those, 42% (or 14% of the total) said they would have been willing to try it, representing potential savings of up to £10 million a year. Mediation will remain voluntary, but the Commission should set solicitors and other advisers a target for the number of cases it expects to be resolved by mediation rather than referred to court, and review the target annually thereafter. Whilst mediation will remain voluntary, the Commission's guidance and information should highlight its benefits and this material should be made widely available, in public places such as libraries and surgeries.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● <i>Publicly Funded Family Mediation: The Way Forward</i> was published in August 2008, and set out the LSC's strategy for increasing the number of mediations. ● A Family Mediation leaflet is available. The Community Legal Advice (CLA) website and helpline promotes mediation with the latter offering a specialist advice service where clients are referred to a mediator, where appropriate, or to the Mediation Helpline. ● Evaluation of the new funding scheme (mentioned above) shows that there has been a 2% increase in the proportion of cases going to mediation and a 1.6% increase in full agreements reached between October 2007 and September 2008. ● LSC criteria for awarding contracts from 2010 will require solicitors to demonstrate strong links with local mediation services. ● The LSC has introduced in April 2009 KPIs for family solicitors, looking at mediation exemption reason use to ensure that those cases suitable for mediation are referred.
<p>PAC Recommendation (6)</p> <p>The Commission's management data on mediation referral and take up rates is poor, reducing the scope for comparison between suppliers. The Commission is currently developing a new supplier management database which will be implemented in October 2007 for solicitors undertaking family work and in April 2008 for mediators. The Commission plans to develop a client database to accurately identify clients across all schemes, including mediation. Meanwhile, it should use the supplier database to record variations in rates of referral to and take up of mediation, identify and investigate significant outliers, and, where necessary, take remedial action.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A mediation module of the LSC supplier management system will be developed and include the functionality to track individuals across all databases. The implementation date of April 2009 has been delayed as all LSC IT projects are being reviewed. The timescales for the completion of this review are currently unknown. ● In the longer term, all LSC databases will be replaced and, under the LSC's <i>Delivery Transformation Programme</i>, a client database will be created to allow clients to be properly identified across all schemes. ● Between October 2006 to September 2007, there were 40,180 exemption reasons used by solicitors against 32,747 between October 2007 and September 2008 a drop of 19%. Between October 2006 and September 2007, 21% of exemption reasons were because of domestic abuse, this dropped to 13.9% between October 2007 and September 2008. The existing proceedings rule during these periods also fell from 20% to 14.5%. These changes have markedly reduced the number of disputes that were previously exempt from the need to consider mediation.

4. Fines Collection

(tenth report published 31 January 2007)

This report examined the Ministry of Justice and Her Majesty's Courts Service (HMCS) on the information available on the payment of fines, how courts might set appropriate penalties and how they might increase and speed up the payment of fines.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>The Department does not know the number or percentage of offenders who pay their fine nor the amount of fines imposed each year that it is collected. Delays to the introduction of Libra, the Department's new management information system, mean that the Department does not have the basic information required to manage the collection of fines.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The LIBRA IT system is now fully rolled out in all magistrates' courts. Reports have been developed to provide the information and these will be rolled out in September 2009. ● The delay for the reporting indicators is due to weaknesses found during user acceptance testing. Solutions are being sought, and work is continuing to resolve these, so that business verification testing can commence.
<p>PAC Recommendation (2)</p> <p>The Department should replace the 'payment rate' as a measurement of performance with:</p> <ul style="list-style-type: none"> ● the number of offenders annually who pay their fine as a proportion of the number of offenders who have had a fine imposed in the year; ● the percentage of fines (by value) imposed in the year that are collected; ● the proportion of fines annually that require enforcement action; ● the annual change in arrears; and ● the number and value of cancelled fines, broken down by reason for cancellation. 	<p>In progress</p> <ul style="list-style-type: none"> ● The fine payment rate is reported in two forms: <ul style="list-style-type: none"> – Overall payment rate. – Payment rate excluding those that were administratively cancelled. ● In September 2009 the payment rate will be supported by a number of measures, which are being developed as recommended. ● Overall, £11m more was collected in 2007/08 than in the previous year.
<p>PAC Recommendation (3)</p> <p>The projected cost of Libra to March 2007 has increased by £52 million since the Committee last reported on it in January 2003 and IT contracts are to be retendered from early 2007. The Department should re-examine future expenditure on Libra and the changes to the IT contracts to determine whether all the expenditure is necessary, and whether it will have to pay twice for any services or equipment purchased as part of the Libra contract.</p>	<p>Implemented</p> <p>The LIBRA IT system is now fully rolled out in all magistrates' courts. Expenditure was re-examined and it was both necessary and not double counted.</p>

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (4)</p> <p>In 2004/05, £69 million of fines were cancelled at a cost of some £28 million. The Department for Constitutional Affairs stated that the main cause of cancellations is fines being set at too high a level, but cannot provide a detailed breakdown of the reasons. The Department should take action to reduce the number of cancelled fines by:</p> <ul style="list-style-type: none"> ● reminding legal advisers to provide magistrates with the information from the means forms and the offenders' history of fines payment, so that magistrates can set fines at an appropriate level; ● requiring legal advisers to record the reasons for cancelling fines; and ● analysing the reasons for cancellations to identify ways to reduce their number. 	<p>In progress</p> <ul style="list-style-type: none"> ● The LIBRA system has the ability to record the reason why a fine was cancelled. ● In 2009 we will issue guidance to enforcement teams and legal advisors, which will reinforce the need to record the reasons for cancelling fines. ● A DVD has been produced by HMCS Enforcement entitled '<i>That Fine is Payable Now</i>' and approved by the Judicial Studies Board. This has been sent out to all regions for distribution to magistrates. One of the recommendations in the DVD is that a means form is obtained in every case where a defendant appears in court.
<p>PAC Recommendation (5)</p> <p>The availability of means information forms varied from 5 to 67% in different areas. Devon and Cornwall makes more effort to collect means information forms and achieves higher levels of payment from offenders. The Department should disseminate good practice from Devon and Cornwall, recommending that:</p> <ul style="list-style-type: none"> ● forms are sent to defendants before the hearing and also made available (with pens) on the day, if necessary; ● ushers and legal advisers work together to encourage defendants to complete forms prior to the case; and ● communications with defendants prior to the hearing impress upon them the requirement to provide the means form ahead of the hearing. 	<p>In progress</p> <ul style="list-style-type: none"> ● The Sentencing Guidelines Council introduced new guidelines to magistrates in August 2008. The setting of the fine amount is now a combination of the seriousness of the offence and the net income of an offender (net income is required on the means form). Outgoings are not needed for setting the level of a fine unless they are 'out of the ordinary'. However this data is still collected to inform payment terms and enforcement purposes. ● Means forms are currently being reviewed and revised with stakeholders. The new forms are due for dissemination in June 2009. ● Publication of the means Form has slipped, as there was considerable interest from many stakeholders. HMCS decided to take extra time to work with these stakeholders in improving the means Form. This will now be published in July 2009. ● The Department will study the feasibility of making available to the magistrate any information that has been completed by defendants, for the purpose of obtaining legal aid, where means forms are not available. ● The good practice from Devon and Cornwall has been incorporated into the <i>Criminal Compliance and Enforcement Services Blueprint</i> mentioned overleaf in Recommendation 7.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (7)</p> <p>The National Audit Office’s review of fines found that only one in twenty fines is paid on the day of the hearing; half of fines are paid in full after six months, and two thirds of fines require enforcement action. The Department should increase the proportion of offenders who pay on the day of the hearing by:</p> <ul style="list-style-type: none"> ● emphasising in the guidance provided to defendants before the hearing that any financial penalties imposed are payable immediately; ● offering attachment to earnings orders or deduction from benefits as the only alternatives to full payment or the setting up of a payment plan on the day; ● disseminating to all areas the success achieved by magistrates and court officials in Devon and Cornwall in increasing the number of offenders paying immediately by following a more proactive policy of payment on the day; and ● requiring HM Courts Service staffs to review the layout of courts to overcome the problem of some offenders, who undertake to pay their fine on the day, leaving court without payment. 	<p>Implemented</p> <ul style="list-style-type: none"> ● HMCS has published the <i>Criminal Compliance and Enforcement Services Blueprint</i>, which sets out the criminal enforcement strategy from 2008 to 2012. The strategic objective is for a cheaper, faster and more proportionate system that focuses primarily on ‘first time’ compliance, whilst continuing to apply the principles of rigorous enforcement to the hard-core of defaulters. The <i>Blueprint</i> builds on and includes the good practice of Devon and Cornwall and emphasises the importance of early compliance and payment on the day. ● The means form currently also states that defendants should remember to bring a method of payment with them so they can pay any fine on the day it is given. We are looking to strengthen this as part of the design review of the means form. ● Magistrates already have the power to make an ‘Attachment of Earning Order’ or a ‘Deduction from Benefit’ where payment of the fine is required to be made forthwith and the offender fails to do so. Magistrates’ courts have had the power to make mandatory deductions from benefits and attachments of earning for all offenders sentenced to pay compensation, so that victims receive their money sooner. ● HMCS is also delivering the ‘Modernising Money Handling Programme’, which will introduce an increased range of payment methods to all magistrates’ courts, with an emphasis towards electronic payment methods, including payment cards, standing orders and automated channels for making payment by debit/credit cards including by both telephone and on-line. ● Accepting cash payments raises security concerns and systems must be in place to ensure staff are not put at risk and to enable safe collection and transport. For this reason fines collection offices are usually located away from the court rooms, often within the main office facilities, as the areas outside courtrooms are often congested with those waiting for hearings. Therefore the security and safety requirements of staff and the public cannot be met.
<p>PAC Recommendation (9)</p> <p>Some Civilian Enforcement Officers work fixed hours at times when defaulters are unlikely to be available. Civilian Enforcement Officers’ contracts should be renegotiated so that they work flexible hours and are available to visit defaulters when they are more likely to be at home.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Many Civilian Enforcement Officers work flexible and varied hours. As a part of the <i>Criminal Compliance and Enforcement Services Blueprint</i> we are encouraging courts to look at more flexible and efficient ways of working for bailiffs and Civilian Enforcement Officers. ● There is no plan to renegotiate the contracts of those who remain on previous contracts.

5. The Electronic Monitoring of Adult Offenders (sixty-second report published 12 October 2006)

This report examined the Home Office (now the Ministry of Justice), the National Offender Management Service and the two contractors on the robustness of electronic monitoring and its use in rehabilitating offenders.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>60% of the prisons that release prisoners on Home Detention Curfew do not have access to the Police National Computer to check criminal records. Their records therefore have to be posted from a prison with access to the Police National Computer, which can delay the release of prisoners. The Home Office should implement a timetable for providing all prisons that release prisoners on Home Detention Curfew with access to the Police National Computer.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The majority of prisons with Police National Computer (PNC) access are local prisons, which have the most urgent need for previous conviction data. ● There is no direct PNC link planned for all prisons. This should already be recorded on the prisoner's record, but if it is not available, prisons without direct access to PNC can obtain the data through a partnership arrangement with an establishment linked to PNC. These arrangements are judged to be adequate. ● The Deputy Director General of HM Prison Service wrote to Governors in 2007 drawing their attention to the requirement that PNC information will be placed on the prisoner's record.
<p>PAC Recommendation (4)</p> <p>Home Detention Curfew eligibility assessments are not routinely sent with prisoners when they are transferred between prisons. We recommended in a previous report that all records should be transferred with prisoners when they are moved between prisons. Until all records are available electronically to all prisons, the Prison Service should transfer all paperwork associated with eligibility assessments with prisoners, to prevent duplication of effort and to help prisoners to be released on their eligibility date.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The transfer of eligibility assessments for Home Detention Curfew (HDC) is a system task to be included in the IT programme, NOMIS, to transfer records electronically and automatically. Roll out is due between 2009 and 2010. ● HDC Clerks have been reminded that paperwork must be sent promptly.
<p>PAC Recommendation (6)</p> <p>There is insufficient evidence available to determine whether electronic monitoring helps to reduce reoffending or promote rehabilitation. The Home Office should carry out further research to establish the role that electronic monitoring could play in reducing reoffending. It should make the results of the research available to courts and prisons, which make decisions on whether to place offenders on curfews.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Following initial assessment of the data available and scoping of the work required in 2007, Offender Management & Sentencing (OMS) Analytical Services identified the need for a feasibility study into the impact of curfew orders on reoffending. ● The London School of Economics has been contracted to draft a report and publication is expected by mid 2009.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (8)</p> <p>Prisoners released on Home Detention Curfew are not able to continue with any education or training which they were undertaking in prison. The National Offender Management Service should ensure that Probation Officers work with prisons to help offenders continue with their education when they are released on Home Detention Curfew.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● There is a contractual requirement for OLASS (Offender Learning and Skills Service) contractors to ensure education/training continues to be provided. ● This recommendation has been superseded by the NAO's 2008 report <i>Meeting Needs? The Offenders Learning and Skills Service</i> and the similarly titled PAC Report (HC 584). The Department for Innovation, Universities and Skills will report against these subsequent recommendations.
<p>PAC Recommendation (9)</p> <p>Offenders given Adult Curfew Orders are not given specific help to access education and training or to find work. The Home Office should set out measures that Probation Officers should take to help offenders on Curfew Orders access education, training or work to complement any rehabilitative remedies ordered by the courts.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Where the court is of the view that education or training is needed, the court should impose an Activity Requirement alongside a Curfew Requirement. ● Where a probation officer identifies an education and/or training need, they are expected to draw this clearly to the court's attention in the Pre-Sentence Report.
<p>PAC Recommendation (12)</p> <p>The Home Office has recently obtained real-time access to the contractors' databases. The Home Office should use this access to carry out independent monitoring and auditing of the contractors' performance and it should publish information on their performance where this does not undermine the effectiveness of curfews.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Electronic Monitoring Data Access Service (EMDAS), which this recommendation refers to, was closed in 2007, as it failed to meet Ministry of Justice audit standards. ● The National Offender Management Service (NOMS) audit process has been strengthened, and companies now have their own internal audit systems which are in turn audited by the Ministry of Justice. ● An Electronic Monitoring section on the NOMS website is planned for 2009.
<p>PAC Recommendation (13)</p> <p>The Home Office made ex-gratia payments totalling some £8,000 to two offenders because it could not prove whether they had intentionally damaged monitoring equipment. The Home Office should instruct contractors to retain monitoring equipment when there is a dispute over the reason for an apparent breach, so the facts of such cases can be proven. It should incorporate it into any future contracts.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A Contract Change Notice to implement this recommendation has been drafted, and it is due to be in place by mid-2009.

6. Serving Time: Prisoner Diet and Exercise (fifty-sixth report published 19 July 2006)

The Committee examined the Prison Service's progress on catering since it last reported in 1998 and how prisoners' access to nutritious food and exercise could be improved.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (4)</p> <p>The Prison Service has not yet reacted to research completed in 1997, which indicated a link between nutrition and behaviour. The Prison Service should arrange for further research to be carried out into this subject. It should agree a timetable with its research partners to carry out further research, or if they are unable to deliver suitable research within an acceptable timetable request that the Home Office Research Development and Statistics Directorate fund the research.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Approval to undertake research at two sites in England and one in Scotland has now been given. It is estimated that this independent research will last for three years.
<p>PAC Recommendation (5)</p> <p>Over half of prison kitchens provide training so that prisoners can achieve National Vocational Qualifications (NVQs) in catering. The Prison Service should expand the number of prisons offering catering NVQs to make them available at all prisons, if necessary through modular courses where turnover is high, as we previously recommended.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● In a survey conducted in 2007, 60% of kitchens could offer NVQs in catering skills, and further work identified what other catering qualifications could be offered. For example accredited qualifications in food safety from: <ul style="list-style-type: none"> – the Royal Institute of Public Health or equivalent is available in all establishments to all food handlers; and – the British Institute of Cleaning Science programme is offered in the majority of establishments.
<p>PAC Recommendation (6)</p> <p>The cost of food per prisoner per day varied by over 180% between the cheapest and the most expensive in 2004/05. Variation is to be expected between different types of prison, but there were also large variances between prisons of the same type. The cost of food at male Young Offenders Institutions varied by 95% between the lowest and highest. The Prison Service should investigate large variations in food costs and quality of catering between prisons and identify good practice from the more cost-effective prisons for adoption by those with relatively high costs or poor quality of catering.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A number of initiatives have been undertaken to improve food purchasing. Food pricing is now managed through four key national contracts and central maintenance of catalogues covering the majority of items. A smaller supplier base also helps ensure cost consistency. ● Prison Service contracts ensure that suppliers mix long term contracts with spot buying to take advantage of seasonal produce and market over-supply. ● The profit element of each price is fixed for the life of the contract, so suppliers cannot increase their profits by increasing product prices. All other elements of price are adjusted only when fully validated by reference to agreed indices. ● Further benefits will be realised through the wider NOMS Specification, Benchmarking and Costing Programme to create a framework of costed service specifications covering the entire NOMS business.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (7)</p> <p>Some Muslim prisoners were refusing halal meals offered by prisons, because they did not have confidence in prisons to provide appropriately prepared religious meals. As part of its catering audit, the Prison Service's Standards Audit Unit should monitor whether prisons meet the Prison Service's own instructions for the provision of halal meals. The Prison Service should work with prison caterers who are successfully catering for religious diets, Muslim leaders and religious prisoners, to disseminate good practice to all prisons.</p> <p>Although prisons took steps to avoid cross contamination, some 25% of them were unable to store halal meats separately from other (haram) meats. The Prison Service should identify the prisons that are unable to store meats separately and the reasons for this limitation. It should implement a programme for rectifying the problems, for example by providing additional refrigerated storage.</p> <p>Some 70% of prisons did not use separate equipment for the production and serving of Muslim food. The Prison Service should confirm whether all prisons are making use of the newly provided separately labelled equipment.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Wide consultation has been taken forward on revisions to the Catering Manual which sets mandatory actions and minimum service requirements for caterers. ● Distinctively coloured utensils have been introduced for use with halal food at all food serving points in prisons. ● Annual instructions are issued to prisons on appropriate catering during Ramadan. ● Where storage is limited, halal products will be stored in an isolated designated area, on a separately labelled, higher shelf, to avoid any cross contamination.
<p>PAC Recommendation (8)</p> <p>The Prison Service did not compare the cost and quality of catering against external organisations. It should compare its catering operation with other organisations; use the results of this research to identify transferable ways of reducing costs and improving the quality of catering; and implement a programme to adopt these improved processes.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● NOMS works closely with other government departments through the Food Collaborative Procurement Strategy which is facilitated by OGC, and includes all areas of government that purchase food, including NHS Supply Chain and the Ministry of Defence. ● The objectives of this group include those identified in the recommendation and are applied across all government departments involved in the strategy.
<p>PAC Recommendation (9)</p> <p>The cost of physical education per prisoner varied by over 175% between the cheapest and the most expensive prisons visited by the National Audit Office in 2004/05. Variation is to be expected between different types of prison but there were large variances between prisons of the same type. The cost of physical education at male local prisons visited by the National Audit Office varied by 68% between the lowest and highest. The Prison Service should investigate large variations in the cost and provision of physical education, and disseminate good practice from prisons providing high quality physical education cost effectively, including the use of civilian instructors.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Across the estate, there are wide variations in prison population, regime resources and physical education (PE) facilities and therefore variation between services provided. ● A system of PE reviews, which identify the opportunities for increased effectiveness or efficiency savings within PE have been introduced. ● Provision and analysis of PE will be part of the wider NOMS Specification, Benchmarking and Costing Programme, to create a framework of costed service specifications covering the entire NOMS business. ● Further information, which also covers this recommendation, can be found in the progress report against <i>Recommendation 10</i>, opposite.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (10)</p> <p>Across the prison estate only around 40% of prisoners participated in exercise. The Prison Service should take steps to improve the take up of exercise, in particular by the groups who could most benefit from physical activity, by for example:</p> <ul style="list-style-type: none"> ● Identifying the prisons which achieve the best participation rates for each type of prison, such as Huntercombe Prison, and disseminating the good practice learnt at those prisons across the estate; ● Identifying the prisons that do not have a full programme of activities at evenings and weekends and extending the availability of exercise at these prisons so that prisoners who work or are in education during the day can participate in the activities, for example by re-arranging staffing patterns and introducing more civilian instructors; ● Monitoring the range of activities available at women's prisons and encouraging prison Governors to widen the range of activities offered to better reflect the needs and preferences of women prisoners. 	<p>Implemented</p> <ul style="list-style-type: none"> ● Current figures, taken from establishment submissions (April to February 2008/09) for prisoner participation levels indicate an increase in the number of prisoners accessing PE activity. The figures from 2007 to 2008 were 53.61% and this years figure to date is 57.64%, an increase of 4.03%. The figures for the female estate also show an increase from 42.48% to 50.61% an increase of 8.13%. ● Running PE in times outside of the core day can be expensive and is often not a good use of resources. Our preferred strategy has been to maximise activities during the core day. Regular PE Reviews provide the opportunity to increase PE provision by maximising facilities through the efficient and effective use of staff. Of the reviews completed, increases of between 13% and 108% in PE activity hours throughout the week have been realised. ● PE Departments are required to carry out a six-monthly review of prisoner needs in order to inform PE programmes. Facilities and staff training requirements often dictate the activities available. To develop further the service for women prisoners, a workshop was held in autumn 2008 bringing together PE Managers in women's prisons to share good practice.

7. Dealing with increased numbers in custody (forty-fourth report published 6 June 2006)

The Committee examined the Home Office, the Prison Service and the National Offender Management Service on the challenge of, and actions taken to accommodate record numbers of prisoners and the impact on education and other training for prisoners.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>The Prison Service accommodated a rise of some 17% in the prison population between 2002 and 2004 without significant prisoner unrest, reflecting the professionalism of those working in the Service. Rising prisoner numbers are nevertheless a major operational challenge for the National Offender Management Service (the Service).</p>	<p>Implemented</p> <p>NOMS and MoJ have met the challenge of rising prisoner numbers by providing additional capacity.</p> <ul style="list-style-type: none"> ● The delivery of new accommodation has been brought forward to address the immediate population pressures; these have already had an effect. ● Total capacity increased by over 3,300 places in 2008 (not all new build; includes building programmes, additional crowding measures and cell reclaims). ● Around 2,000 places are planned for delivery in 2009 as part of the prison Capacity Programme. ● This new accommodation enables us to manage the current high level of the population more effectively. We have not used police cells to hold prisoners under Operation Safeguard since 22 September 2008, and no police cells have been on standby since the end of October 2008. ● During 2008 court cells were used to hold prisoners between the night of Tuesday 5/6 of February (excluding Fridays) and the night of 28/29 of February. No court cells have been used since then to hold prisoners overnight.
<p>PAC Recommendation (2)</p> <p>Predicting future prisoner numbers is difficult because factors such as the level of crime, securing of convictions and court sentencing practice are outside the Prison Service's control. Flexibility in accommodation plans is therefore critical to absorbing successfully new prisoners arriving from the courts, and the Prison Service should put in place contingency plans which respond to the range of outcomes from its ten forecast scenarios, only two of which suggest the prison population will remain below 80,000.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Since the PAC's recommendations, prison population projections have been revised and are now based on three scenarios (low, medium, high). These projections published on 18 September 2008 identified a high scenario of 96,000 by the end of June 2015, assuming some increase in sentencing severity. ● NOMS are expanding the prison estate capacity to 96,000 prisoner places by 2014 and have added 5,000 places in the last two years. ● The Carter Review (2007) made a number of recommendations to ensure that increasing demands on both custody and the community in the short, medium and long term are met. One of these, the alignment of supply and demand is a key strategic priority for NOMS and the wider MoJ, and developing a more strategic response to managing the demand for offender services is critical. A monthly Supply and Demand Programme Board, chaired by NOMS' Chief Operating Officer, considers short to medium term alignment. Medium to long-term alignment is undertaken by MoJ Offender Management Strategy Directorate.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (3)</p> <p>Of approximately 77,000 prisoners at September 2005, just over 10,000 were foreign nationals. The Home Office has failed to consider deportation of these foreign national prisoners prior to their release from prison. As a result, 1,023 of such prisoners have been released without being considered for deportation. The Government now proposes to strengthen the legal regime for such deportations. If there is to be any lasting improvement, however, the Home Office will need to maintain accurate records of foreign prisoners throughout their sentences, and establish effective communication between its Immigration and Nationality Directorate and HM Prison Service on each individual prisoner.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● On 19 January 2009, out of approximately 81,900 prisoners, around 11,500 were foreign national prisoners (FNPs). ● Monthly NOMS/UK Border Agency (UKBA) liaison meetings are being held at Director level to ensure that all issues and initiatives are identified and resolved as they arise. ● Since 1 August 2008, the automatic deportation provisions contained within the UK Borders Act 2007 have been implemented. Any non-EEA foreign national given a custodial sentence of 12 months or more, as well as those who were still serving their sentence but have not received a notice of intention to deport them, will be subject to these automatic deportation provisions. ● Initiatives are underway to embed specialist regional immigration teams in a number of prisons to facilitate the early identification and the deportation of foreign prisoners and act as points of contact for the specific region's prisons. In conjunction with this, NOMS are rationalising the number of prisons holding FNPs, allowing more effective working by the embedded teams. ● <i>Following a recommendation from the Prime Minister's Delivery Unit (PMDU), NOMS and UKBA agreed, on 1 May 2009, a service level agreement covering the effective management and speedy removal of FNPs. This allows for a flexible plan for reducing time-served FNP numbers held in prison. It also allows for better exchange of forecasting and performance information to improve planning and increase effectiveness. Rationalisation of the number of category C prisons holding FNPs to support the 'spoke and hub' model recommended by PMDU is also included.</i> ● UKBA exceeded their 2008 target by deporting or removing more than 5,000 foreign national prisoners.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (4)</p> <p>Another 13,000 of these 77,000 prisoners were on remand. The Service estimated that up to 30% of remand places could be freed, based on the numbers remanded into custody who, when convicted, do not receive a custodial sentence. The National Offender Management Service could reduce the prison population by encouraging greater use of alternatives to remand such as electronic tagging in appropriate cases.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● We continue to encourage the use of alternatives to custody such as electronic tagging. The caseload of adults tagged on bail was 3,172 on 31 December 2008, up from 2,272 on 31 December 2007. ● NOMS also introduced the 'national' Bail Accommodation and Support Service from 18 June 2007. This service provides housing and support services for defendants (and is particularly aimed at those who are otherwise unable to offer a bail address) and for prisoners released on Home Detention Curfew (HDC). At 18 May 2009 there were 235 defendants on bail (and 185 offenders on HDC) in this service. Up to that date 1,990 defendants (and 1,388 offenders on HDC) had been released to the service. At 15 May 2009 there were 190 properties providing 654 bed spaces. We are looking to increase this to 721 bed spaces by the end of July 2009. ● There has been a £40m investment in the Probation Service for 2008/09. This is being used to facilitate the use of community orders rather than short prison sentences where deemed appropriate by the sentencing court; and improve offender compliance with community orders and licences, reducing the need for breach and recall action.
<p>PAC Recommendation (5)</p> <p>Overcrowding at local prisons in particular can limit the Prison Service's ability to provide suitable levels of care, particularly to those starting sentences who may be at a greater risk of committing suicide. Around 700 prisoners are transferred to hospital each year as restricted patients under the Mental Health Act 1983. The Prison Service should evaluate quickly its new anti-suicide monitoring measures, and (with the Department of Health) mental health in-reach in prisons, to determine their effectiveness, and to make sure best practice is adopted across the Prison Estate.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The roll out of the new assessment and care-planning process for prisoners identified as at-risk of suicide or self-harm, ACCT (Assessment, Care in Custody & Teamwork), across the entire prison estate was completed in April 2007. The ACCT review is continuing with a number of consultation exercises planned. ● NOMS published a revised prisoner suicide prevention and self-harm management strategy in October 2007, including such issues as mental health, drugs, resettlement, leadership and training. ● There were 61 apparent self-inflicted deaths among prisoners in England and Wales in 2008, the lowest number since 1996. ● Over £24m was made available for mental health in-reach services. All prisons now have access to a mental health in-reach service. This includes mental health awareness training for prison officers and staff. Part of this funding has been allocated specifically to local prisons.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (6)</p> <p>The Service responded rapidly to rising prisoner numbers by building modular temporary units and brick clad steel framed units within the sites of existing prisons, but there were weaknesses in project planning and management, and contractors were used for work beyond their skill base. A failure to pilot test the accommodation led to problems such as leaks, condensation and security issues being identified only once the accommodation was in use. The Prison Service should build into its current contingency planning the lessons learned from having to respond quickly to rising prisoner numbers in 2002, including pilot testing of contingency accommodation options well before a peak arises.</p> <p>PAC Recommendation (7)</p> <p>Modular temporary units are expensive, having a short useful life, and costing nearly three times as much per prisoner place per year than the longer life brick clad steel units. The Service should meet future requirements through brick clad steel framed units rather than modular units, but should also evaluate whether cheaper and equally robust alternative pre fabricated construction models exist which can be installed more quickly than current solutions.</p> <p>PAC Recommendation (8)</p> <p>Modular temporary units are expected to last for only five years and will soon begin to reach the end of their life. The Service should draw up plans to replace them which allow sufficient time to provide contractors with adequate tender information; proper evaluation of potential contractors' ability to provide the full range of work needed and identification of other sources of expertise where necessary; early appointment of project managers; and pilot testing of new accommodation before roll-out.</p>	<p>Implemented</p> <p>We have learned lessons from 2002/03.</p> <ul style="list-style-type: none"> ● The capacity building programme will deliver the 20,000 new places through new modern purpose built prisons, expansions at existing prisons and more effective use of the existing estate. Many of these places provided on existing prison sites are in secure quick build accommodation which has replaced the Modular Temporary Units (MTUs) designs referred to in the recommendation. ● This new accommodation consists of traditional houseblocks, Rapid Build Residential Units (RBRUs) and other rapid build accommodation units together with a number of cell reclamation schemes. ● The houseblocks are of a traditional design and have a life expectancy of 60 years. The RBRUs are considerably more robust, user friendly and flexible than MTUs with a life expectancy of 40 years. These units and the other rapid build accommodation are the next generation on from the Ready To Use (RTU) units, which have been considered to be a successful accommodation unit. ● Further new quick build modular designs have been introduced with improved design and robust construction and with a life expectancy in excess of 40 years. ● Modular buildings are subjected to physical testing at inception stage to ascertain their performance and structural integrity. Testing is observed by both HMPS operational staff and contractors in order to obtain the widest feedback at as early a stage as possible in the design and development process to ensure suitability and value for money. ● NOMS Custodial Property Unit has surveyed the existing MTUs and concluded that with a low cost programme of repair works the units will be able to continue in use for a further five years beyond the original estimated five year life span.
<p>PAC Recommendation (9)</p> <p>Delays were caused to the temporary accommodation construction programme by each prison governor separately vetting contractors, and by daily entry and exit requirements which in one case reduced a seven hour working day to four. Such problems could be overcome by national vetting procedures for construction programmes of this kind, and by having sufficient civilian staff in place at the start and end of each day to carry out security checks on contractors' staff and equipment.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Centralised vetting for workers not directly employed will be delivered by the HMPS Shared Service Centre pending the successful outcome of a pilot being undertaken in the North East Area. To further refine the process, the pilot was extended to the spring of 2009 and will be rolled out during 2009/10. ● In the interim, prison establishments are aware that they should exchange security clearance information to avoid unnecessary re-vetting.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (10)</p> <p>Overcrowding results in prisoners being moved around the prison estate at short notice, disrupting education programmes intended to reduce the likelihood of reoffending. Our predecessors recommended in an earlier report that the Prison Service should take account of prisoner moves in planning and delivering its education programme. The Prison Service should now seek to avoid moving prisoners participating actively in educational programmes, and look to develop modular training programmes to facilitate continuance of education when a move is unavoidable.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Existing guidance requires prison Governors to consider regime and family contact issues before moving prisoners. This requires Governors, whenever possible, to avoid moving prisoners if it disrupts their participation in an educational course or treatment programme or their consideration for parole. ● This recommendation has been superseded by recommendation (b) in <i>Meeting Needs? The Offenders' Learning and Skills Service</i> (NAO, March 2008) and further progress reports will be made against that report.
<p>PAC Recommendation (11)</p> <p>The failure to transfer education and training records when a prisoner is moved leads to unnecessary re-assessment of training needs. Electronic transfer of records or a central electronic data access system should overcome this problem, but until such a system is in place the Prison Service should transfer all records when a prisoner is moved.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● This recommendation has been superseded by recommendation (f) in <i>Meeting Needs? The Offenders' Learning and Skills Service</i> (NAO, March 2008) and further progress reports will be made against that report.
<p>PAC Recommendation (12)</p> <p>Prisoners on short term sentences often receive little or no educational training even though such training would assist the offender in gaining employment on release, and hence reduce the likelihood of reoffending. The formation of the National Offender Management Service provides an opportunity to develop short courses targeted at such prisoners, linked to training available in the community, access to which could be facilitated by the Service when the offender leaves prison. We are planning a new study into the management of short sentenced prisoners as well which should shed more light on this issue.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● This recommendation has been superseded by recommendation (b) in <i>Meeting Needs? The Offenders' Learning and Skills Service</i> (NAO, March 2008) and further progress reports will be made against that report.

8. Facing Justice – tackling defendants' non-attendance at court (twenty-second report published 16 June 2005)

The Committee examined the Home Office (now Ministry of Justice for this report), the Court Service, the Crown Prosecution Service, the Office for Criminal Justice Reform and the Association of Chief Police Officers on whether they were taking effective action to improve performance in getting defendants.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>15% of defendants fail to attend court hearings, which undermines confidence in the criminal justice system, and is the second largest cause of ineffective trials in England and Wales in the year ended June 2004. The National Criminal Justice Board should make available on the internet and by other means data on the success rates of individual local criminal justice boards in achieving defendants' attendance at court, to encourage more effective joined up working by the criminal justice agencies and early sharing of good practice. The Board should consider 'naming and shaming' poor performing areas by issuing a press notice reporting local performance across the country for the attention of the local news media.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Attendance data are published but only as a national aggregate figure. ● Once the first quarter's data are available from LIBRA (IT system) we will assess the feasibility of: <ul style="list-style-type: none"> – a quarterly publication by area; and – identifying poor performing areas.
<p>PAC Recommendation (2)</p> <p>Currently no single criminal justice agency is responsible for communicating with defendants and hence for making sure that a defendant attends court hearings. The National Criminal Justice Board should require local criminal justice boards to agree protocols which establish with which criminal justice agency responsibility lies at each stage of the criminal justice process. They should also encourage greater use of written reminders, telephone calls and text messages to make sure the defendant attends.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● An inter agency bail agreement template was rolled out nationally in 2006, this includes communicating with the defendant from charge to court appearance. In August 2008, in response to the CJS Joint Inspectorate's report on why Peart/Joseph came to be at liberty on 29 July 2005, OCJR wrote to the chairs of LCJBs to remind them of the importance of putting in place and regularly reviewing inter agency bail agreements. ● Telephone reminders were piloted in 2005/06; 45% of defendants for whom a telephone number was obtained were contacted. This was not conclusive but did produce promising results and guidance was subsequently issued to areas on setting up telephone reminder schemes. ● Text reminders were piloted during 2007. An unexpectedly low number of defendants provided mobile phones numbers, which limited the numbers of reminders that could be sent by text. The majority of those who received this form of reminder attended the Court. However, the small sample did not provide sufficient evidence to support a national roll out.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>The effective management of the trial process depends partly on the charges brought against the defendant being right from the start. The views of the victim, the Police and where relevant any witnesses should be taken clearly into account by the Crown Prosecution Service in determining the charges to be levelled. The Crown Prosecution Service should communicate decisions on the charge and explain the rationale for its decision quickly and promptly to victims and witnesses.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● A Witness Charter has been published and is effective from 2009. ● Additional initiatives are providing more information, and the views of, victims and witnesses are sought.
<p>PAC Recommendation (6)</p> <p>The Courts do not always receive sufficient and timely advice when taking decisions on whether to grant bail or remand in custody, but unnecessary remand in prison adds to the cost of the criminal justice system and to prison population pressures. The number of bail information reports produced by the Probation Service for first hearings has fallen from 25,000 in 1996 to just below 10,000 in 2002. And in 2002/03 the Prison Service produced bail information reports for only 22% of eligible remand prisoners. The estimated cost of a remand in custody is around £4,000 compared to the estimated £60 cost of a bail information report. The Home Office should increase the number of bail information reports produced, targeting types of defendants most likely to be suitable for remand on bail.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● More resources have been devoted to bail information in prisons and in courts. ● Bail support and accommodation schemes have been introduced which enable bail information schemes to offer alternatives to the courts. A pilot scheme was introduced in Yorkshire and Humberside from November 2006. The 'national' Bail Accommodation and Support Service was introduced in June 2007 and provides housing and support services for defendants and for prisoners released on Home Detention Curfew (HDC). Up to 23 February 2009 1,657 defendants (and 1,183 offenders on HDC) had been released to the service and caseload was increasing. ● We have increased the use of electronic tagging, as an alternative to custody. The caseload of adults tagged on bail increased from 2,272 on 31 December 2007 to 3,172 on 31 December 2008. ● We have made tagging more attractive by introducing, from 3 November 2008, credit against a custodial sentence for periods of tagging on bail commencing on or after that date.

9. The Drug Treatment and Testing Order: early lessons (Tenth report published 9 March 2005)

The Committee examined the National Probation Directorate and the National Treatment Agency for Substance Misuse on the impact of the Order, improving the delivery of the Order, and reducing the risk of relapse.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>To confirm the Drug Treatment and Testing Order's suitability as one option for sentencing offenders who misuse drugs, the National Offender Management Service should undertake research on the outcomes for those who have been subject to an Order to identify the impact on reconviction rates and on reducing drug misuse, and to identify factors which contribute to a successful outcome. Evaluation of early pilots of the Order found 80% of offenders had been reconvicted within two years, but for those who completed the Order the reconviction rate dropped to 53%. Completion rates vary significantly, however, across the country, from 8% in Kent to 71% in Dorset.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Reconviction rates are now routinely published. The National Drug Treatment Monitoring System records an individuals' progress and is used to hold Drug Action Teams to account. ● The recently established Treatment Outcomes Profile (TOP) will build the evidence for factors which contribute to successful outcomes. ● The Department announced (27 October 08) the extension of pilots of the Dedicated Drug Court model. The model: <ul style="list-style-type: none"> – aims to ensure more effective use of information available about offenders from earlier interventions through more effective inter agency working in the magistrates' courts, to ensure all relevant information about the offender is before the court where required. – introduces dedicated panels of magistrates and District Judges to handle offenders who commit acquisitive crime to fund their drug addiction. These panels of magistrates and judges will sentence such offenders and, where a Community Order with a Drug Rehabilitation Requirement (DRR) is made, the same magistrates or District Judges will review their progress. The continuity of judiciary aims to motivate offenders to comply with the order. Early evaluation findings provide positive indications that such increased continuity of judiciary will produce a lower likelihood of missed court appearances by offenders, a higher likelihood of sentence completion and a lower likelihood of reconviction.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>An emphasis on commencements may encourage use of the Order in inappropriate circumstances, and for offenders whose aim is largely to avoid imprisonment with little real intention of engaging with the Order. Better use should be made of the time between arrest and sentence to assess an offender's suitability for the Order and to build and sustain his or her motivation to engage with the Order.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Where offenders are referred from custody suites or early court appearances (via the Drug Intervention Programme) ongoing assessment and motivational work takes place prior to the DRR being made. ● Monitoring and reporting to ensure that this happens is achieved via the Drug Intervention Record.
<p>PAC Recommendation (4)</p> <p>Content of local programmes has been left to the discretion of local probation teams by the National Offender Management Service and hence the types of activity offered vary significantly across the country. Local programmes should focus on educational and vocational training to raise basic skill levels, and to increase offenders' opportunities to gain employment.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● <i>Reducing Reoffending through Skills and Employment: Next Steps</i> was published in December 2006, and every region now has a Reducing Reoffending Partnership Board including a Pathway Board for skills and employment. ● Since 2006/07, the National Probation Service has a target for offenders to be placed into sustained employment. ● The Offenders Learning and Skills Service links to the Learning and Skills Council to ensure access to a full range of educational options.
<p>PAC Recommendation (5)</p> <p>The National Offender Management Service should monitor the performance of local probation teams in delivering the number of contact hours with offenders expected by the courts and set down in Home Office guidelines. Where performance falls short of the required minimum of 15 hours per week in the first 13 weeks, and 12 hours thereafter, the Service should explore why, and take action with the local team to resolve any difficulties such as staff shortages or accessibility of treatment.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The required contact hours for offenders subject to the Drug Rehabilitation Requirement are different from the Drug Treatment and Testing Order (DTTO) requirements in that they differ according to the level of intensity of the order. High intensity orders require 15 hours contact per week, medium intensity require eight hours per week and low intensity orders require one contact per week. ● Contact arranged with offenders in the first 16 weeks has been maintained at 85% of that expected by the courts to date in 2008/09. ● Compliance is monitored by NOMS through the National Standards Monitoring Audit Returns (NSMART). Action Plans are developed with probation areas that do not meet the standard to aid future improvement.
<p>PAC Recommendation (6)</p> <p>The National Offender Management Service should make sure that a consistent approach to enforcement of the Order is taken across the country to maintain the credibility of the Order as an effective punishment with local communities. The Service should also seek to reduce the costs and time associated with breach activity by streamlining the paperwork required so this does not act as a disincentive to probation teams to take timely action.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● National Standards for the Supervision of Offenders set out requirements for the supervision and enforcement of the orders. Compliance with National Standards is audited and published as NSMART. ● Current data shows a 94% compliance rate for orders (including Drug Rehabilitation Requirements) breached within ten days.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (7)</p> <p>The National Offender Management Service should work with local housing agencies and the voluntary sector to enable those offenders making progress to break free of a lifestyle which might draw them back into criminal behaviour.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Guidance (Home Office) has been issued to local partnerships which seeks to improve access to accommodation for drug users in treatment by: <ul style="list-style-type: none"> – updating guidance to local authorities about the needs of vulnerable people; – publication of a rough sleeping strategy; – investment in supporting people and adults facing chronic exclusion programmes; – engagement of Probation Areas in Local Area Agreement processes to prioritise National Indicator 143 (offenders in settled accommodation at end of order or licence).
<p>PAC Recommendation (8)</p> <p>The National Offender Management Service and National Treatment Agency for Substance Misuse should have effective arrangements in place to maintain support and treatment for those coming off the Order, for example through protocols agreed by probation and drug action teams. Research by the Department of Health has shown that it can take many years to give up drug misuse, so drug misusers are likely to require treatment and support over a sustained period before they achieve abstinence. Around 71% of current Drug Treatment and Testing Orders are, however, intended to last around twelve months, and some as little as six months. Continued support and treatment beyond the term of the Order may be critical to ultimate success.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The establishment of the Drug Intervention Programme placed a requirement on every Drug Action Team to commission aftercare treatment provision for people in the criminal justice system, including those exiting the DRR. Delivery at local level is via the Criminal Justice Integrated Teams (CJIT). National guidance was issued by the Drug Intervention Programme. ● A probation circular was issued in December 2007 instructing Probation Areas that after an order, offenders must be referred to CJIT for continued treatment. ● The Drug Intervention Record (DIR) monitors and records that an individual has been referred to CJIT and that they have a care plan in place. NOMS and the NTA monitor performance through data from the DIR.

10. The Management of Sickness Absence in the Prison Service (first report published 18 January 2005)

The Committee examined the National Offender Management Service of the Home Office and HM Prison Service on the factors influencing the Prison Service's attainment of its target; on whether long term sickness absences have been managed effectively; whether managers were able to motivate and encourage staff to attend; and the extent to which implementing new systems and procedures had impeded progress.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>The Prison Service should consider the costs and benefits of not paying staff for the first three days of any period of sickness absence in line with the approach used by private sector prisons to manage sickness absence.</p>	<p>In progress</p> <p>Terms and conditions of employment relating to sick absence are reviewed periodically. The Service has had some discussion with Cabinet Office and is aware that other government departments have also raised, but none have implemented, changes to Civil Service wide sick pay arrangements. The consistency agenda limits the scope for individual departments to implement changes to the Civil Service sick pay arrangements.</p>

11. Youth Offending: the delivery of community and custodial sentences (fortieth report published 12 October 2004)

The Committee examined the Home Office on the delivery of custodial and higher tariff community sentences; the efforts made to address the main causes of offending behaviour; and the Youth Justice Board's role in overseeing the performance of custodial establishments and Youth Offending Teams. The Committee also visited Haringey Youth Offending Team and met staff working with young offenders, senior council officials, and the local police commander and young offenders attending the various programmes.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>Of the 7% of young offenders sentenced to custody, eight out of ten re-offend, despite planned expenditure of £283 million on providing custodial sentences. Short periods of custody are unlikely to make an impact on offending behaviour, nor help offenders gain the educational qualifications often necessary for a change in lifestyle. If reoffending rates are to be reduced, custodial and non-custodial elements of sentences, and rehabilitation during and on completion of sentence, need to be better integrated by the Youth Justice Board. The Youth Justice Board should review the ability of custodial establishments to tailor education programmes to meet the needs of those offenders serving short sentences.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Offender Learning Journey requires development of an individual learning plan, which should take into account the sentence length of each young person, with consideration given to the ongoing learning of the young person after release. ● The Youth Crime Action Plan has set out further plans to improve rehabilitation and resettlement of young people subject to custodial sentences. ● In line with the Youth Crime Action Plan, the Youth Justice Board (YJB) is developing two regional resettlement consortia in the North West and South West in order to improve and co-ordinate resettlement services including the input of local authority children's services. The London Criminal Justice Board and the London Development Agency is also developing a resettlement consortia with the YJB in an advisory role.
<p>PAC Recommendation (2)</p> <p>If community sentences are to be a credible alternative to custody, they need to be administered effectively, and consistently across the country. The Youth Justice Board has introduced an Intensive Supervision and Surveillance Programme which requires offenders to attend for 25 hours per week compared to the two hours normally required for Supervision Orders. Over half the offenders on the new Programme however, fail to meet the Programme's requirements, and around a quarter are resentenced to custody. The Board should identify why some offenders fail to complete the Programme, and review differences in the way Youth Offending Teams manage offenders on the Programme.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The YJB supports the Intensive Supervision and Surveillance Programme (ISSP) and completion rates have improved to 59% in 2006/07. ● The Government placed the ISSP on a statutory footing with its inclusion in the Criminal Justice and Immigration Act, making it a potential requirement with the new Youth Rehabilitation Orders, and a specific alternative to custody. The new ISS requirement when implemented will have more flexibility without undermining the integrity of the programme. ● The YJB has developed a scaled approach to youth justice interventions, intended to close the gap between community sentences and the intensive programme, based on an assessment of the risks. ● The YJB completed a review of ISSP and implemented improvements to address failings in completion of ISSP and management of programmes by YOTs. Improvement activity continues.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (3)</p> <p>Effective rehabilitation is critical to reducing reoffending rates but Youth Offending Teams face difficulties in placing young offenders back into education, employment or suitable housing. A more joined up approach is needed between the Home Office, the Department of Health, the Department for Education and Skills, the Office of the Deputy Prime Minister and local authorities. Incentives should be put in place, for example, by offering continuing Youth Offending Team caseworker support to educational establishments, and through establishing shared targets and goals.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● A range of work is continuing to support effective rehabilitation and develop shared targets and goals across the relevant Departments and Agencies, including new Public Service Agreements for 2008/11 and local government performance frameworks. ● A cross Departmental Youth Crime Action Plan was published in July 2008, and included a focus on rehabilitation and effective resettlement to contribute to reducing reoffending. A number of proposals on rehabilitation set out in the Youth Crime Action Plan are being taken forward including the proposal for 'packages of support' for young people and proposals giving local authorities new duties in relation to education provision in custody (legislation on this is currently being considered by Parliament).
<p>PAC Recommendation (4)</p> <p>The average annual cost of custodial places varies significantly between providers, but no research has been undertaken as to their relative effectiveness. A secure Training Centre place (run by private contractors) costs £164,750, and a local Authority Secure Children's Home place costs £185,780, reflecting staffing ratios of four staff to youngsters. A place at a Young Offender Institution run by the Prison Service costs £50,800, with a ratio of around four staff to 60 youngsters. The Youth Justice Board should commission research into each option's cost effectiveness in terms of reoffending rates and the welfare of the young person; establish a strategy for the nature of custodial place provision and its geographical spread; and carry out an opportunity cost analysis of steadily moving part of the custodial places into effective community surveillance and supervision.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The YJB has commissioned the Kings College to undertake necessary lengthy and detailed research, to determine the effectiveness of different types of secure establishment related to value for money and outcomes. ● The YJB is developing dedicated secure places for young women, as well as other new sites (Cookham Wood, Wetherby, Glen Parva and other small establishments). It has also developed a secure estates strategy to match better supply and demand.
<p>PAC Recommendation (5)</p> <p>Variability in the range and content of programmes delivered across the custodial estate impairs the ability of Youth Offending Teams to address the needs of young offenders. The Youth Justice Board should aim to deliver core programmes across all establishments, with some establishments addressing specialist needs. Youth Offending Teams and Prison Service staff should enhance mutual understanding of these programmes through, for example, staff exchanges and joint performance discussions and assessment of achievements.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Core specifications have been agreed with the Prison Service for Youth Offending Institutions and additional specifications for Secure Childrens' Homes and Secure Training Centres have also been agreed. Core specifications for education and substance misuse services have also been developed. ● Specialist provisions, such as programmes for young people who sexually abuse, have been commissioned on a regional basis in some establishments. ● Specialist accommodation and provision for particular populations, such as young mothers and vulnerable young men, have been commissioned at some establishments. ● The North East Region is piloting work to enhance mutual understanding between Youth Offending Teams (YOTs) and establishments by developing a directory of all Offending Behaviour Programmes.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (6)</p> <p>The Youth Justice Board should work more closely with courts to plan the number of custodial places likely to be needed, and to enhance the Court’s confidence in community sentences. The proportion of young offenders sentenced to custody varies significantly across the country. These variations may reflect a lack of suitable custodial places in some areas or a lack of confidence in, or knowledge of, community sentences delivered locally.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● A model has been developed to forecast future populations, and a secure estates strategy has also been developed, to better match supply and demand; Glen Parva is being developed to meet demand in the East Midlands. ● The Sentencing Guidelines Council publishes bi-annually levels of custodial and community sentences and YJB works with the Judicial Studies Board on training for the judiciary. ● YOTs are performance assessed to determine their contribution to reducing custodial sentencing. ● The Youth Crime Action Plan included proposals to make the varying rates and costs of custody more visible to local areas. ● Indicators on the proportionate use of custody in each area have been included in new performance frameworks for local government.
<p>PAC Recommendation (7)</p> <p>The Youth Justice Board needs to have a better grasp of the activities of Youth Offending Teams, so that national policies on youth justice are applied more consistently at the local level. Some Youth Offending Teams are reluctant to recommend custody in any circumstances. The Board should take action where teams fail to comply with grant conditions, including withholding grant payments where merited.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The YJB introduced a performance framework for YOTs, which included 13 performance indicators, the majority focused on reducing reoffending. ● Grant distribution is now dependent on demonstrated effectiveness. The YJB also conducts qualitative assessments.
<p>PAC Recommendation (8)</p> <p>The Home Office and the Youth Justice Board need to take action to help Youth Offending Teams fill frontline vacancies. Vacancy rates amongst frontline staff, which were 6.5% in September 2003, must impact adversely on the effectiveness of Youth Offending Teams, and hence on the success of their work with young offenders.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Youth Justice National Qualifications Framework provides an incentive for professional development in the youth justice system, and in doing so provides a framework for continuing professional development which is attractive to those considering a career in youth justice. The YJB recently published its new workforce development strategy for the period 2008/11. Additionally the YJB has a number of workstreams in place in relation to encouraging and supporting volunteers in YOTs which are directly related to filling vacancies through volunteers developing an appetite for a paid position within youth justice. ● In addition the YJB’s new Youth Justice Planning Framework introduced in 2008/09 asks YOTs to provide staff data including vacancies and to identify their own workforce development plans to overcome the risks to continuous improvement. YOTs can use this to assess risks to their work from vacancies and inform local plans to address it.

12. The operational performance of PFI prisons (forty-ninth report published 2 December 2003)

The Committee examined the extent to which good practice is shared between PFI and public prisons, and how the operational performance of PFI and public prisons is measured and managed.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>The Home Office and the Prison Service should promote greater co-operation and exchange of good practice between publicly and privately managed prisons. Prisoners held in PFI prisons feel that they are shown greater respect and are treated better than prisoners in public prisons. But the relative inexperience of staff in PFI prisons can compromise security through staff being conditioned by some prisoners to 'turn a blind eye'. Public prisons could import good practice on the treatment of prisoners from PFI prisons, and PFI prison staff could benefit from joint training on security issues with their more experienced counterparts in the public sector.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● The ability for exchange between the public and private sectors was reduced with the creation of NOMS in 2004 and the sharper focus on contestability that made some providers reluctant to share what was perceived as commercial advantage. ● However, as new organisational structures become embedded, the intention is to progress with sharing learning and good practice between the public and privately managed prisons. ● There are already improved structures within the agency to consult with private providers as new policy initiatives are introduced which enable greater input and shared practise across the business.
<p>PAC Recommendation (2)</p> <p>The Home Office and Prison Service should expand staff exchanges during the next two years. The interchange of staff between privately managed and publicly managed prisons is a way to broaden perspectives and gain an appreciation of different working methods. Such interchanges have been encouraged at senior management levels but not at more junior grades, where day to day contact with prisoners is much greater.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● It had been considered that the contestability environment within NOMS meant that it was no longer practical to exchange staff between the different providers. However, the restructuring of NOMS will provide more opportunities for integrating working, as the private sector providers become part of the new NOMS regional structure. ● Any opportunities for exchanges and/or integrated working will, however, need to take account of MoJ Competitions Strategy and the need for clear ethical walls. ● The maturation of contracts means that staff are increasingly experienced within their own organisations. There are also staff who have worked within both public and contracted providers.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (6)</p> <p>The monitoring and recording of performance data is at present less reliable in the public sector than in the PFI sector. The Prison Service should examine the feasibility of introducing within the next year a performance data monitoring function, similar to the Controller function in PFI prisons, throughout publicly managed prisons. The cost of such an initiative could be reduced by making such monitors responsible for a number of prisons within a geographical area.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Data accuracy issues differ between Public and Private Prisons, but are evident in both. Work is ongoing across all prisons to improve the data capture systems and reliability of information, particularly targeting those prisons with a known issue. ● There is a drive to capture performance information directly from operational systems which will reduce the burden and improve accuracy. ● The rollout of the Prison NOMIS IT system in 2009/10 across the public sector estate will ensure comparability and consistency of reporting between public sector prisons.
<p>PAC Recommendation (7)</p> <p>The number of performance measures should be reduced and made more consistent between the public and private sectors. Public prisons have to report regularly on up to 48 Key Performance Targets and 61 Prison Service Standards and privately managed prisons have to report on a further 30 to 40 contract measures. Prisons, both publicly managed and privately managed, are overburdened with performance measures, making the monitoring of performance and prioritisation between targets difficult. The large number of measures does not lead to any better understanding of individual prison performance.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● A new Prison Performance Assessment Tool was used for the 2008/09 second quarter ratings which used a consistent set of metrics, including priority metrics, for both Public and Private Prisons. ● This tool analysed second quarter performance of public and private prisons and the output is being evaluated. ● A project is underway to identify the key drivers of prison performance and this will inform the development of future performance assessment frameworks.

13.Reducing Prisoner Reoffending

(fifty-third report published 5 September 2002)

The Committee examined the Prison Service on the development and delivery of programmes, and the support given to prisoners prior to release.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (1)</p> <p>We agree with the Director of the Prison Service in seeking to give priority to constructive programmes to reduce reoffending, given the urgent need to get more prisoners to resume law-abiding lives on release. However, programmes should be available to short-term prisoners to lower the risk of them becoming repeat offenders.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● NOMS is working with MoJ's Criminal Justice Group to review provision for the short sentence group and this work will involve assessment of which short sentence prisoners should be targeted for constructive programmes to maximise public value. To support this assessment, a NOMS project is underway to identify all non-accredited programmes being delivered in prison or probation settings. Many of these are likely to be targeted at short term prisoners. Once the project is complete programmes will be targeted more effectively to meet particular needs. ● Currently, one fifth of those prisoners attending the 'Focus on Resettlement' programme are serving less than one year. In addition, a comprehensive drug treatment framework is already in place from which those in prison for a short period of time benefit considerably. Given the link between drug dependency, acquisitive crime and repeat offending, the roll-out of the Integrated Drug Treatment System (IDTS) is of particular and immediate benefit to short term prisoners. Department of Health plans, by the end of 2010/11, to roll-out clinical IDTS to all prisons. NOMS is exploring the extent to which the psychosocial elements of IDTS can be introduced fully and within existing funding levels. ● Other work around offender management, assessment, education, vocational training or work may also address the needs and risks in individual cases.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (3)</p> <p>Over 5,000 prisoners suffer from a functional psychosis and many are in need of in-patient treatment for mental disorders. The Prison Service and the National Health Service should agree targets for reducing the length of time such prisoners spend waiting for in-patient treatment.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The Government had asked, in December 2007, Lord Bradley to consider the diversion of offenders with mental health problems and learning disabilities away from prison. Lord Bradley's report, which includes a broader analysis of people with mental health problems or learning disabilities in the criminal justice system, was published on 30 April 2009 with the Government's response. ● The Government has recognised the need for system reforms in this area to improve access to mental health and other related services for offenders, to meet their needs and to support efforts to reduce re-offending and enhance public protection. As a first step the Government will establish by the end of May 2009 a Health and Criminal Justice National Programme Board, that will bring together the relevant departments. The Board's first priority will be to develop a delivery plan based on Lord Bradley's recommendations and other related work. The delivery plan will be published by the end of October 2009, and will cover among other issues ways of improving joined up commissioning and delivery of services by the NHS and the CJS. ● In particular the Board will also review the results of a pilot that was undertaken in 2007 to explore the application of a standard 14 day maximum waiting time between completion of a Mental Health Act assessment and the move to an appropriate secure NHS bed (where all but the most complex cases achieved the target) with a view to issuing guidance to the NHS and NOMS, to support the NHS and CJS to work in closer partnership, and reduce delays in complex cases, as well as on joint mental health need and risk assessment for use by the NHS, police and probation.
<p>PAC Recommendation (4)</p> <p>The Prison Service should identify measures to enable it to routinely compare the success of individual prisons in reducing reoffending so it can build on best practice and bring about improvements where necessary.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Producing prison-specific reoffending rates is technically challenging as offenders are housed in more than one prison during their custodial sentence. We have conducted a feasibility study on quantifying reoffending rates for every prison in 2009/10. This study involved investigating a number of options about how such rates could be produced. We now have clear ideas for taking this work forward, and are in the process of agreeing what data we need to collect. The work is likely to take one year to complete, subject to passing review and quality assurance processes.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (5)</p> <p>Non-accredited programmes within prisons can play a valuable role, for example, in helping to meet the needs of short term prisoners. The Prison Service should maintain a central record of the objectives and content of these programmes, identify good practice and encourage the development and delivery of worthwhile new programmes.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● A NOMS project is underway to identify all non-accredited programmes being delivered in prison or probation settings. A Live Interventions Directory will be created so this information will be permanently accessible. The Directory will identify the extent to which each intervention has been scrutinised and so is known to be likely to be worthwhile. Those programmes that have not been scrutinised will be prioritised for quality assurance to ensure offenders are receiving only worthwhile interventions. The project team are also developing guidelines for quality assurance that will be sufficiently demanding to ensure quality, but which will be straightforward enough to encourage innovation, partnership working and a variety of approaches.
<p>PAC Recommendation (6)</p> <p>The Prison Service should examine why some prisons have significantly fewer hours of purposeful activity than the average, and reduce the current range in performance.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● NOMS seeks to offer the maximum possible prisoner activity within the context of increasing population and building constraints. Availability of activity will inevitably vary across the estate due to factors such as prison function, prisoner mix and building type. Levels of purposeful activity will tend to be lower in 'local' establishments, which feature strongly among the oldest prisons. These prisons have fewer classroom and workshop facilities and greater challenges in terms of managing their population. The more modern training establishments tend to have a more expansive regime. These establishments are able to offer more opportunities for work, education and training and will consequently offer higher levels of activity.
<p>PAC Recommendation (7)</p> <p>The education option in the New Deal for Young People should be offered to youth offenders while in prison.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● The qualification for accessing the New Deal is that people must be available for work. This excludes people serving a custodial sentence. However, prisoners who wish to join the programme can be fast-tracked on to New Deal on their release. ● Jobcentre Plus advisers are located in most prisons and advise and signpost prisoners on to appropriate programmes, such as New Deal. Prisoners with drug related issues can access other specialist related initiatives such as 'Progress 2 Work'.

Recommendations	Detail of Progress made to date
<p>PAC Recommendation (8)</p> <p>The Prison Service should monitor prison performance against its performance standard on resettlement and hold prison governors accountable for implementing good practice in resettlement activities.</p>	<p>Implemented</p> <ul style="list-style-type: none"> ● Compliance with the standard is monitored through the audit process and action plans are required to address deficiencies. Implementation of action plans is monitored through the management line. ● The Specification, Benchmarking and Costing programme will lead to the development of specifications for all core prison activities, including resettlement services, against which prisons will be required to deliver. This work starts shortly and specifications will be progressively introduced over the next three years.
<p>PAC Recommendation (9)</p> <p>Maintaining family relationships can be an important influence in reducing reoffending, yet only around a fifth of all prisons have involved families in working with offenders to prepare them for release. The Prison Service should give prisoners' families the opportunity to contribute to resettlement planning.</p>	<p>In progress</p> <p>NOMS has prioritised the development of specifications of minimum standards for services around Children and Families across both prisons and probation as part of the Specification, Benchmarking and Costing Programme. Revised policy is being taken forward as part of a suite of service specifications covering assessment, contact, interventions and training. This includes embedding work with children and families in planning and delivery through offender managers and supervisors.</p> <p>The first specification covering Visitor Centres will be presented for programme scrutiny during the first quarter of 2009 prior to adoption. The timetable for completing the remaining children and families specifications is currently being drawn up in consultation with programme policy leads across the agency recognising the inter-relationships with other supporting specifications.</p>
<p>PAC Recommendation (11)</p> <p>Fewer than one in three prisoners enter employment or some form of training on release. Some prisons, however, exceed this rate. At Thorn Cross prison, for example, 44 per cent of prisoners leave with a job or training place. The Prison Service should investigate why some local programmes are more successful than others, and replicate good practice across the prison estate.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● All prisons have a target for getting prisoners into employment or education on release based on the category of prisoner held and number of prisoners they discharge. ● Resettlement and open prisons, such as Thorn Cross, hold low risk prisoners and provide opportunities for prisoners to be released on temporary licence to work in the community. This enables them to acquire the skills and work experience needed by employers. ● It would not be appropriate to operate similar programmes with prisoners who present a higher risk to the public. In addition, such schemes cannot generally be offered to short term prisoners, as they must first complete offending behaviour programmes and, if necessary, drug treatment. Therefore it is not appropriate to expect all prisons to achieve similar results in this respect.

<i>Recommendations</i>	<i>Detail of Progress made to date</i>
<p>PAC Recommendation (12)</p> <p>The nature of work undertaken in prison does not, in many instances, enhance prisoners' prospects of jobs outside. Working with employers and others, the Prison Service should provide more relevant work in prisons and thereby increase the proportion of prisoners gaining related jobs on release.</p>	<p>In progress</p> <ul style="list-style-type: none"> ● Prison industries have increasingly modernised over the past few years. Commercial disciplines have been introduced, products revamped and management information systems introduced. Some outdated industries have been closed and replaced by more relevant industries. The qualifications available to prisoners have been reviewed and a firmer base for meaningful production established. ● In addition, the number of private sector sponsored workshops that train prisoners for specific jobs and in which selected prisoners have a job on release, as set out in the Prison Policy Update paper published in January 2008, is being increased.

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