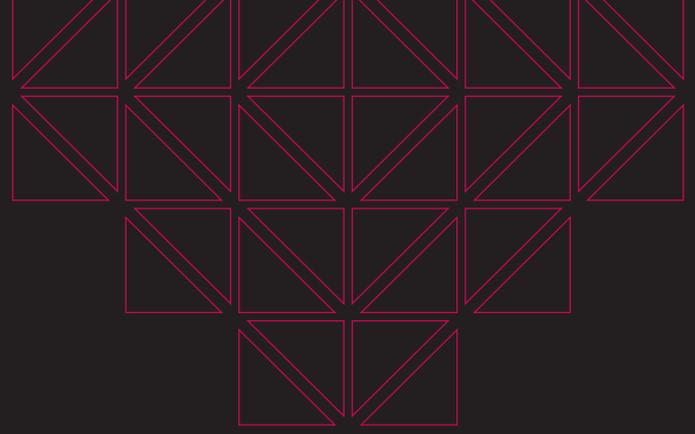
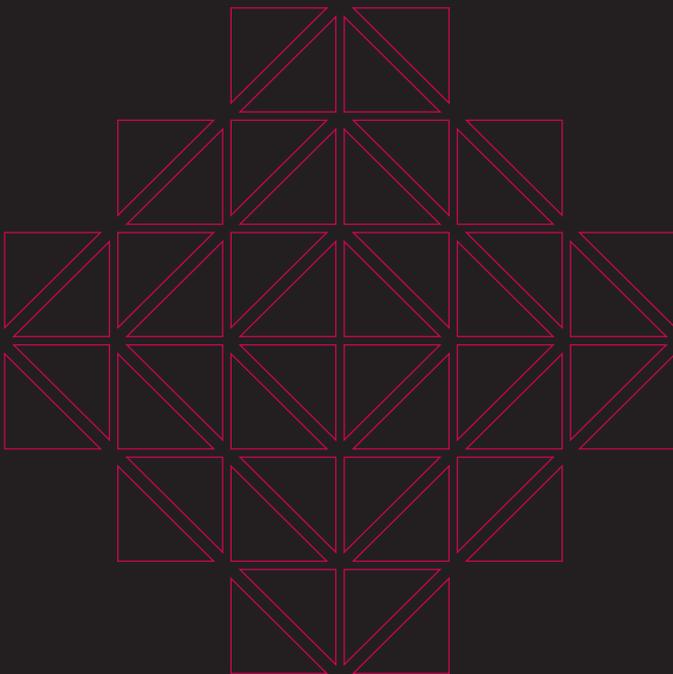




Ministry of  
**JUSTICE**



# Autumn Performance Report





# **Ministry of Justice Autumn Performance Report 2007**

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

**December 2007**

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## Foreword by the Secretary of State



I am pleased to introduce the first Autumn Performance Report for the Ministry of Justice. This report provides an update on the progress we have made towards achieving our Public Service Agreement (PSA) and efficiency targets.

The Ministry of Justice was created on 9 May; bringing responsibility for the justice system under the leadership of one department.

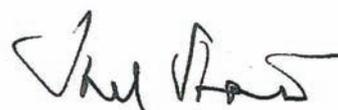
The Ministry of Justice provides the opportunity to ensure the justice system works better for the public it serves. Its work is wide ranging; from supporting a vigorous democracy to ensuring the efficient and effective delivery of justice; from guaranteeing rights and promoting responsibilities to helping protect the public and reducing re-offending.

This has been a very busy first six months. A great deal has already been delivered:

- We have published the Green Paper *The Governance of Britain*, containing a package of reforms intended to shift power from the Government to Parliament and from Parliament to the people. So far we have launched two consultations: On the role of Parliament in the ratification of treaties and deployment of armed troops, and on judicial appointments. These consultations are due to close in January. Others will be forthcoming through the next 12 months.
- We have ensured our prison building programme remains on track to deliver 9,500 additional prison spaces by 2012.

- We have introduced new legal aid fee structures and schemes to put spending on a sustainable basis for the future while ensuring access to justice for the vulnerable and providing more funding for civil advice and assistance.
- We have established the Office of the Public Guardian (OPG), bringing legal protection to some of the most vulnerable in society.
- We have overseen the introduction of key legislation including:
  - the Forced Marriage (Civil Protection) Act, which will protect victims of forced marriages and prevent them from taking place;
  - the Tribunals, Courts and Enforcement Act, which will reform the tribunal system, introduce measures to regulate bailiffs and protect the over-indebted;
  - the Offender Management Act, which aims to reduce re-offending and better protect the public by improving the way in which offenders are managed; and
  - the Legal Services Act, which will improve our legal services system and ensure the consumer is put at its heart.

A lot has been achieved within the short lifetime of the Ministry, but there remains much more to do. We have a challenging agenda to deliver, on which we are determined to succeed.



Rt. Hon Jack Straw MP

Secretary of State for Justice  
and Lord Chancellor

## 1. Introduction

### Our organisation

The Secretary of State for Justice and Lord Chancellor is the Rt Hon Jack Straw MP. He is supported by two Ministers of State (Rt Hon David Hanson MP and Michael Wills MP) and three Parliamentary Under Secretaries of State (Lord Hunt of Kings Heath OBE, Bridget Prentice MP and Maria Eagle MP) and the Ministry of Justice Board with nine executive and two non-executive members. The Permanent Secretary heads the executive members.

A number of Ministry of Justice executive agencies (including HM Prison Service, HM Courts Service and the Tribunals Service), non-departmental public bodies (including the Legal Services Commission), associated offices and independent bodies play important roles in ensuring the Ministry meets its PSA and efficiency targets. The Secretary of State also has responsibility for the National Archives, Northern Ireland Court Service and HM Land Registry. Performance against their objectives, along with that of the Wales Office and Scotland Office, will be set out in the Ministry of Justice's Departmental Report 2007/08 (as well as their own annual reports).

### Resource accounts

The 2006-07 Resource Accounts were the last ever accounts produced for the Department for Constitutional Affairs (DCA), following the creation of the Ministry of Justice. The DCA's Resource Accounts were prepared under the principle of accruals accounting in accordance with the Government Financial Reporting Manual (FRoM) issued by HM Treasury. The FRoM follows United Kingdom Generally Accepted Accounting Practice (UKGAAP) to the extent that it is meaningful and appropriate to the public sector. The Resource Accounts are an annual report that summarise how the department used the resources voted to it by Parliament. They consist of the following sections:

- Annual Report, including a Management Commentary. This sets out the aims, objectives and principal activities of the department and provides other background information;
- a remuneration report;
- a statement of Accounting Officer's responsibilities explaining the responsibilities of the Head of the Department in respect of the accounts;
- a statement on internal control;
- a certificate and report by the National Audit Office on the audit of the accounts; and
- five primary statements and supporting notes.

The former DCA 2006-07 Resource Accounts were laid before Parliament on 25 July 2007 and are available on the Ministry of Justice's website at <http://www.justice.gov.uk/docs/dca-resource-accounts-2006-7.pdf> or may be purchased from The Stationery Office [www.tso.co.uk](http://www.tso.co.uk).

## 2. Performance targets

A Public Service Agreement (PSA) sets out for Parliament, the public and officials, the high-level set of aims, objectives and targets that departments are aiming to deliver, along with a statement of who is responsible for delivery. PSA targets should not be a comprehensive description of everything a department does. Although the objectives should encompass all areas of a department's responsibilities, the targets should only cover key priorities.

### Former DCA targets

The Spending Review (SR) 2004 Public Service Agreement for the former DCA includes an aim, four Strategic Objectives and five PSA targets which are set out below.

#### Aim – Justice, Rights and Democracy.

***Strategic Objective I – To provide criminal, civil, family and administrative justice systems that command public respect and confidence.***

PSA 1. Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08;

PSA 2. Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System (CJS) without compromising fairness.

The Ministry, through the Office for Criminal Justice Reform (OCJR), works with our partners in the CJS, including the Home Office and Crown Prosecution Service, to deliver the cross-departmental PSA targets on Offences Brought to Justice and Confidence in the CJS. The OCJR is a cross-departmental team that supports all criminal justice agencies to work together and provide a better service to the public.

PSA 3. Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration.

This target is now jointly owned by the Ministry of Justice and the Home Office.

***Strategic Objective II – To ensure that the public, especially the socially excluded and vulnerable, have access to excellent services, which enable them to exercise their rights in law and understand, exercise and fulfil their responsibilities.***

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

PSA 5. To achieve earlier and more proportionate resolution of legal problems and disputes by:

- Increasing advice and assistance to help people resolve their disputes earlier and more effectively;
- Increasing the opportunities for people involved in court cases to settle their disputes out of court; and
- Reducing delays in resolving those disputes that need to be decided by the courts.

These targets are now the sole responsibility of the Ministry of Justice.

***Strategic Objective III – To enable the development of democratic institutions of government that command public confidence.***

***Strategic Objective IV – To create a modern, efficient and effective department that has the capacity and capability to deliver excellent public services.***

These Strategic Objectives do not have PSA targets.

### Former Home Office targets

Following the creation of the Ministry of Justice we are also responsible for maintaining and achieving the following standard which is delivered by the National Offender Management Service (NOMS):

- Protect the public by ensuring there is no deterioration in the levels of re-offending for young offenders and adults. Maintain the current low rate of prisoner escapes, including Category A escapes.

'Standards' were introduced alongside PSA targets in SR 2004 to ensure that high standards in priority areas are maintained.

The standard builds on the former Home Office SR 2002 target on reducing re-offending which is also the responsibility of the Ministry of Justice.

### **Efficiency targets**

In addition to the delivery of Public Service Agreement targets, the Ministry of Justice is also required to deliver £292 million in efficiency savings by March 2008. The efficiency programme comprises targets on financial savings, headcount reductions and post relocations.

### 3. Performance against SR 2004 PSA targets and standards

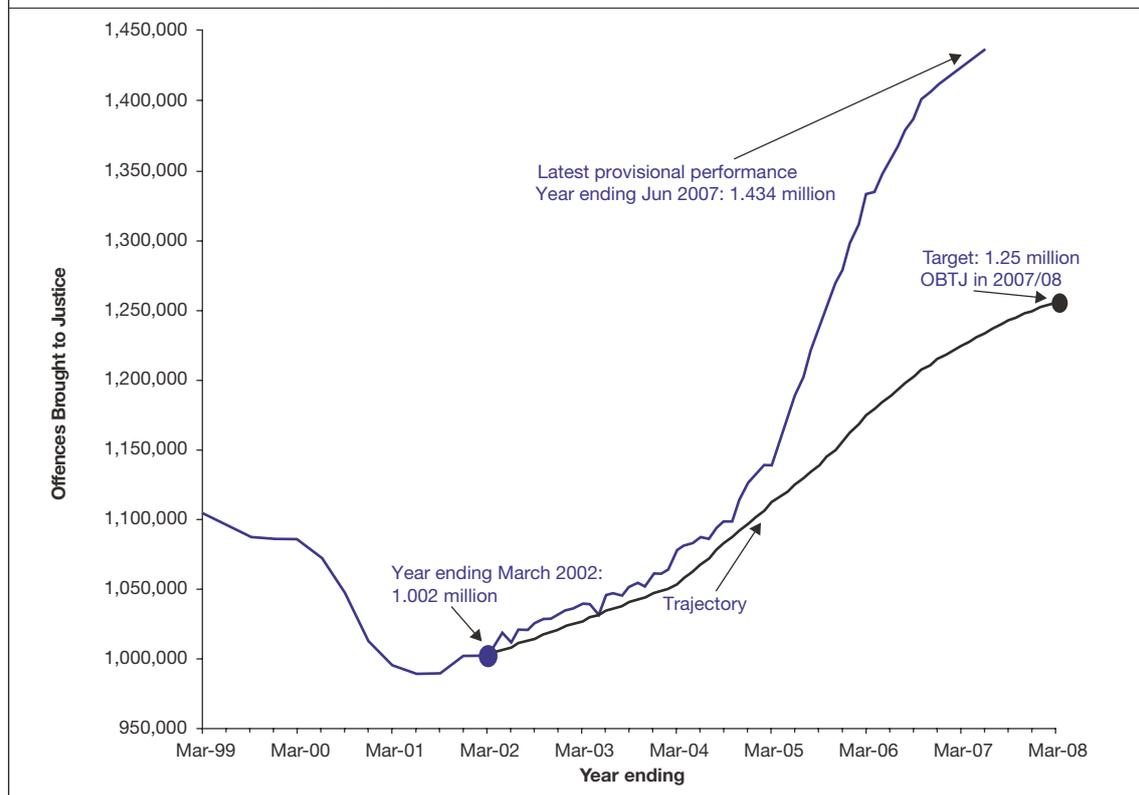
#### PSA 1

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08. (Joint CJS target)

An offence is considered to have been brought to justice when a recorded crime results in an offender being convicted; cautioned; issued with a penalty notice for disorder; or given cannabis warning; or having an offence taken into consideration.

Measure	Latest outturn
Increasing the number of crimes for which an offender is brought to justice	<b>Ahead</b> Latest performance shows that 1.434 million <sup>1</sup> offences were brought to justice in the 12 months to June 2007.

**FIGURE 1: Offences brought to justice**



#### Progress since April 2007

##### Criminal Justice System

- The implementation of Criminal Justice: Simple, Speedy, Summary (CJSSS), a programme of work to improve the speed and effectiveness of the magistrates' courts continues. Thirty six criminal justice areas now have one site operating CJSSS and 11 areas have fully implemented the programme. The majority will have implemented CJSSS by December 2007. We are also working in partnership with the judiciary to identify potential improvements in the Crown Court.

<sup>1</sup> The England and Wales figure includes estimates for missing data. Data are provisional and subject to change.

- Conditional cautioning is now being rolled out and will be fully implemented by March 2008. A guide to alternatives to prosecution was published in June 2007 to assist the police and Crown Prosecution Service (CPS) in making full use of the range of out-of-court disposals available for adult offenders. The conditional caution scheme established under the Criminal Justice Act 2003 provides the police and CPS with a new disposal for dealing with low level offenders who are prepared to admit their offence and who, if prosecuted, would probably have received a nominal fine, an order to pay compensation, or a conditional discharge at the magistrates' court.
- Statutory charging<sup>2</sup> is fully operational in all criminal justice areas. September 2007 data shows a reduction in the discontinuance rate<sup>3</sup> from the 2001/02 baseline of 36% to 15.5%; an increase in the guilty plea rate from 40% to 71.5% and a decrease in the attrition rate<sup>4</sup> from 40% to 22%.

### Ministry of Justice

- The Enforcement Programme has made real progress in improving performance in the collection of financial penalties, execution of confiscation orders, recovering assets, and execution of community penalty breach warrants<sup>5</sup>. Her Majesty's Courts Service (HMCS) has established nine regional confiscation centres of excellence to ensure that more assets are confiscated from convicted criminals.
- Support is being provided to local areas in tackling more serious offences, which have the most significant affects on individuals and communities. In addition we have established a Rape Performance Group to ensure a focus on improving the end-to-end process of investigating and prosecuting rape offences.
- The management of defence work in trials of Very High Cost Cases (VHCCs)<sup>6</sup> is being improved. This includes introducing robust quality standards for practitioners including 'peer review' for solicitors and a scheme to quality assure the work of advocates, inside and outside the courtroom. We are also working with the High Cost Case Review Board to explore and tackle the causes of long, complex and costly trials.

<sup>2</sup> Statutory Charging was brought in under the Criminal Justice Act 2003 and has been operational across all 42 Criminal Justice Areas since 3 April 2006. Under Statutory Charging arrangements, the CPS are responsible for determining the charge in all indictable only, either way and specified summary offences (approximately 30% of all cases). This ensures that Prosecutors and the police work closely from the outset of a case to determine the correct charge and build an evidentially strong case.

<sup>3</sup> Discontinuance rate is the proportion of completed defendant cases in which the prosecution decided to drop proceedings before evidence was heard in court.

<sup>4</sup> The attrition rate is the proportion of completed defendant cases in magistrates' courts and in the Crown Court which result in an unsuccessful outcome, these include discontinuances, dismissals and acquittals, and administrative finalisations.

<sup>5</sup> A community penalty breach warrant is a warrant issued by a magistrate for the arrest of an offender who has failed to comply with the conditions of a community penalty. Community penalties include community rehabilitation orders, community punishment orders and suspended sentence supervision orders.

<sup>6</sup> A "Very High Cost Case" is a case which either: (a) if the case proceeds to trial, that trial would be likely to last for 25 days or longer; or (b) the defence costs with regard to any one defendant (or group of defendants represented by the same firm of solicitors) are likely to amount to £150,000 or greater (such sum to include the solicitor's fees and disbursements, advocate's fees, and VAT).

**PSA 2**

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the CJS without compromising fairness.

To improve public confidence in the CJS, including increasing that of ethnic minorities and increasing year-on-year the satisfaction of victims and witnesses, while respecting the rights of defendants.

The target will have been achieved if, for the year 2007/08, two out of the three elements of the following are met. (Joint CJS target)

Measures	Latest outturn
<p><b>Public confidence in the CJS</b></p> <p>This is determined using questions in the British Crime Survey (BCS) which ask whether the public believes the CJS is effective in bringing people who commit crimes to justice.</p>	<p><b>On course</b></p> <p>Baseline (BCS 2002/03): 39%                      Target (BCS 2007/08): an increase                      Annual outturn (BCS 2006/07): 41%                      Latest outturn (year to June 2007): 42%</p>
<p><b>Black and minority ethnic perceptions of fair treatment</b></p> <p>This is measured by questions in the Citizenship Survey (former Home Office Citizenship Survey (HOCS)) which ask whether people from a black or minority ethnic (BME) background believe the CJS would treat them worse than people of other races.</p>	<p><b>On course</b></p> <p>Baseline (HOCS 2001): 33%                      Target (Citizenship Survey 2007): a decrease                      Annual outturn (HOCS 2005): 31%                      Latest outturn (Citizenship Survey April-June 2007): 29%<sup>7</sup></p>
<p><b>Victim and witness satisfaction</b></p> <p>This is measured using BCS questions on victim and witness satisfaction with the CJS.</p>	<p><b>On course</b></p> <p>Baseline (BCS six month to March 2004): 58%                      Target (BCS 2007/08): an increase                      Annual outturn (BCS 2006/07): 60%                      Latest outturn (year to June 2007): 60%</p>
<p><b>Progress since April 2007</b></p>	
<p><b>Criminal Justice System</b></p> <ul style="list-style-type: none"> <li>• A major project to provide improved, immediate and practical support tailored to victims' needs has begun in the East of England. Provided by Victim Support and following the success of the Victim Care Unit pilots, the Enhanced Services model for victims of crime will be rolled out nationally on a region by region basis. The national implementation of the CPS Victim Focus scheme has begun. The scheme allows prosecutors to meet bereaved families in homicide cases, after charge, in order to explain processes and procedures, including the making of a victim personal statement.</li> <li>• The use of 'Intermediaries' to assist vulnerable witnesses provide better evidence in court, leading to better justice, was rolled out in September 2007.</li> </ul>	

<sup>7</sup> The Citizenship Survey has moved to reporting quarterly. The target is based on the entire year's data so the improvement needs to be sustained for the remaining three quarters in order to meet the target.

### Ministry of Justice

- Following the successful Community Justice pilots in North Liverpool and Salford, we are rolling out to a further eleven areas, with a view to incorporating the principles of community justice in magistrates' courts nationally.
- At the end of 2005 we launched two Dedicated Drug Courts in West London and Leeds Magistrates' Courts, with the aim of testing a new framework in dealing with drug-misusing offenders who persistently commit low level crime to fund their addiction. An evaluation of the sites is currently underway and will be completed by the end of the year.

### PSA 3

Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration. (Joint target with Home Office)

Measures	Latest outturn
<p><b>Reduce unfounded asylum claims</b></p> <p>The target will have been achieved if the number of unfounded asylum claims in the year 2007/08 is less than in the baseline year (2002/03).</p>	<p><b>Ahead</b></p> <p>Baseline (2002/03): 70,200                      Target: a reduction                      Outturn (2005/06): 39,200 (revised)<sup>8</sup>                      Outturn (2006/07): 17,900</p>
<b>Progress since April 2007</b>	
<ul style="list-style-type: none"> <li>• The Asylum and Immigration Tribunal (AIT) plays a key role in delivery of a fair, speedy and effective asylum and immigration appeals process. As part of an ongoing commitment to the Government's wider asylum and immigration strategy, AIT continues to process appeals to timescales set out by the Asylum and Immigration Tribunals Procedure Rules 2005. This includes the requirement that cases are listed for first substantive hearing within 28 days and that decisions are forwarded to the Home Office for personal service.</li> <li>• The AIT will be consulting shortly on measures to refine the Asylum and Immigration Tribunal Procedure Rules. Preliminary work identifying issues for inclusion in the consultation has been undertaken informally with stakeholders.</li> <li>• The Tribunals Service is working closely with the Border and Immigration Agency (BIA) and NOMS to ensure the appeals process is properly resourced to absorb the work that will come out of the UK Borders Act 2007, in respect of deporting foreign national prisoners.</li> <li>• The AIT continues to work closely with BIA to ensure the swift disposal of deportation appeals. An increase in the number of deportation appellants held in detention has resulted in an increased requirement for secure courtrooms and bail hearings. AIT is also working alongside HMCS and NOMS to develop a long-term strategy to deal with this need.</li> <li>• A pilot scheme providing access to early legal advice in New Asylum Model cases has been running in Solihull. This aims to test whether the provision of early legal advice improves the quality of decisions on asylum applications. Both qualitative and quantitative aspects of the pilot scheme will be evaluated before any decision is taken on extending the arrangements.</li> </ul>	

<sup>8</sup> The number of individuals recorded as becoming failed asylum seekers has been revised to take account of late entered data, removing duplicate cases and a data cleansing exercise.

PSA 4

By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10%<sup>9</sup>.

Measures	Latest outturn
<p><b>By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10%.</b></p> <p>Target will be achieved if by 2009/10 the county courts (care centres) achieve 48% and the magistrates' courts (Family Proceedings Courts) achieve 56%.</p>	<p><b>Slippage</b></p> <p>The current financial year to date performance (April to August 2007) is:</p> <ul style="list-style-type: none"> <li>• county court (care centres): 40.5%</li> <li>• magistrates' courts (Family Proceedings Court): 50.6%</li> </ul> <p>Unnecessary delay in care proceedings is caused by a complex set of factors<sup>10</sup> across all family justice organisations. Reforms to improve the timely and effective progression of care cases and address the multiple reasons for delay are being implemented at a national level. In addition, local initiatives are in place to help improve performance.</p>
<p><b>Progress since April 2007</b></p>	
<ul style="list-style-type: none"> <li>• The Ministry is playing a leading role in the continuing work to improve the care proceedings system and outcomes for vulnerable children. From April 2008, a new Public Law Outline (PLO), which is being prepared by the judiciary, will replace the existing Protocol for Judicial Case Management in Children Act Cases. The new PLO will be underpinned by revised statutory guidance to local authorities in England &amp; Wales (prepared by the Department for Children Schools and Families and the Welsh Assembly Government) to assist them in preparing care applications to the court. Consultations on both these documents were carried out during the summer. A number of areas are already testing the procedures of the PLO. Once implemented these reforms should ensure more timely and effective progression of care cases by eliminating inappropriate delay.</li> <li>• Following earlier pilots, courts are being encouraged to establish a Case Progression Officer (CPO) role as part of their local strategies for dealing with family cases. CPOs have a key role in supporting the judiciary with their case management function and liaising closely with the parties to proceedings in order to avoid unnecessary delay.</li> <li>• A forum comprising 'family lead' Area Directors from each HMCS region has been established to look at what immediate performance improvement actions can be taken within the existing environment, including monitoring the effectiveness of Regional Improvement Plans and sharing best practice. This group is taking a lead role in ensuring information, for example, on forthcoming reforms, reaches front line staff.</li> </ul>	

<sup>9</sup> 10% means 10 percentage points.

<sup>10</sup> The Review of Child Care Proceedings in England & Wales (published May 2006) highlighted the following drivers of delay: poorly prepared applications to court; ineffective case management, scarcity of judicial resources; variation in quality of representation; expert evidence that takes a long time to commission and / or is requested late in proceedings and / or does not provide suitable guidance for the court; the late allocation of the children's guardian, delaying the start of their appraisal of the local authority's work; alternative carers emerging late in proceedings; and regional variations in practice.

- The continuing Unified Family Service Programme is bringing together the work of the Family Proceedings Courts and county court, and combining the staff administering different family courts in order to promote greater flexibility, expertise and efficiency. Early positive feedback at the pilot sites in Birmingham, Barnet and Ipswich, has encouraged areas and local regions of HMCS to initiate their own changes. Currently, 36 locations have unified their family administration and 12 locations have established Family Court Centres where hearing centres are also co-located.

### PSA 5

To achieve earlier and more proportionate resolution of legal problems and disputes by:

- Increasing advice and assistance to help people resolve their disputes earlier and more effectively;
- Increasing the opportunities for people involved in court cases to settle their disputes out of court; and
- Reducing delays in resolving those disputes that need to be decided by the courts.

Measures	Latest outturn
<p><b>Increasing advice and assistance to help people resolve their disputes earlier and more effectively.</b></p> <p>Target will be achieved with a 5% increase from 47.5% to 49.9% in the proportion of justiciable problems<sup>11</sup> in respect of which people receive suitable advice and assistance.</p>	<p><b>Slippage</b></p> <p>44.6% (cumulative Civil and Social Justice survey data to June 2007)</p> <p>The level of actual acts of advice reported in the survey has increased with the number of Legal Services Commission (LSC) provided New Matter Starts increasing month on month during the past year.</p> <p>There has been limited recovery against the PSA target in the past six months. However, this is unlikely to be sufficient to meet the PSA target by April 2008 as the volume of problems reported in the survey has exceeded the increased volume of advice provision.</p>
<p><b>Increasing the opportunities for people involved in court cases to settle their disputes out of court.</b></p> <p>Target will be achieved with a 5% reduction from 40.5% to 38.5% in the proportion of disputed claims in the courts that are ultimately resolved by a hearing.</p>	<p><b>On Course</b></p> <p>38.4% (12 months to August 2007)</p> <p>Performance has improved with Small Claims Mediators now facilitating the resolution of cases across the country. The courts have successfully managed a significant volume of claims in relation to bank charges claims in recent months. These cases have a high tendency to settle which has helped boost performance. While many courts have now stayed these cases pending a test case in January 2008, the expansion of the small claims mediation service during the remainder of the year will help to mitigate any negative effect.</p>

<sup>11</sup> A justiciable problem is a problem which might have a legal solution.

Measures	Latest outturn
<p><b>Reducing delays in resolving those disputes that need to be decided by the courts.</b></p> <p>Target will be achieved with a 2% increase from 79.9% to 81.5% in the proportion of small claim hearings that take place within target time.</p>	<p><b>Slippage</b></p> <p>77.9% (12 months to August 2007)</p> <p>Performance deteriorated during late 2006 and early 2007. This was in part due to an increase in claims being issued in the county courts as well as increases in other court business which impacts on court time. Courts have been focussing on recovering performance by sharing good practice and targeting small claims cases for early hearing. There has been recent recovery in performance but momentum needs to be maintained in order to meet the PSA target by April 2008.</p>
<p><b>Progress since April 2007</b></p>	
<ul style="list-style-type: none"> <li>• The first Community Legal Advice Centre (CLAC) was opened in Gateshead in April 2007. The aim of the centre is to provide free face-to-face legal advice to help people solve their legal problems, and provide education on legal rights so that people can help themselves more. The Ministry plans to open a further three CLACs in Derby, Leicester and Portsmouth. We are now in discussions with Cornwall County Council to set up a Community Legal Advice Network (CLAN), which will guarantee any person who contacts the network access to a full range of legal services on offer.</li> <li>• The public already has the benefit of using the Community Legal Advice<sup>12</sup> website, which has attracted increased levels of traffic with over 1.5 million visits between June and August 2007 and over 350,000 leaflet downloads. Four out of five case categories (Employment, Debt, Housing and Welfare Benefits) are being routed through the new operator service which offers a more tailored service to callers. The fifth category (Education) will be phased in shortly.</li> <li>• The number of calls to the National Mediation Helpline has more than doubled in the last year with 5,795 calls being handled between April and September 2007. A settlement of 70% has been achieved for cases mediated.</li> <li>• The Ministry launched an in-house mediation service in Spring 2007, which provides a free service for court users giving parties the option of a mediation session, either by phone or face-to-face appointment, before the court hearing. Mediations normally last up to one hour. If the mediation is not successful, the case will progress to the hearing as normal. The small claims mediation service has already proved successful in terms of court time saved, the proportion of cases settled (65%) and the satisfaction of users of the service who have been surveyed. It is expected that the benefits of this service will build up as it expands and becomes more embedded.</li> </ul>	

<sup>12</sup> Community Legal Service Direct changed its name to Community Legal Advice on 12 November 2007.

## NOMS Standard

Following the creation of the Ministry of Justice on 9 May 2007 we are now responsible for the following standard which is delivered by NOMS.

- Protect the public by ensuring there is no deterioration in the levels of re-offending for young offenders and adults. Maintain the current low rate of prisoner escapes, including Category A escapes.

The NOMS standard requires that re-offending performance for adults and juveniles is maintained above the 2005-06 level over the SR 2004 period.

Re-offending is measured using proven re-offending rates, comparing actual re-offending rates with a predicted rate. This allows account to be taken for year-on-year variations in the profile of offenders such as their age, gender and criminal history, as well as external factors. Proven re-offending rates are calculated from a sample taken between January and March each year.

Alongside the NOMS Standard, there is a longer-term goal to work towards a 10% reduction in re-offending by the end of the decade.

Measures	Latest outturn
<p><b>Re-offending for young offenders</b></p> <p>Youth re-offending is measured by the number of young offenders who re-offend within a one-year period following a pre-court disposal, court disposal, or release from prison and who are subsequently re-sanctioned, either through receiving another pre-court disposal or through a conviction in court, compared to a predicted rate.</p>	<p><b>Slippage</b></p> <ul style="list-style-type: none"> <li>• Baseline: 2000 (January–March 2000)</li> <li>• Target (January–March 2006): a 5% reduction</li> <li>• Latest outturn (January–March 2005):                             <ul style="list-style-type: none"> <li>– Predicted rate: 40.84%</li> <li>– Actual rate: 40.81%</li> <li>– Outturn: 0.1% reduction</li> </ul> </li> </ul>
<p><b>Re-offending for adults</b></p> <p>Adult re-offending is measured by the reduction in the proportion of adult offenders discharged from prison or starting a community sentence who are proven to have re-offended within two years, compared to the predicted rate.</p>	<p><b>On course</b></p> <ul style="list-style-type: none"> <li>• Baseline: 2000 (January–March 2000)</li> <li>• Target (January–March 2006): a 5% reduction</li> <li>• Latest outturn (for offenders released or starting a community sentence in January–March 2004):                             <ul style="list-style-type: none"> <li>– Predicted 2 year re-offending rate: 58.8%</li> <li>– Actual rate: 55.5%</li> <li>– Outturn: 5.8% reduction</li> </ul> </li> </ul>
<p><b>Escapes</b></p> <p>This element is met if the number of escapes as a proportion of the prison population does not exceed 0.17% and there are no Category A escapes.</p>	<p><b>Ahead</b></p> <ul style="list-style-type: none"> <li>• Target: less than 0.17%</li> <li>• Latest outturn 2007-08 (April – September) annualised rate of 0.027%</li> <li>• There have been no Category A escapes</li> </ul>

## 4. Efficiency

The Department is now in the final months of the three year Gershon efficiency programme which comes to an end on 31 March 2008. Over this period the former DCA and now the Ministry of Justice has delivered impressive efficiency savings.

In the Comprehensive Spending Review (CSR) 2007 period to 2010/11 the focus will be on

delivering 3% Value for Money savings per annum.

The creation of the Ministry of Justice resulted in some small changes to the efficiency targets<sup>13</sup>. The table below shows the Ministry of Justice's efficiency targets and latest performance as at 30 September 2007.

	Target (end March 08)	Q2 07-08 (end Sept 07)
Financial savings	£292m	£732m*
Headcount reductions	1,473 FTEs <sup>14</sup>	1,655 FTEs <sup>15</sup>
Relocated posts	280 FTEs	237 FTEs

\* this combines savings from former DCA of £290m and NOMS of £442m

### Financial Savings

#### *National Offender Management Service*

NOMS has delivered cumulative savings to date of £442m through Gershon efficiency initiatives.

This has been delivered by:

<i>Her Majesty's Prison Service – £182m</i>
<ul style="list-style-type: none"> <li>● Phoenix Programme and National Shared Service Centre – £15m</li> <li>● Procurement including Logistics Review – £58m</li> <li>● Sickness absence reduction – £18m</li> <li>● National initiatives – £57m</li> <li>● Local initiatives – £34m</li> </ul>
<i>National Probation Service – £131m</i>
<ul style="list-style-type: none"> <li>● National initiatives – £114m</li> <li>● Local initiatives – £17m</li> </ul>
<i>NOMS – £128m</i>
<ul style="list-style-type: none"> <li>● NOMS Headquarters efficiencies – £39m</li> <li>● NOMS – Criminal Justice Information Technology – £14m</li> <li>● NOMS procurement including Electronic Monitoring – £75m</li> </ul>

<sup>13</sup> A portion of the Home Office headcount target was transferred to the Ministry of Justice. However, the former DCA relocation and financial savings targets remained the same as the Home Office had already met these targets.

<sup>14</sup> Full Time Equivalent.

<sup>15</sup> Figure of 1,655 FTE reduction relates to progress against Ministry of Justice baseline as of April 2006.

**Former DCA**

In the DCA Annual Report in April 2007, efficiencies to December 2006 were reported of: £244m, 929 headcount reductions and 94 posts relocated.

By September 2007, the Ministry of Justice had achieved efficiencies of £290m. Under HM Treasury classification we can report £170m as final savings. The remaining savings still need to be fully audited before they can be banked.

These savings are being delivered through the seven workstreams set out below:

Workstream	Target (£m)	Outturn at Sept 07 (£m)	Details
Legal Aid	198	123.4	These savings are delivered by controlling the costs of Very High Cost Cases, reducing crown court payments and capping legal aid help.
Cross – CJS	25	30.4	These savings result from the Xhibit system in the Crown Court as well as performance improvement measures which have reduced the number of ineffective and cracked trial rates.
HMCS	41	60.5	These savings result from rationalisation of the HMCS estate, area restructuring and improving business functions and corporate services.
Procurement	15	27	These savings result from a more efficient procurement strategy, e.g. through greater use of the Government Procurement Card and Office of Government Commerce buying solutions, as well as smaller savings related to office supplies, agency staff and other services.
Corporate Services	3	8.5	These savings are due to reorganisation and restructuring of IT, Finance and HR functions.
Tribunals Service	No target – created post Gershon	40.2	These savings are from corporate restructuring as a result of the formation of the Tribunals Service. Further savings have been achieved in the Asylum and Immigration Tribunal by reducing the time spent processing appeals.
Other	10	N/A	These savings relate to headcount reductions and are included in HMCS, corporate services and Tribunals Service delivery above.
<b>Totals</b>	<b>292</b>	<b>290</b>	

## **Headcount Reductions**

Over 550 FTE reductions have been delivered in 2007-08 so far. The main driver for these reductions has been efficiency improvements in HMCS (250 FTE reductions) and Ministry of Justice HQ functions (220 FTE reductions).

## **Relocation**

Over 130 posts have been relocated since April 2007. These are largely from the transfer of Criminal Injuries Compensation Authority staff from London to Glasgow.

## 5. Performance against outstanding SR 2002 PSA targets

### Former Department for Constitutional Affairs SR 2002 PSA Target 5

Focus the asylum system on those genuinely fleeing persecution by tackling speedy, high quality decisions and reducing significantly unfounded asylum claims, including by:

- Fast turnaround of manifestly unsound cases;
- Ensuring by 2004 that 75% of substantive asylum applications are decided within two months, and that a proportion including final appeal are decided within six months; and
- Enforcing the immigration laws more effectively by removing a greater proportion of failed asylum seekers.

(Joint target with Home Office)

Target	Final Outturn
<b>Overall</b>	<b>Partly Met</b>
<b>Fast turnaround of manifestly unfounded cases.</b>	<b>Not Met</b> The final outturn of this measure was reported in the DCA Departmental Report 2006/07. <sup>16</sup>
<b>Number of substantive asylum applications decided within two months.</b>	<b>Met</b> The final outturn of this measure was reported in the DCA Departmental Report 2006/07.
<b>Number of substantive asylum applications, and that a proportion (to be determined) including final appeal, are decided within six months.</b>  75% (year ending March 2006) including final appeal are decided within six months.	<b>Partly Met</b> <ul style="list-style-type: none"> <li>• Target (2003/04): 60%</li> <li>• Outturn (2003/04): 63%</li> <li>• Target (2004/05): 65%</li> <li>• Outturn (2004/05): 67%</li> <li>• Target (2005/06): 75%</li> <li>• Outturn (2005/06): 74%</li> </ul> Measure was met in 2003/04 and 2004/05, but missed the target in 2005/06 by 1%. Final assessment reflects this position.
<b>Removing a greater proportion of failed asylum seekers</b>	<b>Met</b> The final outturn of this measure was reported in the DCA Departmental Report 2006/07.

<sup>16</sup> <http://www.dca.gov.uk/dept/report2007/index.htm>

Former Home Office SR 2002 PSA Target 5

Protect the public and reduce re-offending by 5%: for young offenders; and for adults sentenced to imprisonment and adults sentenced to community sentences. Maintain the current low rate of prisoner escapes including Category A escapes.

Target	Latest Outturn
<p><b>Reduce re-offending for young offenders</b></p>	<p><b>Slippage</b></p> <ul style="list-style-type: none"> <li>• Target (January-March 2006): a 5% reduction<sup>17</sup></li> <li>• Latest Outturn: 0.1% in 2005 compared to 2000 baseline</li> </ul> <p>There has been less progress against the target to reduce juvenile re-offending (though the <i>actual</i> rate of juvenile re-offending fell by 2.5% between 2000 and 2005 to 40.8%). Ministry of Justice remains committed to driving forward good work in this area and quickening the pace of progress.</p>
<p><b>Reduce re-offending for adults</b></p>	<p><b>On course</b></p> <ul style="list-style-type: none"> <li>• Target (January-March 2006): a 5% reduction<sup>18</sup></li> <li>• Latest Outturn: 5.8% in 2004 compared to 2000 baseline</li> </ul> <p>We are on track to meet the adult re-offending target.</p>
<p><b>Maintain the current low rate of prisoner escapes including Category A escapes.</b></p>	<p><b>Met</b></p> <ul style="list-style-type: none"> <li>• Target: less than 0.17%</li> <li>• Outturn 2005-06<sup>19</sup>: 0.037%</li> </ul>

<sup>17</sup> Final outturn will be known on this target in July 2008.

<sup>18</sup> Final outturn will be known on this target in March 2009.

<sup>19</sup> This part of the target was completed in March 2006.

## 6. Summary assessments of progress

The 'status' of delivery of the targets follows set guidance on reporting. The categories are as follows for final assessment against target.

TERM	USAGE
Met	Target achieved by the target date – must not be used before the target end-date unless there is no possibility at all of subsequent slippage
Met-ongoing	For older open-ended targets where the target level has been met and little would be achieved by continuing to report the same information indefinitely (in using this term it should be made clear that a final assessment is being given)
Partly met	Where a target has two or more distinct elements and some – but not all – have been achieved by the target date
Not met	Where a target was not met or met late
Not known	This should only be used where it was not possible to assess progress against the target during its lifetime or subsequently – explanation should be given and reference made to any subsequent targets covering the same area

Departments are also encouraged to use standard terms if summarising progress against ongoing targets. The following list offers a number of options.

TERM	USAGE
Met early	Only to be used in circumstances where there is no possibility of subsequent slippage during the lifetime of the target
Ahead	If progress is exceeding plans and expectations
On course	Progress in line with plans and expectations
Slippage	Where progress is slower than expected, e.g. by reference to criteria set out in a target's Technical Note
Not yet assessed	Eg a new target for which data is not yet available

## 7. Data systems used by the Ministry of Justice

**PSA 1** – Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007-08.

The Home Office collects these data from the police and the courts. They constitute National Statistics.

**PSA 2** – Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the Criminal Justice System (CJS) without compromising fairness.

The Citizenship Survey, formerly the Home Office Citizenship Survey (HOCS) transferred to Communities and Local Government on 5 May 2006. It is a quarterly survey that, amongst other things, provides information about perceptions of racial prejudice and discrimination by public and private sector organisations. In connection with PSA 2 it is used to measure black and ethnic minority perceptions of fair treatment.

Data for the British Crime Survey (BCS) is collected quarterly and updated on a rolling basis. The data supplier, BMRB Social Research, carries out checks to reduce the risk of the results of interviews being processed in error and a quarterly review of datasets for consistency prior to their electronic submission to the Home Office. The Home Office undertake a monthly sample check to ensure that offences have been accurately coded and investigate significant variables in the submitted data file against previous verified data.

These targets are directional (to achieve an increase or decrease) and are measured using survey data. In these cases the survey data must register at least a statistically significant change if we are to be reasonably sure that the measured change is due to an actual change rather than a statistical aberration. In these cases, where interim trends are moving in the right direction but a statistically significant change has not yet been achieved, we have assessed these as 'on course'. Where

data trends are moving in the wrong direction or too slowly we have assessed these as 'slippage'.

**PSA 3** – Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration.

Responsibility for this target is shared between the Ministry and the Home Office. An unfounded asylum claim is one where the applicant and dependants of the applicant have not been granted full refugee status under the 1951 UN Convention.

Data for this target is collected from the Asylum Case Information Database (A-CID). This is an IT system used by the Home Office's Border and Immigration Agency (BIA) to perform asylum tasks, including recording all applications for asylum, casework and decisions. It is updated regularly with data from the Ministry on the applications for Immigration Judge Appeals and their outcomes and from the ARIA system (Asylum and Immigration).

**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 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.

**PSA 5** – To achieve earlier and more proportionate resolution of legal problems and disputes by: (1) Increasing advice and assistance to help people resolve their disputes earlier and more effectively; (2) Increasing the opportunities for people involved in court cases to settle their disputes out of court; and (3) Reducing delays in resolving those disputes that need to be decided by the courts.

(1) – The English and Welsh Civil and Social Justice Survey conducted by BMRB, with the results processed by the Legal Services Research Centre (LSRC) is a household survey of people’s experience of civil justice systems, the strategies employed to deal with them, barriers to advice, services and financial support for advice and representation, the impact of problems and the impact of advice. The survey was conducted in 2001 and 2004 and, since January 2006, has been carried out on a continuous basis.

(2) and (3) – these targets are measured by monitoring cases that are resolved in the county courts, excluding civil family matters, by collecting data from HMCS Caseman Computer System.

**NOMS Standard** – Protect the public by ensuring there is no deterioration in the levels of re-offending for young offenders and adults. Maintain the current low rate of prisoner escapes, including Category A escapes.

There are two data systems which are used to report performance against this standard:

- the Police National Computer System (PNC), which is used to calculate performance against the re-offending element of the target; and
- the Prison Incident Reporting System (IRS), which is used to calculate performance against the prisoner escapes element of the target.

#### **Technical Notes**

The technical notes to the Ministry of Justice PSA targets are available at [http://www.hm-treasury.gov.uk/documents/public\\_spending\\_reporting/public\\_service\\_performance/psp\\_supporting\\_docs.cfm](http://www.hm-treasury.gov.uk/documents/public_spending_reporting/public_service_performance/psp_supporting_docs.cfm)



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