



Attorney
General's
Office

ANNUAL REPORT AND BUSINESS PLAN

2023 - 2024





The Rt Hon Victoria Prentis KC MP



It is a privilege to introduce you to the work of my Office. The position of Attorney General dates to the time of Magna Carta and continues to be a pivotal part of our modern constitution.

I am the Government's chief legal adviser, working with the Solicitor General and Advocate General for Scotland to advise on the most legally complex and politically challenging issues of the day. I also superintend the Crown Prosecution Service (CPS), the Serious Fraud Office (SFO), Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI) and the Government Legal Department (GLD) – where I was a lawyer for 17 years before being elected as an MP.

We are one of the smallest government departments but have broad responsibilities – we have around 65 staff, many of them lawyers who are some of the most skilled from across Whitehall. We also have policy, private office, and communications professionals as well as our corporate team who administer the department's day-to-day operations.

Together, the AGO works as a high-performing, multi-disciplinary, engaged, and resilient team addressing critical problems. The constitutional responsibilities we fulfil as Law Officers' and our team's development and well-being are both personal priorities for me.

We seek to make law and politics work together, at the heart of the constitution. This Annual Report and Business Plan introduces you to our work and some of our key achievements in the reporting year 2022-23.





The Rt Hon Michael Tomlinson KC MP

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The offices of Attorney General and Solicitor General are ancient, but the roles remain integral to the effective working of the constitution. The Law Officers are at once lawyers and Ministers of the Crown, providing legal advice to the government as our client whilst considering the political context in legislation and policy. Beyond our advisory role, we as Ministers are responsible for the Law Officers Departments.

As Solicitor General, I support the Attorney General across the breadth of the Law Officers' responsibilities but am particularly focused on:

- superintending the Crown Prosecution Service and the Serious Fraud Office
- performing functions in the public interest, independent of government, such as looking at sentences which may be too low through the Unduly Lenient Sentence scheme and considering whether to grant consent to certain prosecutions
- scrutinising legislative proposals through the Parliamentary Business and Legislation Committee

It is a privilege to work with the superb team at the Attorney General's Office. This report showcases the breadth of my department's work.

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OUR DIRECTOR GENERAL

The Attorney General's Office has a unique purpose – to support the Law Officers in making law and politics work together at the heart of the UK constitution. As professionals and civil servants, this means we act with integrity, honesty, objectivity and impartiality in advising the Law Officers and in implementing their decisions.

We value our expertise across the law and other specialist disciplines, our dynamic response to government priorities and our teamwork in bringing it all together in support of the government and the rule of law.

In these challenging times, we need to ensure we are engaged in the right places across government, the legal community and beyond, that we are sustaining and strengthening the skills of our people and the capabilities we need for the future, and that we play our part in identifying efficiencies in our work wherever we can. We need to attract the best talent to come to AGO and provide them with a career offer that is second to none, working closely with the Law Officers' Departments and others across the public and private sector.

Whether it's working on the hardest legal problems government can offer, making recommendation on some of the most sensitive criminal law casework, sponsoring the crucial work of the Law Officers' Departments, or helping us run smoothly with the rest of government, there are interesting and challenging careers in the Attorney General's Office on offer to those who want to make a positive impact to government, justice and the rule of law.



Douglas Wilson OBE



I look forward with optimism and believe we are well placed to rise to the challenges ahead in support of the Law Officers.



ROLE AS CHIEF LEGAL ADVISER TO THE GOVERNMENT

As chief legal advisers to the government, the Law Officers are repeatedly called upon to provide advice on some of the most difficult legal issues of the day, including to the Cabinet.

While the detail of such advice is subject to the Law Officers' Convention, and thus not disclosed outside Government, the Cabinet Manual requires the Law Officers to be consulted on critical decisions involving legal considerations.

Our Domestic Law Team and International Law Team officials advise the Law Officers in respect of those issues when appropriate.

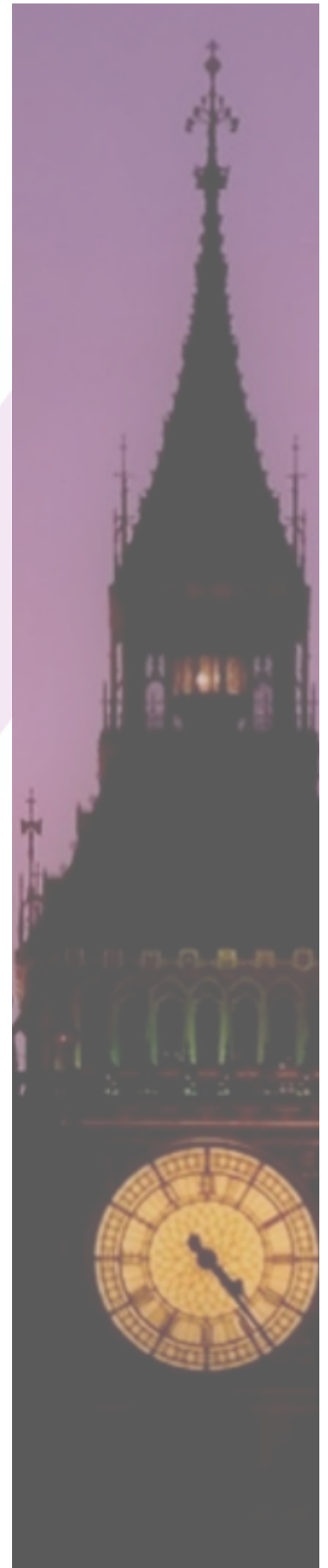
The Attorney General (or Solicitor General on her behalf) is a member of the Parliamentary Business and Legislation Cabinet Committee (PBL) and considers the legal and legislative policy issues raised by Government Bills.

In addition, the Law Officers' consent is required for provisions of a Bill which are retrospective or where the Bill comes into force earlier than two months after Royal Assent. In April 2022 to March 2023, the Law Officers considered approximately 40 Bills.

Role of Private Office

Private Office supports the Law Officers and officials. Their role includes:

- ensuring the Law Officers have the information they need to take decisions and provide legal advice
- providing the communication channel between the Law Officers, SPADs and officials
- making sure the Law Officers' are in the right place at the right time by managing their diaries
- working across wider government and within the Law Officers' Departments to represent their views
- supporting the Law Officers in Parliament, including Questions, Committees and Statements



Our Domestic Law Team also advises on the Attorney General's public interest criminal and civil casework functions. The team has around 10 lawyers, three paralegals, two trainees and is led by a Deputy Director. While the detail of their work is rightly subject to the constraints of the Law Officers' Convention notable highlights included:

- supporting the Attorney General's Reference on a point of law in the Colston case*
- successful litigation on behalf of the government
- a 100 per cent record in timely ULS referrals

*The Attorney General made a referral on a point of law to the Court of Appeal following the acquittal of the Colston four - protesters who toppled the Bristol statue of the slave trader Edward Colston. The Court ruled that protestors accused of 'significant' criminal damage cannot rely on human rights protections when on trial.

CIVIL CASEWORK IN THE PUBLIC INTEREST

Inquest Work

In certain circumstances, people can apply to the High Court for permission for a fresh inquest to be held, but first, the applicant must obtain the 'fiat' (authority) of the Attorney General.

In 2022, the AGO received a substantial number of such applications, and, for each, a decision was taken personally by the Law Officers on whether the application would have a reasonable prospect of succeeding before the High Court.

Charity Work

The Attorney General has a duty on behalf of the Crown as *parens patriae* (parent of the nation) to protect charitable interests in England and Wales. The department works closely with the Charity Commission to carry out this work. Where a charitable bequest fails for some reason it falls to the Attorney General to direct, on behalf of the Sovereign, who should receive the gift.

Royal Charters

The Attorney General acts as legal advisor to the Privy Council in relation to Royal Charters. Royal Charters are a way of incorporating a collection of individuals into a single legal entity.

New grants of Royal Charters are usually reserved for eminent professional bodies or charities which have a solid record of achievement and are financially sound.

Family Work

The Attorney has two sets of public interest functions that arise in family proceedings. Firstly, they have the power to intervene in certain family law proceedings, for example, concerning parental and marital status. Secondly, they direct the King's Proctor (an office held by the Treasury Solicitor) in the exercise of their functions in divorce proceedings. In April 2022 to March 2023, AGO officials considered 14 applications for declarations in family proceedings.

CRIMINAL CASEWORK: THE UNDULY LENIENT SENTENCE SCHEME

ATTORNEY GENERAL'S OFFICE | 07

The Law Officers may refer certain Crown Court sentences to the Court of Appeal for review if they appear unduly lenient. This must be within 28 days of the sentence being passed. This is not a right of appeal by a party to the proceedings – such as the victim - but an exceptional power, exercised by the Law Officers as guardians of the public interest.

Every case referred within the ULS Scheme is reviewed by the Law Officers. A referral under the ULS scheme can only be made if a sentence is not just lenient but unduly so. This might mean the sentencing judge made a gross error or imposed a sentence outside the range reasonably available in the circumstances of the offence. The threshold is a high one.

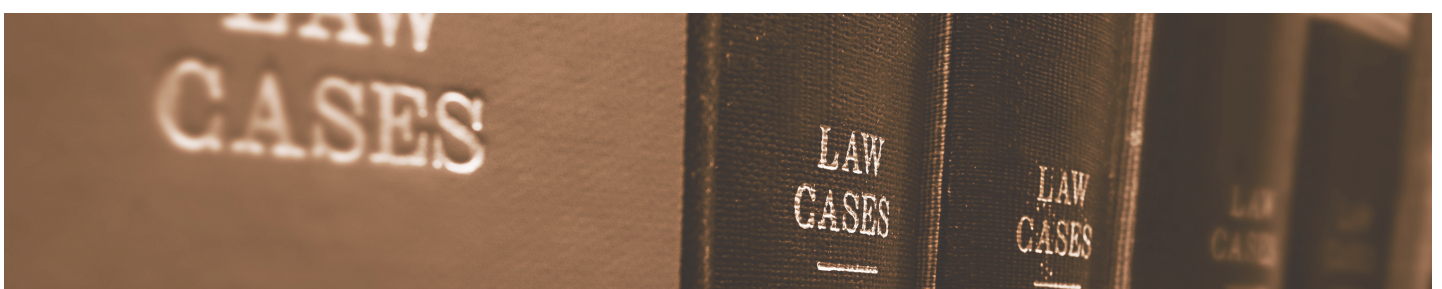
OTHER CRIMINAL CASEWORK

The Law Officers have a duty to uphold the rule of law by safeguarding the efficient administration of justice, the fairness of legal proceedings and access to the courts. Contempt of court happens when someone risks interfering with the administration of justice.

As guardians of the public interest, the Law Officers have the power to deal with incidents of contempt in the High Court and can also bring proceedings to prevent vexatious litigants from bringing further legal action. The AGO receives around 100 contempt referrals requiring a substantive response each year.

The Attorney General may also issue media advisory notices in relation to high profile cases, such as in the shooting of Chris Kaba, who was unarmed when he was fatally shot in September 2022 by Metropolitan Police in South London. The intention is for these notices to be issued only rarely. The press is expected to be aware of their legal responsibilities and the risks of prejudicial reporting as well as any court orders in place.

Proceedings for some offences cannot be instituted without the consent or permission of a Law Officer. Most applications are from the Crown Prosecution Service, although applications are received from the Serious Fraud Office, Service Prosecuting Authority and occasionally from private prosecutors. The number of applications has remained constant over the past few years, around 100 a year.



OUR INTERNATIONAL LAW AND NATIONAL SECURITY TEAM

The International Law and National Security Team supports the Law Officers on a wide spectrum of issues relating to international law and matters of national security. There are four lawyers on the team including a deputy director.

One of their primary roles is supporting the Attorney General and senior leadership ahead of meetings of the National Security Council (NSC) and related senior officials' meetings. The team is also the secretariat to the National Security Council (Officials) (Legal) meeting – a forum of the legal heads of government departments and agencies with national security interests.

This forum supports the Attorney General's national security work, as well as the Cabinet Secretary, National Security Adviser and Deputy National Security Advisers, by leading the provision of strategic legal advice in support of UK national security policy and objectives.

The team also supports the Law Officers with advocacy before international courts, advocacy to the wider international law community and with overseas visits to international institutions.

They contribute to the government's wider outreach initiatives to the international law legal committee through bilateral and multilateral engagement and representing the government in public discussions on the application and development of international.



Since Russia's invasion of Ukraine in February 2022, the team has also been heavily involved in support of the Attorney General's bilateral work with Ukraine on international accountability. The Attorney General has worked closely with her counterpart, Ukraine's Prosecutor General, to support Ukraine's domestic war crimes investigations for Russia's actions.

The Attorney General also appointed Sir Howard Morrison KC, the UK's former judge at the International Criminal Court, as an independent adviser to the Prosecutor General, and carried out two visits to Ukraine.

OUR POLICY AND SPONSORSHIP TEAMS

The Policy and Sponsorship teams support the Law Officers to improve the criminal justice system and oversee the public bodies they sponsor. The team collaborates with other government departments, including the Home Office and Ministry of Justice, to safeguard an efficient and effective criminal justice system. They help make sure the impact of proposals on public prosecutors is considered in government policy.

The Policy team is a key partner in the development and delivery of the Cross-Government Rape Review and other key government initiatives to improve performance across the criminal justice system.

Responsible for the Attorney General's Guidelines on Disclosure, the Policy team reviewed the guidelines, implementing new measures to assist practitioners in complying with their statutory disclosure obligations, whilst balancing the rights to privacy with the need to provide a fair trial.

The Law Officers are accountable to Parliament for the CPS, SFO, GLD and HMCPSI.

The Sponsorship team work closely with the public bodies to make sure they are delivering their objectives and reporting back to the Law Officers on progress. The team facilitates Ministerial Strategic Boards, superintendence meetings and other oversight forums.

Over the past year the team has:

- delivered the independent report into the SFO Unaoil case and monitored implementation of the recommendations
- worked with HMCPSI and CPS to improve how recommendations are implemented
- supported GLD, SFO and CPS to recruit Non-Executive Directors
- conducted a review of HMCPSI as part of the Public Bodies Review Programme
- established a programme of visits for the Law Officers to visit CPS Areas following inspections to improve their understanding of local issues and build regional relationships
- worked with all the public bodies to comply with the efficiency and savings review



SUPPORTING OUR LAW OFFICERS

Corporate Services is a small multi-disciplinary team who support the Law Officers and the department to deliver key priorities and are often described as 'the heart' of the office, providing links to shared services across the Law Officer Departments. The team is made up of a variety of professions designed to facilitate the smooth running of the office which supports the Law Officers to deliver their objectives.

There is a team of specialist criminal casework administrators who support the Domestic Legal Team and the Solicitor General on our Unduly Lenient Sentence (ULS) cases, collaborating with other Criminal Justice partners to help deliver justice through the scheme.

Our Human Resources and recruitment team offer expert advice to the department and are responsible for all recruitment campaigns and the smooth transition for new starters and people departing.

The finance team works in collaboration with the Head of Corporate Services and the Director General in providing expert advice to enable the department to manage the budget effectively and to work within the budget set by parliament.

The team are at the forefront of digital innovation and have recently rolled out new and improved IT across the department and are in the process of developing a new digital application to streamline the management of our ULS cases.

The governance team has responsibility to provide a framework for the department to manage the business effectively, consistent to the principles of public life. This includes leading on the departmental spending plans, corporate risk, and assurance processes to support the accounting officer. The team also provide Private Secretarial and diary management support for the Director General and Director.

The team lead on security and collaborate with civil service departments to provide up to date guidance to AGO colleagues across both physical and cyber-security issues.

Corporate Services also lead on maintaining departmental records consistent with data protection legislation and maintaining the corporate memory of the AGO.



The Communications Team

The AGO Communications Team's role is to protect and enhance the AGO's reputation, through print, broadcast and social media, by building partnerships and creating platforms to communicate the department's messages to key audiences. The team prides themselves on the high quality, professional communications service they provide to Ministers and the department.

Most of the Communications Team's proactive announcements relate to the Unduly Lenient Sentence (ULS) scheme, more information on which is covered elsewhere in this Annual Plan. The team react to breaking news stories, respond to around 30 media enquiries each month, provide proactive media plans, arrange visits and interviews with the Law Officers and ensure they are fully briefed before.

The team is active on Twitter with over 33,000 followers and around 15,000 followers on LinkedIn, posting about sentence increases, Attorney General's Questions, promoting events and meetings attended by the Law Officers as well as direct messages from the Law Officers.

A 24-hour communications service is provided to the media with a press officer always on duty out of hours including weekends.

The Correspondence Team

The AGO Correspondence Team's role is to act as first point of contact for enquiries into the office from most members of the public, external stakeholders and elected representatives.

As part of this the team ensures the appropriate handling of MP letters and Freedom of Information requests. See page 14 for statistics.



Let's hear a little bit more about some of our people including one of eight apprentices and representatives from our Leaders Groups.

Apprentice Amelle Fokeer

What have you learnt during your time as an apprentice at AGO.

I have been able to pick up the practical hands-on experience of working in an office environment. Coming straight out of school and not wanting to go to university, this was exactly the sort of thing I was looking for.



What are you going to do after your apprenticeship at AGO finishes?

I hope to stay in the Civil Service and apply to the Fast Stream. I think it is a great way to move up the ladder within the civil service.

What was it like meeting the Attorney General?

It was an amazing experience. We gave her an insight into what it is like looking for apprenticeships, why we chose the route and our feelings towards apprenticeships.

Diversity and Inclusion Chair - Mahim Malik



What does the role entail?

The D&I Chair role is unique because you have the freedom to shape it according to your own vision. This can also make it challenging, because there is no blueprint to follow, and the terms of reference are unbelievably wide. Broadly speaking, a D&I chair is responsible for raising awareness and tackling concerns about a range of issues falling under D&I. It could be as simple as having open conversations between colleagues, to organising formal events for people to attend.

Why did you get involved?

I have always felt like a misfit, and I suspected everyone else did too. We all have cross-cutting identities that can feel incongruous and hidden from view, which influence our work on a structural and personal level. I think this is fascinating but can also be difficult. I wanted to open up the conversation, and give people some breathing room.

What is your biggest achievement?

My colleague Louise and I are most proud of our fortnightly drop-in sessions, which centre around a different theme each time. It has been incredibly rewarding to see people open up about their stories and thoughts on some contentious issues. We have also found it helpful to identify specific concerns people have about work, and strategise about solutions. These sessions are also chaired by different members of the D&I group, who have developed confidence and found their own voices.

Learning and Development coordinator Catherine Gaskell

What does the role entail?

As L&D coordinators we are responsible for encouraging everyone to take their learning and development seriously. As well as arranging and publicising talks and training, this also involves encouraging staff to think about development within their role and the 70% of learning that comes from 'on the job' experience.

Why did you get involved?

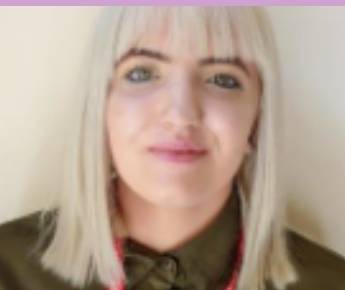
We care about learning and development! I've been lucky enough to have some excellent L&D opportunities – giving me new ways to think about what I do and how I do it. I also really enjoy giving training. The size of AGO means we can really try to target our L&D and hopefully provide an interesting and useful programme.

What is your biggest achievement?

My colleague Waleed Backler prepared us a set of new Sharepoint pages to aid making L&D content more accessible, something we would not have achieved without him. A particular highlight for me so far was the Ultimate Confidence event, which I found really thought provoking and helpful.



Wellbeing and Staff Engagement Group co-lead Emily Tillbrook



What does the role entail?

The role means I get involved in a wide range of activities:

- running wellbeing sessions for staff – for example stress management and Mental Health Workshops
- organising events for all staff – AGO Great British Bake Off, board game afternoons
- help run the people survey and create recommendations
- present recommendations / suggestions to the Executive Board

Why did you get involved?

I applied to be the co-lead for WASE as I wanted the opportunity to make a real difference to the working lives of my colleagues and to ensure people's views are being heard and that accountable action is taken so that everyone is involved in and influences decision making in the AGO.

What is your biggest achievement?

Creating a new role on the executive board, which is a "Non-Executive Staff Member". The purpose of this role is:

- provide a perspective to managing the business and provide constructive challenge
- provide insight on ways to consult with the wider office to support decision making and strategic thinking
- share innovative ideas and ensure decisions taken have considered the impact on colleagues

This role has given colleagues the opportunity to get involved in decision makings of the office and is a great development point.

Here are some examples of statistics presented to the AGO Executive Board showing how the AGO team - made up of around 65 people - has performed during 2022.

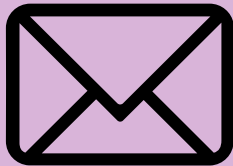


Responded to 251 parliamentary questions.

Answering 84% within the deadline.

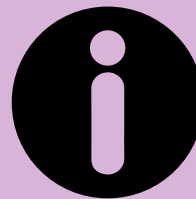


975 Cabinet write rounds received for review.



284 MP letters.

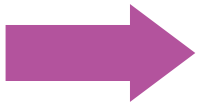
Answering 94% within the deadline.



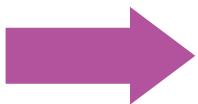
Received 260 Freedom of Information requests.

Responding 100% within the statutory deadline.

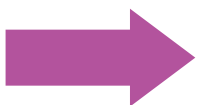
Unduly Lenient Sentence statistics



Referral for unduly lenient sentence cases increase from 1,003 in 2021 to 1,179 offenders in 2022



Of those, 819 were within scope of the scheme, and requiring personal consideration by a law officer, and 139 were referred by a Law Officer to the Court of Appeal.



The Court of Appeal agreed the sentence was unduly lenient in 68% of these cases.

Unduly Lenient Sentence examples

Christopher and Lorna Dennington, guilty of cruelty to children and fraud were each sentenced to 12 months in prison with a 5-year restraining order. Following the sentencing, Lorna received a new sentence of 4 years and 10 months' imprisonment, while Christopher was ordered to serve a new sentence of 6 years' imprisonment.

Jordan Monaghan had his sentence increased from life imprisonment with a minimum term of 40 years to life imprisonment with a minimum term of 48 years for killing his daughter in January 2013 when she was 24 days old and his son in August 2013, who was 21 months old.

Strategic Priority A: Helping deliver effective Government legal and policy in the context of the Law Officers' constitutional role in relation to the Rule of Law

Ensure the views of the Law Officers, as Chief Legal Advisers to the government, are represented at cross Whitehall meetings, forums, and reviews.

Provide timely and high-quality Law Officer advice.

Engage strategically with heads of legal teams across government, including chairing the National Security Council (Officials) (Legal) meeting.

Drive forward and support cross-government work on legal policy matters, ensuring the Attorney's views are considered timeously.

Ensure that legislation proposed at the Parliamentary Business and Legislation Committee is clear and lawful.

Support Law Officer engagement with legal teams and their work across Government.

Support the Law Officers in their international engagement on international law, including ensuring accountability for international crimes committed in Ukraine.

Support the Law Officers in their attendance at Cabinet Committees.



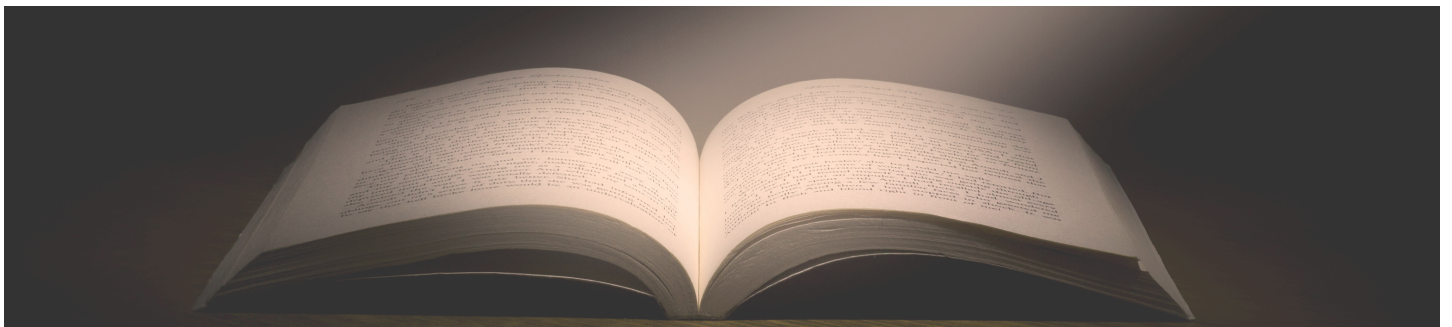
Strategic Priority B: Defining and delivering the Law Officers' public interest functions to deliver justice.

Provision of timely, quality advice which identifies and critically analyses options.

Identifying appropriate opportunities to correct sentencing errors where sentencing law may at the same time be clarified more broadly, through the ULS scheme.

Working closely with the Law Commission and other Government departments to exploit opportunities for reform/improvement.

Proactive press campaigns on the back of high-profile ULS cases, engaging local, regional trade and national print and broadcast media.



Strategic Priority C: Sponsoring the Law Officers' Departments and connecting the work of the prosecutors with wider criminal justice policy.

Ensure review and proper operation of all Framework Agreements and Protocols with Law Officers' Departments (LODs).

Support LODs in engagement with HM Treasury and complying with Cabinet Office public bodies requirements and through the efficiency review ensuring alignment with Government priorities.

Ensure the performance of the LODs in priority areas is focused to enable the Law Officers to discharge their superintendence responsibilities.

Strategic engagement with the Professions in the Attorney General's capacity as Head of the Bar on key issues affecting the justice system.

Working collaboratively across the Criminal Justice System to address key concerns and issues, linking LOD's to central government policy on clearing the Crown Court backlogs and on improving the performance of the criminal justice system.

Working collaboratively with other government departments and stakeholders to address performance issues with handling of rape and sexual offence cases.



Strategic Priority D: Ensuring a high performing and efficient Attorney General's Office which meets its legal and performance obligations.

Continue to build improved and robust governance structures to ensure the AGO Accounting Officer discharges his/her duties.

Develop improved and consistent management information linking to delivery of the department's Business Plan.

Deliver effective financial planning, budgetary management, and fiscal reporting in line with government accounting rules and best practice.

Embed a culture where everyone's security obligations are met and understood, implementing personal and cyber security policies.

Increase the skills and knowledge of our people and develop greater leadership capability across the AGO.

Strive to attract a diverse selection of candidates, by continuously improving outreach and recruitment practices that link into professions and offer clear development options.

Use corporate working groups to foster an inclusive working environment, embed smarter working and other lessons learned through remote working.

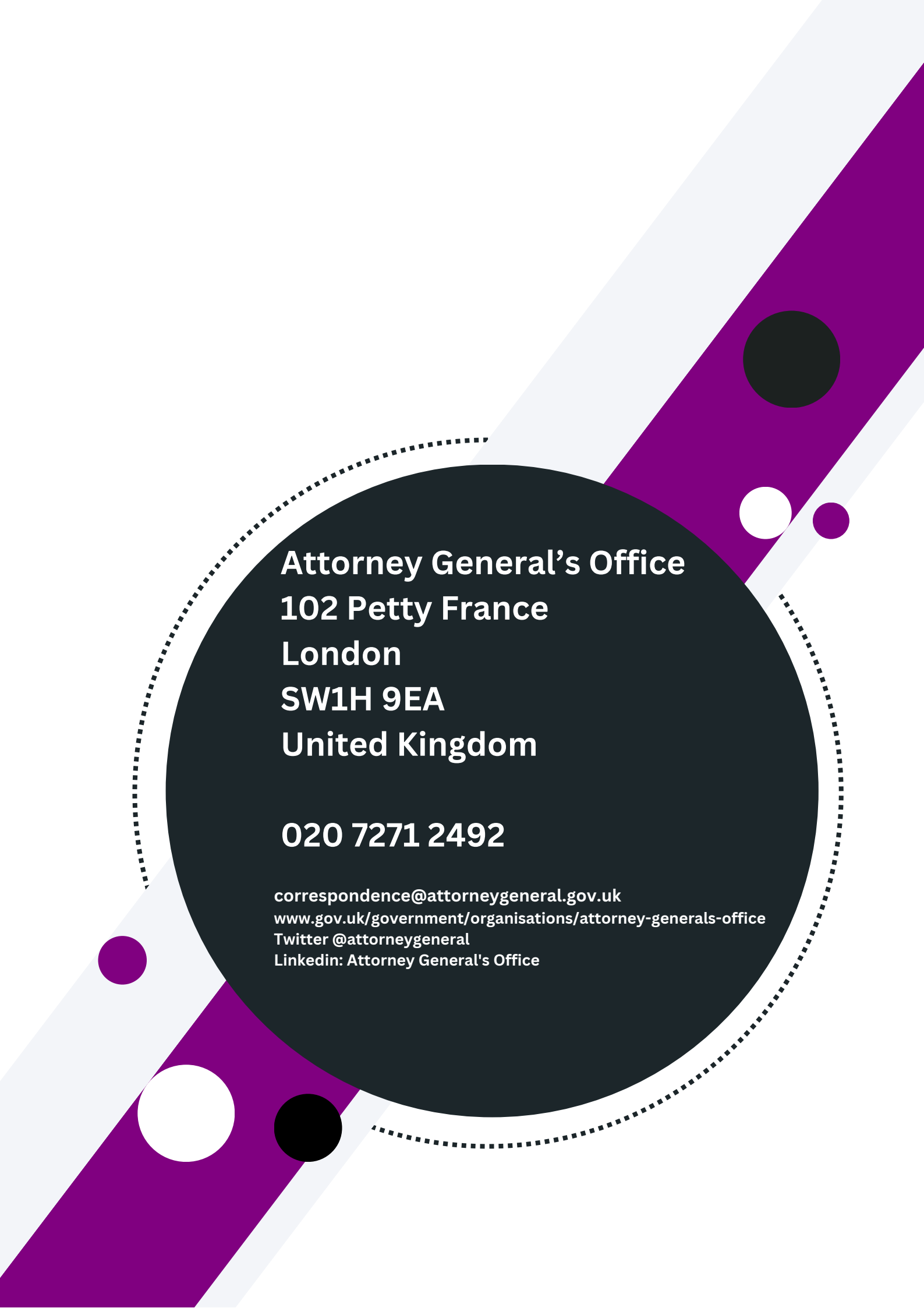
Implement Knowledge Management policy to manage and retain its corporate memory and compliance with the Data Protection Act and General Data Protection Regulation.

Develop a digital records management system, implementing new practices, and developing measures to provide assurance that processes are effective.

Deliver improvements in casework processes through digital innovation.

To develop a Corporate Services Team to deliver high quality and proactive support to the wider office.





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