



# HM Courts & Tribunals Service Business Plan

2011–2015

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# introduction

## by the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals

We are pleased to introduce the first business plan for HM Courts & Tribunals Service, setting out how the new agency will support the administration of justice in the years covering the period from April 2011 to March 2015.

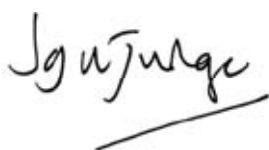
At a time of immense budgetary pressures we believe that unifying the administration of the courts and tribunals through the establishment of HM Courts & Tribunals Service offers the best way forward, in particular to deliver improved performance, efficiency and service across all aspects of the administration of the courts and tribunals.

We will work together to support the operation of HM Courts & Tribunals Service in its vital role to run an efficient and effective courts and tribunals system, which enables the rule of law to be upheld, and provides access to justice for all.



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The Rt Hon Kenneth Clarke QC MP  
Lord Chancellor  
and Secretary of State for Justice



The Rt Hon Lord Judge  
Lord Chief Justice of  
England and Wales



The Rt Hon Sir Robert Carnwath CVO  
Senior President of Tribunals



# foreword

by Peter Handcock,  
Chief Executive of  
HM Courts & Tribunals Service

I am very pleased to have been appointed as the first Chief Executive of HM Courts & Tribunals Service and to provide the foreword to its first Business Plan.

The establishment of HM Courts & Tribunals Service provides the opportunity to improve services significantly for the users of courts and tribunals while also delivering the financial savings that are required as a result of the Spending Review that covers this plan. The unprecedented economic climate means that we are encountering the most demanding circumstances we have seen for some time for public services and this challenges all of us to deliver services more efficiently. We will therefore use the shared courts and tribunals estate to its maximum and focus our resources on the frontline by reducing our management overhead to its core and increasing the use of back office

functions. It will also be a fundamental leadership behaviour in HM Courts & Tribunals Service to embrace Lean ways of working so that we reduce waste, standardise procedures and establish a clear focus on our business priorities. To help with this, we have reduced the 81 targets currently in place for the courts and tribunals to just 12 performance measures that focus with greater clarity on our role and what our users regard as important.

Above all else, the establishment of HM Courts & Tribunals Service allows us to move from our old fashioned business model for the courts and tribunals to one which is both more efficient and provides the best possible service to our users. I have no doubt that our first years of operation will be challenging but I invite all staff to join me on what will undoubtedly be a worthwhile journey for all those who value and are committed to public service.

A handwritten signature in dark ink, appearing to read 'Peter Handcock', written in a cursive style.

Peter Handcock CBE  
Chief Executive of HM Courts & Tribunals Service

# section 1

## Setting the Scene

This plan sets out the spending plans for HM Courts & Tribunals Service and outlines how we will deliver HM Courts & Tribunals Service business objectives and a new business model over the four year period covered by the Government's 2010 Spending Review (2011–12 to 2014–15). We will refresh this plan annually.

### The Partnership

HM Courts & Tribunals Service is an agency of the Ministry of Justice (MoJ), established on 1 April 2011. It provides the system of support, including infrastructure and resources, for the administration of the business of the courts in England and Wales and those tribunals for which the Lord Chancellor is responsible. HM Courts & Tribunals Service operates on the basis of a partnership between the Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals.

### HM Courts & Tribunals Service Governance

The arrangements for the effective finance, governance and operation of HM Courts & Tribunals Service are set out in its Framework Document. The Framework Document also sets out the responsibilities of the Lord Chancellor, the Lord Chief Justice and the Senior

President of Tribunals with regard to the courts and tribunals.

### HM Courts & Tribunals Service aim and objectives

The Lord Chancellor, the Lord Chief Justice and the Senior President of Tribunals have agreed the following aim and objectives for HM Courts & Tribunals Service:

#### AIM

To run an efficient and effective courts and tribunals system, which enables the rule of law to be upheld, and provides access to justice for all.

#### OBJECTIVES

- provide the supporting administration for a fair and efficient courts and tribunal system
- support an independent judiciary in the administration of justice
- drive continuous improvement of performance and efficiency across all aspects of the administration of the courts and tribunals
- collaborate effectively with other justice organisations and agencies, including the legal professions, to improve access to justice
- work with government departments and agencies to improve the quality of their decision making in order to reduce the number of cases coming before courts and tribunals

HM Courts & Tribunals Service will comply with equality legislation and codes of practice. Our commitment to this will be evident in each business plan throughout the organisation.

## Ministry of Justice

While HM Courts & Tribunals Service embodies the partnership between the Lord Chancellor and the Lord Chief Justice and the Senior President of Tribunals, it is also an agency within the MoJ. The MoJ itself brings together the areas responsible for the administration of the courts, tribunals, legal aid, sentencing policy, prisons and the management of offenders.

The MoJ's corporate strategy for 2011–15 sets out how it intends to transform itself and the justice system over the next four years building on its structural reform plans. At the heart of that agenda is the determination to increase the responsibility and power of the citizen.

Under MoJ plans, those who break the law will take responsibility for their actions and are properly punished while there will be help for offenders who want to reform to change their lives and stop committing offences. The strategy proposes the involvement of the private and voluntary sectors in delivering effective services and looks to make the justice system simpler to use, more transparent and more efficient. Legal aid will be targeted at the most serious cases; there will be increased use of alternative dispute resolution; and simpler, less bureaucratic processes will be adopted.

In order to meet these objectives the MoJ will work differently. It will establish a slimmed down strategic centre with integrated policy functions that focus on supporting the delivery of effective and efficient services, and expanded use of shared corporate services. It will give all parts of the MoJ a lean organisational structure that reduces unnecessary management.

These objectives have informed the strategic direction for HM Courts & Tribunals Service that we have set out in this plan; in particular the delivery of more efficient and customer focussed services and the adoption of organisational structures that focus as much resource as possible on the frontline. In turn, full reform of our business model will depend upon many of the wider reforms detailed in the MoJ's Corporate Strategy and Structural Reform Plan. These include:

- work to streamline and reform the criminal justice system
- reforms to sentencing policy
- the Rehabilitation Revolution
- reform of legal aid
- steps to promote wider use of alternative dispute resolution
- the Review of Family Justice
- development of new fee models for courts and tribunals, and
- implementation of the recommendations in Lord Justice Jackson's report into the funding and costs of civil litigation.

# section 2

## HM Courts & Tribunals Service Business Priorities

Between 2011 and 2015, we will pursue a programme that will prioritise our resources on frontline services and those initiatives that deliver savings, improve the efficiency of our operations, and achieve the priorities set out in the MoJ's Business Plan. We will therefore focus on the following business priorities.

### **Develop a sustainable business model for civil, family and administrative justice which balances spending and income by:**

- developing improved and more efficient business processes which support the overall HM Courts & Tribunals Service operating model
- supporting the development and implementation of civil, family and administrative justice policy changes
- implementing changes to fee policy and ensuring that income is collected, and
- working across Government to ensure that problems and disputes are resolved with minimum necessary recourse to the courts and tribunals.

We will introduce a new operating model for the delivery of our business. Key to this will be a network of business and hearing centres; new customer contact channels and improved access to electronic channels to reform the ways we deliver services and maximise the benefits of unifying the administration of courts and tribunals.



In the coming year, we are also expecting the publication of the Government response to the Legal Aid consultation paper and the Family Justice Review in addition to the (recently published) Civil Justice Green Paper. These will present an opportunity to maximise efficiency, whilst identifying options to reduce the pressure on services. There will also be a significant impact on tribunal administration as we work with other departments to expand the diversity of tribunals for which we are responsible. We will continue to explore and develop the options for devolving responsibilities for reserved tribunals in Scotland and Northern Ireland, working closely with the devolved administrations. Any proposals will be subject to a public consultation and agreement by the devolved administrations.

## What we will do:

### New Operating Model

- Implementation plan and milestones for the new Forward Operating Blueprint by October 2011.

### Family Justice Review

- Consideration and implementation of recommendations relating to HM Courts & Tribunals Service from September 2011.

### Tribunals Fees

- MoJ Supported in a public consultation on the design of a fees scheme for Employment Tribunals and the Employment Appeal Tribunal in 2011.
- Introduction of fees for immigration and asylum appeals to the First-tier Tribunal (Immigration and Asylum Chamber) in 2011.

### Transfer of additional tribunals to HM Courts & Tribunals Service

- Transfer of the administration of Residential Property Tribunals Service to HM Courts & Tribunals Service by July 2011.
- Transfer of the Copyright Tribunal to HM Courts & Tribunals Service and the First-tier Tribunal by August 2012.

### Information and Communication Technology

- Introduction of Direct Debit facilities for Money Claim Online users in September 2011.
- Determination of the feasibility of mechanisms for increasing on-line access to civil and family services by October 2011.
- Identification of options for improvements to the Possession Claims Online systems by June 2012.

### **Increase efficiency and reduce cost across the Criminal Justice System by driving and implementing process change, matching resources to demand, reducing duplication and waste by:**

- improving the courtroom efficiency of the Crown Court and magistrates' courts
- supporting the development and implementation of criminal justice policy, and
- working with the judiciary and criminal justice agencies to ensure that the criminal justice system is more efficient, speedy and responsive for the public.

We will work in partnership with the judiciary to maximise courtroom efficiency and tackle rising workload in the Crown Court. In particular, on work improving the efficiency of dealing with guilty plea cases and streamlining and optimising case progression to deliver process improvements across all criminal justice agencies. We will improve business processes between magistrates' courts and the Crown Court, focussing on achieving greater courtroom efficiency.

In the longer term, with the introduction of our new operating model, we will achieve more flexible use of resources across the criminal courts and the wider criminal justice system; embed standard procedures and make greater use of video and other technology. We will also work with MoJ colleagues on the reform of sentencing procedures; in particular to rebalance the workload of the Crown Court and magistrates' courts as well as on the rehabilitation of offenders.

### **What we will do:**

#### **Supporting early guilty pleas scheme in the Crown Court**

- Agreement with the Judiciary on options for implementation at early adopter sites by July 2011.
- Assessment of the resource requirement for implementation in all Crown Court centres by November 2011.

#### **Case management in the Crown Court**

- Implementation at Crown Court pilot venues from July 2011.
- Development of options and assessment for wider roll out by March 2012.

#### **Lean working in the Criminal Justice System**

- Wider roll out CJS Lean Continuous Improvement by June 2011.
- Reported progress and key decisions for the wider deployment of a single unified justice administrative process September 2011.
- Implementation of a designed and tested single unified criminal justice administrative process by March 2014.

#### **Activity Based Costing**

- Introduction of an Activity Based Costing model for Crown Court staffing by October 2011.

#### **Court Associates in the magistrates' courts**

- Local implementation of the new Court Associate framework in the magistrates' courts from April 2011.

#### Modernisation of the summons process in the magistrates' courts

- Evaluate performance and efficiency gains from new postal requisitioning process at early adopter courts by May 2011 with a view to further extension.

#### Strategic direction for the magistrates' courts

- Work with the judiciary to establish a strategy for improving the efficiency of the magistrates' courts by July 2011.

#### Virtual courts and other information and communication technology

- Agreement on greater electronic working across the criminal justice system through greater use of secure document collaboration and exchange processes by June 2011.
- Agreement with the National Offender Management Service (NOMS) for new funding arrangements for Police Cell Video Link equipment by July 2011.
- Decision on continued or wider use of Virtual Courts technology by September 2011.
- Refresh of the video technology to support the increased use of prison to court video links by March 2012.
- Introduction of electronic information sharing by April 2012 working with other agencies in the criminal justice system.
- Introduction of the electronic transfer of cases from the magistrates' courts to the Crown Court by March 2012.

#### Interpreting Services

- Subject to ministerial decisions, implementation of new streamlined and value for money arrangements for interpreter bookings from July 2011.

#### Delivering a cheaper, faster and more proportionate enforcement system that achieves a significantly higher degree of compliance with court orders by:

- implementing the Enforcement Blueprint to achieve a higher degree of first time compliance and to implement Public Value Programme (PVP) proposals.

We are currently implementing our Enforcement Blueprint, shifting the focus of our activity from enforcement to first time compliance. By doing this we will enhance our speed and effectiveness and strip out unnecessary cost. Looking ahead, we have established the PVP to develop a new delivery model which will evaluate the best vehicle for delivering compliance, using the most effective mix of suppliers. This will have the dual benefits of reducing our costs and increasing fine collection revenue.

#### What we will do:

##### Public Value Programme (PVP)

- Evaluation and preferred option announced by May 2011.

##### Increase benefit deduction rates (Work with Department for Work and Pensions)

- Implementation of increased fine deduction rate to the maximum possible from benefits by April 2012.

## Implement the HM Courts & Tribunals Service operating blueprint by:

- realising benefits by implementing Court Estate Reform proposals
- developing more effective processes using Lean techniques
- maximising the use of back offices and contact centres, and
- continuing to rationalise court and tribunal hearing centres.

In support of the new business model and our new operating structures we will proceed with the court estate rationalisation programme announced by the Lord Chancellor on 14 December 2010.

Our new business model will implement a front office and back office split of work bringing together and taking forward work already carried out in the courts and tribunals. We will locate further back offices within the existing courts and tribunals' estate. As further reforms are implemented, our programme of work for our estate will be kept under review to ensure it is fit for purpose, continues to offer value for money, and that the potential for further courts and hearing centre rationalisation are exploited.

Throughout this period, we will monitor organisational performance closely, using tools such as the performance hub, balanced scorecard and the strategic delivery matrix. We will embed Lean approaches within HM Courts & Tribunals Service and the wider justice system to streamline procedures and reduce waste.

## What we will do:

### HM Courts & Tribunals Service Business Centres

- Implementation of the single county court jurisdiction for money claims by March 2012, following approval of any necessary rule changes and new Practice Directions.
- Completion of facility for processing national money claims through National Business Centres in 2011–2012.

### HM Courts & Tribunals Service Contact Centres

- Implementation of national money claims contact centres by September 2012.

### Face to face services in the civil courts

- Development of proposals to modernise the provision of face to face services to court users by July 2011.

### Court estate rationalisation programme

- Closure of first courts in April 2011.
- Completion of associated Local Justice Area mergers by January 2012.

### Embedding the Lean Approach within HM Courts & Tribunals Service

- Introduction of Lean practices to our core operational units by March 2012.
- Roll out of Standard Operating Procedures to the largest Tribunals jurisdictions (Social Security & Child Support, Employment and Immigration & Asylum) by March 2012.
- Implementation in all courts of Standard Operating Procedures for our core work by December 2012.
- Launch of further national and regional Lean and Lean beacon offices across core jurisdictions by December 2012.

#### Information and communication technology

- Modelling of an integrated courts and tribunals management information reporting system by October 2011.
- Development of a common IT Infrastructure design across HM Courts & Tribunals Service by September 2011.
- Establishment of Internet Protocol (IP) Telephony linking phone systems across the entire estate by September 2012.

#### Manage the first year of HM Courts & Tribunals Service effectively by:

- delivering the benefits of the new agency through implementation of new HQ and regional structures, and
- ensuring the continued delivery of court and tribunal services by effectively managing risk as new structures are put in place.

We will deliver the full potential of the new agency by driving down costs and directing as much resource as possible to the front line rather than in our management overhead.

We will ensure that our staff, in particular our leaders, are equipped and confident to fulfil their roles within the new agency and have the tools they need to undertake their roles efficiently and effectively.

#### What we will do:

##### Organisational Structure of HM Courts & Tribunals Service

- Transition to the new HQ, regional support and business unit structures from April 2011.
- Completion of the new HQ structure by September 2011.
- Completion of the new regional support and business unit structures by March 2012.

##### Governance

- Establishment of the HM Courts & Tribunals Service Board from April 2011 following the appointments of the Chair and Non Executive Members.

##### Risk management

- Establishment of governance, risk and assurance framework by April 2011.

### **Leadership**

- Delivery of tailored training interventions that embed leadership skills and behaviours, focussed on the needs of Band A and B staff moving to new roles from June 2011
- Delivery of organisational capability training to all Band D staff with line management responsibilities by July 2011.
- Development of a workforce plan that establishes effective development and resourcing of staff by September 2011.

### **Training**

- Enrolment of 150 Band E and F staff in relevant National Vocational Qualification courses by July 2011, building capability and delivering on the Government's Skills Pledge.

### **Sustainable Development**

- Implementation of a new Sustainable Development strategy from July 2011.
- Carbon emissions from all sources cut by 25% by 2014–15 based on the baseline year 2009–10.



# section 3

## HM Courts & Tribunals Service 2011–12 Workloads, Resources and Indicators

As part of the MoJ's Information Strategy and the Government's Transparency Agenda, we will publish, over the coming year, information about the operation of the courts and tribunals to assist the public in understanding how we are performing. These indicators, listed in table 1 on page 15, will identify service inputs and the impact on our performance.

Table 1 below also sets out the anticipated workload of our courts and tribunals in the 2011–12 financial year. Table 2 outlines the financial allocation for 2011–12.

Table 1 – Anticipated workload of our courts and tribunals

CROWN COURT		
Workload Forecast	Input Indicators	Impact Indicators
All cases: 151,800 <i>Of which:</i> Trials: 99,500	<ul style="list-style-type: none"> <li>Staff and judicial cost per sitting day</li> </ul>	<ul style="list-style-type: none"> <li>The number of weeks it takes to commence<sup>1</sup> trial cases from receipt in the Crown Court</li> </ul>
MAGISTRATES' COURT		
All Cases: 1,744,500 <i>Of which:</i> Indictable: 517,100 Summary: 1,227,400	<ul style="list-style-type: none"> <li>Staff and judicial cost per sitting day</li> </ul>	<ul style="list-style-type: none"> <li>The number of weeks it takes to complete<sup>2</sup> all cases from first listing</li> <li>The number of days it takes to result court registers</li> <li>The payment rate for financial penalties</li> </ul>
TRIBUNALS		
All tribunals: 832,500 <i>Of which:</i> Social Security & Child Support: 421,600 Employment: 214,500 Immigration and Asylum: 140,700 Mental Health : 25,000 Other: 30,700	<ul style="list-style-type: none"> <li>The cost of tribunals (judicial and administrative)</li> <li>Total tribunals costs</li> </ul>	<ul style="list-style-type: none"> <li>The number of weeks it takes to dispose of cases across each of the largest four jurisdictions: <ul style="list-style-type: none"> <li>Social Security &amp; Child Support</li> <li>Employment</li> <li>Immigration and Asylum</li> <li>Mental Health</li> </ul> </li> </ul>
CIVIL AND FAMILY JUSTICE		
<b>Civil courts</b> Small claim hearings: 48,500 Multi-track claim trials: 6,600 Fast-track claim trials: 12,700	<ul style="list-style-type: none"> <li>Staff and judicial cost per sitting day</li> </ul>	<ul style="list-style-type: none"> <li><b>Civil</b> – The number of weeks it takes to hear cases from when the claim was received at court</li> </ul>
<b>Family courts</b> All cases: 309,800 <i>Of which:</i> Care and supervision: 16,500 Contact and residence: 90,200 Dissolution, nullity & judicial separation: 125,400 Ancillary relief: 54,200 Domestic violence: 23,500		<ul style="list-style-type: none"> <li><b>Family</b><sup>3</sup> – The number of weeks it takes to achieve a final outcome for the child in care and supervision cases</li> </ul>
CORPORATE AND OTHER FINANCIAL INDICATORS		
<ul style="list-style-type: none"> <li>The number of complaints recorded by HM Courts &amp; Tribunals Service</li> <li>The percentage of complaints concluded by the first tier in HM Courts &amp; Tribunals Service</li> <li>The average number of days it takes to finalise the answering of complaints</li> <li>Court level allocation and spend</li> <li>All spending and contracts over £25,000</li> </ul>		

1 A case commences at the start of the first main Crown Court hearing. A main hearing is one where the defendant enters a plea to all charges or the jury is sworn in.

2 Cases are completed in the magistrates' courts either when they are disposed of or are transferred to the Crown Court.

3 These measures along with measures from the Legal Services Commission and the CAF/CASS form part of a cross system measurement framework.



Table 2 – HM Courts &amp; Tribunals Service Business Plan 2011–12

Resources	2010–11	2011–12
<i>Category</i>	£m	£m
<b>Gross Expenditure</b>		
Staff costs	603.2	582.7
Judicial costs	457.9	456.8
Non staff costs	659.5	648.1
Capital charges	243.4	124.5
<b>Total Expenditure</b>	<b>1,964.0</b>	<b>1,812.1</b>
<b>Less</b>		
Income from fees and other expenditure	700.3	584.9
<b>Net Expenditure</b>	<b>1,263.7</b>	<b>1,227.2</b>

**Notes:**

- 1 Non Staff Costs: represent estates resource costs (e.g. rent/rates, service charges) court costs (jurors/loggers), IT/telecoms, utilities, general office expenses, e.g. printing, postage and other costs.
- 2 Capital charges cover non cash items, e.g. depreciation, cost of capital and other non cash provisions.
- 3 During 2010–11 HMCS and Tribunals were separate organisations. The 2010–11 financial position states the summation of each business units original budget in last year's plan (please see note 4 regarding Tribunals). The full year actual results will vary from those forecast above when they are published.
- 4 The Tribunals 2010–11 reflect the latest expected expenditure for the financial year not voted expenditure in respect of the tribunals element of HM Courts & Tribunals Service.
- 5 Tribunals include other government department funding. UK borders authority (UKBA) £14m and Department for Work and Pensions (DWP) £25m for 2011–12 work.
- 6 Income in 2011–12 excludes HMCS fines income which has transferred to MoJ (£90m). HMCS fine income and costs are reported in the 2010–11.

