

**ATTORNEY GENERAL'S OFFICE
BUSINESS PLAN 2015-16 – REVIEW**

A: Providing high quality and timely legal advice to the Prime Minister and the Cabinet and helping to deliver the Government policy in the context of the Law Officers' constitutional role in relation to the Rule of Law

The AGO has continued to support the Law Officers in providing timely, problem-solving legal and constitutional advice across all areas of the Government's work, responding in particular to pressures on policies arising from domestic and European litigation and other legal risks, and to the pressures of world events, politics and conflicts.

1. *Providing contextualised, accurate, constructive and timely risk-based advice across all departments that reflects and helps to shape HMG's wider domestic and international objectives*

The Law Officers (including, from June, the new Advocate General for Scotland) had a key role in supporting the government's post-election legislative programme, helping see 28 Bills through PBL Committee, including overseeing the operation of the AGO-led new Legal Issues Memorandum.

The Solicitor General is also taking the Investigatory Powers Bill through the Commons, and assisted in taking the Immigration Bill through. The Attorney General has continued regularly to attend the National Security Council and to support its work and is now a full member. The AGO increasingly engaged with policy discussions from an earlier stage across departments. The Government published in September the legal position on the basis of which lethal drone strikes were made against members of Daesh in Syria, and confirmed, with the Attorney General's consent, that he had advised on it. The AG attended a successful meeting of the Quintet of 5-eyes Attorneys General in Washington in February.

2. *Working with departments to deliver a successful outcome to the negotiation of a new settlement for the UK in the EU, in particular by ensuring that the legal solutions for delivering HMG's objectives are fit for purpose and support the rule of law and our international obligations.*

The Law Officers had a crucial role in supporting delivery of the Government's manifesto commitment of a reformed relationship with the EU together with an in/out referendum, including by the Attorney explaining publicly the legal status of the renegotiation deal at the start of the referendum campaign.

<p>3. <i>Working with the Ministry of Justice and other departments to take forward proposals for a Bill of Rights, in particular in identifying and developing ways of achieving the Government's manifesto commitments in the context of the domestic and international framework.</i></p>	<p>The manifesto also contained a commitment to a fresh approach to the UK's human rights framework. AGO supported colleagues across Whitehall in taking this forward.</p>
<p>4. <i>Ensuring the Attorney General makes an effective contribution as a member of the Constitutional Reform Committee, including by drawing together linkages between different aspects of constitutional reform and ensuring consistency.</i></p>	<p>We were well-prepared for constitutional issues being especially prominent this year, as our devolution settlements are evolving quickly, Parliamentary procedure has been changing, freedom of information laws were under review and work on Human Rights reform and the EU Referendum.</p>
<p>B: Carrying out the Law Officers' public interest functions in the interests of the administration of justice</p>	
<p>The AGO has supported the Law Officers in their statutory and non-statutory civil and criminal Public Interest functions. In total this work, as well as being largely non-discretionary, amounted to a significant proportion of the AGO's work, requiring significant resources. The management of the ULS work in particular was a success. Across a number of different Public Interest functions, the Office has also engaged in a strategic effort to increase efficiency.</p>	
<p>1. <i>Providing effective support for the Law Officers in their public interest functions.</i></p>	<p>The office successfully supported the Law Officers with an increasing volume of casework. The number of sentences submitted annually to the Attorney General's Office for consideration of referral to the Court of Appeal for rectification of undue leniency has more than doubled since 2010. At 113 December 2015 brought a record number of ULS submissions –the highest monthly figure since the scheme began, and nearly double the number in the preceding month. One of our most serious and complex cases to date, involving 17 co-defendants convicted of firearms offences, was presented by the Solicitor General before the Lord Chief Justice; the Court of Appeal increased 16 of the sentences, restoring a total of 50 missing years' imprisonment. We handled 204 applications for consent to prosecution in 2015. The majority of the applications involved terrorism cases and cross-border drugs conspiracies. The review by Business Support Team of systems for supporting casework and the creation of a combined administration team helped ensure that deadlines were met and advice provided was of a very high standard.</p>

<p>2. <i>Identifying opportunities for strategic intervention in civil casework where there is a public interest case for it and intervening effectively, for example by making Vexatious Litigant orders.</i></p>	<p>There have been a number of high profile interventions to protect the public interest. Of particular note is the work with the Home Office on the Hillsborough Inquest to ensure any future criminal prosecutions were not prejudiced; the granting of consent to a new inquest in Loughgall and the speech by the Attorney General at UCL explaining his constitutional role in exercising his public interest functions. The Communications team has promoted the work of the Law Officers in this important area ensuring their role in protecting the public interest is properly understood.</p>
<p>3. <i>Improving the efficiency and effectiveness of the civil casework functions by implementing the recommendations of the Casework Review, including by deciding whether to reform the Attorney General's charity functions.</i></p>	<p>There has been a successful civil casework review which has seen a pilot of increased GLD involvement in the management of inquests and a review of the Law Officers' charity functions.</p>
<p>4. <i>Delivering the government's manifesto commitment to extend the unduly lenient sentence scheme.</i></p>	<p>Extensive engagement with MoJ at official and ministerial level to support the extension of the unduly lenient sentencing scheme. We are continuing to work with MoJ policy officials to deliver this manifesto commitment. We also delivered a pilot of advocacy in ULS cases by prosecution Counsel, increasing resilience and capacity for ULS cases.</p>
<p>C: Performing a visible and effective role as a leader of the legal professions and superintendence of the Government legal profession in particular</p>	
<p>The Law Officers ended the year with their reputations as leaders of the government legal profession enhanced through a strategic engagement plan.</p>	
<p>1. <i>Raising and maintaining the profile of the AGO through engagement and outreach work so that the Law Officers' functions are well-understood and the reputation of the Law Officers is maintained.</i></p>	<p>The office developed and delivered an engagement plan for the Law Officers. This meant a strategic approach to domestic and international court advocacy by the Law Officers in cases where it was appropriate for the government to be represented by a Law Officer, including appearances by the Attorney in two cases before the European Court of Human Rights in Strasbourg, numerous appearances by the Attorney and Solicitor in contempt and ULS cases, and appearances by the Advocate General for Scotland in the Court of Appeal and Supreme Court.</p> <p>As well as meeting regularly with their Ministerial colleagues, judiciary from across the profession and other stakeholders from the legal profession, the</p>

	Law Officers also carried out a strategic series of media appearances and speeches. Notable speeches included the Attorney's speech at the Global Law Summit celebrating 800 years since Magna Carta and the Public Interest speech at UCL mentioned above.
2. <i>Superintending the Government Legal Department and wider government legal profession, working in particular to enhance government lawyers' role as problem-solvers in the delivery of government policy.</i>	The Law Officers and AGO supported the continuing development of the Government Legal Department (GLD), including by regular ministerial visits to legal teams across Whitehall, and advocating the Law Officers' vision for government lawyers as problem-solvers. The Attorney's speech to the annual GLS Administrative Law Conference was a particular highlight.
D: Effective superintendence of the independent prosecuting authorities	
The challenges facing the AGOs superintended departments continued this year. The AGO has continued to provide the AG with the support needed to effectively engage with each of those departments ranging from policy and communications support on the operational side of their businesses to negotiating their financial settlements as part of the post-election spending review.	
1. <i>Accounting to Parliament for the performance of the prosecution departments by answering questions in Parliament and dealing with Parliamentary correspondence.</i>	The Law Officers handled a wide variety of Parliamentary business in both Houses. Over the 2015/16 session we have so far handled 55 oral and 192 written PQs; a drop on previous years attributable to the General Election period and subsequent political conditions. The rate of responses provided within the time limits remains one of the highest in Whitehall. The broad range of the Law Officers' responsibilities makes their oral questions sessions in the House challenging but they have dealt with sessions covering topics as diverse as drone strikes to the reappointment of the Director of the Serious Fraud Office. The Attorney laid two WMSs on the completion of the SFO's first Deferred Prosecution Agreement, and on the SFO's Contingencies Fund Advance.
2. <i>Providing constructive challenge to the superintended prosecutors on their casework and corporate functions, through regular superintendence meetings.</i>	We continued the strategy of engaging with the superintended prosecutors in a structured way this year and the Law Officers regularly met with the Directors. The Attorney led the spending review negotiations on behalf of

	the prosecutors, securing tough but fair settlements to enable them to continue their important work.
3. <i>Ensuring the independent prosecutors are consulted on and represented in relevant justice policy areas.</i>	<p>This has been another busy year for criminal justice policy with further growth in the Law Officers' engagement with the Home Office, MoJ and Cabinet Office. The Attorney is a key member of the national Criminal Justice Board and the Law Officers have attended Ministerial discussions on creating a new offence of corporate criminal liability and in ensuring necessary protections for prosecutors in legislative changes to police bail.</p> <p>The Law Officers continue to attend a series of policy Inter Ministerial Groups (IMGs) on topics including Child Sexual Abuse and Anti-Corruption. They continue to work to deliver manifesto commitments on overhauling police cautions, introducing a Victims' Law and extending the unduly lenient sentence scheme.</p>
E: Maintaining the relationship between the Executive and the Courts; and increasing the understanding within government of legal issues	
The Law Officers' relationships with the judiciary continued on their upward trend this year thanks to significant effort and prioritisation across the office. Their wide-ranging role relating to legal and legal policy issues across government also scored a number of successes, including the IP Bill and several interventions in Cabinet correspondence.	
1. <i>Taking a lead within government in maintaining a good relationship between the Executive and the Courts, including through the Law Officers' engagement plan.</i>	As mentioned above, the Law Officers' engagement plan included a programme of meetings with the senior judiciary, speeches examining the relationship between the Executive and the Courts, advocacy by all three Law Officers in a variety of courts, and media interviews publicising the value of AGO's work to the successful functioning of the court system. At a working level, AGO officials also supported judges in deciding how to manage particular issues arising in trials, for example advising on the appointment of Special Counsel. Feedback from Law Officers, senior judges and the centre of government all demonstrate that relationships have significantly strengthened through the course of the year.

<p>2. <i>Using ministerial meetings and correspondence to ensure ministerial colleagues are aware of and understand the legal implications of policies.</i></p>	<p>The LOs actively engaged with relevant Cabinet Committees over the course of the year. A notable example would be the IP Bill where the AG contributed to work on the political and legal imperatives for judicial oversight with the constitutional and practical imperatives for ministers to retain responsibility for decision-making, successfully devising a workable option that has achieved the support in principle of the House of Commons.</p>
<p>3. <i>Engaging effectively on legal policy issues across government, including on issues arising in the use of legislation for achieving policy objectives, such as targets; and on Freedom of Information policy.</i></p>	<p>Ministers were provided with and took opportunities to write on Cabinet Committee correspondence raising issues of constitutional and legal policy.</p>
<p>F: Ensuring a high performing and efficient Attorney General's Office which meets its legal and performance obligations</p>	
<p>The engagement, productivity and resilience of our small workforce, despite being distributed across a large range of specialist functions, was further demonstrated in the autumn when AGO scored the highest results in the 2015 Civil Service People Survey of any ministerial department. We finished the year by securing new premises ahead of a planned office move necessitated by the expiry of our current lease. Impressive statistics in relation to public and parliamentary correspondence, a well-functioning Executive Board focussed on strategic challenges, the setting up of a Senior Leadership Group and the provision of paralegal capacity, and an excellent result to the CSR negotiations all meant that the office ended the year with an exceptional efficiency and compliance record.</p>	
<p>1. <i>Maintain confidence in the office and the justice system by providing timely and courteous responses to all forms of parliamentary, press and public correspondence, in line with our published standards and legal obligations.</i></p>	<p>In addition to our daily interactions with members of the public, we handled 908 items of hard copy public correspondence and 196 letters from MPs. Performance in responding to members of the public has been maintained. Performance in responding to MP correspondence has improved by 9 percentage points against a slight increase in volume. We received 230 Freedom of Information requests, 10 Data Protection Act requests and 2 Environmental Information Regulation requests. Responses to FOI have been maintained at 97% answered within the timescale against an almost 20% increase in volume.</p>
<p>2. <i>Support a co-ordinated, strategic and corporate approach to decision making through effective advice and support to the Executive Board.</i></p>	<p>Effective support provided throughout year, with effective planning enabling the Executive Board to move to monthly meetings since January 2016. The provision of support has been more challenging in the second half of the</p>

	year due to unplanned long term absence of the Board Secretary.
3. <i>Ensure an effective people plan is in place for staff engagement, recruitment, learning and development, leadership and diversity.</i>	The introduction of the Senior Leadership Group has strengthened the leadership capability of the department. A review of recruitment has been carried out and recommendations have been implemented. A paralegal functionality has been successfully piloted, resulting in the introduction of paralegal roles going forward, providing additional resource in response to increasing casework volumes. A learning and development programme has been delivered. Staff engagement remains high – with AGO scoring the second highest engagement score of all participating departments in the 2015 civil service wide staff survey. AGO was the highest scoring Whitehall department.
4. <i>Ensure staff engagement is considered in all areas of the business and supported through a Board sponsored Staff Engagement Group. Conduct 2 staff surveys per annum and produce an action plan based on the results (April and October).</i>	Both surveys conducted. Results considered by Executive Board, Senior Leadership Group and Staff Engagement Group. Action plans produced and implemented.
5. <i>Ensure effective financial planning and management of the AGO budgets (administrative and public interest) through effective planning, forecasting and monitoring by the Executive Board.</i>	Effective financial planning resulting in no surprises. Planning for 2016-17 during 2015-16 identified challenges due to the accommodation move. New accommodation has been identified that enables AGO to meet its spending review commitment. Financial cover secured from CPS for set up costs and ongoing ICT costs.