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DCA Departmental Report 2005/06



DCA Departmental Report 2005/06



This document (Cm 6820) is part of a series of three documents that make up the Departmental Report of the Department for Constitutional Affairs 2005/06. The other two documents are the 2005/06 annual report of the Scotland Office (Cm 6834) and the 2005/06 annual report of the Wales Office (Cm 6835). It is part of a series of departmental reports which, along with the Main Estimates, the document *Public Expenditure: Statistical Analyses 2005/06*, and the Supply Estimates 2005/06: Supplementary Budgetary Information, present the Government's expenditure plans for 2005/08.

Cm 6820



Presented to Parliament
by the Secretary of State for Constitutional Affairs and Lord Chancellor
and the Chief Secretary to the Treasury
by Command of Her Majesty
May 2006

DCA Departmental Report 2005/06 The Government's Expenditure Plans for 2005-08

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Overview by the Secretary of State and Lord Chancellor

This is the third year of the existence of the Department for Constitutional Affairs.

Our responsibility within Government is to protect and enhance the public's rights, their justice and their democracy – the critical building blocks on which our freedom and prosperity as a society depends.

The DCA upholds the rule of law. It protects the independence of the judges and provides a justice system that is fair and effective in dealing with crime and civil disputes. It provides legal aid so as to ensure a genuine access to justice for all. It protects and promotes human rights. It champions the proper application of Freedom of Information, Data Protection and Data Sharing Policy and Legislation. It ensures that our democracy works in a way that connects with the people it serves.

The past year has seen substantial delivery of the aims with which the Department was created. All who work with the DCA family can be justifiably proud of what we have achieved. This report sets out in detail the progress we have made since our last annual report. In this foreword, I can only highlight some of the achievements this year. There have been many, and this is an indication of just how important and vital the business of the past year has been.

The most recent event saw a continuation of delivery on the constitutional changes announced in June 2003. I ceased to be head of the judiciary in England and Wales on 3 April 2006. That role has been taken over by the Lord Chief Justice, and with it brings new arrangements for judicial deployment and discipline. The same date saw the commencement of the Judicial Appointments Commission, seeing in a new system of appointing judges. The changes will preserve judicial independence but at the same time make the process of appointment to the judiciary transparent, giving the public increased confidence in the judges that mete out justice in their local communities.

3 April 2006 was a particularly eventful date for the DCA. The Tribunal Service also came into existence on the same date. The largest central government tribunals came into the DCA family, with a programme being developed for other tribunals to join in the coming years.

Tribunals deal with over 500,000 cases a year – more than any other part of the civil justice system. The creation of the Tribunal Service will allow for uniform high standards throughout the tribunals and will improve decision making in the bodies they judge.

What is important about the constitutional changes is that they free the office of the Lord Chancellor to be what it has long been in practice – a political role with responsibility for the investment of public funds in order to deliver first-class services for the public.

DCA has been working to that end all this year, indeed since its inception, and the beginning of the year saw Her Majesty's Courts Service commence operation. It has brought all the courts in England and Wales under one organisational roof, allowing for efficient business practices with greater clarity and ease of access for the public.

After the general election, DCA became responsible for policy on coroners. We promptly announced changes to provide better leadership for coroners in England and Wales. We have proposed the appointment of a new Chief Coroner, who will help guide and administer coroners, but who will have a specific responsibility to ensure the service is much more focussed on the needs of bereaved families. This thread has been common to our reforms this year, and we have worked with the Home Office, the Crown Prosecution Service and the Office for Criminal Justice Reform in order to commence a pilot of a Victim's Advocates scheme, allowing the families of victims of murder and manslaughter a real voice in court for the first time.

With legal aid, we have set out a strategic direction that provides a fairer deal for the public. 50 per cent of the legal aid budget in the higher criminal courts goes on just 1 per cent of cases. We want to spend less on the big criminal cases and more on the civil and family legal aid that is so vital in ensuring effective dispute resolution for those at their lowest ebb.

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This is the third year of the existence of the Department for Constitutional Affairs.



Overview by the Secretary of State and Lord Chancellor

To this end, we have appointed Lord Carter of Coles to report and deliver a new system in accordance with that strategic vision and one in which the legal profession will have confidence. Already Lord Carter and his team have reported on the legal aid procurement process, and have set out a path that will see us spend less on the procurement of defence services while ensuring both quality of representation and outcome.

Protecting and serving the public is the very heart of all that DCA does. The delivery of the constitutional changes, the improvement of legal aid, the opening of the legal services market, and the continual improvement of the process by which courts determine criminal cases are just a few example of how we are doing law differently for the public. We have maintained the same high standards of probity and quality, but insisted upon a much greater focus on the needs of victims, witnesses, and all who depend on a properly functioning court system, to deliver justice.

In the legal services sector, we have published a white paper setting out how we will improve the regulation of the legal profession, broadly in line with the proposals of Sir David Clementi. It is essential that we ensure proper consumer protection whilst also ensuring that restrictions on how lawyers can deliver legal services for their clients are limited by the strict guidelines of consumer protection rather than by regulation designed to protect the lawyer's market. The Compensation Bill also seeks to protect the consumer by providing for the regulation of 'claims farmers'.

Our year has been successful in having an impact on people's lives. Though there is always more to do, we have achieved much this year. This document sets out that progress. It is progress of which we are justifiably proud.

People's rights are more secure than they have been before thanks to the work of the DCA. We have overseen the first year of Freedom of Information. There is now a wealth of new information in the public domain, for the benefit of the public. There is no going back on this quiet revolution.



Rt Hon Lord Falconer
Secretary of State for Constitutional Affairs
and Lord Chancellor

In order to ensure people's confidence in our democratic procedures, we have introduced the Electoral Administration Bill. Amongst other things, it promotes greater registration amongst those eligible to vote while improving the security of the electoral process.

In conjunction with the Department for Trade and Industry we have sponsored the Equality Act, which creates the Commission for Equality and Human Rights. DCA and other government departments will work to make it an effective body that guarantees the rights of the individual.

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Rt Hon Lord Falconer
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and Lord Chancellor



Overview by the Permanent Secretary

The past 12 months have been an interesting time for the Department for Constitutional Affairs, as we have continued to improve how we deliver our services to the public. I am proud that we have achieved so much in such a short space of time and I am proud to have been able to work alongside the people who have made this possible.

This report shows far more than just the progress we have been making in enhancing confidence in the justice system, making people aware of their rights and operating more efficiently. It also explains how we are pushing forward in delivering excellent public services and ensuring that DCA has an appropriate portfolio to provide the changes needed for this and to bring about reform.

Her Majesty's Court Service has completed its first year of operation and following on from the Leggatt Review we have created the Tribunals Service, a single, dedicated tribunals agency. The Tribunals Service provides administrative support to tribunals, and operates independently of Government departments whose decisions it reviews. It will provide information to users, consistent practice and procedure and better use of resources, as well as being the review body for decisions made by departments.

To ensure efficiency and optimal performance in delivering to the public the services they expect and deserve, we have developed a people and organisation strategy. This strategy is aimed at identifying and supporting the needs of the future organisation and its staff and focuses on leadership, consistent employment conditions and diversity.

For leadership, we have developed a strategy aligned with Professional Skills for Government. This leadership strategy focuses on ensuring that all staff possess the expertise and experience needed for supporting business delivery.

We have also been bringing together elements within the DCA family so that we can eventually achieve a single employment deal for all. This process began in April 2005 with the implementation of 11 new people management policies which provide guidance to managers in dealing with a range of issues such as conduct, flexible working and recruitment.

In addition to this, the pay and grading project is reviewing the whole range of reward and grading structures and designing a common set of terms and conditions of employment for the whole of the DCA to support the Department in becoming a more modern and flexible organisation.

We have also been concentrating on increasing and supporting diversity within the DCA family. The Department has one of the most comprehensive systems of staff networks in the country. Further effort has been put into developing the positive action training programme for staff of minority ethnic origin and we have increased the number of minority ethnic staff in the senior civil service grades within the Department. We also continue to be recognised as being at the forefront of best practice on supporting staff with caring responsibilities. Furthermore, the Stonewall Equality Index 2006 rates the DCA as being the third best government department for lesbians, gay men and bisexuals to work for.

We are building up the strategic capability of our communications function in order for us to better deliver on our priorities. Our focus on 'real people, real lives' runs throughout our engagement with stakeholders and the public on the development, implementation and publication of Government policy. Working collaboratively with business partners and departments across Whitehall our communications are more consistent, effective and better value for money.

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Overall, this has been a very good year. Our ministerial team have continued to show their commitment to the reforms needed for DCA to remain at the forefront of delivery for customers. This would not have been possible without the professional and dedicated staff working within the Department and the wider DCA family to bring about these reforms that make a real difference to people's lives in delivering Justice, Rights and Democracy.



Alex Allan
Permanent Secretary, DCA



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Executive Summary

Our purpose

It is our responsibility to uphold justice rights and democracy. We do this first and foremost through serving the public, but also by supporting legal service providers.

Our functions

During 2005/06, DCA has been responsible for around £3.7 billion of public spending. Most of our spending has been on providing legal aid (around £2 billion) and on administering the court system (around £1 billion) so that it can provide fair and effective criminal, family and civil justice for all.

This past year has been one of considerable change for us. DCA has established Her Majesty's Courts Service (HMCS), prepared for the launch of the Tribunals Service and taken on responsibility for policy on coroners. We have also established a new role for the Lord Chancellor as the Lord Chief Justice takes over the role of head of the judiciary.

We have established an independent Judicial Appointments Commission (JAC) and related bodies, and we retain our association with several sister departments, non-departmental public bodies and executive agencies, including the Northern Ireland Court Service, Her Majesty's Land Registry, The National Archives (TNA); the Legal Services Commission (LSC) and the Public Guardianship Office (PGO).

The administrative functions of Scotland Office and Wales Office are part of DCA. These two offices have produced separate annual reports for 2005/06.

How we are organised

DCA has a Secretary of State (Lord Falconer, who is also the Lord Chancellor), a Minister of State (Rt Hon Harriet Harman QC MP) and three Parliamentary Under Secretaries of State (Baroness Ashton of Upholland, Bridget Prentice MP and Vera Baird QC MP).

The ministerial team is supported by a Permanent Secretary (Alex Allan), and a Ministerial Executive Board which includes the seven senior officials from DCA and its major agencies and five non-executive directors.

Justice

DCA is working closely with the Home Office, the Crown Prosecution Service, and other agencies throughout the criminal justice system to reduce crime and anti-social behaviour.

More offenders brought to justice

The number of crimes for which an offender was brought to justice increased to 1.267 million (December 2005) compared to 1.131 million (December 2004). Ineffective trials – hearings which are cancelled and delayed to a later date – have reduced over the same period from 24 to 14.4 per cent in the Crown Court and from 31 to 22.7 per cent in the magistrates' courts.

Increased public confidence in the criminal justice system

In conjunction with our criminal justice system partners, we have increased the number of people who feel that the system is effective in bringing criminals to justice from 43 per cent in December 2004 to 44 per cent as of December 2005.

We have continued to make progress on the IT modernisation programme in the courts. This is improving the way information is shared, resulting in delivery of a better service to the public.

Engagement with black and minority ethnic communities

More than 100 participants have taken part in the Magistrates Shadowing Scheme that we run in partnership with Operation Black Vote, enabling people from black and minority ethnic communities to shadow a pair of magistrates for six months. In line with our PSA target, fewer members of black and minority ethnic communities report that they feel treated differently in their encounters with the justice system.

More effective ways of solving disputes

We continue helping people to resolve disputes as early in the process as possible through promoting mediation as an alternative to going to court. We are also running a pilot encouraging solicitors to help people settle disputes away from court.

Victims and Witnesses

We have driven forward a number of initiatives to improve the experience of victims and witnesses within the courts, reflecting the

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Rights

Raising awareness of individuals rights and improving access to services

We are continuing to help people be aware of their rights through a series of roadshows on human rights and our ongoing support of measures such as CLS Direct (a telephone advice line for civil matters) and reforming legal aid so that resources are focussed on those who need them most.

Protecting individuals' rights

Working closely with other Government departments and agencies, we remain focussed on protecting the vulnerable and socially excluded in society.

In public family law cases, we are increasing the number of care cases being dealt with within 40 weeks, reducing the length of uncertainty experienced in these complex and difficult proceedings. Video equipment is enabling experts to give evidence away from the courtroom and the 'Family Resolutions' pilot project evaluation was published in March 2006.

We have begun a programme of work across Government to tackle perceptions of a compensation culture and to improve the way valid claims are dealt with.

We are currently consulting for procedural rules of the Inquiries Act. The Act provides powers so that facts can be established earlier on, helping to increase public confidence in inquiries.

Reforming legal services

An independent review of the regulatory framework for legal services by Sir David Clementi recommended the creation of a legal services board to oversee the legal services sector and open up the way legal practices are managed. It also proposes setting up an independent body to deal with complaints about lawyers.

The DCA report, *Increasing Diversity in the Legal Profession*, published in November 2005 recommended that solicitors' firms and barristers' chambers take steps to ensure greater diversity in the legal profession. A working group led by DCA is currently considering further action.

pivotal role they have in ensuring the law is upheld. These have included a consultation paper for families to have their voice heard in murder and manslaughter cases, investment in improving facilities for victims and witnesses and the introduction of witness liaison officers. Victim and witness satisfaction remains on target at 59 per cent as of December 2005, an increase from our baseline of 58 per cent in the six months to March 2004.

Faster asylum and immigration appeals
Under the Asylum and Immigration Tribunal, established in April 2005, the significantly faster timescales for the new appeals process together with the new legal aid arrangements is reducing unfounded asylum claims whilst continuing to ensure that claimants have appropriate legal support.

The Tribunals Service will further help the Asylum and Immigration Tribunal to improve the appeals process.

Lawyers and legal aid meeting the needs of the law-abiding public

The DCA paper, *A Fairer Deal for Legal Aid*, was published in July 2005. It sets out DCA's strategy for providing a public service that is:

- fair to the taxpayer
- fair to defendants
- fair to the vulnerable
- fair to practitioners.

This includes a number of projects that are now underway to further improve the fit between the provision of legal aid and the effective and efficient administration of justice. In addition, the paper set the terms of reference for Lord Carter's independent review of legal aid procurement. Lord Carter published his interim report in February 2006 and his final report will be published in summer 2006.

The Criminal Defence Service Act 2006 became law on 30 March 2006. This enables the introduction of a new financial eligibility test for criminal legal aid so that only those who can afford their defence costs will be asked to pay for them. This will free up valuable resources that can be used more effectively for those who need them most.

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Working closely with other Government departments and agencies, we remain focussed on protecting the vulnerable and socially excluded in society.

In public family law cases, we are increasing the number of care cases being dealt with within 40 weeks, reducing the length of uncertainty experienced in these complex and difficult proceedings. Video equipment is enabling experts to give evidence away from the courtroom and the 'Family Resolutions' pilot project evaluation was published in March 2006.

We have begun a programme of work across Government to tackle perceptions of a compensation culture and to improve the way valid claims are dealt with.

We are currently consulting for procedural rules of the Inquiries Act. The Act provides powers so that facts can be established earlier on, helping to increase public confidence in inquiries.

Reforming legal services

An independent review of the regulatory framework for legal services by Sir David Clementi recommended the creation of a legal services board to oversee the legal services sector and open up the way legal practices are managed. It also proposes setting up an independent body to deal with complaints about lawyers.

The DCA report, *Increasing Diversity in the Legal Profession*, published in November 2005 recommended that solicitors' firms and barristers' chambers take steps to ensure greater diversity in the legal profession. A working group led by DCA is currently considering further action.

A new interim scheme for selecting Queen's Counsel has been developed and is expected to make its first recommendations this summer. We have also reviewed the availability of quality information for consumers of legal services. The results of this are currently being analysed.

Democracy

A modern department focused on the public's priorities

Under the Constitutional Reform Act, which received Royal Assent in March 2005 we are establishing an independent Judicial Appointments Commission and associated bodies. The Lord Chancellor will no longer be a judge or head of the judiciary, focussing instead on delivering services for the public and upholding the rule of law in Government. We are also on track to establish a new Supreme Court.

A strong, independent and diverse judiciary

A key part of reform has been to promote a more diverse judiciary. As well as creating the Judicial Appointments Commission, DCA is committed to increasing diversity within the judiciary. We have developed a clearer framework for judicial selection, with assessment centres being used for an increased number of appointments. New arrangements are in place for circuit bench and recorder appointments, and new 'lay interviewers' have been appointed, further increasing black and minority ethnic representation.

Citizens engaged with democracy

DCA is committed to getting more people involved in the electoral process. This includes new ways of voting. Postal and electronic voting was piloted in local elections between 2000/03. All-postal voting was piloted in four areas in the June 2004 European and local elections. And a key objective behind the Electoral Administration Bill currently before Parliament is to promote access to elections.

Delivery

Delivering justice, rights and democracy

In December 2004, DCA published its strategy for the next five years based around the priorities of reducing crime, speeding up asylum and immigration appeals, protecting the vulnerable, faster and more effective dispute resolution, and renewing the

relationship between the public and the state. DCA has also agreed a specific Public Service Agreement to help us focus on these objectives.

Putting the public first

Her Majesty's Courts Service was launched in April 2005 to merge the 42 former Magistrates' Courts Committees with the Court Service. This has created a more streamlined structure, which is making it easier for courts to respond to national priorities and the needs of local communities.

By bringing together many of the largest central government tribunals we are providing real improvements in services to tribunal users. The new Tribunals Service was launched in April 2006, and by 2008 DCA's current tribunals will be joined by other major tribunals to offer a higher level of consistent service to all users.

A motivated, effective and efficient department

The diversity of DCA staff continues to improve and thereby better reflect and serve our diverse communities. In accordance with our obligations under the Civil Service 10-Point Plan we are committed to achieving progress at all responsibility levels, including at senior civil service (SCS) level. This year at SCS level the percentage of women has increased from 33.7 per cent to 36.3 per cent, and of staff of minority ethnic origin from 2 per cent to 5.1 per cent.

We are continuing our efforts to put value for the taxpayer's money at the heart of what we do. The efficiency agenda is now in the mainstream of the Department – all areas of business are taking up the challenge of delivering streamlined, efficient services for the public. We are on course to deliver our full efficiency target of £292 million.

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Chapter 1: Purpose



dca

Department for
Constitutional Affairs
Justice, rights and democracy

54 Victoria Street



dca

Department for
Constitutional Affairs
Justice, rights and democracy

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Chapter 1: Purpose

1.1 The Department for Constitutional Affairs (DCA) is the Government department responsible for upholding justice, rights and democracy – the foundations of a civilised society. We work from the simple rule that we exist to serve the public – not the providers.

1.2 Our role is to drive forward the reform and improvement of the legal and justice system in England and Wales. We are responsible for upholding the rule of law and for reforming and safeguarding the constitution so that they serve the public effectively.

1.3 We are responsible for the administration of the courts in England and Wales through Her Majesty's Courts Service (HMCS) and for the overall management of legal aid through sponsorship of the Legal Services Commission (LSC). Also associated with DCA are a number of organisations such as the National Archives and HM Land Registry. Our annual budget for 2005/06 is £3.7 billion, of which around £1 billion is spent on the courts and £2 billion on legal aid.

1.4 The priorities that flow from our five year strategy are to:

- reduce crime and anti-social behaviour, protecting the rights of the law abiding citizen and making our communities safer
- speed up the asylum and immigration appeals system as part of delivering a fair, effective and efficient overall migration process
- protect the vulnerable, especially children at risk and the socially excluded
- enable people to resolve their problems by promoting and delivering faster and more effective dispute resolution
- strengthen democracy, rights and responsibilities by renewing the relationship between the public and the state.

Strategic objectives

1.5 The Department has four strategic objectives:

- **Objective I**
To provide criminal, civil, family and administrative justice systems that command public respect and confidence.
- **Objective II**
To ensure the public, especially the socially excluded and vulnerable, have access to excellent services, which enable them to exercise their rights in law.
- **Objective III**
To develop democratic institutions of Government that command public confidence.
- **Objective IV**
To create a modern, efficient and effective department that can deliver excellent public services.

Public Service Agreement (PSA) targets

1.6 The Department has agreed a set of challenging Public Service Agreement (PSA) targets for the period covered by the 2004 Spending Review to help deliver our strategic objectives. The first year of that period (2005/06) is also the last year of the period covered by the 2002 Spending Review. Progress against the 2004 targets is covered in Chapter 2. Progress against the 2002 targets not carried forward into the 2004 measures is summarised on page 142.

Public Service Agreement (PSA) targets

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 - enable people to resolve their problems by promoting and delivering faster and more effective dispute resolution
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How we are organised

Ministers



Lord Falconer of Thoroton



Harriet Harman QC MP



Baroness Catherine Ashton of Upholland



Bridget Prentice MP



Vera Baird QC MP

Departmental Management Board



Alex Allan



John Lyon CB



Rod Clark



Sir Ronald De Witt KB



Clare Dodgson



Lucian Hudson



Barbara Moorhouse



Ursula Brennan



Peter Handcock



Helen Dudley



Annette Vernon

Chapter 2: Performance in 2005/06



Chapter 2: Performance in 2005/06

SR2004 PSA targets: performance table

Target 1

<p>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. (Contributes to Criminal Justice System PSA)</p>	
<p>Measures</p> <p>Increasing the number of crimes for which an Offender is Brought To Justice (OBTJ).</p>	<p>Latest Outturn</p> <p>AHEAD</p> <p>Latest performance (December 2005) shows that 1.267 million offences were brought to justice¹.</p>

Target 2

<p>Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the criminal justice system, without compromising fairness.</p> <p>Responsibility for the three reassurance elements of this target lies with the Home Office and will be reported on in their Autumn Performance Report; the three confidence elements as set out below are shared between the Home Office, the Department for Constitutional Affairs and the Crown Prosecution Service.</p>	
<p>Measures</p> <p>Public confidence in the CJS</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>Latest Outturn</p> <p>AHEAD</p> <p>Baseline (BCS 2002/03): 39 per cent Target (BCS 2007/08): an increase Annual Outturn (BCS 2004/05): 43 per cent Latest outturn (Year to December 05): 44 per cent</p>
<p>Ethnic minority confidence</p> <p>This is determined using questions in the Home Office Citizenship Survey which ask whether people from a black or minority ethnic background believe the CJS would treat them worse than people of other races</p>	<p>ON COURSE</p> <p>Baseline (HOCS 2001): 33 per cent Target (HOCS 2007): a decrease Annual Outturn (HOCS 2005): 31 per cent</p>
<p>Victim and witness satisfaction</p> <p>This is measured using BCS questions on victim and witness satisfaction with the CJS.</p>	<p>ON COURSE</p> <p>Baseline (BCS six months to March 2004): 58 per cent Target (BCS 2007/08): an increase Annual Outturn (BCS 2004/05): 59 per cent Latest outturn (Year to December 05): 59 per cent</p>

¹ This includes an estimate for the Hampshire & Isle of Wight areas.

SR2004 PSA targets: performance table

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Target 3

Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration. 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 being 2002/03. *(Joint target with Home Office)*

Measures

Reduce unfounded asylum claims

Latest Outturn

AHEAD

Baseline (2002/03): 70,200
Target: a reduction
Latest outturn (2004/05): 52,000

Target 4

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

Measures

By 2009/10, increase the proportion of care cases being completed in the courts *within 40 weeks by 10 per cent.*

The target will be met if by 2009/10 the county courts (care centres) achieve 48 per cent and the magistrates' courts (Family Proceedings Courts) achieve 56 per cent.

Latest Outturn

ON COURSE

In the current financial year to date (April 2005 to February 2006) the performance for 2005/06 is:

County courts (care centres): 45.9 per cent
Magistrates' courts (Family Proceedings Courts): 56.1 per cent

There was a slight downturn in performance over the latter part of 2005/06 but work continues with areas not meeting the targets to bring about performance improvements.

Target 4	
By 2009/10, increase the proportion of care cases being completed in the courts within 40 weeks by 10 per cent.	
Measures	By 2009/10, increase the proportion of care cases being completed in the courts <i>within 40 weeks by 10 per cent.</i>
Latest Outturn	The target will be met if by 2009/10 the county courts (care centres) achieve 48 per cent and the magistrates' courts (Family Proceedings Courts) achieve 56 per cent.
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Measures	Reduce unfounded asylum claims
Latest Outturn	Baseline (2002/03): 70,200 Target: a reduction Latest outturn (2004/05): 52,000
AHEAD	

Target 5

<p>To achieve earlier and more proportionate resolution of legal problems and disputes by:</p> <ul style="list-style-type: none"> • 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 • Reducing delays in resolving those disputes that need to be decided by the courts. 	
Measures	Latest Outturn
<p>Increasing advice and assistance to help people resolve their disputes earlier and more effectively;</p> <p><i>Target will be achieved with a 5 per cent increase from 47.5 per cent to 49.9 per cent in the proportion of justiciable problems in respect of which people receive suitable advice and assistance;</i></p>	<p>NOT YET ASSESSED</p> <p>Achievement of this target is measured by the English and Welsh Civil and Social Justice Survey (formerly the National Periodic Survey of Justiciable Problems), which commences early in 2006. Results will be available from Spring 2006 and at quarterly intervals thereafter.</p>
<p>Increasing the opportunities for people involved in court cases to settle their disputes out of court;</p> <p><i>Target will be achieved with a 5 per cent reduction from 40.5 per cent to 38.5 per cent in the proportion of disputed claims in the courts that are ultimately resolved by a hearing;</i></p>	<p>SLIPPAGE</p> <p>41.3 per cent (February 2006) Performance was expected to remain 'flat' in 2005/06, with the impact of planned activities being delivered over 2006/07 and 2007/08. Data is year to February for the preceding 12 months.</p>
<p>Reducing delays in resolving those disputes which need to be decided by the courts.</p> <p><i>Target will be achieved with a 2 per cent increase from 79.9 per cent to 81.5 per cent in the proportion of Small Claim hearings that take place within target time.</i></p>	<p>AHEAD</p> <p>83.0 per cent (February 2006) Data is year to February for the preceding 12 months.</p>

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Chapter 3: Reducing crime and anti-social behaviour



Chapter 3: Reducing crime and anti-social behaviour

DCA's role

3.1 As part of the wider Criminal Justice System (CJS), we continue to drive forward the reform of courts and associated processes, focussing on the needs of the law-abiding citizen.

3.2 We are making sure that the courts are efficient, robust and command the respect of the public, providing confidence that the system will fight crime effectively.

3.3 For people to have confidence and trust in the system, justice must be seen to be done. Those in communities that suffer the most from crime must be shown that justice can be achieved.

3.4 Our responsibilities include making improvements in the efficiency and effectiveness of the courts and improving the enforcement of criminal penalties, whilst delivering for victims and witnesses, jurors, professional users of the courts and the public.

Joined up

3.5 DCA is one of three departments jointly responsible for the CJS. We share this responsibility with the Home Office, which oversees the Police and the National Offender Management Service (Prison Service and Probation Service) and the Office of the Attorney General, which oversees the Crown Prosecution Service, the Serious Fraud Office and the Revenue and Customs Prosecutions Office.

3.6 The Government body responsible for co-ordinating the efforts of these departments and agencies is the Office for Criminal Justice Reform (OCJR). OCJR is a cross-departmental organisation with staff from, and reporting to, ministers in all three government departments. OCJR drives forward improvements set out by the National Criminal Justice Board (NCJB), which is made up of ministers and senior officials.

3.7 The NCJB provides co-ordination at central Government level, with Local Criminal Justice Boards (LCJBs) providing the co-ordinated force to fight crime within each CJS area (see www.cjs.gov.uk for a description and links to how these local boards work in each of 42 local criminal justice areas in England and Wales).

3.8 The role of the LCJBs is to deliver, locally, the CJS Public Service Agreement (PSA) targets around narrowing the justice gap and improving levels of public confidence in the CJS as well as a number of supporting measures. The boards are made up of chief officers from the police, courts, CPS, probation service, prison service and youth offending teams. The line of accountability – in addition to that of the individual agencies – is to the NCJB.

3.9 The role of the DCA in the CJS is to ensure the fair, efficient and effective delivery of justice through the courts. We can only make our contribution effectively if we do it jointly with the other agencies and departments. The executive agency of DCA responsible for administration and management of the courts is Her Majesty's Courts Service (HMCS), established in April 2005 to create a single, comprehensive national service from the former Court Service and the 42 individual Magistrates' Courts Committees.

Efficient and effective courts inspiring confidence

3.10 We provide a public service which must meet the expectations of its customers, whether they be victims, witnesses, defendants, jurors or members of the public. In order to achieve this, we must ensure that the court system can be relied upon to deal with cases fairly, speedily and efficiently.

3.11 When trials collapse or cases drag on for months, public confidence in the system is undermined. Victims of crime and the public both want to see timely justice. Witnesses and jurors do not want to be called back to court time and again. Defendants need to get on with their lives or begin their punishment and reparation. Nobody is served by court processes that are slow and inefficient.

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DCA's role

3.12 In collaboration with the other criminal justice agencies, we have been working to develop new proposals and implement measures to improve the efficiencies of court processes, to reduce the wastage caused by ineffective trials and to measure our progress against performance targets.

The Criminal Case Management Programme (CCMP)

3.13 CCMP is an important step forward in our drive to reform the CJS, focusing on getting the whole of the criminal justice process right. The Programme brings together three key initiatives that work together to develop and deliver a consistent programme of change.

- The charging initiative focuses on the criminal process pre-court, building a strong case with the right charge from the start and therefore minimising discontinuances (where the CPS decide not to continue to prosecute the case)
- Effective trial management builds on these cases involving case preparation and progression; ensuring trials go ahead as planned and reducing the number of ineffective trials (when a hearing is cancelled on the day it was due to go ahead and has to be delayed to a later date)
- The 'No Witness, No Justice' initiative gives each witness a dedicated officer whose responsibility it is to ensure that the witness is kept informed of developments and attends trial as required. It has so far has seen the witness attendance rate increase from 78 per cent to 85 per cent as of the end of December 2005.

3.14 Each of these initiatives builds on the other: 'No Witness, No Justice' improves witness attendance, reducing the number of ineffective trials caused by witnesses not being in court when needed. This supports the aims of the charging initiative, which reduces discontinuances by making certain the defendant is charged with the right offence before the case comes to court, and Effective Trial Management, which minimises the risk of an ineffective trial by ensuring that all necessary case management is complete in advance of the trial date. Success in these aims, in turn, helps to improve victim and witness confidence as they see more offences successfully brought to justice.

Effective trial management

3.15 The requirement for good case management and in particular for active case progression has become increasingly important. The Lord Chief Justice, Lord Chancellor, Attorney General and Minister of State for the Home Office jointly issued the Criminal Case Management Framework (CCMF) in July 2004 (updated in April 2005) which introduced the case progression function and the role of the case progression officer.

3.16 In April 2005 the Criminal Procedure Rules were introduced, providing a legislative requirement for case progression. Areas are now geared up to ensure that cases are properly prepared before a hearing, reducing unnecessary adjournments or ineffective trials. This in turn will produce a corresponding rise in the number of offences brought to justice and improve victim and witness satisfaction.

3.17 All criminal justice areas have now completed implementation of their CCMFs across their areas. Post implementation reviews of the framework implementation have been completed in fifteen criminal justice areas so far and the remainder are on course for completion before the end of 2006.

3.18 These programmes have contributed to driving down ineffective trial rates in both the Crown Court and the magistrates' courts. Ineffective trial rate performance in the Crown Court has improved from 24 per cent (baseline in August 2002) to 12.5 per cent rolling quarter to end of February 2006 (against an end of March 06 target of 17 per cent). In the magistrates' courts ineffective trials have reduced from 30.9 per cent (baseline September 2002) to 20.9 per cent to rolling quarter to end of February 2006 (against an end of March 06 target of 23 per cent). Overall such programmes have also assisted in our shared CJS aim to increase the number of offences brought to justice (OBTJ).

Bringing more offences to justice

3.19 The CJS has a PSA target to improve the delivery of justice by bringing 1.25 million offences to justice by 2007/08; this target also implies a sanction detection rate of 25 per cent by 2007/08 which will help to meet the OBTJ target. A sanction detection is claimed for a crime if there is a charge summons, a fixed penalty notice, a caution, a formal warning for the possession of cannabis, or an offence taken into consideration.

3.12 In collaboration with the other criminal justice agencies, we have been working to develop new proposals and implement measures to improve the efficiencies of court processes, to reduce the wastage caused by ineffective trials and to measure our progress against performance targets.

The Criminal Case Management Programme (CCMP)

3.13 CCMP is an important step forward in our drive to reform the CJS, focusing on getting the whole of the criminal justice process right. The Programme brings together three key initiatives that work together to develop and deliver a consistent programme of change.

- The charging initiative focuses on the criminal process pre-court, building a strong case with the right charge from the start and therefore minimising discontinuances (where the CPS decide not to continue to prosecute the case)
- Effective trial management builds on these cases involving case preparation and progression; ensuring trials go ahead as planned and reducing the number of ineffective trials (when a hearing is cancelled on the day it was due to go ahead and has to be delayed to a later date)
- The 'No Witness, No Justice' initiative gives each witness a dedicated officer whose responsibility it is to ensure that the witness is kept informed of developments and attends trial as required. It has so far has seen the witness attendance rate increase from 78 per cent to 85 per cent as of the end of December 2005.

3.14 Each of these initiatives builds on the other: 'No Witness, No Justice' improves witness attendance, reducing the number of ineffective trials caused by witnesses not being in court when needed. This supports the aims of the charging initiative, which reduces discontinuances by making certain the defendant is charged with the right offence before the case comes to court, and Effective Trial Management, which minimises the risk of an ineffective trial by ensuring that all necessary case management is complete in advance of the trial date. Success in these aims, in turn, helps to improve victim and witness confidence as they see more offences successfully brought to justice.

3.15 The requirement for good case management and in particular for active case progression has become increasingly important. The Lord Chief Justice, Lord Chancellor, Attorney General and Minister of State for the Home Office jointly issued the Criminal Case Management Framework (CCMF) in July 2004 (updated in April 2005) which introduced the case progression function and the role of the case progression officer.

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3.20 Provisional figures for the year to the end of December 2005 show that 1.267 million offences were brought to justice in England and Wales, up 26 per cent on the baseline figure. In addition at the end of December 2005 the sanction detection rate was at 23.2 per cent.

3.21 A key element of the strategy for bringing more offences to justice is the drive to increase the sanction detection rate by providing targeted support to help forces deliver improved sanction detection performance. More specifically this will be achieved through increased recording efficiency and sharing of best practice knowledge as well as by helping police forces to develop generic and crime specific investigation standards. The sanction detection rate for 2005/06 will be published in July 2006.

3.22 This target continues to ensure that the public has confidence in the CJS and that victims and witnesses will receive a consistently high standard of service from all criminal justice agencies.

Criminal Justice: Simple, Speedy, Summary (CJSSS)

3.23 Summary justice refers to offences that can only be tried in magistrates' courts as opposed to offences that must be dealt with in the Crown Court or may be dealt with in either the magistrates' courts or in the Crown Court. All criminal cases in England and Wales are initiated in magistrates' courts and about 95 per cent are resolved there, although not all of these will be summary-only offences (many will be either-way cases which could also be tried in the Crown Court). We have made progress in increasing the efficiency of magistrates' courts and the average time taken to dispose of a case has improved from 33 days in September 2004 to 30 days in September 2005. We aim to continue this trend and increase efficiency still further. We are continuing to bring more offences to justice however, and this means increasing the amount of work dealt with in magistrates' courts, so our aim is to minimise the impact this increase in workload has on the efficiency of the courts.

3.24 The DCA is working with the other criminal justice departments on the Speedy, Simple, Summary programme. This CJSSS work is considering a range of timeliness and efficiency issues, which include both improved

processes and diverting certain types of low-level offences from the magistrates' courts. This enables the courts to concentrate on more serious cases. Our aim is to ensure that guilty pleas are identified and dealt with at the earliest opportunity and not-guilty plea cases proceed to an effective trial date with the fewest possible hearings, so that the resources of the court are used to the best effect.

Supporting magistrates to provide justice

3.25 The Supporting Magistrates to Provide Justice Programme was launched by the Lord Chancellor in 2004 to find improvements to the way magistrates' courts operate. It began with a major communications exercise, in which we asked all those that work in and with magistrates' courts what could be done to improve the performance of the courts and public confidence in them. Following 2,300 responses, the *Supporting Magistrates' Courts to Provide Justice*² White Paper was published in November 2005. This paper reviewed our progress since the communications exercise and set out the Government's plans for making magistrates' courts better connected to their communities, more respected and more effective. As well as measures to improve efficiency and timeliness in magistrates' courts, these include new enforcement measures, community justice pilots, specialist courts, the recruitment and retention of magistrates and improvements for victims, witnesses and jurors.

Focussed on customers

3.26 Our aim is to put the public at the heart of what we do, so that victims, witnesses and jurors feel confident in the system. The continued effectiveness of the court system relies on their contribution and we recognise the need to provide greater customer focus.

Victims and witnesses

3.27 Improving the CJS experience for victims and witnesses is a Government priority. We invested more than £3 million in 2005/06 in improving accommodation facilities at courts for victims and witnesses. Local areas have used the money to improve safety and comfort. Funding was also provided to every local area specifically for improving facilities for child witnesses.

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3.28 We issued a consultation paper proposing a pilot scheme of specialist victim advocates initially in murder and manslaughter cases, to enable a representative of the bereaved family to make an oral statement in court on the impact of the crime before sentence is passed. Families will also be entitled to legal advice on social and personal issues arising from the death of their loved one. The scheme is being piloted in five Crown Court centres (The Central Criminal Court, Manchester, Birmingham, Cardiff and Winchester). The scheme is being piloted of their loved one. The scheme is being piloted in five Crown Court centres (The Central Criminal Court, Manchester, Birmingham, Cardiff and Winchester).

3.29 We are piloting a DVD in Nottingham for victims and prosecution/defence witnesses, which will provide the information on what to expect at court when they go to give evidence. The DVD has an alternative translation in Hindi to provide information to BME groups from the Asian community. The pilot evaluation report will measure how effective the DVD has been in meeting consumer needs and thereby driving up public confidence in the CJS.

3.30 Also in 2005 we introduced witness liaison officers in all courts to act as a contact point for information and published an employee handbook for all staff who have a responsibility in supporting victims and witnesses.

3.31 Juror needs are of the highest importance, reflecting our belief that jury service is one of the most important civic duties a person can be asked to perform. In light of this, we are working to improve the experience of jurors from receiving the summons to completion of their service.

3.32 All information provided to jurors has been updated and simplified to present a clear, easy to follow description of jury service. This includes a video and literature provided to jurors before and on commencement of their jury service. Information is currently available in English and Welsh. We aim to provide Braille, large print and audio versions in 2006/07.

3.33 We continue to improve facilities provided to jurors, investing a further £1 million in this in 2005/06. Local areas have used this money to improve the ambience in juror areas. Improvements include purchasing large screen displays, comfy seating, bookcases, pictures, lockers, games, videos, books and redecorating deliberation rooms and juror assembly areas.

3.34 The effective use and enforcement of penalties, both financial and non-financial, is crucial to maintaining public confidence in the CJS (PSA2). Increasing public confidence ensures that victims and witnesses are more willing to engage with the courts system, and that the public as a whole feels more protected. Offenders realise that they cannot ignore the orders of the court. If the justice system is to be respected, sentences and court orders must be complied with.

3.35 Given the cross-CJS nature of enforcement, we must work closely with other Government departments and agencies to aid arrangements have been introduced with other range of work. Improved information sharing and continues to take forward a challenging and successfully delivered against key milestones in this in 2005/06. Local areas have used this money to improve the ambience in juror areas. Improvements include purchasing large screen displays, comfy seating, bookcases, pictures, lockers, games, videos, books and redecorating deliberation rooms and juror assembly areas.

3.36 HMCS has an enforcement programme in place to deliver sustained improvement in both civil and criminal enforcement performance within the 42 HMCS court areas in England and Wales. It aims to ensure a joined-up approach to delivering an effective enforcement process, which will uphold the authority of the courts and send a clear message to offenders that the orders of the court must be respected. The intention is that by 2008, rigorous enforcement will revolutionise compliance with sentences and orders of the court, resulting in an increase in public confidence in the CJS and the reinvigoration of fines as a credible penalty.

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Building confidence and respect for the CJS through enforcement

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3.35 Given the cross-CJS nature of enforcement, we must work closely with other Government departments and criminal justice agencies in order to drive up enforcement performance. We aim to build public confidence in the CJS by demonstrating that court orders will be enforced and that justice is being done – fines must be paid, community penalties must be enforced and attendance at court must be seen as compulsory. If enforcement performance is maintained at a sufficiently high level, it will have a positive effect on public confidence in the CJS as a whole. We are working in partnership with the judiciary, the Home Office, OCJR, the police, the National Probation Directorate, the National Offender Management Service, Department for Work and Pensions (DWP) and LCJBs to ensure that there is a co-ordinated approach to enforcement.

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identification of previously hard-to-trace defaulters. Court enforcement teams now have access to DWP's Customer Information System, the police national computer and police photographs of fine defaulters as well as the Equifax credit reference agency database.

Fine enforcement

3.40 Significant progress has been made to raise the profile of court fines as an effective penalty. The 2004/05 national fines payment rate was 80 per cent, exceeding our national headline performance target for the year of 78 per cent.

3.41 The 2005/06 national fines payment rate target of 81 per cent remains achievable but challenging. The latest (April 05 – February 06 year-to-date) payment rate stands at 83 per cent, an encouraging overall position, indicating that the focus on enforcement continues to deliver results.

3.42 To secure and maintain improvements in the enforcement performance, the programme continues to provide target-led support to areas as required, in particular to the six 'big impact' metropolitan areas (Thames Valley, London, Merseyside, Manchester, Birmingham and West Yorkshire).

3.43 Nationally co-ordinated 'Operation Payback' fines blitzes have been a resounding success with nearly £4.5 million in unpaid financial penalties recovered. The success of these initiatives has resulted in closer working with the police and other criminal justice agencies as well as a high level of positive publicity. The latest national blitz, 'Operation Payback 3', ran in October 2005 and had a positive impact of more than £2 million on the payment rate.

3.44 The programme continues to examine new ways of enforcement, in addition to making the most effective use of existing methods. A feasibility study looking at telephone fines collection has been completed and work is underway on examining how best to use the private sector. Text messaging was used during Operation Payback 3 to contact defaulters, resulting in three-quarters of recipients paying up immediately – the programme is consequently looking at ways of expanding its use.

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Community penalties

3.46 Community Penalty Breach Warrant execution performance has significantly improved over the past year but more remains to be done. The CJS Community Penalty Enforcement Group has a cross-agency delivery plan in place to drive up performance across the process and we are involved in the provision of targeted support to improve performance in poorer performing areas.

3.47 A joint protocol has been introduced to improve the listing and notification of hearings and a 'fast track' process focusing on getting high-risk offenders back to court quickly and efficiently has been rolled out. HMCS has also introduced the COMET (Community Penalty Enforcement Tracker) case tracker to allow areas to better manage cases and provided court enforcement staff with access to a number of databases (including the police national computer, Equifax and DWP's customer information system database) which enable the better tracing and location of offenders.

Fail to Appear (FTA) warrants

3.48 Defendant non-attendance is one of the main reasons for ineffective trials, leading to distress and inconvenience for victims and witnesses, delays in justice, wasted resources and undermining public confidence. The Defendant Attendance Steering Group, chaired by OCJR and reporting to the NCJB, is co-ordinating the concerted efforts of the criminal justice agencies to tackle the problem.

3.49 HMCS has a target for courts to notify 90 per cent of FTA warrants to the police within one working day and 100 per cent within three working days. Following the introduction of secure email for warrant notification, most areas are now performing at, or close to, target levels. Current performance (December 2005 data) is at 85 per cent on the one-day target and 97 per cent on the three-day target.

Courts Act

3.50 Rollout of the new package of enforcement measures contained in the Courts Act 2003 were completed in March 2006. These include: wider use of Attachment of Earnings and Deduction from Benefit orders; the appointment of fines officers; a new offence for non-provision of means information; further use of clamping; registration on the new Register of Judgements and, for those who are genuinely unable to pay, the discharge of fines through Fines Payment Work.

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meetings at the centre mean that sentences provide punishment combined with help for the underlying causes of offending such as drug addiction, housing, debt or education problems. Each of the services at the centre is available to anyone within the community, not just offenders. Volunteer mentors are recruited from the local area to support offenders and help them regain a place within the community.

3.55 We are developing a Community Justice Initiative within Salford Magistrates' Court (launched in November 2005). This is looking at ways of bringing the concept into the wider magistrates' court system. DCA will be working with other CJS partners to take the lessons learned from these projects to other areas of England and Wales.

Anti-social behaviour response courts

3.56 Courts have a key role to play in tackling anti-social behaviour. There are now 157 anti-social behaviour response courts based in 31 criminal justice areas spread throughout England and Wales. These courts are committed to dealing with local disorder such as graffiti, littering, misuse of fireworks and thuggery, while improving service delivery through working closely with other CJS agencies; dealing with cases swiftly and efficiently; providing high level witness care; and ensuring that magistrates and court staff are fully trained and aware of local issues and concerns. Work is ongoing to ensure these standards become embedded not just in the anti-social behaviour response courts, but in all magistrates' courts.

Drug courts

3.57 Drug dependency is often the major factor in driving offending behaviour, and evidence shows that close review of drug treatment by sentencers plays a significant role in successful rehabilitation.

3.58 In December 2005 the Lord Chancellor and the Lord Chief Justice launched dedicated drug court pilots in Leeds and West London. We aim to complete evaluation in the summer of 2007. The results will inform decisions about roll-out.

Legal aid in the CJS

3.59 The provision of Legal Aid plays a central role in the CJS in ensuring that people accused of a crime receive a proper defence and so a fair hearing. Criminal Defence Service (CDS)

National enforcement service

3.51 Ministers have approved the introduction of the 'national enforcement service' model. A regional pathfinder began in the North West Region of HMCS in April 2006, with a view to implementation from 2007/08. Building upon existing enforcement structures, rather than implementing a new organisation, the objective is to maximise the effectiveness of all those involved in compliance and CJS enforcement to produce a service that is highly visible, professional and collaborative.

3.52 While it is crucially important to ensure that court orders are complied with, it is also important that this compliance is visible. Justice must be seen to be done if we are to continue to build confidence in the CJS. Some communities are blighted by the problems of drug-related crime, others by anti-social behaviour. It is important that we work with these communities, not only to tackle these crimes, but also to ensure that the penalties are visible. The renewed focus on the enforcement of community penalties contributes to this aim, but the last year has seen the introduction of pilot initiatives to take the principle of community justice further.

Community justice

3.53 DCA has been working with the Home Office and the Crown Prosecution Service to provide the first Community Justice Centre in North Liverpool. The centre brings a courtroom, the criminal justice agencies and voluntary service providers together in one building in the heart of the community, working with local people to tackle local problems.

3.54 Teamworking between agencies from the start of a problem right through to resolution and beyond means that community justice provides speedier, more simple justice, connected to and informed by local communities. Local people are able to meet the centre's judge and his team to explain their problems. The centre's on-site police and community support officers provide a presence where it is needed most, at the heart of the community. They are also on hand to pick up offenders who do not turn up and bring them directly to the court, sending a strong message that an offender can be arrested and sentenced the same day: multi-agency

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3.54 Teamworking between agencies from the start of a problem right through to resolution and beyond means that community justice provides speedier, more simple justice, connected to and informed by local communities. Local people are able to meet the centre's judge and his team to explain their problems. The centre's on-site police and community support officers provide a presence where it is needed most, at the heart of the community. They are also on hand to pick up offenders who do not turn up and bring them directly to the court, sending a strong message to the community. On-site provision means that an offender can be arrested and sentenced the same day: multi-agency

meetings at the centre mean that sentences provide punishment combined with help for the underlying causes of offending such as drug addiction, housing, debt or education problems. Each of the services at the centre is available to anyone within the community, not just offenders. Volunteer mentors are recruited from the local area to support offenders and help them regain a place within the community.

3.55 We are developing a Community Justice Initiative within Salford Magistrates' Court (launched in November 2005). This is looking at ways of bringing the concept into the wider magistrates' court system. DCA will be working with other CJS partners to take the lessons learned from these projects to other areas of England and Wales.

Anti-social behaviour response courts

3.56 Courts have a key role to play in tackling anti-social behaviour. There are now 157 anti-social behaviour response courts based in 31 criminal justice areas spread throughout England and Wales. These courts are committed to dealing with local disorder such as graffiti, littering, misuse of fireworks and thuggery, while improving service delivery through working closely with other CJS agencies; dealing with cases swiftly and efficiently; providing high level witness care; and ensuring that magistrates and court staff are fully trained and aware of local issues and concerns. Work is ongoing to ensure these standards become embedded not just in the anti-social behaviour response courts, but in all magistrates' courts.

Drug courts

3.57 Drug dependency is often the major factor in driving offending behaviour, and evidence shows that close review of drug treatment by sentencers plays a significant role in successful rehabilitation.

3.58 In December 2005 the Lord Chancellor and the Lord Chief Justice launched dedicated drug court pilots in Leeds and West London. We aim to complete evaluation in the summer of 2007. The results will inform decisions about roll-out.

Legal aid in the CJS

3.59 The provision of Legal Aid plays a central role in the CJS in ensuring that people accused of a crime receive a proper defence and so a fair hearing. Criminal Defence Service (CDS)

funding enables people to defend themselves against criminal accusations, where the interests of justice requires, at public expense. This is important, since people need to be confident not only that those who have committed offences are brought to justice, but also that those who are not found guilty, are acquitted.

3.60 We have continued to develop proposals aimed at halting the rising costs of criminal legal aid and preventing any negative impact on the civil legal aid budget, which is used in the wider fight to tackle disadvantage and social exclusion.

3.61 The Fundamental Legal Aid Review, announced in May 2004, was tasked with reforming the provision of legal aid to ensure that it was fair to defendants, fair to taxpayers and fair to providers.

3.62 The Review's conclusions were set out in *A Fairer Deal for Legal Aid*. These included a range of recommendations to improve the fit between the provision of legal aid and the operation of the CJS:

- tackling high cost cases
- closer working between courts and the CDS to reduce wasted time and money
- getting more early criminal case disposals
- increasing value for money in purchasing criminal legal aided service.

3.63 A number of projects arising from these recommendations are now being taken forward. These include:

- extending the entitlement to remand privileges to the point of sentence for those entering an early guilty plea
- allowing discussions between duty prosecutors and defence practitioners around the point of charge
- enabling more effective prison legal visits.

3.64 *A Fairer Deal for Legal Aid* also announced that Lord Carter of Coles would review procurement of criminal defence services. Lord Carter's interim report, published in February 2006, set out underlying principles for the

procurement of publicly-funded advice and representation in criminal cases, and outlined schemes for delivering those principles.

3.65 To ensure that we continually improve the way high cost cases are managed, key players from across the CJS have a seat on the 'Very High Cost Case Review Board' set up in 2005. The board examines the reasons why cases have taken so long to try, and consumed so many resources, and agrees ways that the control and management of these cases can be improved.

Criminal Defence Service Act 2006

3.66 In the 2005 Queen's Speech, it was announced that DCA intended to bring forward legislation to reform the CDS and make better use of legal aid resources. The resultant CDS Bill, which received Royal Assent in March 2006, will facilitate the introduction of a new financial eligibility test for criminal legal aid, as well as transfer responsibility for the grant of representation from the courts to the LSC.

3.67 Implementation of the provisions under the CDS Act will:

- ensure that those who can afford to pay for their own criminal defence costs are made to do so
- achieve greater consistency and more effective control over the grant of criminal legal aid representation
- focus the limited resources available for funding more closely on those who need them most
- deliver estimated savings of £35 million a year in the magistrates' courts alone.

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Chapter 4: Speeding up asylum and immigration appeals



Chapter 4: Speeding up asylum and immigration appeals

DCA's role

4.1 The Government continues its drive to improve the UK's asylum and immigration laws by promoting a 'managed-migration' process and tackling abuses of the system. We have supported this initiative by developing a robust and efficient asylum and immigration appeals system, whilst maintaining our commitment to ensure a more flexible and quality-focussed service.

4.2 The launch of the Asylum and Immigration Tribunal (AIT) in April 2005 has significantly improved overall performance and the speed of processing appeals. This has led to faster integration of genuine asylum seekers, helped to deter unfounded asylum applications and dealt with failed asylum seekers more swiftly.

4.3 With the Government's focus firmly on the promotion of controlled legal migration, our priority is to further speed up the asylum and immigration appeals system, as part of delivering a fair, effective and efficient migration process.

Speeding up asylum and immigration appeals

Spending Review 2002 PSA Target 5

4.4 PSA Target 5 for the Spending Review 2002 period (shared with the Home Office) is to:

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

- fast turnaround of manifestly unfounded cases
- ensuring by 2004 that 75 per cent of substantive asylum applications are decided within two months, and that a proportion (to be determined), including final appeal, are decided within six months
- enforcing immigration laws more effectively by removing a greater proportion of failed asylum seekers.

4.5 DCA contributes directly to the aim of "a proportion, including final appeal, are decided within six months."

4.6 For the year ending March 2004, the target was 60 per cent. This was surpassed, with 64 per cent of applications being decided within six months.

4.7 For the year ending March 2005 the target was 65 per cent. In total, 67 per cent of applications were decided within six months.

4.8 For the year ending March 2006, the proportion target is 75 per cent. Final performance figures will be available from October 2006.

Spending Review 2004 PSA Target 3

4.9 PSA Target 3 for the Spending Review 2004 period (joint with the Home Office) is to:

"Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration. 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 being 2002-03".

The Asylum and Immigration Tribunal (AIT)

4.10 We have achieved a major milestone over the last year in the reformation of the asylum and immigration appeals service. We have supported the Government's aims of curbing the abuse of the asylum and immigration system and improving the efficiency and quality of this service by introducing a streamlined process of appeal, a system of higher court oversight and new legal aid arrangements.

4.11 Since introducing the new legislative changes, we have:

- significantly reduced timescales for asylum appeals
- ensured both asylum seekers and immigrants have access to legal and other support
- introduced a review and benefits evaluation of the AIT to assess current performance and facilitate the tribunal's future development.

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- are contributing to the development of a new asylum model. Under this model, specialist caseworkers will deal with asylum claims from initial application through to integration or removal. Our role is to ensure the appeals process is fully incorporated in to the new scheme.
- have introduced a fast track process for single females at Yarl's Wood Detention Centre together with Harmondsworth and Oakington facilities.
- are supporting provisions in the Immigration, Asylum and Nationality (IAN) Bill 2005 which pave the way for the introduction of a points-based system for immigration.

Future programme of work

4.16 The launch of the Tribunals Service in April 2006 will help us to meet the expectations of our customers by allowing us to develop our business capabilities. Feedback from the AIT Continuous Improvement Review and customer surveys will also help us to improve efficiency and effectiveness. We intend to provide a fully integrated case management and electronic filing and document solution for the AIT.

4.17 In partnership with the Home Office, and in line with joint PSA commitments, we will implement a framework for asylum cases which supports the new model for asylum processing. Working with UKvisas, we will explore ways of streamlining the entry clearance appeals process and introduce a more effective system for tribunal users.

4.18 We will also investigate concerns of a shortfall in publicly funded immigration and asylum legal advice as well as predicting future need.

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Chapter 5: Protecting the vulnerable



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DCA's role

5.1 DCA's role is to ensure that vulnerable people can exercise their rights and solve their problems, and enable the courts to provide necessary protection. We continue to promote our human rights agenda throughout the UK and are protecting individuals rights through ensuring that their civil issues are resolved in the most efficient and effective way possible.

5.2 Children involved in care proceedings are among the most vulnerable groups in society. Our aim is to provide a speedier resolution of issues affecting their future. In order to achieve this, DCA is working closely with the Department for Education and Skills (DfES), Children and Family Court Advisory and Support Service (CAFCASS), LSC, local authorities and other agencies to reduce unnecessary delays in care proceedings.

5.3 We are also working on ways to protect victims of domestic violence and people who lack mental capacity.

Relationship breakdown

5.4 The Green Paper Parental Separation: *Children's Needs and Parents Responsibilities*⁵ published in July 2004, set out reforms to the family justice system to improve outcomes for children whose parents are separating. The 'Next Steps' document, was issued in January 2005 by The Secretary of State for Constitutional Affairs, The Secretary of State for Education and Skills and The Secretary of State for Trade and Industry. It sets out which proposals will be taken forward. DCA is working with the DfES, CAFCASS and the LSC to deliver the proposals.

5.5 The Government's plans include improvements to the information available to parents and greater use of alternative dispute resolution mechanisms such as mediation and conciliation before or at the start of court proceedings. The Government intends to promote these methods as better ways to reach agreement than through contested court hearings. Other aspects of the programme are:

- The Children and Adoption Bill. This began its Parliamentary passage in June 2005. If enacted, it will give the courts more flexible powers to facilitate child contact and enforce contact orders made under the Children Act 1989

- revised forms were introduced in January 2005 which are designed to identify allegations of harm as early as possible in the court process. Their impact and effectiveness are currently being evaluated
- DfES has published revised 'parenting plans' to help parents to agree contact arrangements
- CAFCASS is making changes to its practices by moving away from report writing to problem solving. Around 85 per cent of areas now have some form of in-court conciliation process as a result. An evaluation of three different models of In Court Conciliation was published in March 2006
- the 'Family Resolutions Pilot Project' has tested new methods for handling more complex contact cases. Evaluation of the pilot was published in March 2006
- a pilot testing a restructured way of delivering legal aid to encourage solicitors to help clients settle disputes away from the court process began in October 2005.

5.6 The Private Law Programme was launched in January 2005. It is designed to improve judicial case management and reduce delays in private law family cases. We are continuing to work closely with the judiciary to deliver the programme.

Domestic violence

5.7 We are continuing to improve the justice system so that the victims of domestic violence have access to swift and effective protection from the courts.

5.8 In March 2005 DCA and the Home Office published *Domestic violence: a national plan*, which outlines ways of delivering a better service. For example, we are developing a pilot for the first integrated domestic violence court at Croydon in 2006. This would mean that criminal and civil aspects of domestic violence proceedings involving the same family would be heard in a designated court. Working jointly with the Home Office we plan to expand the number of Specialist Domestic Violence Courts across England and Wales. The first 25 such courts were announced in October 2005. The Home Office has recently announced a further £1 million to develop and extend the programme

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further in 2006/07. All areas across England and Wales have been invited to put themselves forward for inclusion in the programme.

5.9 We are also improving powers of protection through the Domestic Violence, Crime and Victims Act 2004. This Act includes measures to improve the protection available to victims of domestic violence and help ensure that perpetrators are brought to justice. The provisions of the Act will be implemented on a rolling basis when funding and training allow.

International

5.10 DCA continues to play an active role in ensuring that all international forums are used to help protect the vulnerable. The Department is responsible for treaties and legislation between the UK and our international partners in relation to cross-border legal disputes between family members that are covered by international agreements.

5.11 The Office of the Official Solicitor and Public Trustee (OSPT), which is part of DCA, is the central authority on international child abduction. DCA publishes information leaflets for those involved in international maintenance issues, as well as giving financial support (£110,000 in 2005/06) to Reunite, the charity which helps parents whose children have been abducted. Reunite publishes information, runs a 24-hour helpline and holds training and awareness events.

Families and children

Spending Review 2004 PSA Target 4 – reducing unnecessary delay in public law care cases

5.12 Our aim, as set out in the Department's five-year strategy, is to improve outcomes for children by providing a speedier resolution of issues affecting their future – one of the Department's key objectives under its PSA targets. The PSA measure is: "By 2009/10, to increase the proportion of care cases being completed by the courts within 40 weeks by 10 per cent".

5.13 Work to deliver improvement centres on four key areas: effective case management; more flexible judicial allocations/use of courtrooms; more efficient and effective use of experts and better inter-agency working.

5.14 Achievements so far include the installation of video conferencing equipment in care centres enabling experts to give evidence remotely, and establishing inter-agency Local Family Justice Councils who are now holding conferences on delay. We are also piloting Family Court Centres and the use of Case Progression Officers and have extended jurisdiction to nominated Recorders and District Judges (County Courts) to hear care cases. As reported in the performance tables, the positive impact of initiatives to reduce delay were seen in 2005/06.

5.15 Future work will also be informed by the judicial *Thematic Review of the Protocol for Judicial Case Management in Public Law Children Act Cases* and the outcome of the cross-Government Review of Child Care Proceedings.⁶

5.16 The Review of Child Care Proceedings examined the extent to which the current system for deciding care cases in the courts ensures that all resources are used in the most effective, efficient, proportionate and timely way to meet the needs of children and families. Recommendations include exploring variations in routes into care, examining how well the core principles of the Children Act 1989 are being met and looking at ways of preventing cases coming to court unnecessarily. Ministers are now considering the recommendations and will provide a response in due course.

Civil legal aid reforms

5.17 In March 2005 the Government announced a package of measures to reform civil and family legal aid. This followed the 2004 consultation paper 'A new focus for civil legal aid – encouraging early resolution; discouraging unnecessary litigation'.

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⁶ announced on 5 July 2005 in A Fairer Deal For Legal Aid

5.18 New regulations were introduced between April and October 2005 to implement the reforms, which should deliver savings of £56.3 million over three years. They include measures to encourage claimants in clinical negligence cases and actions against the police, to pursue their claims through any available complaints system first.

5.19 In family cases, reforms will provide stricter controls over multiple and repeat applications. Other reforms include increasing eligibility for victims of domestic violence seeking protection from the court, whilst simplifying eligibility by aligning the disposable income and capital limits for legal help and legal representation.

5.20 We are also reforming the 'Very High Cost Civil Cases' budget to ensure that disproportionately expensive cases do not prevent access to justice for smaller cases. In family cases, we are looking at reducing the number of ancillary relief cases (division of assets in divorce and separation) which would be funded by legal aid. Some of these cases could be funded by the assets themselves or by loans secured against the assets. Reform is aimed at encouraging early repayment of legal aid costs.

5.21 In March 2006 the Department published the report *Getting Earlier, Better Advice To Vulnerable People*. The report suggests that better, more co-ordinated delivery of advice could help resolve disputes about debt, housing, employment and other matters earlier and more effectively. It aims to develop a strategy for helping people, especially the vulnerable and socially excluded, to obtain such advice more easily. The report was published alongside the LSC's Community Legal Service (CLS) strategy, which is central to delivering these wider aims. This collection of work forms an important contribution to the process initiated in *A Fairer Deal for Legal Aid* in July 2005 and being taken forward by Lord Carter's Review of legal aid procurement. The aim is a sustainable future for the CLS, which continues the good work of the last few years in providing quality legal services to those most in need.

Mental Capacity Act 2006

5.22 The Mental Capacity Act provides greater rights for people who lack capacity and became law in April 2005. The Act introduces, for the first time, a presumption of capacity.

5.23 Work is underway, following the appointment of the Public Guardian designate in October 2005 to establish the new Office of the Public Guardian as an agency of DCA. A new Court of Protection, with wider powers to include health and welfare cases in addition to the present financial cases, will be established. A president, vice-president and senior judge will lead this new court, which will provide increased accessibility in conjunction with HMCS.

5.24 Over the next year we will be encouraging views from others, through consultation on issues such as lasting powers of attorney and the code of practice that accompanies the Act. The Act also recognises the importance of advocacy, and we are working with the Department of Health which is setting up the new Independent Mental Capacity Advocate service.

Adoption and Children Act 2002

5.25 We have also implemented the Adoption and Children Act 2002. This introduced new arrangements for domestic and inter-country adoption and measures to reduce delay, both in terms of case management and by the use of specialist adoption centres. The Act firmly places the welfare and wellbeing of the child at the centre of the adoption process. It is the first comprehensive review in a quarter of a century and replaces the Adoption Act 1976. The regulations, court rules and guidance required to implement the Act were put in place during Autumn 2005. This was followed by a period of preparation and training and the Act was implemented in December 2005.

Access to advice and legal services (PSA Target 6)

5.26 Achievement of PSA6 is measured by the English and Welsh Civil and Social Justice Survey (formerly the National Periodic Survey of Justiciable Problems), which has been conducted every three years, but is now moving to a continuous basis. Results will be available from summer 2006, and at quarterly intervals thereafter.

5.27 Between 2001 and 2004 the number of people experiencing justiciable problems – problems which raise a legal issue, whether or not any action is taken – fell considerably, by about 15 per cent. Although there has been an increase of 11 per cent in the

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5.20 We are also reforming the 'Very High Cost Civil Cases' budget to ensure that disproportionately expensive cases do not prevent access to justice for smaller cases. In family cases, we are looking at reducing the number of ancillary relief cases (division of assets in divorce and separation) which would be funded by legal aid. Some of these cases could be funded by the assets themselves or by loans secured against the assets. Reform is aimed at encouraging early repayment of legal aid costs.

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5.19 In family cases, reforms will provide stricter controls over multiple and repeat applications. Other reforms include increasing eligibility for victims of domestic violence seeking protection from the court, whilst simplifying eligibility by aligning the disposable income and capital limits for legal help and legal representation.

5.18 New regulations were introduced between April and October 2005 to implement the reforms, which should deliver savings of £56.3 million over three years. They include measures to encourage claimants in clinical negligence cases and actions against the police, to pursue their claims through any available complaints system first.

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5.28 Contributors are making efforts to come as close as possible to meeting the target and the LSC is preparing to assist on problems in 2006. Important pro bono activity such as the LawWorks Clinic Project is also on target.

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Chapter 6: Faster and more effective dispute resolution



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Alternatives to court

6.1 Many people are apprehensive about using the legal system and often lack information about other ways to settle disputes. In many cases, alternatives can provide a quicker and less costly means of resolving disagreement. We have been promoting the use of alternative means of resolving disputes for many years, and have agreed specific performance targets to reduce the proportion of disputes that go to court.

Mediation

6.2 We have supported the development of a number of court-based and court-linked mediation schemes, and have now produced the Court Mediation Service Toolkit. This will help courts, judges and mediation providers set up effective mediation services in their local areas by providing guidance and a framework for setting up mediation schemes.

6.3 We have worked closely with the Civil Mediation Council (CMC), the umbrella organisation representing commercial mediation providers, to develop an accreditation programme for organisations seeking to provide such services. The pilot accreditation scheme was launched by the CMC in December 2005. It provides users with an effective benchmark of quality for any mediation services promoted by the courts.

Mediation Week

6.4 We ran a successful mediation awareness campaign in 2005 bringing together civil, family and community mediators to help spread key messages to judiciary, staff and court users. The campaign culminated in October 2005 with Mediation Week, in which more than 60 courts took part, hosting various events to promote mediation. We are repeating the event in 2006.

National Mediation Helpline

6.5 We have continued to develop the National Mediation Helpline throughout the year. This was set up to help court users and members of the public settle their disputes and arrange low-cost mediation appointments. The helpline took more than 2000 calls from members of the public during 2005. By the end of the year, more than 87 per cent of the matters referred to mediation through the helpline had been settled.

Small claims

6.6 We are piloting a number of potential new services (free of charge to users) to establish the best ways to help people with lower value disputes settle their cases before a court hearing. The pilots will run for a year before being assessed, and we aim to begin implementing the preferred model in April 2007.

6.7 The success of these initiatives is measured during SR02 by PSA target 3 and during SR04 by PSA target 5 (measure 2). PSA target 3 final outturn is available in Chapter 10 of this report and data on PSA target 5 is available in Chapter 2.

Lawyers serving the public

6.8 Both the Lord Chancellor's *Making a difference: taking forward our priorities*⁷ and *Doing Law Differently*⁸ documents set out our commitment to reforming the regulatory structure of legal services in England and Wales.

6.9 In October 2005 the Government published a White Paper setting out proposals for reform of legal services regulation and delivery. Our proposals make consumers the top priority and provide for:

- **a Legal Services Board (LSB)** – to provide strong and independent oversight with day to day regulation left to front line regulators (such as the Bar and the Law Society) if they meet the LSB's standards. The LSB will also have clear statutory objectives that will apply to all partners in the regulatory framework
- **alternative business structures** – to enable lawyers and non-lawyers to work together to deliver legal and other services
- **a single and fully independent Office for Legal Complaints** – to address concerns about the quality, independence, and consistency of complaints handling by the legal professions
- **a mechanism to protect consumers if new problems occur** – by enabling additional legal services to be brought quickly under the regulatory control of the LSB by secondary legislation.

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⁷ www.dca.gov.uk/dept/priorities2005.htm
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6.10 These proposals support our strategic objective 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' (Strategic Objective 2). They also support SR 02 PSA 5 to 'achieve earlier and more proportionate resolution of legal problems and disputes', and the Departmental Five-Year Strategy priority; "to enable people to resolve their problems better by promoting and delivering faster and more effective dispute resolution".

6.11 We will publish a draft Bill accompanied by a full Regulatory Impact Assessment for pre-legislative scrutiny in this Parliamentary Session with legislation to follow as soon as Parliamentary time permits.

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Chapter 7: Strengthening democracy, rights and responsibilities



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DCA's role

7.1 DCA aims to strengthen democracy and rights and renew the relationship between the citizen and the state. Our core objectives are:

- strengthening and upholding people's human rights and rights to information
- strengthening democracy and public engagement with decision-making
- enhancing the credibility and effectiveness of our public institutions.

7.2 We are achieving these objectives by:

- maintaining an independent judiciary
- establishing the Supreme Court for the UK and the Judicial Appointments Commission (JAC)
- reform of the Office of the Lord Chancellor and the House of Lords
- strengthening engagement with the democratic process and ensuring the electoral process is more open and accessible
- ensuring that public services protect and respect individuals' rights and incorporate key human rights principles into service delivery
- ensuring people can effectively exercise their information access rights through the Freedom of Information (FOI) and Data Protection Acts
- making the law fairer and simpler
- developing a diverse judiciary, representative of the people it serves
- maintaining the devolution settlement and managing the constitutional settlement as it relates to the Crown, the Church and between the UK and Crown Dependencies.

Human rights

7.3 During 2005 DCA has focussed on promoting human rights values amongst public authorities. We hosted five roadshows to audiences primarily composed of local authority staff. We continue to support the Impetus Education Project, which introduces the concept of human rights to students from primary school age to undergraduate level.

7.4 The Equality Act 2006 will create the Commission for Equality and Human Rights. It will be a strong champion for human rights, applying such principles to its work on equality, diversity and community relations. Amendments to the Act include a power to bring judicial review proceedings on human rights grounds.

7.5 During the UK Presidency of the EU, DCA chaired meetings of the Working Group on Fundamental Rights, which considered the Draft Regulation and Decision on the establishment of a Fundamental Rights Agency at the EU level. DCA will continue to represent the UK Government's interests in Council Working Group during discussions under the Austrian and Finnish Presidencies. DCA provided the Secretariat and co-ordination for Lord Woolf's Review of the Management of the European Court of Human Rights. Both the Court and Council of Europe have welcomed this as providing a range of imaginative and practical suggestions for reform.

7.6 In July and November 2005 DCA arranged visits to the UK by the European Committee for the Prevention of Torture. The visits were to investigate the treatment of people suspected of involvement in international terrorism and detained without trial. On both occasions the committee was fully satisfied with the arrangements made.

Civil rights

7.7 As part of our objective of creating civil law that is fairer, simpler and more cost-effective, we have continued our efforts to identify ways in which Law Commission recommendations can be more readily implemented. We have worked closely with the Cabinet Office and this has led to the introduction of the Legislative and Regulatory Reform Bill, which proposes to speed up the rate at which accepted recommendations of the commission become law.

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Compensation culture

7.8 The Government is taking forward a wide programme of work aiming to:

- prevent a compensation culture from developing
- tackle perceptions that can lead to a disproportionate fear of litigation and risk averse behaviour
- find ways to discourage and resist bad claims
- improve the system for those with a valid claim for compensation.

7.9 Parliamentary Under Secretary of State Baroness Ashton chairs a ministerial group involving nine departments, which is co-ordinating and delivering this work across Government. It is supported by a range of stakeholder working groups, including members of the legal profession, insurers, trade unions, consumer and voluntary groups, business, local authorities and the judiciary. DCA held a conference in November 2005 involving six ministers and a wide range of stakeholders, to set out progress and future direction of work, and to share information and promote discussion.

7.10 The Compensation Bill was introduced in the House of Lords in November 2005. It completed its passage through the House of Lords in March 2006 and passed to the House of Commons.

Information rights

7.11 DCA continues to take the lead on Information Rights within Whitehall, with policy responsibility for the FOI Act and the Data Protection Act.

7.12 One year after full implementation of the FOI Act, thousands of FOI requests have been received by public authorities across the public sector. Central government bodies alone are estimated to have released around 20,000 pieces of information in response to FOI requests.

7.13 As part of the FOI operational programme DCA has:

- provided consistent, expert and co-ordinated advice to departments in relation to the processing of FOI requests

- published quarterly monitoring bulletins, providing information on Government compliance with the FOI Act
- continued to develop guidance on the Act providing Government, and the wider public sector, with the tools they require to apply the legislation consistently and appropriately
- continued our programme to raise awareness of the Act, including ministerial speeches, articles and further improvement of the FOI website: www.foi.gov.uk. Our FOI networks are helping DCA to exchange good practice and provide support to our stakeholders in Government and the wider public sector
- published a review of legislation that prevents the disclosure of information, with commitments to amend or repeal 40 such provisions and limit 19 others
- made an order to bring a further 22 bodies within scope of the Act
- worked closely with the Information Commissioner's Office to assist the independent regulator in the first year of full implementation.

7.14 To ensure that the data protection regime continues to be fit for purpose, DCA has:

- worked closely with the Information Commissioner's Office to promote better understanding of data protection
- established a programme to develop understanding of data protection in Whitehall and ensure it is considered in policy-making where appropriate
- represented the Government in the EU to establish a regime for data protection in police and judicial co-operation in criminal matters across the EU
- represented the Government in both EU and Council of Europe committees and working groups to influence developments affecting the field of information rights
- supported the establishment of a new cabinet committee to develop a data sharing strategy for the public sector. This will help the Government to strike the right balance between greater data sharing for better public services and the appropriate degree of privacy for individuals.

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Inquiries

7.15 The Inquiries Act 2005 provides a new statutory framework for ministerial inquiries into events which have caused or are capable of causing public concern. It covers the establishment of inquiries, the appointment of people to run them, their procedures and powers and the submission and publication of inquiry reports. It gives an inquiry the powers to establish the facts quickly, effectively and at a reasonable cost. This in turn will help to promote public confidence in the inquiry process, its conclusions and any recommendations it may make.

7.16 The Inquiries Act also covers areas such as evidence and procedure, awards of expenses to people involved in an inquiry and records management at the close of an inquiry. The procedural rules are undergoing a full public consultation which began in March 2006.

Electoral administration

7.17 People should be able to exercise their democratic rights in a way that fits in with the demands of a modern lifestyle. They should have complete confidence in the security and fairness of elections.

7.18 Following the 2005 general election, DCA assumed responsibility for policy on local elections and referendums in England and Wales as well as national elections and referendums. We are working closely with electoral administrators and other stakeholders as they prepare for the May 2006 local elections. We took a similar approach in anticipation of the 2005 general election, which enabled us to secure funding for returning officers well in advance of the election and to help them meet the challenges of increased postal vote volumes.

7.19 After the 2005 elections, we published a policy paper on proposed changes to electoral administration. This informed development of the Electoral Administration Bill which was introduced to the House of Commons in October 2005 and is presently being considered in the House of Lords.

7.20 The Bill was accompanied by the publication of DCA's paper, *Electoral Administration – legislative proposals resulting from consideration of the policy discussion*

paper published on 25 May 2005 and by a package of secondary legislation, focussing on enhancing security.

7.21 We worked with 15 local authorities on pilots for the May 2006 elections. They built on the experience of local government pilots between 2000 and 2003 and included innovations like early and mobile voting, and electronic counting. We are continuing to develop a programme of work aimed at meeting the Government's longer-term aim of an online General Election some time after 2008. This includes the Coordinated On-line Record of Electors, which will provide national access to registration data.

7.22 In December 2005 we published *The Boundary Commission for Wales fifth periodical report on parliamentary constituencies* and first report on National Assembly for Wales electoral regions. The Boundary Commission for England is currently undertaking a review of English parliamentary boundaries. It is statutorily required to complete the review and present its report to the Secretary of State for Constitutional Affairs by April 2007.

7.23 We have begun a series of initiatives aiming to encourage young people to register to vote and, in particular, to improve awareness in London, which has the lowest registration rates in the country. In November 2005 we launched a registration campaign targeted at London's urban youth in partnership with the Mayor for London, Operation Black Vote, the Association of London Government, the Electoral Commission and electoral administrators ahead of the May 2006 London local elections. The campaign (the "1824 Collective") ended in March 2006 and is currently being evaluated.

7.25 We have set up a programme of work to increase the capacity of Government to undertake democratic engagement activities. A small innovations fund will help to establish what works well. Eight projects are being funded in the first phase.

7.26 We are also conducting research into the experience of different electoral systems in the UK, in line with the Government's manifesto commitment.

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Inquiries

7.32 The Lord Chancellor remains accountable to Parliament for the efficiency and effectiveness of the court system, and for supporting the judiciary in enabling them to fulfil their functions.

7.33 The Secretary of State for Constitutional Affairs has responsibility for Data Protection and FOI, human rights and electoral law, devolution and regulation of the legal professions in England and Wales. This office is currently held by the Lord Chancellor.

Support for the judiciary

7.34 In April 2006, the Directorate of Judicial Offices for England and Wales was launched to support the Lord Chief Justice and senior judiciary and, through them, serving members of the judiciary. The directorate's remit encompasses the Judicial Office, the new Judicial Communications Office, providing communications for judicial office holders in England and Wales, and the Judicial Studies Board, which provides education and training for the judiciary, under the responsibility of the Lord Chief Justice.

7.35 The Judicial Office is based at the Royal Courts of Justice and assists the senior judiciary in their roles and responsibilities under the Constitutional Reform Act 2005. These include:

- the Lord Chief Justice's new role as Head of the Judiciary responsible for all judges
- the Lord Chief Justice's role in judicial appointments
- judges' well being.

Support for the Lord Chancellor

7.36 DCA has also changed to reflect the new role of the Lord Chancellor. The Lord Chancellor remains accountable to Parliament for the delivery of public services, including resourcing the courts and the provision of the judiciary.

7.37 DCA has restructured to support these reformed roles to ensure that public interest is represented in decisions taken under the new constitutional arrangements and that the public is provided with a well selected, trained, remunerated and independent judiciary.

The legal system working for the public

7.27 The Constitutional Reform Act 2005 contains provisions to reform the office of the Lord Chancellor, clarifying the office as a ministerial role with responsibility for, amongst other things, the judiciary and the courts and tribunals, and meaning that the Lord Chancellor is no longer a judge. The Act also establishes the Lord Chief Justice as head of the judiciary of England and Wales, establishes a Supreme Court for the UK and an independent JAC for England and Wales.

7.28 Most of the provisions in the Act commenced in April 2006, apart from the powers to create the Supreme Court, which will commence when the Court opens for business in 2009.

Reforming the office of Lord Chancellor

7.29 Reforming the office of Lord Chancellor is a key part of the Government's aim to clarify the responsibilities of the judiciary, the legislature and executive. Reforming the office so that the Lord Chancellor is no longer a judge or head of the judiciary of England and Wales, enables the Lord Chancellor to focus on delivering key public services including HMCS and the new Tribunals Service.

7.30 The role of the judiciary, separate and independent of the executive, is also made clearer, with the Lord Chief Justice becoming President of the Courts of England and Wales and Head of the Judiciary of England and Wales. The Lord Chief Justice has responsibility in his new role for ensuring the views of the judiciary are represented effectively, for judicial training and education and for deployment of members of the judiciary.

7.31 The reformed office of Lord Chancellor is recast as the ministerial post with responsibility for the judiciary, and the administration of the courts and tribunals. Whilst the Lord Chancellor is no longer a judge, he is responsible for upholding the independence of the judiciary and the rule of law. The Lord Chancellor's responsibilities also include statute law reform, legal aid, public records and the National Archives, and the Crown Dependencies. Together these changes reinforce the independence of the judiciary.

7.32 The Lord Chancellor remains accountable to Parliament for the efficiency and effectiveness of the court system, and for supporting the judiciary in enabling them to fulfil their functions.

7.33 The Secretary of State for Constitutional Affairs has responsibility for Data Protection and FOI, human rights and electoral law, devolution and regulation of the legal professions in England and Wales. This office is currently held by the Lord Chancellor.

Support for the judiciary

7.34 In April 2006, the Directorate of Judicial Offices for England and Wales was launched to support the Lord Chief Justice and senior judiciary and, through them, serving members of the judiciary. The directorate's remit encompasses the Judicial Office, the new Judicial Communications Office, providing communications for judicial office holders in England and Wales, and the Judicial Studies Board, which provides education and training for the judiciary, under the responsibility of the Lord Chief Justice.

7.35 The Judicial Office is based at the Royal Courts of Justice and assists the senior judiciary in their roles and responsibilities under the Constitutional Reform Act 2005. These include:

- the Lord Chief Justice's new role as Head of the Judiciary responsible for all judges
- the Lord Chief Justice's role in judicial appointments
- judges' well being.

Support for the Lord Chancellor

7.36 DCA has also changed to reflect the new role of the Lord Chancellor. The Lord Chancellor remains accountable to Parliament for the delivery of public services, including resourcing the courts and the provision of the judiciary.

7.37 DCA has restructured to support these reformed roles to ensure that public interest is represented in decisions taken under the new constitutional arrangements and that the public is provided with a well selected, trained, remunerated and independent judiciary.

The legal system working for the public

7.27 The Constitutional Reform Act 2005 contains provisions to reform the office of the Lord Chancellor, clarifying the office as a ministerial role with responsibility for, amongst other things, the judiciary and the courts and tribunals, and meaning that the Lord Chancellor is no longer a judge. The Act also establishes the Lord Chief Justice as head of the judiciary of England and Wales, establishes a Supreme Court for the UK and an independent JAC for England and Wales.

7.28 Most of the provisions in the Act commenced in April 2006, apart from the powers to create the Supreme Court, which will commence when the Court opens for business in 2009.

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Creating the Judicial Appointments Commission

7.38 The JAC was launched in April 2006. It will ensure that members of the judiciary are appointed on an independent, transparent and accountable basis. It also strengthens judicial independence by removing the appointments process from the hands of a single minister.

7.39 Baroness Prashar, Chairman of the Commission, will lead the JAC in its work of selecting people for judicial appointment. She and five other of the 14 commissioners are lay members, and there are five judicial members, two legal professionals, one tribunal office holder and one magistrate.

7.40 The JAC is sponsored by DCA and the Lord Chancellor. It has been established as an independent non-departmental public body, managed by its own Chief Executive.

Creating the Judicial Appointments and Conduct Ombudsman and the Office for Judicial Complaints

7.41 The office of the Judicial Appointments and Conduct Ombudsman was launched in April 2006. The Ombudsman will consider complaints about the judicial appointments process and about the judicial disciplinary process, and will report and make recommendations as appropriate. He is independent of the Government, DCA and the judiciary.

7.42 In the area of judicial appointments, the Ombudsman deals with complaints from candidates about the way in which their application for judicial office was handled.

7.43 The Office for Judicial Complaints, also launched in April 2006, deals with matters of judicial conduct and discipline. The Ombudsman may be involved where a complainant, or a judge who is the subject of a complaint, is unhappy about how that complaint was handled.

Establishing a Supreme Court for the United Kingdom

7.44 In June 2003 the Prime Minister announced the Government's intention to remove the jurisdiction of the Appellate Committee of the House of Lords and transfer it to a new Supreme Court for the UK. This is a key part of the changes to the relationship between Parliament, Government

and the judiciary. Provisions for establishing a Supreme Court are set out in the Constitutional Reform Act.

7.45 The Supreme Court will assume the jurisdiction of the Appellate Committee and the devolution jurisdiction of the Judicial Committee of the Privy Council. These changes will provide greater clarity in our constitutional arrangements.

7.46 To increase the separation between the judiciary and legislature, the Supreme Court will be located away from the Houses of Parliament. The Lord Chancellor announced, in December 2004, that Middlesex Guildhall, on Parliament Square, had been selected as the preferred location. Subject to planning approval, Middlesex Guildhall will be refitted to include a number of support services such as catering, security, library facilities and IT infrastructure.

7.47 Middlesex Guildhall is at present an operational Crown Court. Existing work undertaken by the Crown Court will be moved. To ensure that this happens efficiently, HMCS is overseeing the construction of additional courtrooms at Isleworth Crown Court and is advising to senior members of the judiciary on proposed changes to the committal paths for Crown Court work.

7.48 As a new and independent institution, the Supreme Court will require finely tuned business processes and procedures. In consultation with the Law Lords we are devising the rules, developing an organisational structure, and defining and creating a distinctive identity for the court.

Quality and best value in the legal services market

7.49 In 2003 the then Lord Chancellor's Department carried out a consultation on the future of Queen's Counsel. As a result of this, the legal professions, together with DCA, have developed a new interim scheme for selecting Queen's Counsel. The scheme sought applications between July and September 2005 and its independent selection panel is now assessing candidates. It expects to make its first recommendations to the Secretary of State in summer 2006.

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ministers from the Legal Services Consultative Panel. The report recommends that solicitors' firms and barristers' chambers publish details of their diversity and equality policies and statistics on the make up of the organisation. A working group led by DCA, with representatives from the profession, academia and the regulatory bodies, is currently considering further action.

House of Lords reform

7.51 The Department is providing policy support to the Leader of the House of Commons, Jack Straw, who has been given Ministerial responsibility for taking forward the Government's commitments on House of Lords reform.

7.52 The Government continues to work on reforms launched in 1999. Further steps include a joint committee to consider the powers and procedures of the House, a free vote on future composition, legislation to limit to 60 days the time the upper chamber has to deal with a Bill and a proposal to remove the remaining hereditary peers who sit and vote in the House of Lords.

European Presidency

7.53 In the second half of 2005 the UK took its turn as President of the Council of the EU. The Department's European business – broadly, civil justice, data protection and human rights – forms part of the EU Justice and Home Affairs (JHA) agenda. DCA shares lead responsibility in the UK with the Home Office. Our key goal was to demonstrate the role that civil justice can play in providing practical solutions to the problems which Europe's citizens face; enabling them to live, work, study, buy, sell and do business across European borders with the same security and ease of access to justice as at home.

7.54 At the informal JHA Council in Newcastle in September 2005 DCA ministers helped resolve a dispute over whether civil law measures should apply only to cross-border cases or might also apply to purely domestic cases. It was agreed that the former argument should apply.

7.55 A major contract law conference, also in September 2005 looked at ways of improving the consumer *acquis* (the series of European directives designed to safeguard consumer interests).

7.56 A civil law conference in Edinburgh, hosted jointly with the Scottish Executive, discussed how to improve access to cross-border justice for European citizens. Sessions on alternative dispute resolution and family mediation, e-justice, the civil judicial network and streamlined court processes all produced constructive ideas on more efficient, affordable and user-friendly dispute resolution.

7.57 At policy level, we highlighted proposals designed to improve access to justice across EU borders. At the December JHA Council, we secured political agreement on the European Order for Payment (facilitating the easier settlement of cross-border debts), confirmed the significant progress made during our Presidency on a European small claims procedure (providing cost effective way of resolving small claims across borders) and agreed key principles on the Mediation Directive (facilitating the use of mediation in the resolution of cross-border disputes).

7.58 Throughout the Presidency, DCA ministers and officials developed a close working relationship with their European counterparts in justice ministries in other member states, with MEPs and the European Commission and Council Secretariat, and actively engaged with domestic stakeholders. Looking ahead, the Department aims to build on these contacts to become one of the leading voices on civil justice across the EU.

European Constitution

7.59 The Department had responsibility for those parts of the European Union Bill which made provision for a referendum on whether the proposed European Constitution should be accepted in the UK. Following the referendums in France and the Netherlands in 2005 which rejected the Constitution, the Bill did not proceed.

Court and tribunal business

Role of the judiciary

7.60 DCA continues to rely on the judiciary as key partners in the Department's work. This has been shown in particular in the preparations for the implementation of the Constitutional Reform Act 2005 where judicial office-holders were members of project boards and were heavily involved in establishing the new arrangements. The judiciary's knowledge and experience continue to be invaluable in all areas of the Department's work.

7.61 Members of the judiciary have also contributed to a range of other initiatives and programmes by sitting on working groups, responding to consultations, and commenting on the development of policy. For example, in the run up to the launch of the Tribunals Service in April 2006, the designated Senior President of Tribunals, supported by the Tribunals Presidents Group, has been providing input and consultation on behalf of tribunal judiciary. By listening to the first-hand experiences of the judiciary and acknowledging their role as key partners in this way we help ensure that the public benefit from a first-rate justice system.

Judicial pensions

7.62 In December 2005 the Lord Chancellor announced in a Written Ministerial Statement that the judicial pension schemes which he administers would no longer be registered schemes when the relevant provisions of the Finance Act 2004 came into effect in April 2006.

7.63 The effect of doing this, combined with the payment to judges of a service award near retirement and an adjustment to the contributions rate will be to maintain, though not improve, the overall remuneration package for the serving judiciary. This ensures that the Government's commitment to the judiciary is met and will also help to protect the principle of judicial independence.

7.64 In these circumstances it was not necessary to introduce separate legislation for judicial pensions and the Lord Chancellor indicated that he would not be proceeding with the Judicial Pensions Bill announced to Parliament at the time of the Queen's Speech in May 2005.

Appointments

7.65 Key appointments made during the year were as follows:

- the appointment of Lord Phillips of Worth Matravers as Lord Chief Justice
- one Lord of Appeal in Ordinary (Lord Mance), three Heads of Division (Sir Anthony Peter Clarke as Master of the Rolls, Sir Igor Judge as President of the Queen's Bench Division, Sir Mark Potter as President of the Family Division), and six Lord Justices of Appeal (four from the Queen's Bench Division, one from the Chancery Division and one from the Family Division)
- ten appointments to the High Court (six to the Queen's Bench Division, two to the Chancery Division and two to the Family Division)
- The Secretary of State also supported the Foreign Secretary on international judicial appointments, including recommending an appointment as Advocate General of the European Court of Justice.

7.66 In 2005/06, we ran a competition for judicial appointments to the High Court. Entry was by application only and applicants were considered against a revised qualities and skills framework, making the competition more open and transparent while retaining the principle of appointment on merit.

7.67 Key activities in judicial appointments below High Court level in 2005/06 included:

- ongoing appointments to the circuit bench nationally and for recorder posts. Assessment centres have been used for the first time in the recruitment of recorder posts
- competitions for a number of specialist posts both to the circuit and district benches
- the conclusion of the district judge (civil and magistrates' courts) and deputy district judge (civil) competitions and the launch of a competition for deputy district judge (magistrates' courts).

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Tribunals, chairs to the Employment Tribunal and medical members to the Mental Health Review Tribunal.

7.69 The launch of the AIT in April 2005 saw the creation of a single asylum and immigration jurisdiction. A president at High Court level and two deputies were appointed to oversee and then manage the new tribunal. A new structure was put in place to help develop a coherent judicial management strategy.

7.70 Immigration adjudicators became immigration judges and a new post of senior immigration judge was created to manage judicial centres and develop jurisprudence within the new appeals system. A notable feature of this new judicial management structure was the creation of designated immigration judges to oversee the personal development and appraisal of small teams of salaried and fee-paid immigration judges.

7.71 The latest figures on appointments to courts and tribunals can be found in the seventh Judicial Appointments Annual Report, published in January 2006 which covers the period 1 April 2004 to 30 September 2005. This can be found at www.dca.gov.uk

Improvements to the appointments process

7.72 A competence framework, tailored to the needs of particular jurisdictions, forms the basis of assessment in all competitions below High Court level, excluding the magistracy. In June 2005 the number of competences considered at the initial sift stage was reduced from nine to five. This is helping sift panels to focus on the best evidence from self-assessment and consultation. In line with the successful use of assessment centres for all deputy district judge competitions, assessment centres have been used for recorder appointments. The centres are designed to simulate the work of a recorder as far as possible and allowed a thorough assessment of the behavioural skills of each candidate. We have also developed an assessment centre for the appointment of fee-paid chairpersons of Employment Tribunals.

Pilot appraisal for recorders

7.73 In October 2003 a working group was set up to address concerns about the quality and consistency of selection decisions and the weighting of the various types of evidence available to the panels. One of the group's proposals was an appraisal scheme for recorders. In order to assess the feasibility of this proposal, a pilot appraisal scheme for recorders was developed and run on the Northern Circuit/North West Region during 2005. Feedback suggests that additional piloting would be useful before concluding which development needs can be identified using this appraisal scheme.

Developing a diverse judiciary

7.74 Following the October 2004 consultation paper *Increasing Diversity in the Judiciary*, the Secretary of State and Lord Chancellor announced the Judicial Diversity Programme. It focuses on three main areas:

- encouraging applications and raising awareness
- removing barriers to appointment
- ensuring that the way judicial office operates encourages and supports a more diverse judiciary.

7.75 The Department has already taken steps to encourage greater diversity in the judiciary. For example, extending the judicial work shadowing scheme to district judges (magistrates' courts), publishing a new e-newsletter, which now has more than 1,700 subscribers, and holding events aimed at under-represented groups.

7.76 In July 2005 the Lord Chancellor announced changes designed to widen eligibility for judicial appointment. These changes will allow Fellows of the Institute of Legal Executives and registered Patent Agents and Trade Mark Attorneys, as well as barristers and solicitors, to apply for appointment for judicial posts.

7.77 There will also be a power for the Lord Chancellor, after consultation with the Lord Chief Justice and the Judicial Appointments Commission, to amend the qualifications needed for particular judicial offices, in order to widen eligibility. In addition, the current statutory requirement for possession of rights of audience will be replaced with a requirement for a

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specified number of years' post-qualification legal experience. The specified number of years will be reduced from seven or ten (according to the judicial post concerned) to five or seven. These changes will be made as soon as parliamentary time allows.

7.78 In November 2005 the Lord Chancellor announced a package of measures including: a new drive to encourage solicitors to apply to become judges; publication of the *Step Up to a Judicial Career* booklet and DVD; a leaflet aimed at students; a career break scheme for the salaried judiciary; a pilot mentoring scheme for district judges; an action plan to address disability issues in judicial appointments; and consultation with the Judges' Council on the issue of permitting judges to return to legal practice.

7.79 The JAC will have a statutory duty to have regard to the need to encourage diversity in the range of people available for selection as judges. The Department will work closely with the Commission and other key stakeholders to continue to drive delivery of the judicial diversity programme.

7.80 More information about the Judicial Diversity Programme, with links to relevant documents and speeches, can be found at www.dca.gov.uk/judicial/diversity/index.htm

7.81 A statistical breakdown of judges in post can be viewed at www.dca.gov.uk/judicial/jaarep2005/index.htm

Diversity among magistrates

7.82 As part of our commitment to ensure that magistrates reflect the communities they serve, DCA has developed a national recruitment strategy. The strategy aims to increase the profile of the magistracy, recruit magistrates from a diverse spectrum of the population and support the appointments process.

7.83 In August 2005 the Department introduced new advertising and application materials complemented by a new website www.magistrates.gov.uk. This encourages a more consistent approach to planning and delivering local recruitment campaigns, which includes greater focus on targeting under-represented groups.

7.84 To support the recruitment of more young magistrates, a working group has been set up to enable DCA to work in partnership with employer organisations, the Trade Unions Council and the Magistrates' Association on initiatives to encourage employers to release staff for magistrate service.

7.85 DCA also continues to support existing awareness-raising initiatives, including the magistrates' shadowing scheme, which promotes minority ethnic involvement with the magistracy, the mock trials competition, which raises the profile of the magistracy amongst young people, and the 'Magistrates in the Community' project, which raises awareness of the magistracy in the wider community.

7.86 The time taken to process appointments has been reduced from ten weeks to six weeks, in addition to which advisory committees now have greater flexibility when submitting appointment recommendations.

7.87 In the year ending March 2005, 1766 magistrates (including the Duchy of Lancaster) had been appointed. The percentage of magistrates from ethnic minority backgrounds in post has risen from 6.1 per cent in 2002/03 to 6.7 per cent in 2004/05.

Charter Mark

7.88 Seven business areas in judicial appointments have been working to improve customer service excellence and were awarded Charter Marks in March 2006.

Other constitutional functions

7.89 We manage the relationship between the UK and the Crown Dependencies. Jersey, Guernsey and the Isle of Man are internally self-governing dependencies of the Crown, each with its own ministerial system of government and legal, judicial, fiscal and administrative systems. We work with the governments of each to represent and promote their policy interests to relevant UK Government departments.

7.84 To support the recruitment of more young magistrates, a working group has been set up to enable DCA to work in partnership with employer organisations, the Trade Unions Council and the Magistrates' Association on initiatives to encourage employers to release staff for magistrate service.

7.85 DCA also continues to support existing awareness-raising initiatives, including the magistrates' shadowing scheme, which promotes minority ethnic involvement with the magistracy, the mock trials competition, which raises the profile of the magistracy amongst young people, and the 'Magistrates in the Community' project, which raises awareness of the magistracy in the wider community.

7.86 The time taken to process appointments has been reduced from ten weeks to six weeks, in addition to which advisory committees now have greater flexibility when submitting appointment recommendations.

7.87 In the year ending March 2005, 1766 magistrates (including the Duchy of Lancaster) had been appointed. The percentage of magistrates from ethnic minority backgrounds in post has risen from 6.1 per cent in 2002/03 to 6.7 per cent in 2004/05.

Charter Mark

7.88 Seven business areas in judicial appointments have been working to improve customer service excellence and were awarded Charter Marks in March 2006.

7.81 A statistical breakdown of judges in post can be viewed at www.dca.gov.uk/judicial/jaarep2005/index.htm

7.82 As part of our commitment to ensure that magistrates reflect the communities they serve, DCA has developed a national recruitment strategy. The strategy aims to increase the profile of the magistracy, recruit magistrates from a diverse spectrum of the population and support the appointments process.

7.83 In August 2005 the Department introduced new advertising and application materials complemented by a new website www.magistrates.gov.uk. This encourages a more consistent approach to planning and delivering local recruitment campaigns, which includes greater focus on targeting under-represented groups.

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Other constitutional functions

7.90 We represent and promote UK policy and interests to the governments of the Crown Dependencies and work with them on matters which affect their and the UK's international relations.

Constitutional settlement

7.91 We sustain the constitution by upholding the core values of justice, rights and democracy. This includes advising on the use of the Royal Prerogative, the relationship between Church and State, the sovereignty of Parliament, and the overall UK devolution settlement.

7.92 We provide advice on a number of constitutional issues relating to Royal matters. We also maintain the Official Roll of the Baronetage and deal with disputed peerages. With colleagues from the Irish Government, we also provide the Secretariat to the British-Irish Council.

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Chapter 8: Delivering for the public



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DCA strategy 2004-09

8.1 In December 2004 we published *Delivering Justice, Rights and Democracy: DCA Strategy 2004-09*. This set the direction for the Department's activity over that period. The strategy identified priority areas where improvements would be of greatest benefit to the public. These were the areas covered in previous chapters, namely reducing crime and anti-social behaviour, speeding up asylum and immigration appeals, protecting the vulnerable, delivering faster and more effective dispute resolution, and strengthening democracy, rights and responsibilities.

8.2 We aim to deliver these priorities by:

- developing polices that empower citizens and communities, giving communities the power and confidence to tackle crime and anti-social behaviour and helping people manage their problems more effectively
- providing better education, information, and advice, so that people can settle their disputes away from formal court and tribunal processes where appropriate
- changing the way we deliver services, so that magistrates and Crown courts can develop their partnerships with other criminal justice agencies and stakeholders, helping to make sure that advice and legal services are more responsive to public needs and give greater value for money
- reshaping our organisation and infrastructure around the needs of the public and focussing on our priorities as efficiently as possible.

8.3 Both the Lord Chancellor's *Making a Difference: Taking Forward our Priorities* and *Doing Law Differently* documents reinforced the strategic underlying principle of delivering on the priorities of the public. Progress on delivering those priorities is described throughout this report. In addition, we have carried out a number of projects identifying the needs of different consumer groups. These include a major survey into people's experience of the CJS and continuing work on the Department's education, information and advice strategy.

Spending Review strategy

Comprehensive Spending Review (CSR)

8.4 In July 2005 the Chancellor announced plans for a second CSR reporting in 2007. The CSR involves a long-term review of Government expenditure. It will cover departmental allocations for 2008/09, 2009/10 and 2010/11, with allocations for 2007/08 held to the agreed figures already announced in the 2004 Spending Review.

8.5 The CSR gives us the opportunity to assess the way we spend public money. From 2006 we will take forward a programme of work to ensure that the CSR is based upon a rigorous analysis of our departmental spending.

8.6 We are reviewing key areas of spending, the results of which will show how effective we are in meeting the Government's long-term objectives.

8.7 The Department will work closely with the Treasury to develop an efficiency programme to cover the CSR period, to ensure that we continue to drive out efficiencies and embed efficiency within the Department and its expenditure planning.

8.8 We will also be looking at the key trends and challenges that will affect DCA's business in the years to come. This will inform how we develop and shape our services for the future.

Efficiency

Financial savings

8.9 As part of the 2004 Spending Review, Sir Peter Gershon looked at ways of making efficiency savings in central government, with a view to reallocating resources to frontline services.

8.10 The Department agreed efficiency savings of £292 million to be delivered by March 2008. At least £57 million of this should produce a tangible cash benefit, which may then be redirected to other areas.

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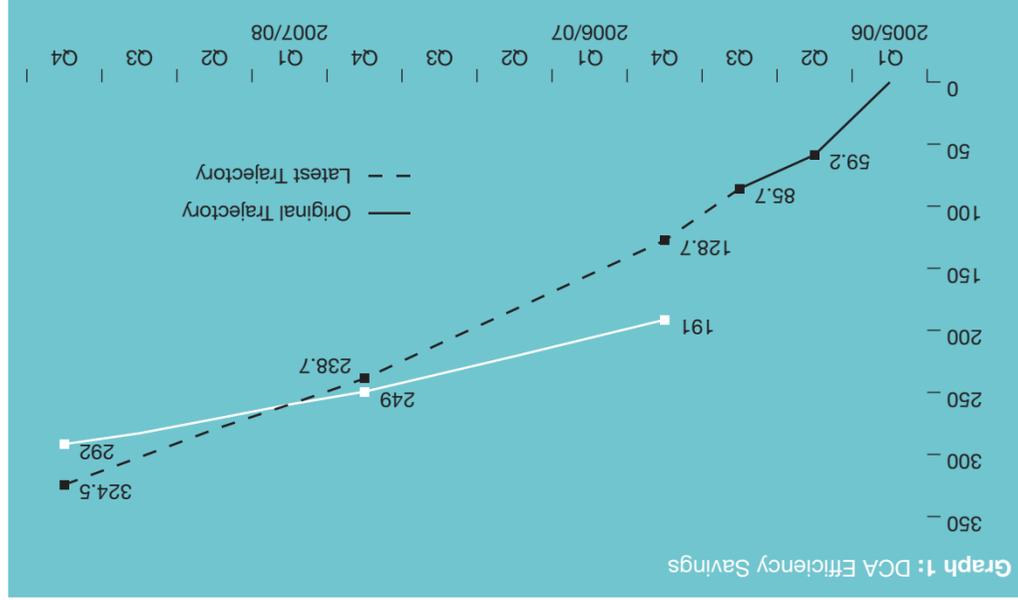
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Spending Review strategy

DCA strategy 2004-09



8.11 The financial savings (totalling £292 million) are being delivered by all areas of our business, the main elements being:

- legal aid spending (£198 million, through, for example, controlling the costs of very high cost criminal cases and introducing a system of tailored fixed fees)

Relocation

- HMCS (£41 million, following the unification of 42 Magistrates' Courts Committees and the former Court Service, and by making better use of resources)

- initiatives and programmes across the CJS (£25 million, by streamlining business processes and reducing rates of ineffective and cracked trials – when a case is concluded without a trial)

- procurement (£15 million, from launching a national strategy within HMCS and rationalising major IT contracts).

8.12 Improvements to productive time and corporate services (i.e. human resources, finance and IT) will account for the remaining savings. In addition to these, the new AIT could provide savings of around £18 million.

8.13 The Department is to reduce the number of employees by 1,100 full-time equivalents (FTEs). This is to be achieved by redesigning the centre of DCA (300 FTEs) and re-engineering working practices and processes within HMCS (800 FTEs).

Relocation

8.14 The Lyons Review of public sector relocation also forms part of DCA's efficiency agenda, and requires us to relocate 200 posts out of London and the South East by March 2010. Current plans to achieve this include the JAC, which will initially have a London base before relocating, and the Tribunals Service headquarters.

Progress to date

8.15 At the end of December 2005 the Department had delivered £85.7 million of savings (of which £27.6 million is cashable), and reduced staffing by 317 FTEs. Graph 1 (below) shows our predicted savings for 2005/06 and forecast is based on December 2005 reports from the areas delivering efficiency savings.

8.16 We have also established a rigorous structure of quarterly monitoring and reporting. This is helping us identify more realistic means of meeting and exceeding our overall target of £292 million in 2006/07 and 2007/08.

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Workstream/Initiative	Savings to date	Quality Assurance Outturn
<p>Legal Aid Delivered by controlling the costs of VHCCCs, establishing CLS Direct, capping legal help, and the CPS Charging Project</p>	<p>£43.9 million (non-cashable)</p>	<p>'Quality Profiles' are an integral element of the supplier management process and form part of a range of tools to monitor and manage the quality of advice and performance of suppliers.</p> <p>Quality profile reports demonstrate whether a firm is 'out of profile' at which stage further investigation occurs in the form of 'audit' or a 'peer review'.</p> <p>By January 2006, 89 per cent of suppliers rated 'unacceptable' had either been improved or removed.</p>
<p>HMCS Savings delivered through line management and support function re-organisation, rationalisation and pooling of court business, estates integration and more efficient use of corporate resources</p>	<p>£17.1 million (cashable)</p> <p>£570,000 (non-cashable)</p>	<p>Increasing customer satisfaction in key areas such as:</p> <ul style="list-style-type: none"> • knowledge of court staff at public counter – 84 per cent against a baseline target of 85 per cent • knowledge of staff on telephone service – 84 per cent against a baseline target of 80 per cent • helpfulness of written communication – 83 per cent against baseline target of 80 per cent

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Workstream/Initiative	Savings to date	Quality Assurance Outturn
Cross-CJS business change Business change in the courts following the rollout of Xhibit (a new IT system designed to keep jurors, counsel and court staff up-to-date as hearings progress)	£1.2 million (non-cashable)	Ineffective trials rates: <ul style="list-style-type: none">magistrates' courts – 21.3 per cent against a baseline of 30.6 per centCrown Court – 14.1 per cent against a baseline of 23.1 per cent Timeliness: <ul style="list-style-type: none">magistrates' courts – 30 days vs. a baseline of 33 days from first listing to completion.Crown Court – 78 per cent against baseline of 68.2 per cent cases commenced within 16 weeks.
Corporate services Reorganisation of business processes in IT, HR and finance functions	£4 million (cashable)	
Policy, funding and regulation Costs associated with 100 FTE headcount reduction delivered by re-shaping the centre of DCA	£3 million (cashable)	
Asylum & Immigration Tribunal Streamlining the asylum process by reducing the time between an appeal and the decision	£3.32 million (non-cashable)	Quality measures are currently being identified and tested as part of a continuous review project.
Procurement Delivered by securing value-for-money commodities, contracts and services, and by improving the use of resources	£3.42 million (cashable)	<ul style="list-style-type: none">an agreement between DCA Commercial Group and HMCS which sets out the relationship, strategic direction and methods of measuring service deliveryquarterly meeting of HMCS Procurement Boardan HMCS procurement strategykey performance indicators on corporate cleaning, catering and security contracts
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Policy, funding and regulation Costs associated with 100 FTE headcount reduction delivered by re-shaping the centre of DCA	£3 million (cashable)	Reshaping the corporate centre and reorganising business processes within corporate services is intended to increase the effectiveness of the Department in meeting our overall PSA targets. See the 'Reshaping Outcome' and Departmental PSA sections for further information.
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Table 2

Workstream/Initiative	FTE reductions to date
DCA Headquarters Re-shaping DCA centre	100 FTEs
HMCS Line management and support function re-organisation	217 FTEs

8.18 In addition, we have recently reviewed our 'efficiency technical note', which outlines the initiatives delivering savings, and the quality measures underpinning the programme. It has been published online at: www.dca.gov.uk/dept/technote.pdf

Auditing of efficiency savings

8.19 All declared savings are checked before they are reported. At the end of each financial year, savings are reviewed as part of an internal validation process, in line with Office of Government Commerce guidance.

Future programme of work

8.20 We remain committed to ensuring that our targets are met and exceeded, and that efficiency remains a crucial aspect of all future business planning. Our programme of work for the next six to twelve months will focus on additional areas of saving, and securing the full delivery of savings already underway. Some key milestones are outlined in the table below:

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- improved risk management reporting to the Department's management and ministerial executive boards
- greater focus on addressing highlighted risks
- further development of a risk-based approach to internal audit planning and execution.

8.23 In common with other Government departments, DCA continues to report its progress on management of risk to the Civil Service Management Board. Areas requiring further development include:

- developing a programme of work to increase risk management capabilities across HMCS
- further strengthening of the Department's risk management with its partners, for example through joint working within the CJS.

Reshaping the centre of DCA

8.25 We have reorganised the centre of the Department. This is now smaller and more strategic, providing better support to our delivery arms and helping us to serve the public more effectively. Policy and operations have been brought together into single teams within HMCS and the Tribunals Service, meaning that policy development is integrated with operational delivery. It avoids duplication, enables faster decision-making, improves accountability and gives a clear structure with which stakeholders can engage.

8.26 We have also created more efficient corporate services through the introduction of shared service functions and better use of resources.

8.27 As a result of the new organisational structure, further workforce reductions and efficiency savings will be delivered in 2006/07. These will be monitored as part of the wider Departmental efficiency programme.

Better regulation

Improving policy development and Regulatory Impact Assessment (RIA)

8.28 The key method of improving engagement with stakeholders has been the establishment of a Departmental monitoring group. The group includes representatives from interested business groups who are able

to comment on findings as the project progresses and identify any significant issues from the business perspective (e.g. omissions, most burdensome regulations).

8.29 In common with all Government departments, DCA has established an online portal to allow people to submit proposals for simplification. By February 2006, DCA had received five proposals, each of which is being considered.

8.30 DCA has produced internal guidance for its policymakers. A number of directly relevant training courses have also been advertised to staff with the aim of driving up the overall standard of skills.

Plans to improve RIA quality

8.31 In April 2005 DCA, with Cabinet Office's assistance, held two workshops to provide policymakers with practical experience of completing RIAs. The workshops also provided a forum to discuss the main issues concerning better regulation.

8.32 DCA is currently reviewing its own RIA guidance to make sure it fully reflects recent developments on better regulation.

Examples of effective RIA use (e.g. containing sunset clauses and commitments to review, RIA used to inform EU negotiations or avoid gold plating)

8.33 The RIA for the proposals on the 'Supporting Magistrates to Provide Justice' programme not only contained an explicit commitment to review the effectiveness of the proposals 6 months after implementation, but also identified the specific body that would be responsible for the review. The review body will not only include officials from the DCA and other interested Government departments but also representatives of those directly affected by the proposals (e.g. the Magistrates Association and members of the judiciary).

The Department's overall level of compliance with Cabinet Office guidance – "Better Policy Making: A guide to Regulatory Impact Assessment", and details of occasions when an RIA was not produced when required

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Examples of good risk assessment

8.35 The partial RIA accompanying the White Paper on the 'Review of Legal Services' is a comprehensive analysis of the current system of regulation of the legal profession. It sets out the case for replacing the present regulatory framework with a simpler and more transparent structure, which will deliver benefits both to the legal profession and consumer. The risk assessment sets out clearly the case for reform and how the proposals provide a simpler and more rational regulatory structure.

Transparency of implementation plans for European legislation

8.36 DCA is not responsible for implementing large volumes of European legislation. The majority of the European proposals that fall under its responsibility provide alternative, voluntary routes for securing desired outcomes. For example, in 2005 DCA consulted on proposals for a European Small Claims Procedure (ECSP). The ECSP is intended to provide a simpler clearer route for those living in the EU to pursue cross border disputes. It is not intended to replace domestic procedures but provide a voluntary alternative. The RIA explains the costs and benefits to the UK of adopting this process and how DCA would monitor the process should it be implemented.

Progress on making annual rolling statements and sectors covered by Common Commencement Dates

8.37 So far DCA has made only limited progress with annual rolling statements and hopes to make substantive progress on this during 2006.

Consultation

Total number of consultations started during the year

8.38 During the year, DCA and HMCS launched a total of 29 public consultations. 16 of these were full, public consultations lasting for 12 weeks or more. The other 13 were limited consultations, all authorised by the appropriate DCA minister in accordance with the Government's code of practice on public consultation.

Limited consultations

8.39 The 13 limited consultations lasted less than 12 weeks and were targeted at a specialist audience. 12 of these consultation papers contained an explicit reference to ministerial authorisation and set out the reasons why a limited consultation was appropriate. The other limited consultation, CP(L) 10/05 was authorised by a minister, but the consultation letter did not refer to this explicitly. For each limited consultation the name of the authorising minister and the reason for the limitation are given in Table 4 overleaf:

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Total number of consultations started during the year

Consultation

8.37 So far DCA has made only limited progress with annual rolling statements and hopes to make substantive progress on this during 2006.

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8.36 DCA is not responsible for implementing large volumes of European legislation. The majority of the European proposals that fall under its responsibility provide alternative, voluntary routes for securing desired outcomes. For example, in 2005 DCA consulted on proposals for a European Small Claims Procedure (ECSP). The ECSP is intended to provide a simpler clearer route for those living in the EU to pursue cross border disputes. It is not intended to replace domestic procedures but provide a voluntary alternative. The RIA explains the costs and benefits to the UK of adopting this process and how DCA would monitor the process should it be implemented.

Transparency of implementation plans for European legislation

8.35 The partial RIA accompanying the White Paper on the 'Review of Legal Services' is a comprehensive analysis of the current system of regulation of the legal profession. It sets out the case for replacing the present regulatory framework with a simpler and more transparent structure, which will deliver benefits both to the legal profession and consumer. The risk assessment sets out clearly the case for reform and how the proposals provide a simpler and more rational regulatory structure.

Table 4

Consultation Paper	Minister	Reason
General Commissioners (Jurisdiction and Procedure) (Amendment) Regulations 2005 [CP(L) 1/05]	Baroness Ashton	The draft regulations will make only minor, procedural amendments.
Special Commissioners (Jurisdiction and Procedure) (Amendment) Regulations 2005 [CP(L) 2/05]	Baroness Ashton	The draft regulations will make only minor, procedural amendments.
Proposed Changes to Social Security Procedure Regulations: Appeals from the Pensions Appeal Tribunal [CP(L) 3/05]	Baroness Ashton	Short period remaining to allow implementation by required date of 6 April 2006.
Asylum and Immigration Tribunal – Fast Track Procedure Rules [CP(L) 5/05]	Lord Falconer	Targeted at stakeholders with specialised knowledge and experience. The main procedural changes have already been the subject of consultation.
Proposed changes to Social Security Procedure Regulations: Appeals from the Pensions Appeal Tribunal [CP(L) 8/05]	Baroness Ashton	Short period remaining to allow implementation by required date of 6 April 2006.
Requirements for imprints on election material – alterations to be made to Political Parties, Elections and Referendums Act 2000 [CP(L) 9/05]	Chris Leslie	The very specialised nature of the changes proposed and the limited number of stakeholders that will have a particular interest in the changes.
Proposed amendment to the Lord Chancellor’s Direction – Protection of Children Act Tribunal [CP(L) 10/05]	David Lammy	The very specialised nature of the changes proposed and the limited number of stakeholders that will have a particular interest in the changes.
European Small Claims Procedure [CP(L) 12/05]	Baroness Ashton	Time available for consultation limited by fixed deadlines for European negotiations.
Merger of Local Justice Areas [CP(L) 15/05]	Harriet Harman	To ensure the timescale for the election of bench chairman and deputy chairman can be met and in view of the fact that there are no changes envisaged that would alter the service to the public.

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Table 4

Simplification and administrative burdens reductions:

How departments are engaging their independent regulators in the Better Regulation Agenda

8.41 DCA engaged with all of its related bodies to secure their full commitment to delivering on the better regulation agenda, in particular on simplification and administrative burden reduction. As an example, regulations that fall under the responsibility of the LSC and the Land Registry have been included within the work to establish the DCA baseline for the administrative burden reduction project.

Best practice: for example how good quality consultation documents and methodology have positively influenced policy formulation

8.40 The consultation paper on *Jury Research and Impropriety* is an example of a very effective DCA consultation paper that prompted many high quality responses, which directly influenced subsequent policy formation. Respondents proved that it was both legally possible and also desirable to do more research within the existing law than had previously been thought possible. This allowed further progress to be made without first having to wait for an opportunity to bring forward legislation.

Reason	Minister	Consultation Paper
Technical nature of these particular rule amendments and wide public consultation that has already taken place on policy. Also considered appropriate to target this consultation at professional and institutional stakeholders.	Baroness Ashton	Civil Partnership Act 2004 – amendments to family procedure [CP(L) 19/05]
Proposed changes being made within the framework established by the Representation of the People Regulations, upon which there was previous consultation. There have also been prior discussions with key interested organisations about the proposals.	Harriet Harman	Electoral registers: Proposed changes to the Representation of the People Regulations [CP(L) 21/05]
Consultation limited to the detail of the proposed package and not the underlying policy and targeted at a limited audience, namely the consultees required by statute and other key stakeholders. In addition, the deadline for responses was shortened because one key objective was to increase fee income to cover costs in the current financial year.	Baroness Ashton	Civil and Family Court Fee Increases [CP(L) 24/05]
The Bill's specialised nature and limited number of stakeholders directly involved. The shorter consultation period would also allow the introduction of the Bill in the current parliamentary session.	Lord Falconer	Parliamentary Costs Consolidation Bill [CP(L) 33/05]

Table 4 (continued)

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Officials from those organisations have been included within the monitoring and reference groups established as part of the framework for those projects.

8.42 DCA has also kept the Office of the Information Commissioner (ICO) fully informed of relevant developments. In recognition of the ICO's independent status, it has not been included in DCA's results but instead has dealt directly with Cabinet Office where it is able to contribute directly to work on better regulation.

The steps taken to ensure a risk based approach to regulation

8.43 DCA has used the RIA as the primary tool in promoting a risk-based approach to regulation when developing policies. It allows for a proportionate approach to dealing with risk and finding the best solution to achieving departmental objectives. Two recent examples of this are the RIAs accompanying the *Review of Legal Services* White Paper and the Compensation Bill.

Progress on producing and publishing a rolling simplification plan

8.44 Although DCA has produced initial drafts of its simplification plan it has not yet been published. The plan is being discussed with the Better Regulation Executive at the Cabinet Office and will be refined in the light of those discussions prior to publication. The DCA has also been in discussion with Cabinet Office on cross-Government issues such as data sharing where it might be able to take a lead across Government or act as a facilitator.

Examples of simplification measures that have already been delivered, not just for the stock of regulation, but also compensatory deregulation for proposed new measures and proposals to reduce burdens on front line staff

8.45 The Regulatory Reform Order (RRO) on the Execution of Deeds and Documents came into force on 15 September 2005 and will deliver savings as a result of clearer and more consistent rules that will simplify transactions.

8.46 Work has also been completed on bringing together the 'Courts Standards and Design Guide' to make it more user-friendly for HMCS estates staff and professional advisors when they are considering new court building projects.

Number of Regulatory Reform Orders (RROs) delivered, giving examples

8.47 In September 2005 the RRO on the 'Execution of Deeds and Documents' came into force. The RRO clarified and simplified overlapping areas of law relating to companies and other corporations.

8.48 This is the first RRO delivered by DCA, which has not been able to deliver any other proposals because of the difficulties the Department has encountered with the scope of the Regulatory Reform Act. To address these difficulties, DCA has fully supported work to develop and deliver the Legislative and Regulatory Reform Bill, which was introduced in the House of Commons in January 2006. The Bill should help deliver the Law Commission's recommendations.

Best Practice Examples:

Examples of where positive outcomes in other areas of better regulation have been delivered

8.49 DCA has always required other departments to take into account the effect their proposals may have on the legal aid budget. To formalise this requirement the RIA now includes a legal aid impact test. This ensures discussion and negotiation between DCA and other Government departments at an early stage of policy development to ensure that the cost impact to the legal aid fund is taken into account. Ultimately this is ensuring that any new commitments are properly costed and funded.

8.50 In July 2005 HMCS consulted on the proposed roll-out of telephone hearings in court. It had conducted a pilot study on how effective it would be to allow certain hearings to go ahead over the telephone rather than require the defendant and other interested parties to be present at court. It used the consultation exercise and the RIA to present the findings. The RIA described the benefits to litigants and defendants and how this might be an efficient use of technology to provide benefits to court users and court staff. It would also provide benefits in rural areas or for court users with mobility difficulties.

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14 supporting targets for this PSA target has been strong. We have met 11 of the 14 targets and can demonstrate considerable successes across a wide range of activity. HMCS are currently in the process of developing a new customer satisfaction survey, which will cover the Crown, county and magistrates' courts, and we plan to build on the lessons learnt from the survey used for monitoring this PSA target.

8.55 We have conducted opinion surveys with court users to test satisfaction levels with the quality of our services and facilities. The current overall satisfaction rate for Crown and civil court users is 82 per cent, and 67 per cent for magistrates' court users. Direct comparison between business areas is currently not possible due to the use of two different survey methods. There will however be a new integrated survey approach for HMCS from 2006/07. We will use the survey used for monitoring this PSA target.

8.56 In May 2005 we entered into a partnership agreement with the LSC to ensure that members of the public, particularly the most vulnerable, would be sign-posted to quality legal information and advice when they needed it. This agreement covers the Crown Court and the civil courts. In early 2006 we will extend this coverage to all magistrates' courts.

8.57 HMCS has adopted the Charter Mark standard to achieve customer service across the organisation. The Charter mark programme commits all area, regional and central business units within HMCS to achieve Charter Mark standard and once this is achieved the organisation will apply for corporate accreditation. This will involve providing specific evidence that Charter Mark standards are being consistently applied across the agency.

8.58 We have so far raised £60,000 by hiring out HMCS buildings for commercial purposes, including television filming and celebratory events and by allowing partner agencies to use our premises to conduct their out-of-hours business. In 2006/07 we will launch a pilot offering probate customers access to information and wills online. Any revenue raised by HMCS under WMI can be ploughed back into frontline services.

Customer satisfaction

8.51 Much of HMCS activity has, in its first year of operation, focussed on establishing a uniform approach to customer service excellence. We have developed a customer service strategy based on the principles of listening to our customers and their local communities. We want all of our customers to be confident that wherever and whenever they visit any of our buildings, they will receive the same excellent levels of customer service.

8.52 We have developed a customer service strategy based on the principles of listening to our customers and their local communities. We have not been able to improve performance to the extent required to meet the final staged target increases which were set for this PSA target. HMCS has had particular difficulty in improving performance against the headline measure focused on the speed of resolution of customers complaints. As the survey measures perception, we believe that performance was strongly influenced by factors such as the outcome of the case, or whether the complaint was ultimately upheld, rather than the quality of service received in the course of contact with HMCS. Performance against the suite of

8.53 We have developed and implemented a range of activities to improve customer satisfaction. These include:

- improved complaint handling standards and guidance
- the launch of a new customer analysis feedback system to measure performance across all of our courts
- new customer service training for all staff, including 'Disability Awareness' training
- better use of customer service leaflets
- improvements to the clarity of standard letters produced by our IT systems
- improved partnership working with the LSC to provide better sign-posting for the public to the CLS.

8.54 In relation to our SR2002 PSA target 4 (customer satisfaction in the civil and family courts), we have achieved improved performance against three of the four headline targets (see tables in chapter 10). Although we have not been able to improve performance to the extent required to meet the final staged target increases which were set for this PSA target, HMCS has had particular difficulty in improving performance against the headline measure focused on the speed of resolution of customers complaints. As the survey measures perception, we believe that performance was strongly influenced by factors such as the outcome of the case, or whether the complaint was ultimately upheld, rather than the quality of service received in the course of contact with HMCS. Performance against the suite of

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Listening to our customers

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CLS Direct

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Wider Markets Initiative (WMI)

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Future initiatives

8.59 Our plans for 2006/07 include:

- implementing a range of new customer service standards for HMCS
- developing a new integrated Courts Charter for all HMCS jurisdictions
- a fresh approach to consulting with our customers and local communities
- implementing a new set of customer service performance measures based on areas of most importance to our customers
- improving the range of information provided, and customer access to it, including those whose first language is not English or those who have a disability or learning difficulty.

Courts and tribunals modernisation

HMCS

8.60 HMCS was established in April 2005 from the successful merger of the 42 Magistrates Courts areas and the former Court Service. HMCS' vision places the public at the heart of the courts, with services designed around their needs. In practical terms this means improving facilities, managing cases effectively to avoid delays, cost, and inconvenience, providing easier access to our services and continuing to improve the effectiveness and enforcement of court orders.

8.61 Merging the 42 Magistrates' Courts Committees and the former Court Service has involved a major programme of change. It provides the opportunity to improve performance and achieve efficiencies and the new agency has successfully met the challenges of its first year. There are major challenges ahead and the publication of the HMCS Business Strategy⁹ represents a real opportunity to create a modern and efficient court service fit for the 21st Century.

8.62 Service transformation will necessarily be an evolutionary process. We will target resources at the Government's key priorities and the key services required for an effective justice system. We need to ensure that our resources are focused on putting people at the heart of the way justice is delivered.

8.63 Key areas where business re-engineering will enable us to achieve significant improvement are:

- improved use of our buildings
- removal of high volume bulk work from our courts
- centralisation of some back office administration
- improved take-up of telephone and e-services
- new ways of administering the £20 billion of money we handle each year
- consolidation of fines and enforcement activity in the national enforcement service
- improved electronic management of documents and case files.

The Tribunals Service

8.64 The Tribunals Service, launched in April 2006, brings together the administration of the largest central government tribunals. It is the culmination of a major programme of work that has involved extensive negotiation and engagement with tribunals, other Government departments and stakeholders.

8.65 The Tribunals Service is set up with an agenda for change and growth. Over time, it will work to make the whole system of administrative justice more efficient, effective and accessible for users. It will create a service which has the flexibility to re-deploy staff and hearing rooms to manage the peaks and troughs in workload, take advantage of economies of scale and allow the good work already going on in many individual tribunals to be shared by all users of tribunals.

8.66 It will play a major role in delivering the goals set out in the July 2004 White Paper *Transforming Public Services: Complaints, Redress and Tribunals* by bringing forward innovative pilot projects on alternative dispute resolution and finding ways of improving the quality of original decisions.

Coroner and burial services

8.67 We have announced plans for coroner reform, based on three main aims of improving the service for bereaved people, introducing

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⁹ HMCS Business Strategy is available at www.hmcs-service.gov.uk/docs/publications/hmcs_business_strategy.pdf

8.71 We have issued 1200 licences for applications for exhumations (a figure comparable to recent years), regulated the removal of human remains from burial grounds subject to development (21 orders issued), and processed applications to discontinue burials in churchyards which are full. We have prepared national guidance for cemetery managers and continue to work on similar guidance for dealing with unstable memorials.

8.72 We have amended the Cremation Regulations to reflect changes in the law on human tissue in consequence of the Human Tissue Act 2004 and to improve on practical operation.

8.73 The Coroners Division transferred to DCA from the Home Office in June 2005.

Human resources

8.74 The Government's continuing reform of public services is aimed at better meeting the needs of customers. Ensuring that staff in all areas of DCA have the skills to lead more effective service delivery is fundamental, and the way we recruit, lead, develop and reward staff will be crucial.

8.75 We have developed a five-year people and organisation strategy which sets out how we will provide and skill the people needed to deliver the Department's work, improve the services delivered to the public and build capacity for the future. We have also developed a workforce and skills development strategy to take this forward.

8.76 DCA doubled in size in April 2005 when nearly 13,000 people from the former 42 separate Magistrates' Courts Committees joined the Department. While individuals retained the employment terms and conditions of their former organisations, we introduced several new corporate people management policies from April 2005. These are part of the new DCA employment 'deal' which we are developing to meet the needs of the large, modern department that DCA has become. During the year we introduced further corporate policies as well as embarking on a major review of our pay, grading and performance management systems – work that is scheduled for completion in August 2006.

good national leadership while keeping the best features of a locally based service, and ensuring more effective coroner investigations and operation. The reforms will give bereaved people a greater role in investigations and inquests, provide a Chief Coroner and an advisory national Coronial Council, make coroner appointments full-time, and modernise coroner appointments full-time, and modernise investigation and inquest processes. They will also allow some investigations to conclude without a public inquest hearing, where no public interest would be served by one, and will ensure coroners have access to medical advice.

8.68 We are publishing a draft bill in this Parliamentary session, to allow full scrutiny and further public consultation.

8.69 We have continued to improve the current coroner service, including better annual performance statistics, amalgamations of smaller coroner districts in two shire counties, and expanded training for coroners including summing-up, emergencies and fuller induction. We have held two seminars for coroner support staff, bringing these members of the service together for the first time. We have provided funding for setting up a coroners' officers' website and a guidance manual. We have helped establish new local support groups for bereaved people linked with individual coroner courts in four areas. We were part of the action planning and coordination team after the London bombings last July, working closely with the three London coroners involved. We have met regularly with senior coroners throughout the year, have visited individual coroner districts and local authorities, have met with senior faith representatives and key voluntary groups representing bereaved people and have encouraged coroners to forge closer links with local stakeholders. The Lord Chancellor spoke at the annual conference of the Coroners' Society in September, and the Minister of State has held discussions with senior coroners and representatives of coroner's officers and voluntary groups.

8.70 We have further developed proposals for burial reform. We held five national workshops with stakeholders and are analysing the returns from the first survey of burial grounds in England and Wales.

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8.71 We have issued 1200 licences for applications for exhumations (a figure comparable to recent years), regulated the removal of human remains from burial grounds subject to development (21 orders issued), and processed applications to discontinue burials in churchyards which are full. We have prepared national guidance for cemetery managers and continue to work on similar guidance for dealing with unstable memorials.

8.72 We have amended the Cremation Regulations to reflect changes in the law on human tissue in consequence of the Human Tissue Act 2004 and to improve on practical operation.

8.73 The Coroners Division transferred to DCA from the Home Office in June 2005.

Human resources

8.74 The Government's continuing reform of public services is aimed at better meeting the needs of customers. Ensuring that staff in all areas of DCA have the skills to lead more effective service delivery is fundamental, and the way we recruit, lead, develop and reward staff will be crucial.

8.75 We have developed a five-year people and organisation strategy which sets out how we will provide and skill the people needed to deliver the Department's work, improve the services delivered to the public and build capacity for the future. We have also developed a workforce and skills development strategy to take this forward.

8.76 DCA doubled in size in April 2005 when nearly 13,000 people from the former 42 separate Magistrates' Courts Committees joined the Department. While individuals retained the employment terms and conditions of their former organisations, we introduced several new corporate people management policies from April 2005. These are part of the new DCA employment 'deal' which we are developing to meet the needs of the large, modern department that DCA has become. During the year we introduced further corporate policies as well as embarking on a major review of our pay, grading and performance management systems – work that is scheduled for completion in August 2006.

Corporate leadership

8.77 Central to our success is a continuing focus on leadership. We are refreshing our leadership strategy to align it with the Professional Skills for Government (PSG) vision, which has leadership at its core. One of DCA's values is 'leadership and teamwork', and we are working to bring this to life across the Department, ensuring that leadership supports business delivery.

8.78 During 2005 we continued our progress in developing leadership skills for the Senior Civil Service (SCS). We extended our coaching programme and ran mentoring workshops. More than a quarter of our senior managers are now officially acting as mentors. In early 2006, we delivered a further ten performance management master classes.

8.79 Earlier in the year, we focussed on developing leadership skills for staff just below the Senior Civil Service (the 'feeder grades'). We ran development centres for 100 participants, designed around the SCS competences. We offered a range of events to address the development needs of individuals and of the grade as a whole.

8.80 We are also reviewing our 'future leaders' scheme – a talent management programme for junior staff and middle managers. The updated programme will have a corporate framework but senior managers will identify and develop their own future leaders. This will provide both flexibility and consistency in the selection of participants and in the development of leadership skills throughout the Department.

Professional Skills for Government (PSG)

8.81 Developing our people will help us focus on service delivery. PSG – which represents the core skills that all civil servants need in order to deliver public services, and the more specialised professional skills integral to specific roles – now underpins the way we do this. Our initial priority is to ensure that the skills of our senior leaders meet both the requirements of DCA's Five-Year Strategy and the wider requirements of the civil service.

8.82 During the year we incorporated PSG principles into our recruitment and selection procedures for SCS posts, and we conducted a skills audit across the Department. We are also ensuring that PSG is embedded within DCA's wider human resources framework.

8.83 We are also continuing to focus on financial management and project management skills. The result will be a more skilled cadre of managers and leaders in all areas of the Department, better equipped to take forward DCA's service delivery agenda.

Managing and developing our people

8.84 In addition to our work on leadership during the year, we offered more than 70 skills, knowledge and technology courses across our core operational business areas and headquarters. We also supported Xhibit implementation by training business representatives and staff to use the system.

8.85 We offered more than 20 different development events, from leadership and management to communication and diversity – including positive action training for staff of minority ethnic origin. We designed new events to support the launch of the new managing attendance policy.

8.86 We continue to support the Government's skills strategy in a number of ways. We broadened the range of National Vocational Qualifications available to our staff and offered support for apprenticeships regardless of age. We also continue to participate in the Prince's Trust 'Team and Skills for Life' activities. We are a pathfinder Department for the 'Foundation 4 Government' foundation degree. We also launched a pilot to sponsor staff on public sector MBAs.

Diversity

8.87 It is a mark of the critical importance the Department attaches to diversity that policies on equality and diversity, disability, flexible working and career breaks were among the very first new policies introduced in April 2005 for the enlarged DCA.

8.88 During the year we promoted practical guidance on providing reasonable adjustments for staff with disabilities and their line managers. This also included guidance on meeting development needs in anticipation of the Department's forthcoming duty to positively promote equality of opportunity for people with disabilities. In order to ensure that the policy is embedded and managers are provided with adequate support, we established a team of dedicated officers to promote the policy proactively in the regions.

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Corporate leadership

secure way for court users to issue a money claim using the internet. Rather than having to attend court to register their claim, they can now do so from their own homes and at any time of day. Claimants now issue around 6,000 cases a month online.

Possession Claims Online (PCOL)

8.100 PCOL is scheme to allow people to issue and manage claims online. It can be used for claims in county courts for possession of residential property for non-payment of rent or mortgage.

8.101 There will be new electronic channels for claimants to issue claims using internet forms (similar to the Money Claim on-line service) for the small and infrequent user; or a system to system interface for frequent users which will directly exchange data from the claimants own system to PCOL.

8.102 The system will be similar to MCOL, and will provide a 24-hour, seven day-a-week service for customers, including mortgage companies and letting agents, to launch proceedings and to progress existing proceedings. The system is scheduled to be rolled out in Autumn 2006.

Secure eMail (SeM)

8.103 SeM enables the secure online communication of information between criminal justice agencies (CPS, police, magistrates' courts, Crown Court, Prison Service and Probation Service) and selected practitioners (defence practitioners, court witness services and the judiciary). SeM is designed to help users both within and outside Government to securely exchange electronic information up to the 'restricted' level of security in the protective marking system.

8.104 Following its launch in early 2004, take-up was lower than expected. The OCJR is aiming to increase SeM usage through an improved service organised by Criminal Justice Information Technology. The first phase was delivered in April 2006. This coincided with the re-launch of SeM which is now more user-friendly and requires less time to register.

Libra

8.105 The Libra system will replace the magistrates' courts' existing IT systems with a single national infrastructure and case management system. The replacing of outdated

systems with modern technology will provide new and improved links with other agencies including the police. Libra has already installed new hardware and software systems into all magistrates' courts, providing staff with access to modern computers, office software, secure email, intranet and internet. The first pilot site – Kingston Magistrates' Court – went live with the new Libra case management system in December 2005. Work is ongoing at pilot sites at Warwickshire, South Wales and Suffolk.

The court and audio-visual project

8.106 This project is looking at ways of meeting the increasing demand for evidence to be produced electronically. We are currently testing a system, at Liverpool Crown Court, that is capable of meeting all audio-visual requirements. As well as videoconferencing and video playback, the system also offers sound enhancement and electronic presentation of evidence. It also enables several activities to be undertaken at the same time, and for witnesses to provide evidence from locations away from the courtroom. Discussions are also continuing to identify funding support for national roll-out of the system.

Commercial Court IT Project

8.107 The Commercial Court, which deals with international business disputes, is modernising the way in which it works. The Commercial Court IT project is supporting that modernisation programme by replacing the court's ageing case management system. In March 2006 the new system went live providing the Commercial and Admiralty Courts with an integrated case management system linked to an electronic diary and electronic records.

Public Guardianship Office (PGO)

8.108 The CASREC Migration project has been completed. This means that PGO staff are now benefiting from greater system accessibility, performance and resilience. It also supports the Mental Capacity IT project, ahead of incoming legislation in April 2007.

Judicial Portal

8.109 The Judicial Portal will provide a secure online service for the judiciary of England and Wales. Offering conferencing facilities as well as access to the most up-to-date legal information, the portal is being tested by a small number of judges with the intention of rolling it out later in the year.

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DCA and Associated Offices

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Effective communications

Correspondence from MPs and Peers

8.111 The Department has a target to reply to correspondence from MPs and Peers within 20 working days. For the period 1 January – 31 December 2005 ministers replied to 3,179 separate pieces of correspondence with the target met in 92 per cent of cases compared to 64 per cent in 2004.

Correspondence from members of the public

8.112 The Department has a target to reply within 15 working days. For the period 1 January – 31 December 2005 4,846 separate pieces of correspondence (including emails) were answered with the target met in 81 per cent of cases compared to 76 per cent in 2004.

Creating a more strategic approach to communications

8.113 The Department continues to develop communications to support the delivery of policy objectives. We aim to do this through more efficient and cost-effective communications activity, which increasingly reaches a wider and more diverse range of audiences.

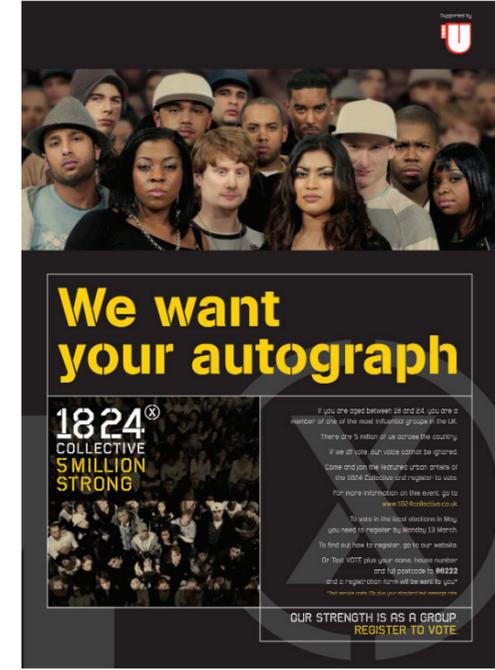
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8.115 Under the leadership of the Director of Communications, the Communications Directorate is becoming a centre of expertise, leading on internal and external communications (covering such services as media relations, website development, publicity and conference management). Our skills base has also been increased by the appointment of a number of senior strategic communications advisers.

8.116 Among key developments this year, we have improved how DCA engages with stakeholders and consumer groups and developed targeted campaigns to reach a wider range of people, particularly young people and minority ethnic audiences.

8.117 Key achievements include:

- DCA was the first department to announce its priorities for the new term – *Making a Difference: taking forward our priorities* May 2005
- the '1824 Collective' campaign designed to encourage 18-24 year-olds to register to vote. We worked with the Electoral Commission, the Mayor of London, Operation Black Vote, Channel U and other partners to deliver a highly inventive multimedia campaign using a website and textline, posters, radio adverts and a music track and video specially recorded by urban artists.



- continued regional roll-out of the 'You Decide – Become a Magistrate' campaign to encourage more young people and minority ethnic people to join the magistracy

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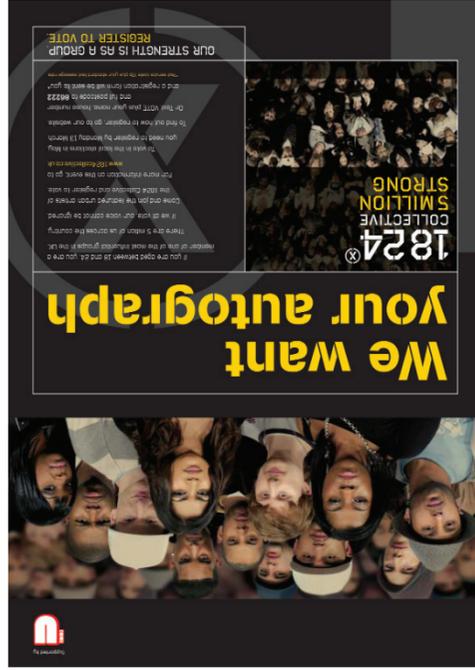
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- leading work with the OCJR and other parts of the CJS, to set up a new communications sub committee of the National Criminal Justice Board to enable better collaboration on communications
- an internal communications strategy which has been agreed across DCA. This is an essential part of the Department's delivery capability and aims to help staff do their jobs better
- the third annual DCA staff conference was held in December, allowing staff to engage with ministers and senior management on issues that matter to them
- DCA's press office now takes the lead on weekly conference calls to improve communications with colleagues from across the CJS. It has also developed an electronic briefing system, based on the Number 10 system, to help respond to misinformation and brief the media.

8.118 The DCA Communicators' Network, set up to share best practice and co-ordinate cross-DCA communications, has been further developed. In September 2005 over 90 communicators attended a conference on the theme of 'Real People, Real Lives', focussing on the public and their needs.

Welsh language

DCA Welsh Language Scheme

8.119 DCA has adopted the principle that in the conduct of public administration and justice in Wales, it will give equal treatment to the English and Welsh languages. When DCA's Welsh Language Scheme is published it will set out how DCA will demonstrate the services it provides to the people of Wales.

8.120 In view of recent significant changes to the structure of the DCA, its agencies and associated offices and in accordance with the Welsh Language Act 1993, we are preparing a new version of DCA's draft Welsh Language Scheme. Subject to Welsh Language Board approval, we then intend to submit it for public consultation.

HMCS Welsh Language Scheme

8.121 The Welsh Language Scheme for HMCS was approved by the Welsh Language Board in July 2005. This scheme replaces the Court Service Welsh Language Scheme and the Welsh Language schemes for Dyfed-Powys, Gwent, North Wales and South Wales Magistrates' Courts Committees.

8.122 HMCS fully supports the principles established by the Welsh Language Act 1993 and believes that the public in Wales should be provided with a service that treats the Welsh and English languages on a basis of equality. The scheme sets out how the HMCS will give effect to this principle when providing services to the public in Wales.

8.123 Each area (Dyfed-Powys, Gwent, North Wales and South Wales) has developed an action plan setting out the required actions to achieve this objective.

8.124 HMCS has a dedicated Welsh language unit based in Holyhead. The unit provides support in delivering the scheme to court users as well as supporting HMCS, other DCA offices and the tribunals. A helpline is also available, providing a range of free services in Welsh to the public. Many of HMCS' leaflets and forms currently available are produced in a bilingual format. Court users have the right to give evidence in either English or Welsh at court and probate hearings in Wales. In these cases, simultaneous translation facilities are made available. Arrangements are in place for enabling court users or those connected with cases to opt for the use of Welsh.

Sustainable development

8.125 During 2005 we have been developing a sustainable development strategy and action plan. A steering group will oversee progress against the action plan and a network group will consider how progress can be made. The strategy and action plan has now been completed and is being prepared for publication.

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8.126 Work this year has focused not just on the management of the estate but also on the courts building programmes. Key activities this year include:

- efficient energy usage
- development of BREEAM (Building Research Establishment Environmental Assessment Method) to help ensure that new buildings comply with sustainability requirements
- monitoring of water consumption
- staff awareness and training
- updating the Department's 'Courts Standards and Design Guide'
- establishing environmental management systems at our two largest sites – the Royal Courts of Justice and our headquarter's buildings.

8.127 In addition, the strategy and action plan has identified areas for improvement, including procurement, how we deal with staff and how we impact on social issues. These will be taken forward in the coming year.

8.128 While we have continued to monitor energy usage on the estate and implemented a 'spend to save' initiative, we have focussed on energy usage within the enlarged estate and in particular the magistrates' courts. A programme of energy and water surveys has started to identify where potential savings can be made and action is being taken to ensure effective monitoring of usage.

8.129 During 2005/6 we signed a service level agreement with the OGC for the provision of electricity and natural gas to the Crown Court and county courts. This agreement increases the quantity of green energy the Department purchases. This will increase further as more magistrates' courts are added to the contract and existing arrangements come to an end.

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8.127 In addition, the strategy and action plan has identified areas for improvement, including procurement, how we deal with staff and how we impact on social issues. These will be taken forward in the coming year.

8.126 Work this year has focused not just on the management of the estate but also on the courts building programmes. Key activities this year include:

- efficient energy usage
- development of BREEAM (Building Research Establishment Environmental Assessment Method) to help ensure that new buildings comply with sustainability requirements
- monitoring of water consumption
- staff awareness and training
- updating the Department's 'Courts Standards and Design Guide'
- establishing environmental management systems at our two largest sites – the Royal Courts of Justice and our headquarter's buildings.

8.126 Work this year has focused not just on the management of the estate but also on the courts building programmes. Key activities this year include:



Chapter 9: Other offices



Chapter 9: Other offices

Northern Ireland Court Service

Director: David A Lavery

9.1 The Northern Ireland Court Service is the Lord Chancellor's department in Northern Ireland. The Court Service employs 750 staff at 21 courthouses and other offices across Northern Ireland.

9.2 The role of the Court Service is to:

- provide administrative support for the Northern Ireland courts i.e. Court of Judicature (which comprises the Court of Appeal in Northern Ireland, the High Court and the Crown Court), county courts, magistrates' courts, coroners courts and certain tribunals
- enforce civil court judgments
- support the Lord Chancellor in discharging his ministerial responsibilities in Northern Ireland, including responsibility for judicial appointments and legal aid.

Objectives for 2005/06

9.3 The corporate aim of the Northern Ireland Court Service is 'serving the community through the administration of justice'. The Court Service's corporate plan for the period 2005-08 outlines its three strategic objectives:

- modernising court business
- improving access to justice
- promoting confidence in the justice system.

Performance for 2005/06

9.4 The Court Service's Annual Report for 2005/06 will report on business performance against the targets and performance milestones set in its Business Plan for 2005/06. A summary of key achievements is provided below.

Modernising court business

Integrated Court Operations System (ICOS)

9.5 The Court Service is developing a modern IT system to support the courts and judiciary. ICOS will allow for the electronic transaction of

court business in the civil, criminal and family courts. The civil business module has already been successfully introduced, and the criminal and family business modules will be delivered during 2006.

Improving customer service

9.6 The Court Service published a customer service strategy in June 2005 setting out the standards which customers can expect to receive at all courts. By the end of 2005/06, all of the courthouses in Northern Ireland had achieved Charter Mark accreditation. Also in 2005/06 the Enforcement of Judgments Office achieved a Gold Award in the EFQM Steps to Excellence Scheme. Only 12 organisations have been accredited with a Gold Award since the commencement of the scheme in 1994.

9.7 The Court Service invited Her Majesty's Inspectorate of Court Administration (HMICA) to inspect and report on customer service delivery in the Court Service. HMICA's report, published in June 2005, acknowledges the high standard of customer service delivered throughout the courts in Northern Ireland.

9.8 The Court Service continues to address the customer service needs of specific court users such as victims and witnesses. In August 2005 the Court Service published a protocol developed with Victim Support NI and the NSPCC to improve the support services for victims of crime.

Modernising the Coroners' Service

9.9 The Court Service published a modernisation plan for the Coroners Service in April 2005. The new Coroners Service will provide a much improved service including a full-time coroners judiciary, the appointment of a High Court Judge as Presiding Judge, and improved administrative and IT support. Coroners Service Family Liaison Officers have been appointed to liaise between bereaved families, the Coroners Service and other agencies.

Improving access to justice

Modernising public funded legal services

9.10 The Court Service has established a joint Strategic Planning Group with the Northern Ireland Legal Services Commission to oversee the introduction of new civil legal services by Autumn 2007. Its delivery plan includes

court business in the civil, criminal and family courts. The civil business module has already been successfully introduced, and the criminal and family business modules will be delivered during 2006.

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Modernising court business

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Performance for 2005/06

- promoting confidence in the justice system.
- improving access to justice
- modernising court business

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Director: David A Lavery

Northern Ireland Court Service

Achieving a representative workforce

9.15 The Court Service is committed to having a workforce which is reflective of the community in Northern Ireland. The Court Service has published an action plan, developed in consultation with the Northern Ireland Equality Commission, to achieve a fully representative workforce.

Delivering better public services

9.16 One of the ways in which the Court Service measures its business performance is through a range of targets across each of the three court tiers. Business performance during 2005/06 was as follows:

Criminal business

- To process 80 per cent of criminal business within target time

Civil business

- Overall performance: 77 per cent within target (April – December 2005)
- To process 97 per cent of civil business within target time

Family business

- To process 95 per cent of family business within target time

- Overall performance: 97 per cent within target (April – December 2005)

Management of resources

9.17 The Court Service's resource accounts for the financial year ending 31 March 2005 were published in July 2005. These are available online at www.courtsni.gov.uk

Contact details

Northern Ireland Court Service
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Belfast
BT2 7LT

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workstreams deriving from the Fundamental Legal Aid Review in Northern Ireland. The Court Service has also worked with the Northern Ireland Legal Services Commission to deliver the SR2004 legal aid settlement conditions.

Working with other agencies to deliver a joined-up justice system

9.11 The Court Service has supported a number of inter-agency initiatives, including bringing 17-year-old offenders into the jurisdiction of the Youth Court from August 2005. The Court Service is a major contributor to the development of a new criminal justice IT platform called 'Causeway' which will enable criminal justice agencies to share information.

Promoting confidence in the justice system

Northern Ireland Judicial Appointments Commission

9.12 The Northern Ireland JAC was established in June 2005 and is chaired by the Lord Chief Justice of Northern Ireland. It is made up of five other members of the judiciary, five lay members, a barrister and a solicitor. The JAC is responsible for administering appointment schemes for judicial posts, and making recommendations to the Lord Chancellor for judicial appointments up to High Court judge level.

9.13 The Commission has a statutory duty to secure a judiciary which is reflective of the community in Northern Ireland, thus enhancing public confidence in the justice system.

Lay magistrates

9.14 The Northern Ireland Criminal Justice Review recommended the establishment of a new judicial office of lay magistrates in Northern Ireland. The appointment of lay magistrates allows for greater community involvement in the courts. Some 300 new lay magistrates took up office in April 2005. Those appointed are reflective of the community in Northern Ireland both in terms of gender, age and social and community background.

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Family business

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Financial tables

Table 1: Total public spending £000

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans
Consumption of resources								
Northern Ireland Court Service	72,890	82,986	99,256	112,808	128,134	118,397	132,439	132,439
Total resource budget	72,890	82,986	99,256	112,808	128,134	118,397	132,439	132,439
<i>of which:</i>								
Resource DEL	72,890	82,986	99,256	112,808	128,134	118,397	132,439	132,439
Capital Spending								
Northern Ireland Court Service	2569	9901	9631	2175	7688	5792	6000	6000
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Capital DEL	2569	9901	9631	2175	7688	5792	6000	6000
Total public spending†	71,621	88,930	103,061	106,878	127,382	115,122	132,319	132,319

† Total public spending calculated as the total of the resource budget plus the capital budget, less depreciation

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£000

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Courts, other legal services and legal aid	72,890	82,986	99,256	112,808	128,134	118,397	132,439	132,439
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Table 3: Capital budget £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans
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Table 4: Capital employed £000

	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated	Plans	Plans
Fixed assets	105,107	111,745	150,539	145,701	158,098	175,966	188,517	203,920	216,405
<i>of which</i>									
Tangible assets									
Land and buildings	103,955	110,047	145,701	145,701	158,098	175,966	188,517	203,920	216,405
Plant & machinery and IT	13	509	3494	3494	3675	4318	4941	4271	2568
Furniture & Fittings	1139	1189	1164	1164	1380	1525	1936	2053	2020
Intangible assets									
Software licences and development	-	-	180	180	1,252	34	207	168	131
Current assets	6050	8138	8328	8328	10,994	6524	7912	6965	7161
Creditors (<1 year)	(8577)	(12,141)	(11,789)	(11,789)	(14,046)	(9231)	(8023)	(7217)	(7352)
Creditors (>1 year)	0	0	(24,621)	(24,621)	(25,190)	(25,556)	(25,809)	(25,937)	(25,938)
Provisions	(384)	(817)	(1040)	(1040)	(764)	(853)	(1269)	(1224)	(1217)
Capital employed within main department	102,196	106,925	121,417	135,399	152,727	168,412	182,999	193,778	208,933
NDPB net assets	-	-	-	-	-	-	-	-	-
Legal Aid Fund net assets	-	-	-	-	-	-	-	-	-
Total capital employed in departmental group	102,196	106,925	121,417	135,399	152,727	168,412	182,999	193,778	208,933

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Table 5: Administration costs £000

	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans	2008/09 Plans
Administration Expenditure								
Paybill	5684	5878	4978	4979	5445	4830	7879	7879
Other	8738	13,405	10,441	9475	9998	7086	12,432	12,432
Total administration expenditure	14,422	19,283	15,419	14,454	15,443	11,916	20,311	20,311
Administration income	-13,554	-12,442	-10,942	-15,942	-13,942	-16,550	-10,942	-10,942
Total administration budget	868	6841	4477	-1488	1501	-4634	9369	9369
Analysis by activity								
Northern Ireland Court Service	868	6841	4477	-1488	1501	-4634	9369	9369
Total net administration costs	868	6841	4477	-1488	1501	-4634	9369	9369

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Table 6: Staff numbers

	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans	2008/09 Plans
Northern Ireland Court Service (1)								
CS FTEs	655	691	710	740	752	749	727	722
Overtime	19	115	7	5	5	4	4	4
Casuals	37	2	1	0	0	0	0	0
TOTAL	711	808	718	745	757	753	731	726

(1) The staff of the Northern Ireland Court Service are not part of the Home Civil Service and therefore are not included in the Civil Service staffing count.

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HM Land Registry

Chief Land Registrar and Chief Executive of Land Registry: Peter Collis CB

9.18 Her Majesty's Land Registry, a separate Government department since 1862, was established as an Executive Agency of the Secretary of State in July 1990 and as a Trading Fund in April 1993. Land Registry is wholly self-financing and therefore makes no call on public funds under normal operating procedures.

9.19 Land Registry operates through 24 offices located throughout England and Wales; a London-based head office, the Land Charges and Agricultural Credits Departments and an Information Systems Group (based in Plymouth).

9.20 Land Registry's main function is to maintain and develop a register of title to freehold and leasehold land throughout England and Wales. On behalf of the Crown, Land Registry guarantees title to registered estates and interests in land.

9.21 The Land Register is a record of all land ownership that has been registered in England and Wales. Each register of title has its own number and contains a description of the property, the name and address of the registered proprietor and other details such as mortgages and rights that may affect the property adversely. The register also includes a title plan, showing the location and extent of each registered title.

9.22 Disputed applications to Land Registry are determined by the Adjudicator to HM Land Registry, an independent office created by the Land Registration Act 2002.

9.23 The Land Register is open to the public and for a fee anyone can inspect the register, find out the name and address of the current owner of any registered property or obtain a copy of any registered title.

Land Registry objectives

9.24 Land Registry's mission is to provide the world's best service for guaranteeing ownership of land and facilitating property transactions. Its vision is to make property transactions easier for all.

9.25 Its ten-year strategic plan describes how Land Registry will accomplish its mission through the achievement of ministerially agreed strategic objectives. It is a rolling plan, updated each year and supported by an annual business plan. Both plans can be viewed on Land Registry's website at www.landregistry.gov.uk/strategy

The current objectives are:

Customer service

- continuing to make improvements to the delivery of services to all stakeholders.

Land registration

- delivering timely and effective secondary legislation in relation to land registration
- creating a comprehensive land register for England and Wales.

Electronic service delivery

- introducing an electronic conveyancing system through which most property transactions will be affected

- making all land registration data electronically accessible to everyone.

Other business development

- Developing a broader range of services for property professionals, the public and others.

Land Registry performance for 2005/06

9.26 Under the terms of our Framework Document, the Secretary of State presents our Annual Report and Accounts to Parliament before the summer recess. The *Annual Report and Accounts for 2004/05* was published in September 2005 and contains details of our key performance indicators and other wider business measures.

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9.19 Land Registry operates through 24 offices located throughout England and Wales; a London-based head office, the Land Charges and Agricultural Credits Departments and an Information Systems Group (based in Plymouth).

9.18 Her Majesty's Land Registry, a separate Government department since 1862, was established as an Executive Agency of the Secretary of State in July 1990 and as a Trading Fund in April 1993. Land Registry is wholly self-financing and therefore makes no call on public funds under normal operating procedures.

Chief Land Registrar and Chief Executive of Land Registry: Peter Collis CB

HM Land Registry

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 WC2A 3PH
 T: 020 7917 8888
 F: 020 7166 4474
 E: strategy@landregistry.gsi.gov.uk
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Environment
 9.37 All our local offices now have ISO 14001 accreditation and an environmental management system in place.

Staffing and appointments
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Quality public services
 9.30 The Land Registration Act 2002 and the associated Land Registration Rules 2003 provide the legislative framework for land registration in England and Wales, and paves the way for electronic conveyancing.

9.31 In order to meet the public's desire for a quicker, more transparent home-buying and selling process, we are working on a re-engineered and fully electronic conveyancing system.

9.32 For further details of this and of other electronic services, see the *Land Registry Annual Report and Accounts* and visit our web site at www.landregistry.gov.uk

9.33 We are committed to delivering high quality and responsive land registration services and to improving those services to meet our customers' needs. Our statement of service standards is published in our *Annual Report and Accounts* and as a separate document. We are one of a very small number of organisations to have been awarded the Charter Mark on five consecutive occasions.

9.27 Table 1 below gives details of our key performance targets for 2005/06 with the latest forecast outturn. The actual outturn will be published in our Annual Report and Accounts for 2005/06.

9.28 We are constantly working to improve the efficiency of our services to customers. With Treasury agreement, we aim to reduce unit costs in real terms to £21.17 by the end of 2006/07. Table 2 shows our achieved and planned unit costs in cash terms.

9.29 Our business is demand-led and the volume of transactions can be affected by a number of factors including domestic and commercial conveyancing activity, the growth in owner occupation and the buoyancy of the secured credits market. Our unit output (actual and planned) is shown in table 3.

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Table 1: Key performance targets 2005/06

	Target 2005/06	Forecast
Financial		
To deliver a return on average capital employed, payable as a dividend to the consolidated fund	3.5 per cent	3.5 per cent
Efficiency		
Cost per unit in real terms	£21.75	£21.18
Cost per unit in cash terms ¹⁰	£29.78	£29.07
“Service First” standards		
Speed		
Percentage of official copy and search applications processed within two working days	88	On target
Percentage of all registrations processed within 18 working days	80	On target
Accuracy		
Percentage of registrations processed free of any error.	98.5	On target
Overall satisfaction		
Percentage of customers who, overall, are very satisfied/satisfied with the full range of services provided by Land Registry.	Better than 95	On target
Strategic development areas		
Make scanned deeds referred to on the register available electronically through Land Register Online	By 31 March 2006	Achieved
Land registration		
Register for the first time an additional 5 per cent of the area of freehold land in England and Wales		On target
Electronic service delivery		
Provide a further data centre for business continuity purposes	By 31 March 2006	Achieved
Other business development		
Complete electronic document authentication prototyping	By 31 March 2006	Achieved

For further explanation of the Land Registry’s key performance indicators see our *Annual Report and Accounts for 2005/06*.

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Table 4: Staff resource

Staff numbers	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Civil Service Full Time Equivalents	7767	7690	7950	8060	8048	7878	7713	7554

Table 3: Workload (thousands of units)

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
Work received	9400	10,682	12,747	12,648	13,472	12,300	13,100	13,800
Output	9194	10,756	12,783	12,695	13,555	12,300	13,100	13,800

* The target(s) for 2007-08 are to be agreed with HM Treasury

Note 1: The cost of completing each unit of work is calculated by dividing Land Registry's operational expenditure in any period by the number of units of work completed during that period.

Table 2: Unit costs in cash terms

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	£28.57	£26.67	£24.48	£27.06	£28.79	£29.78	£29.69	*

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The National Archives

Chief Executive: Natalie Ceeney

9.38 The National Archives (TNA) was formed in April 2003 by a merger of the Public Record Office and the Historical Manuscripts Commission. The Chief Executive is both Keeper of Public Records and sole Historical Manuscripts Commissioner. TNA is a Government department and Executive Agency under the Secretary of State for Constitutional Affairs.

9.39 TNA operates the UK Public Records Acts of 1958 and 1967 and exercises the powers of the Historical Manuscripts Commission in relation to other archives. The records that TNA preserves and makes publicly available span over a thousand years of English and British history. Now that the FOI Act 2000 has been implemented, it is the content of a record rather than its age which determines whether it is open or not.

9.40 TNA also proactively collects information about official and private archives kept by over 1,200 institutions throughout the UK and also material relating to British history held overseas. It makes this information available to readers in its Kew reference room and to online users throughout the world.

Strategic goals

TNA is working to achieve the following high-level objectives in the period 2005-08.

Records management and selection

- to oversee management of records in the UK Government to support its business
- to select and acquire public records of enduring historical value for public access
- to support the efforts of other public authorities to manage their records.

Preservation

- to preserve permanently historical public records and to promote similar arrangements for other archives so that they can be consulted by present and future generations.

Access

- to provide online and onsite access to public records and to disseminate information about archives held elsewhere
- to promote the public records and other archives as a national information and educational resource.

Advice

- to give authoritative advice and guidance to custodians of records and papers on matters of professional archival and records management practice
- to play a major role in developing the latest national and international standards and guidance as the basis for our advice.

Performance against key performance indicators 2005/06

Records management

9.41 The effectiveness of records management systems in central government will be subject to risk assessments. TNA is now developing a programme to highlight the business risks associated with inadequate information management.

9.42 A first complete version of requirements for the survival of digital records was circulated to experts in Government departments and other institutions in December 2005.

Access

9.43 *To achieve five public service standard targets*¹¹

- These cover a wide range of activities, including the release of newly opened records and their catalogues, answering written correspondence, delivery of records to users in the reading rooms, handling of copy orders, answering the telephone, and keeping appointments with visitors. Building on its success in retaining the Charter Mark award for a further three years in November 2004, TNA was meeting all five targets as of December 2005.

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9.53 Apart from the Chief Executive, there are four senior civil service staff – at the time of writing three of these posts were subject to recruitment by open competition. Of the total TNA staff as at December 2005 46.3 per cent were women, 5.9 per cent classified themselves as disabled under the Disability Discrimination Act, and 19.4 per cent were from ethnic minorities.

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Management of resources

9.50 Following the most recent staff attitude survey, work is continuing to implement the actions, which were identified to address key issues both within TNA departments and for the organisation as a whole. The staff survey action plan is updated quarterly and published so staff can see where progress is being made. Formal and informal efforts are being made to obtain regular staff feedback at a time of considerable change in the organisation.

FOI implementation

9.49 TNA handled almost 5000 requests under FOI in 2005 – more than any other Government department, with the exception of the Ministry of Defence. Of those requests that related to information held by TNA, 85 per cent were granted in full and 5.6 per cent were granted in part. FOI is now fully embedded in TNA's business processes.

9.48 TNA is redesigning and rewriting outdated sections of the website. It has also taken professional advice on marketing on Google and Yahoo so that TNA appears as close to the top of search listings as possible. It is taking forward a project that will enable our users to search all its online resources from a single search box. Its most recent digitisation projects include 30 public information films from 1946-51 and Registers of Seamen 1853-1923, which are now available to the public online.

Online service developments

9.47 Government departments and agencies are now creating 'born digital' records in increasingly large quantities. In order to secure those which are of as much historical value as paper archives, TNA has to move speedily to preserve them. The 'seamless flow' programme is intended to automate as many of the processes as possible. TNA has launched its seamless flow web pages, started its online pilot delivery system and agreed an overall custody policy with departments.

Seamless flow

9.46 To develop direct digital access to popular records so that 165,000 record images are delivered to customers

- It is estimated that approximately 240,000 record images will be delivered to users through the 'documents online' service on the TNA website by 31 March 2006.

9.45 To grow the website user base by a 15 per cent increase in numbers of users visiting the website more than once

- A survey carried out in 2005 indicates that 69 per cent of online users were repeat visitors – an increase of 24.8 per cent on the equivalent figure in 2004.

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Capital investment

9.55 TNA's capital investment in 2005/06 will be £3 million. This investment continues to support the Government's electronic records management and electronic service delivery priorities, while promoting social inclusion by broadening the range of TNA users.

Expenditure

9.56 TNA's expenditure covers the cost of a number of activities. It has a lead role in supporting other Government departments in electronic records management. In 2005/06 a challenging programme was implemented for electronic service delivery to provide online access to TNA holdings. Ongoing work continues, with the maintenance of the archives repository at Kew, our low usage records storage facility in Cheshire, and of the public reading rooms at Kew and the Family Records Centre in Islington. Microfilming documents ensures their preservation and enhances access to them. TNA also produce copies of documents, on paper and electronically, for sale to the public, offsetting their costs by charging fees.

Administration costs

9.57 Net administration costs will total £41.4 million in 2005/06 and remain level in 2006/07 at £41.4 million. Details of the resource budget, administration costs, capital budget, staff numbers, and capital assets are given in the following tables.

Prompt payment

9.58 TNA complies with the CBI prompt payment code and BS 7890. Its policy is to pay bills in accordance with contractual conditions or within 30 days. No complaints were received with regard to late payment in the period from November 2004 to December 2005. Performance is monitored continuously. In 2005/06, 99.3 per cent of invoices were paid within 30 days. The projection for 2006/07 is 99.5 per cent.

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¹² Total public spending calculated as the total of the resource budget plus capital budget. Less depreciation

Table 1: The National Archives: Public Record Office and Historical Manuscripts Collection

Total Public Spending									£000
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans	
	27,169	29,874	32,873	36,382	36,108	41,417	41,394	42,394	
Total resource budget	27,169	29,874	32,873	36,382	36,108	41,417	41,394	42,394	
<i>of which:</i>									
Resource DEL	27,169	29,874	32,873	36,382	36,108	41,417	41,394	42,394	
Capital spending:									
	1222	1338	2244	3318	1908	3000	3315	3315	
Total capital budget	1222	1338	2244	3318	1908	3000	3315	3315	
<i>of which:</i>									
Capital DEL	1222	1338	2244	3318	1908	3000	3315	3315	
Total public spending¹²	25,575	27,173	31,411	35,416	33,283	40,324	40,616	41,616	

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<i>of which:</i>										
Capital DEL	1222	1338	2244	3318	1908	3000	3315	3315		
Total public spending¹²	25,575	27,173	31,411	35,416	33,283	40,324	40,616	41,616		

¹² Total public spending calculated as the total of the resource budget plus capital budget. Less depreciation

Table 2: The National Archives: Public Record Office and Historical Manuscripts Collection

Resource budget: DEL and AME (voted and non-voted)									£000
	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated	Plans	Plans	
						Outturn			
Resource DEL Voted:									
The cost of running the Public Records System									
RfR1 A Public Record Office	26,307	28,651	32,329	35,418	34,964	40,275	40,252	41,252	
RfR1 B Historical Manuscript Commission	1095	1223	1122	1151	1144	1142	1142	1142	
Total voted	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394	
Non-voted	-233		-578	-187					
Total resource DEL	27,169	29,874	32,873	36,382	36,108	41,417	41,394	42,394	
Total resources budget	27,169	29,874	32,873	36,382	36,108	1417	41,394	42,394	
<i>of which:</i>									
Voted	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394	
Other non-voted	-233		-578	-187					
<i>and of which:</i>									
Central government own spending	27,169	29,874	32,873	36,382	36,108	41,417	41,394	42,394	
Resource DEL in Budgets	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394	
Total resource consumption in Estimates	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394	

Resource budget: DEL and AME (voted and non-voted)										£000
	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08		
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated	Plans	Plans		
						Outturn				
Resource DEL Voted:										
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Total resource consumption in Estimates	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394		

Table 3: The National Archives: Public Record Office and Historical Manuscripts Collection

Capital budget: DEL and AME (voted and non-voted)	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans
Capital DEL Voted:								
Capital investment in the Public Records System								
RfR1 A Public Record Office	1210	1324	2230	3303	1893	2992	3300	3300
RfR1 B Historical Manuscript Commission	12	14	14	15	15	15	15	15
Total voted:	1222	1338	2244	3318	1908	3007	3315	3315
Total capital DEL	1222	1338	2244	3318	1908	3007	3315	3315
Total capital budget	1222	1338	2244	3318	1908	3007	3315	3315
<i>of which</i>								
Voted	1222	1338	2244	3318	1908	3007	3315	3315
Other non-voted								
<i>and of which:</i>								
Central government own spending	1222	1338	2244	3318	1908	3007	3315	3315
Capital DEL	1222	1338	2244	3318	1908	3007	3315	3315
Total net capital in Estimate	1222	1338	2244	3318	1908	3007	3315	3315

Table 3: The National Archives: Public Record Office and Historical Manuscripts Collection

Capital budget: DEL and AME (voted and non-voted)	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans
Capital DEL Voted:								
Capital investment in the Public Records System								
RfR1 A Public Record Office	1210	1324	2230	3303	1893	2992	3300	3300
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Central government own spending	1222	1338	2244	3318	1908	3007	3315	3315
Capital DEL	1222	1338	2244	3318	1908	3007	3315	3315
Total net capital in Estimate	1222	1338	2244	3318	1908	3007	3315	3315

Table 4: The National Archives: Public Record Office and Historical Manuscripts Collection

Capital employed	£000							
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans
Assets on balance sheet at end of year:								
Fixed assets								
Intangible ¹³	-	-	87	164	254	270	300	350
Tangible	86,792	92,714	93,148	94,911	105,232	106,962	108,662	110,312
<i>of which:</i>								
Land and buildings	83,527	84,501	84,534	85,161	95,897	96,900	98,440	99,935
Equipment	1652	6463	6089	6031	6072	5862	5955	6046
IT including databases	1613	1750	2525	3719	3263	4200	4267	4332
Investments	-	-	-	-	-	-	-	-
Current assets	2523	3148	4632	5103	3800	4200	4200	4200
Creditors (<1 year)	2026	2688	3639	3414	3908	3600	3600	3600
Creditors (>1 year)	-	-	-	-	-	-	-	-
Provisions	170	235	401	250	169	300	300	300
Capital employed within main department	87,119	92,939	93,827	96,514	105,209	107,532	109,262	110,962
NDPB net assets	-	-	-	-	-	-	-	-
Total capital employed in dept'l group	87,119	92,939	93,827	96,514	105,209	107,532	109,262	110,962

¹³ Intangible assets were included in tangible assets up to 2001/02

Capital employed	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans
Assets on balance sheet at end of year:								
Fixed assets								
Intangible ¹³	-	-	87	164	254	270	300	350
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Provisions	170	235	401	250	169	300	300	300
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NDPB net assets	-	-	-	-	-	-	-	-
Total capital employed in dept'l group	87,119	92,939	93,827	96,514	105,209	107,532	109,262	110,962

¹³ Intangible assets were included in tangible assets up to 2001/02

Table 5: The National Archives: Public Record Office and Historical Manuscripts Collection

Administration costs	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans
Gross administration costs:								
Other	18,061	21,376	22,273	25,552	21,718	27,857	-	-
Paybill	12,013	13,021	14,783	15,772	18,064	17,765	-	-
Total gross administration costs	30,074	34,397	37,056	41,324	39,782	45,622	42,999	43,999
Related administration cost receipts	-2672	-4523	-3605	-4755	-3674	-4205	-1605	-1605
Total net administration costs	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,934
Analysis by activity								
The net administrative cost of running the Public Records System	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394
Total net administration costs	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394
Controls and limits								
The net administrative cost of running the Public Records System	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394
Total net limits for gross controlled areas	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394

Table 5: The National Archives: Public Record Office and Historical Manuscripts Collection

Administration costs	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08
	Outturn	Outturn	Outturn	Outturn	Outturn	Estimated Outturn	Plans	Plans
Gross administration costs:								
Other	18,061	21,376	22,273	25,552	21,718	27,857	-	-
Paybill	12,013	13,021	14,783	15,772	18,064	17,765	-	-
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Total net limits for gross controlled areas	27,402	29,874	33,451	36,569	36,108	41,417	41,394	42,394

Table 6: The National Archives: Public Record Office and Historical Manuscripts Collection

Staff numbers								
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans
Civil Service full-time equivalents	443	478	493	510	502	535	515	515
Overtime	10	12	14	14	14	14	14	14
Casual	9	12	12	29	34	15	15	15
Total	462	502	519	553	550	564	544	544

Staff numbers								
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans
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Overtime	10	12	14	14	14	14	14	14
Casual	9	12	12	29	34	15	15	15
Total	462	502	519	553	550	564	544	544

9.68 As well as its on-going work to support the Court of Protection in registering EPAs and in the appointment and supervision of receivers, the PGO has undertaken a range of other initiatives which seek to improve the experiences of clients and those who support them. These include holding regional surgeries where receivers can find out more about the services offered by the PGO, speak with caseworkers and meet organisations which may be able to help them in their duties such as the Pension Service, Alzheimer's Society and Age Concern. During the year, the PGO held nine regional surgeries across the country. The events received very positive feedback.

9.69 The PGO continues to raise awareness of its services. This has involved placing leaflets in doctors' surgeries nationwide as well as making information available to staff in organisations with whom we share customers, such as Age Concern and the Pension Service. The PGO also set up an outreach team which has made almost 50 presentations about PGO services to groups such as vulnerable adult protection officers and the Alzheimer's Society. Progress has also been made in promoting services to people from minority communities. The PGO held a major conference in October 2005 in Milton Keynes which brought together representatives from a range of minority groups. As well as publicising its services, the PGO was able to find out about the cultural issues which affect mental health and finances in minority communities.

9.70 The Mental Capacity Act 2005 became law in April 2005 and is due to be implemented by April 2007. The PGO has been working closely with DCA on developing the policies and procedures which will support the provisions of the Act.

Management of resources

9.71 As of the end of March 2006, the PGO had 358 permanent staff. Of these, 47.2 per cent were women, 3.9 per cent classed themselves as having a disability, and 37 per cent classed themselves as being from an ethnic minority community. During the year, the PGO successfully introduced electronic records management to handle its policy and administrative records. The PGO's accounts for 2005/06 will be published in the annual report and accounts.

Contact details:

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<p>9.75 Performance against corporate targets will be fully reported in the LSC Annual Report 2005/06 to be published in July 2006.</p> <p>Corporate priority 1</p> <p>9.76 The LSC's key performance target for the year was to deliver 650,000 civil acts of assistance to legal aid clients by April 2006. This contributes towards DCA's PSA targets. The LSC is on track to achieve this target.</p> <p>9.77 The LSC worked to improve success rates for asylum cases to 40 per cent. The success rates for the most recently started cases have been improving.</p> <p>9.78 Throughout 2005/06, the LSC maintained 100 per cent coverage of duty solicitor schemes, which provides criminal defence to people who are investigated or accused of crime in England and Wales.</p> <p>Corporate priority 2</p> <p>9.79 The LSC made significant progress in improving the quality of legal aid service providers. One of the LSC's corporate targets is to contract only with those service providers who deliver value for money and positive outcomes for clients. Any assessed as 'unacceptable' or 'less than effective' were given the opportunity to improve and if they could not do so within six months, their legal aid contracts were terminated. The removal of service providers who overcharge has allowed the LSC to focus funding in priority areas and the removal of those who continually fail peer review quality controls ensures that clients do not receive substandard services.</p> <p>9.80 The LSC also aims to ensure financial management on an individual contract basis with service providers. The LSC has been working to bring payments to service providers in line with the work done. The effective reconciliation of civil legal help and crime contracts was a major performance target during 2005/06 and is evidence of ever-tighter control of the legal aid fund.</p>	<p>Legal Services Commission</p> <p>Performance for 2005/06</p> <p>Acting Chief Executive: Brian Harvey</p> <p>9.72 The Legal Services Commission (LSC) is responsible for the provision of legal aid in England and Wales. The LSC contracts out to high quality service providers whose clients may have a variety of problems in areas such as welfare benefits, employment or debt, or those who are accused or investigated in relation to a crime. Through information, advice and legal representation, legal aid helps around two million people each year to get access to justice.</p> <p>9.73 The LSC was established under the Access to Justice Act 1999. The LSC is a non-departmental public body sponsored by the DCA. The Secretary of State for Constitutional Affairs is accountable to Parliament for its activities and performance. With a head office in London, the LSC employs around 1700 staff in 15 offices across England and Wales. The LSC also operates eight public defender service offices. A board of independent commissioners oversees its work. The LSC's annual report is available at www.legalservices.gov.uk</p> <p>Objectives for 2005/06</p> <p>9.74 The LSC's four corporate priorities for the period 2005/06 to 2007/08 are:</p> <ul style="list-style-type: none"> • to ensure legal aid clients have access to quality services which meet their needs • to work with service providers who provide quality, value for money and client focussed services, in whom we have sufficient trust to deliver • to deliver a sustainable scheme within the resources available and demonstrate real value to Government in terms of effective financial control, improving value for money and positive outcomes for clients • to transform the organisation helping it to deliver these objectives and excellence in all it does. <p>9.75 The LSC was established under the Access to Justice Act 1999. The LSC is a non-departmental public body sponsored by the DCA. The Secretary of State for Constitutional Affairs is accountable to Parliament for its activities and performance. With a head office in London, the LSC employs around 1700 staff in 15 offices across England and Wales. The LSC also operates eight public defender service offices. A board of independent commissioners oversees its work. The LSC's annual report is available at www.legalservices.gov.uk</p> <p>Objectives for 2005/06</p> <p>9.74 The LSC's four corporate priorities for the period 2005/06 to 2007/08 are:</p> <ul style="list-style-type: none"> • to ensure legal aid clients have access to quality services which meet their needs • to work with service providers who provide quality, value for money and client focussed services, in whom we have sufficient trust to deliver • to deliver a sustainable scheme within the resources available and demonstrate real value to Government in terms of effective financial control, improving value for money and positive outcomes for clients • to transform the organisation helping it to deliver these objectives and excellence in all it does.
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Legal Services Commission

Performance for 2005/06

Acting Chief Executive: Brian Harvey

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Objectives for 2005/06

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- to ensure legal aid clients have access to quality services which meet their needs
- to work with service providers who provide quality, value for money and client focussed services, in whom we have sufficient trust to deliver
- to deliver a sustainable scheme within the resources available and demonstrate real value to Government in terms of effective financial control, improving value for money and positive outcomes for clients
- to transform the organisation helping it to deliver these objectives and excellence in all it does.

9.75 Performance against corporate targets will be fully reported in the LSC Annual Report 2005/06 to be published in July 2006.

Corporate priority 1

9.76 The LSC's key performance target for the year was to deliver 650,000 civil acts of assistance to legal aid clients by April 2006. This contributes towards DCA's PSA targets. The LSC is on track to achieve this target.

9.77 The LSC worked to improve success rates for asylum cases to 40 per cent. The success rates for the most recently started cases have been improving.

9.78 Throughout 2005/06, the LSC maintained 100 per cent coverage of duty solicitor schemes, which provides criminal defence to people who are investigated or accused of crime in England and Wales.

Corporate priority 2

9.79 The LSC made significant progress in improving the quality of legal aid service providers. One of the LSC's corporate targets is to contract only with those service providers who deliver value for money and positive outcomes for clients. Any assessed as 'unacceptable' or 'less than effective' were given the opportunity to improve and if they could not do so within six months, their legal aid contracts were terminated. The removal of service providers who overcharge has allowed the LSC to focus funding in priority areas and the removal of those who continually fail peer review quality controls ensures that clients do not receive substandard services.

9.80 The LSC also aims to ensure financial management on an individual contract basis with service providers. The LSC has been working to bring payments to service providers in line with the work done. The effective reconciliation of civil legal help and crime contracts was a major performance target during 2005/06 and is evidence of ever-tighter control of the legal aid fund.

Corporate priority 3

9.81 The legal aid reform programme continued in 2005/06 towards the LSC's goal of achieving a high quality, value for money, sustainable legal aid scheme. Key developments in the year included focussing expenditure on the highest priority areas by making changes to the scope of legal aid; moving towards paying for outcomes (success for clients) rather than inputs by implementing tailored fixed fees and controlling costs for the most expensive criminal cases by contracting for individual cases.

Corporate priority 4

9.82 The LSC achieved its target to maintain performance of 85 per cent against its customer service score. The LSC surveyed over 6500 providers of legal aid services across the country and received a 20 per cent response rate. The results showed that over 80 per cent found LSC staff professional and knowledgeable and 90 per cent rated staff as very helpful. There were also positive results for leadership in the staff survey.

9.83 The commission exceeded its target to increase the number of service providers who submit their monthly payment claims online to 1500 by April 2006. This is a significant step towards developing the LSC's preferred supplier strategy; a key component of which is to reduce bureaucracy and work with service providers who are trusted to deliver.

Delivering better public services

Carter Review

9.84 In 2005 the DCA published the conclusions of its Fundamental Legal Aid Review in *A Fairer Deal for Legal Aid*. One significant outcome was the commissioning of Lord Carter's *Review of Legal Aid Procurement*. Lord Carter was asked to provide recommendations for reform of the way in which legal services are procured by the state, with the aim of ensuring a sustainable system in the long-term. The final proposals are expected to be published summer 2006.

Preferred supplier strategy

9.85 In the future the LSC wants to deliver all publicly-funded legal services through 'preferred suppliers' – providers that can be trusted to deliver high quality and value for money services. Following a successful pilot, the LSC launched a consultation in March 2006 to help finalise its preferred supplier scheme prior to national roll-out.

Community Legal Service (CLS) Strategy

9.86 Alongside the preferred supplier approach, the LSC has also been working on a new strategy for the CLS. The draft strategy, *Making Legal Rights a Reality*, was released for consultation in July 2005. The LSC published a final strategy in March 2006.

9.87 At the heart of the CLS strategy is the acknowledgement that people do not necessarily face 'legal problems' but every day problems in their life to which the law may offer a solution. The LSC is establishing community legal and advice centres to serve some of the most deprived communities in England and Wales, and networks to serve rural communities. A key aim is to provide a seamless service from basic advice to specialist representation.

CLS Direct

9.88 In July 2004 the LSC launched CLS Direct, a telephone advice line, website and series of free legal information leaflets. CLS Direct is aimed at helping people who find it difficult to access traditional legal services such as the elderly, those who live in rural areas or find it hard to travel. The service is proving to be very successful, with increasing numbers of users accessing CLS Direct and over 90 per cent of users saying expressing that they were 'very satisfied' or 'quite satisfied' with the service. Further information can be found at www.clsdirect.org.uk

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Delivering better public services

9.83 The commission exceeded its target to increase the number of service providers who submit their monthly payment claims online to 1500 by April 2006. This is a significant step towards developing the LSC's preferred supplier strategy; a key component of which is to reduce bureaucracy and work with service providers who are trusted to deliver.

9.82 The LSC achieved its target to maintain performance of 85 per cent against its customer service score. The LSC surveyed over 6500 providers of legal aid services across the country and received a 20 per cent response rate. The results showed that over 80 per cent found LSC staff professional and knowledgeable and 90 per cent rated staff as very helpful. There were also positive results for leadership in the staff survey.

Corporate priority 4

9.83 The commission exceeded its target to increase the number of service providers who submit their monthly payment claims online to 1500 by April 2006. This is a significant step towards developing the LSC's preferred supplier strategy; a key component of which is to reduce bureaucracy and work with service providers who are trusted to deliver.

Corporate priority 3

9.84 In 2005 the DCA published the conclusions of its Fundamental Legal Aid Review in *A Fairer Deal for Legal Aid*. One significant outcome was the commissioning of Lord Carter's *Review of Legal Aid Procurement*. Lord Carter was asked to provide recommendations for reform of the way in which legal services are procured by the state, with the aim of ensuring a sustainable system in the long-term. The final proposals are expected to be published summer 2006.

9.92 The LSC's budget in 2005/06 was £92 million for administration and just over £2 billion for the Community Legal Service Fund and Criminal Defence Service. The year end expenditure will be reported in the LSC annual report.

9.93 Legal aid is a major area of public expenditure. During the year, a number of policies and initiatives continued to deliver costs savings and efficiencies in legal aid, aimed at delivering value for money and positive outcomes for legal aid users. The LSC also reviewed its administration expenditure and reduced the budget compared to 2004/05.

9.94 The structure of the LSC is evolving as the organisation responds to changing business needs. It is transforming the way it engages with legal aid users and stakeholders and how it does business with legal aid service providers. At the same time, the LSC is undertaking an organisational restructuring process. This is in line with the spirit of the Gershon and Lyons reviews and aims to help the LSC deliver the legal aid reform programme.

Management of resources

9.91 The pilot will be fully evaluated prior to roll-out.

- improved speed of contact with detained clients
- a reduction in the overall time that clients are held in detention
- increased value for money for taxpayers
- a reduction in unnecessary call-outs for solicitors.

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9.90 The pilot has the potential to deliver a number of benefits for solicitors, the police, the LSC and, most importantly, clients. These benefits include:

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Criminal Defence Service (CDS) Direct

9.89 In October 2005 the LSC launched the CDS Direct pilot, which will last 6-12 months. CDS Direct aims to provide telephone advice, in certain situations, to people detained at police stations.

9.90 The pilot has the potential to deliver a number of benefits for solicitors, the police, the LSC and, most importantly, clients. These benefits include:

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T: 020 7759 0000
F: 020 7759 1190
www.legalservices.gov.uk

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HM Inspectorate of Court Administration

Contact details

HMICA
8th floor
Millbank Tower
Millbank
London
SW1P 4QP

T: 020 7217 4411
F: 020 7217 4357
E: Eddie.Bloomfield@hmica.gsi.gov.uk
www.hmica.gov.uk

HM Chief Inspector: Eddie Bloomfield

9.102 Her Majesty's Inspectorate of Court Administration (HMICA) is an independent statutory inspectorate set up by the Courts Act 2003. Its remit is to:

- inspect and report to the Lord Chancellor on the system that supports the business of the Crown, county and magistrates' courts and the services provided for those courts
- inspect and report on the performance of CAFCASS. HMICA reports to the Secretary of State for Education and Skills on CAFCASS related inspection matters.

9.103 The purpose of HMICA is to report back to ministers on the way courts are delivering services and, in accordance with the Office of Public Service Reform's principles of inspection, to contribute to the improvement of the courts, with a focus on the needs of 21 service users.

9.104 HMICA is not enabled to inspect persons making judicial decisions or exercising any judicial discretion.

9.105 HMICA currently employs 37.5 members of staff, based in offices in London, Bristol and Leeds and including four inspectors based at home. In addition there are eight standby inspectors who are employed on fixed-term contracts and work for a minimum of 20 days a year.

9.106 The Chief Inspector is a statutory postholder and HMICA is funded by DCA. HMICA's budget allocation for 2005/06 was £2.548 million.

9.107 The Chief Inspector reports directly to the Lord Chancellor on inspection issues and provides an annual report which is presented to Parliament. The HMICA Annual Report for 2005/06 will be published by the end of July 2006 and will be available on the HMICA website at www.hmica.gov.uk

HM Inspectorate of Court Administration

HM Chief Inspector: Eddie Bloomfield

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Judicial Studies Board

Chairman: Lord Justice Keene

Executive Directors: Judith Killick and Maggy Pigott

Director of Studies: Judge Victor Hall

9.108 The Judicial Studies Board (JSB) was set up in 1979 to ensure that judicial officers were equipped with the skills and knowledge they need to carry out their duties in a way which preserves judicial independence and promotes confidence in the justice system. The JSB's annual report for 2005/06 will be published in June 2006 and available at www.jsboard.co.uk

9.109 Under constitutional reform the Lord Chief Justice will be responsible for provision and sponsorship of judicial training with resources provided by the Secretary of State.

9.110 The JSB has eight strategic priorities for the three-year cycle 2005-08.

- to assume direct responsibility for the training of the magistracy
- to improve standards and extend the integration of diversity issues into the design, delivery and evaluation of training delivered by or on behalf of the JSB
- to improve access for the judiciary to education through the development and delivery of an effective distance learning strategy
- to improve our ability to respond to major change initiatives
- to deliver the JSB's Information and Communication Technology (ICT) strategy
- to respond to the changing needs of the tribunals sector and support the new unified tribunals system

- to respond to changes in the constitutional and administrative framework

- to consider the professional development of justices' clerks and legal advisers in the magistrates' courts.

Performance for 2005/06

9.111 During 2005/06 the JSB completed its programme of work, as set out in its management plan. That plan and the JSB's three-year strategy for 2005-08 are available on the JSB website.

9.112 The JSB has launched a major review of all aspects of the provision of judicial education in England and Wales. At the same time, it continues to provide induction and continuation training designed to strengthen judicial skills and knowledge.

9.113 The JSB is working with HMCS to put in place a minimum training provision for lay magistrates and is developing a scheme for monitoring and evaluation of training provided for magistrates.

Delivering better public services

9.114 The JSB's Equal Treatment Advisory Committee continues to support a system of justice that is, and is seen to be, fair, by helping judicial office holders perform their functions in a manner that is fair and free from discrimination. It helped to produce training materials for judges in all jurisdictions, magistrates and tribunal chairmen and members.

Management of resources

9.115 The JSB's expenditure was £8.15 million. A number of financial savings were made during the year, achieved, for example by using in-house trainers for parts of the magisterial training programme. The JSB strengthened its finance and planning team by recruiting a work stream analyst and project manager, to review the JSB's work, project and risk management systems.

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Judicial Studies Board

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Council on Tribunals

Chairman:

**The Rt. Hon. the Lord Newton of Braintree
OBE DL**

Acting Secretary: Ray Burningham

9.116 The Council on Tribunals is a statutory advisory non-departmental public body, funded through DCA, which reviews the constitution and working of certain tribunals and advises Government departments on the procedures governing the running of tribunals and inquiries. It was set up in 1958 and now functions under the Tribunals and Inquiries Act 1992.

9.117 The council has 15 Members appointed by the Lord Chancellor and Scottish Ministers. The parliamentary Ombudsman and Scottish Public Services Ombudsman are also members by virtue of their office. It has 13 staff in its London office, most of whom are DCA civil servants. It also has a Scottish Committee with a secretariat of three staff seconded from the Scottish Executive and based in Edinburgh. In 2005/06 it had a budget of £1.25 million.

9.118 The council continues to work towards the objectives set for it in the White Paper *Transforming Public Services: Complaints, Redress and Tribunals*, published in July 2004. It expects to become an Administrative Justice and Tribunals Council with an extended remit.

9.119 The work of the council during 2005/06 has been focussed on tribunal users and their experiences. It has run workshops in Manchester, Bristol and through its Scottish Committee in Livingston, to explore the impact of the White Paper proposals. In June 2005 it held its first conference in Wales looking at developments in administrative justice and the White Paper's implications for Wales. It has also published the results of a extensive consultation on the use and value of oral hearings in tribunal proceedings and hopes to build on this work in the future.

9.120 The council's work during the period April 2004 to March 2005 is described in its 46th annual report, published in October 2005. The annual report and other publications are available on the council's website at

www.council-on-tribunals.gov.uk, from TSO (The Stationery Office), or from the address below. Its next annual report will cover the year to 31 March 2006 and is expected to be published in July 2006.

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Council on Tribunals
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81 Chancery Lane
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Official Solicitor and Public Trustee (OSPT)

Official Solicitor to the Supreme Court and Public Trustee: Laurence Oates

9.121 The Official Solicitor (a statutory appointment under section 90 of the Supreme Court Act 1981) acts in legal proceedings for those unable to represent themselves. In particular, he acts for the mentally disabled and children (other than those who are the subject of child welfare proceedings) who are vulnerable litigants because they lack capacity. His main objective is to protect the best interests and human rights of those he represents. He also administers estates and acts as trustee when there is no one else suitable to do so.

9.122 His office administers the International Child Abduction and Contact Unit in England and Wales (the central authority on child abduction) and the Reciprocal Enforcement Maintenance Order Unit which acts for the Lord Chancellor as the central authority for England and Wales for international maintenance claims. Since April 2005 he Official Solicitor can be appointed, in place of a parent, to act as the registered contact in the administration of the Government's Child Trust Fund scheme for those children in care in England and Wales where there is no parent able to do so.

9.123 The Public Trustee (appointed under section 8 of the Public Trustee Act 1906) acts as executor or administrator of estates and as the appointed trustee of settlements. His aim is to provide an effective executor and trustee service of last resort on a non-profit-making basis. His objective is to secure the best value for the beneficiaries.

9.124 The two offices have been combined under the same post-holder since April 2001 following the transfer of functions of the former Public Trust Office announced by the Lord Chancellor in his Making Changes Report (December 2000).

9.125 The OSPT employs 16 lawyers (including the Official Solicitor and Public Trustee himself) and up to 172 caseworkers and other administrative staff. Its gross running costs are £8.1 million a year, with a requirement to recover costs and fees where appropriate (mainly in trusts and estates) which brings down the net funding requirement from DCA to £3.09 million. The annual report for 2004/05 was published in September 2005 and is available on the website.

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Law Commission

**Chairman: Sir Roger Toulson
(Mr Justice Toulson)**

Chief Executive: Steve Humphreys

9.126 The Law Commission was established under the Law Commissions Act 1965. It recommends reform of the law to make it clear, modern and accessible. The commission is independent from Government but is sponsored by DCA and is an advisory non-departmental public body of the Department. The commission has between 60 to 70 members of staff depending upon the number of projects it is working on. DCA provided funding to the Commission of £3.3 million for 2005/06.

9.127 The Law Commission assists the work of a number of Government departments. During 2005/06 the Commission published consultation papers on homicide and housing disputes and final reports on company security interests, forfeiture and the law of succession and renting homes. Full details of its work in 2005/06 will be reported in its annual report published in June 2006.

9.128 The Law Commission published its ninth programme of law reform in March 2005 setting out the main areas of work over the next three years.

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Chief Executive: Steve Humphreys

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Law Commission

Office of the Legal Services Complaints Commissioner

Legal Services Complaints Commissioner: Ms Zahida Manzoor CBE

9.129 The Legal Services Complaints Commissioner is appointed by the Secretary of State for Constitutional Affairs under the Access to Justice Act 1999. The Office of the Legal Services Complaints Commissioner regulates the performance of the Law Society of England and Wales in its handling of complaints about solicitors. The Commissioner works on behalf of consumers of legal services to help the Law Society reach service standards that an individual could reasonably expect when complaining about a solicitor.

9.130 The Commissioner has the power to:

- require the Law Society to provide information or make reports about the handling of complaints about its members
- investigate the handling of complaints
- make recommendations
- set targets
- require the Law Society to submit a plan for the handling of complaints.

9.131 If the Law Society fails to submit an adequate plan when requested, or fails to handle complaints in accordance with the plan, the Commissioner has the power to levy a penalty under section 52(3) of the Access to Justice Act. This is set at a maximum of £1 million. Prior to a decision on any penalty being taken, the Law Society would have the opportunity to make representations to the Commissioner and engage in an agreed appeals mechanism.

9.132 The Commissioner's annual report for 2004/05 was published in July 2005. In November 2005 the Commissioner also published an interim report covering the Law Society's performance from April to September 2005.

9.133 The Commissioner has 17 team members all based in Leeds. During 2005/06 DCA and the Law Society provided the Commissioner with funding of £1.72 million to carry out her duties.

9.134 More information about the work of the Office of the Legal Services Complaints Commissioner, including published reports, can be found on the website.

Contact details:

Office of the Legal Services
Complaints Commissioner
19th Floor
West Riding House
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LS1 5AA

T: 0113 2615420
F: 0113 2615440
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Office of the Legal Services Ombudsman (OLSO)

Legal Services Ombudsman for England and Wales: Ms Zahida Manzoor CBE

9.135 The Legal Services Ombudsman for England and Wales is appointed by the Lord Chancellor in accordance with Section 21 of the Courts and Legal Services Act 1990. The Ombudsman cannot be a qualified lawyer and is completely independent of the legal profession.

9.136 The Ombudsman oversees the handling of complaints about solicitors, barristers, legal executives, licensed conveyancers, patent agents and trade mark attorneys by the professional bodies that are responsible for standards of conduct and service within the legal profession. Complainants must first make their complaint to the relevant professional body. If dissatisfied with the way the professional body has dealt with their complaint, they may refer the matter to the legal services Ombudsman. The Ombudsman's services are free of charge.

9.137 The Ombudsman's annual report for 2004/05 was presented to Parliament in July 2005 and is available on the OLSO website. Data for 2005/06 will be included in the OSLO Annual Report due to be published in July 2006.

9.138 Under the Courts and Legal Services Act the Lord Chancellor directed the Ombudsman to produce accounts for the financial year ending 31 March 2005.

9.139 The expenditure account shows a total of £1.8 million for 2004/05, which includes a Departmental overhead charge. DCA provided funding to the Ombudsman of £1.4 million for 2005/06.

9.140 The OLSO employs 26 staff as well as a panel of external part-time self-employed caseworkers.

9.141 OLSO has undertaken a number of initiatives to ensure that it operates efficiently and effectively and strives to provide value for money. A fundamental review of operations was carried out resulting in changes in structure and methods of working, enabling it to deliver its objectives both operationally and strategically.

9.142 Reforms in which legal services are delivered and regulated in England and Wales are proposed by the Government in its legal reforms White Paper "*The Future of Legal Services: Putting the Consumer First*", published in October 2005. The Ombudsman welcomes the Government's proposals and her response to the White Paper is available on the OLSO website.

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T: 0161 839 7262
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Office of the Legal Services Ombudsman (OLSO)

Legal Services Ombudsman for England and Wales: Ms Zahida Manzoor CBE

9.135 The Legal Services Ombudsman for England and Wales is appointed by the Lord Chancellor in accordance with Section 21 of the Courts and Legal Services Act 1990. The Ombudsman cannot be a qualified lawyer and is completely independent of the legal profession.

9.136 The Ombudsman oversees the handling of complaints about solicitors, barristers, legal executives, licensed conveyancers, patent agents and trade mark attorneys by the professional bodies that are responsible for standards of conduct and service within the legal profession. Complainants must first make their complaint to the relevant professional body. If dissatisfied with the way the professional body has dealt with their complaint, they may refer the matter to the legal services Ombudsman. The Ombudsman's services are free of charge.

9.137 The Ombudsman's annual report for 2004/05 was presented to Parliament in July 2005 and is available on the OLSO website. Data for 2005/06 will be included in the OSLO Annual Report due to be published in July 2006.

9.138 Under the Courts and Legal Services Act the Lord Chancellor directed the Ombudsman to produce accounts for the financial year ending 31 March 2005.

9.139 The expenditure account shows a total of £1.8 million for 2004/05, which includes a Departmental overhead charge. DCA provided funding to the Ombudsman of £1.4 million for 2005/06.

9.140 The OLSO employs 26 staff as well as a panel of external part-time self-employed caseworkers.

Information Commissioner's Office

Information Commissioner: Richard Thomas

9.143 The Information Commissioner is an independent body created under statute to oversee the Data Protection Act 1998 (DPA), the FoI Act 2000 and the Environmental Information Regulations 2004 (EIR). He reports directly to Parliament and annually presents to each house. DCA sponsors the Information Commissioner's Office.

9.144 The Commissioner promotes good practice and observance with the requirements of the DPA, FoIA, and EIR. He produces guidance documents and codes of practice to help organisations comply with the legislation, and informs the public of their rights. He also responds to enquiries from organisations and the public and operates a help line to provide information and assistance.

9.145 Under the DPA the Commissioner maintains a register of data controllers who are required to notify him of their personal data processing activities. He also promotes good practice for organisations, and where people are concerned that their rights have been breached he has a duty to assess the situation and take enforcement action if appropriate.

9.146 The Commissioner deals with complaints against decisions made by public authorities under the FoI Act, and considers publication schemes submitted for approval. He works to bring about a culture where public bodies make as much official and environmental information available as possible, with citizens widely aware of their 'right to Know'.

9.147 The Commissioner employs 270 staff. The majority work in the main office in Wilmslow with smaller offices in Belfast, Cardiff, Edinburgh, and London.

9.148 During 2005/06 the Commissioner received £5.1 million of funding from DCA for FoI Act activities. DPA activities are funded from notification fee income. The 2005/06 budget for DPA activities is £9.5 million.

9.149 Individual rights under the FoI Act came into force on 1 January 2005 and the focus of the office during 2005/06 has been very much on the initial influx of FoI complaints. The office will build on this experience over the following year modifying processes and policies to enhance the service it offers to members of the public and to public authorities. Similarly there were major changes to the way work on data protection was undertaken during 2005/06, and 2006/07 will see consolidation of these changes and improvements in the service provided.

Contact details:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

T: 01625 545 700 (switchboard)
T: 01625 545 745 (helpline)
F: 01625 524 510
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**Chapter 10:
Accounts and
performance tables
against live targets
for previous spending
review periods**

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Departmental investment strategy

10.1 Following the creation of HMCS in 2005/06, the Department faces the challenge of efficiently managing its new, larger fixed asset base. To meet this challenge we must make the most efficient use of the estate and investigate the scope for rationalisation including opportunities for investment.

10.2 As well as the creation of HMCS, the establishment of the Tribunals Service and developments within the DCA estate, have led to the setting up of a National Property Board. The purpose of the board is to provide strategic and financial direction to DCA property managers and sponsorship of strategic estates issues on behalf of the Department's management board.

10.3 HMCS is developing a modelling tool to plan the future for its estate. When completed the tool will enable a comprehensive estates' strategy, which will reflect the objectives of the with the HMCS business strategy.

10.4 The overall investment strategy for DCA has yet to be finalised. The work of the National Property Board over coming months will inform the investment strategy which will then be taken forward as necessary.

Public Accounts Committee recommendations to departments

10.5 The House of Commons Public Accounts Committee's (PAC) 17th report of session 2005/06 "Achieving value for money in the delivery of public services" was published in December 2005. This report concentrated on several themes based on PAC and National Audit Office reports dating back to 1993/94.

10.6 Areas DCA is being encouraged to focus on are:

- strengthening project management
- improving public service productivity
- becoming more commercially astute.

44th report, New IT systems for magistrates courts: the LIBRA project (HC434, Session 2002/03)

10.7 Progress since initial report: The Libra project has moved on considerably since the PAC Report in 2002/03. Lessons have been learned over the life of the project included strengthening the project's governance arrangements, better risk management and external review under the gateway process. DCA introduced a strategic board, a procurement board and appointed senior managers with experience of successful large-scale projects. When the procurement stage was completed the procurement board was disbanded, as was the strategic board once the project had been stabilised. The project board has been strengthened with CJO partners, HM Treasury and DCA internal audit being added to its membership, and the senior responsible owner is the HMCS chief operations officer. Risk management has been improved and integrated with planning and finance and has been judged an example of best practice during the OGC Gateway 3 review. The creation of HMCS in April 2005 has led to the deployment of a national IT system.

68th report, collection of fines and other financial penalties in the CJS (HC999, Session 2001/02)

10.8 Progress since initial report: The history of poor enforcement performance had to be tackled and significant progress has been achieved as a result of the HMCS enforcement programme. As a result of the Department's achievements, the payment rate increased from 59 per cent in 2001/02 to 80 per cent in 2004/05.

35th report, Public Trust Office: Protecting the financial wealth of people with mental incapacity (HC278, Session 1998/99)

10.9 Progress since initial report: The Public Trust Office (PTO) and Lord Chancellor's Department acknowledged that the conclusions of the PAC 35th Report (session 1998/1999) demanded a fundamental programme of change. This led to the establishment of the PGO in April 2001. The PGO has continued to address all the PAC's recommendations and in June 2005 the National Audit Office reported that the PGO had improved the overall quality of service provided to its clients compared to its

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predecessor. In particular information quality has improved and accounts are collected more promptly – the collection rate from receivers is now over 90 per cent, up from 80 per cent in 1998/99.

39th report, Looking after the financial affairs of people with mental incapacity (HC 278, Session 1993/94)

10.10 Progress since initial report: In response to the Committee's 39th report (Session 1993/94) the PTO cleared the backlog of 887 un-reviewed accounts by end September 1994. To counter bogus payments, PTO also took action to improve control, both financial and in office management. The PTO accepted the importance of reviewing receivership accounts in order to protect patients' funds from fraud and abuse. Improvements in monitoring procedures were introduced to ensure that reviews were kept up-to-date and the PTO undertook to pursue outstanding accounts more vigorously. NAO's recent report on the PGO assesses that the problems with collection of accounts identified in the 1993/94 PAC report have now been addressed satisfactorily.

34th report, Her Majesty's Land Registry: the management of sickness absence (HC307, Session 1995/96)

10.11 Progress since initial report: Land Registry addressed its sickness absence policy and procedures as part of its subsequent pay, grading and personnel management review. Clear absence management procedures for managers and effective control mechanisms have brought about a reduction in sickness absence levels. 2004 data shows a Land Registry staff absence rate (unadjusted) of 7.4 days, against a Civil Service average of 9.1 days.

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Explanation of the Nine Core Financial Tables

Title	Description	Period Covered
Table 1 Total public spending for DCA	Shows a summary of the Department's total budget, including spending by local authorities on functions relevant to the Department.	2000/01 to 2007/08
Table 2 Resource budget for DCA	Shows how the Department allocates and spends the resources allocated to it by Parliament to deliver the services within its various responsibilities.	2000/01 to 2007/08
Table 3 Capital budget for DCA	Shows how the Department allocates and spends the capital allocated to it by Parliament to deliver the services within its various responsibilities.	2000/01 to 2007/08
Table 4 Capital employed by DCA	Shows capital employed in meeting the Department's objectives.	2000/01 to 2004/05
Table 5 Administration budgets for DCA	Provides a breakdown of the staff and other general costs (including accommodation and other office costs) related to the running of the Department.	2000/01 to 2007/08
Table 6 Staff in post in DCA	A staffing count for the DCA and its sister departments.	2000/01 to 2007/08
Table 7 DCA's total spending by country and region (over a spread of years)	Provides analysis of spending in each UK country and nine regions of England.	2000/01 to 2005/06
Table 8 DCA's Total spending per head by country and region (over a spread of years)	Provides analysis of spending per head of population in each UK country and nine regions of England	2000/01 to 2005/06
Table 9 DCA's total spending by function or programme, by country and region (for latest outturn year 2004/05)	Provides analysis of spending in each UK country and nine regions of England, under each function of Government.	2004/05

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Explanation of the Nine Core Financial Tables

Department for Constitutional Affairs total public spending

Table 1: Total public spending for DCA¹⁴ £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
Consumption of resources									
To promote the development of a modern, fair, cost effective and efficient system of justice for all	2,816,605	2,997,890	3,327,378	3,180,609	3,086,858	3,799,524	3,737,968	3,781,730	-
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	6840	13,265	9727	17,877	5798	5777	6768	6768	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	2703	2538	3132	3042	3803	4366	3913	3913	-
Judicial Pensions Scheme	92,262	96,221	101,300	58,082	61,655	80,035	87,726	95,907	-
Total resource budget	2,918,410	3,109,914	3,441,537	3,259,610	3,158,114	3,863,615	3,836,375	3,888,318	-
<i>of which:</i>									
Resource DEL	2,826,148	3,013,693	3,340,237	3,201,528	3,096,459	3,783,580	3,748,649	3,792,411	-
Capital Spending									
To promote the development of a modern, fair, cost effective and efficient system of justice for all	36,526	73,595	75,592	124,722	184,326	154,018	128,764	136,789	-

¹⁴ The DCA figures include Machinery of Government transfers for the Tribunals Service

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Department for Constitutional Affairs total public spending

Table 1 (continued): Total public spending for DCA £000

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans
						Estimated			
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	72	62	88	13	76	64	100	100	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	299	18	34	51	194	766	766	766	-
Total capital budget	36,897	73,675	75,714	124,786	184,596	154,884	129,630	137,655	-
<i>of which:</i>									
Capital DEL	36,897	73,675	75,714	124,786	184,596	154,884	129,630	137,655	-
Total public spending¹⁵	2,909,747	3,136,729	3,470,440	3,329,059	3,261,387	3,864,634	3,840,820	3,895,827	-
Spending by local authorities on functions relevant to the department									
Current spending	344,722	377,142	379,217	411,330	436,836	-			
<i>of which:</i>									
financed by grants from budgets above	284,417	317,552	318,630	339,565	362,439	-			
Capital spending	19,513	24,318	40,013	32,473	40,673	-			
<i>of which:</i>									
financed by grants from budgets above	22,437	32,850	43,839	34,809	45,753	11,300			

¹⁵Total public spending calculated as the total of the resource budget plus the capital budget, less depreciation

Table 1 (continued): Total public spending for DCA £000

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans
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	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans
	Estimated								
Legal aid: criminal	970,591	-	-	-	-	-	-	-	-
Criminal defence service	976,930	1,088,828	1,143,927	1,133,122	1,201,249	1,099,627	1,147,627	-	-
Costs from central funds	39,592	48,971	39,535	65,768	48,694	66,394	45,000	45,000	-
Community legal service	781,000	863,014	988,155	689,037	359,151	656,636	833,909	833,909	-
of which:									
Publicly funded legal services	1,791,183	1,888,915	2,116,518	1,898,732	1,540,967	1,924,279	1,978,536	2,026,536	-
Local authorities: magistrates' courts grants	284,417	317,552	274,951	279,977	299,010	-	-	-	-
Information Commissioner's Office	4	6891	8326	1561	1144	5000	5000	5000	-
Public Trust Office	8904	-	-	-	-	-	-	-	-
Public Guardianship Office	-	14,783	13,475	7808	663	-730	3,305	3,930	-
Court Service	375,242	445,196	531,390	482,744	498,324	-	-	-	-
HM Courts Service	-	-	-	-	-	927,400	999,321	1,039,272	-
of which:									
Executive agencies	384,150	466,870	553,191	492,113	500,131	931,670	1,007,626	1,048,202	-
Judicial Pension Administration	-	-	-	-	-	1	1	12	12
of which:									
HM Courts Service	-	-	-	-	-	927,400	999,321	1,039,272	-
Court Service	375,242	445,196	531,390	482,744	498,324	-	-	-	-
Public Guardianship Office	-	14,783	13,475	7808	663	-730	3,305	3,930	-
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Information Commissioner's Office	4	6891	8326	1561	1144	5000	5000	5000	-
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Table 2: Resource budget for DCA

Resource budget for DCA

Table 2: Resource budget¹⁶ £000

	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
	Outturn	Outturn	Outturn	Outturn	Outturn	Outturn	Plans	Plans	Plans
	Estimated								
To promote the development of a modern, fair, cost effective and efficient system of justice for all	2,816,605	2,997,890	3,327,378	3,180,609	3,086,858	3,773,437	3,737,968	3,781,730	-
of which:									
Headquarters and associated offices	296,662	244,646	309,263	429,101	645,752	823,687	670,493	625,679	-
of which:									
Invest to Save budget	1925	-	1439	690	-	-	-	-	-
Headquarters and associated offices	294,737	244,646	307,824	428,411	645,751	823,686	670,481	625,667	-
Judicial Pension Administration	-	-	-	-	1	1	12	12	-
Executive agencies	384,150	466,870	553,191	492,113	500,131	931,670	1,007,626	1,048,202	-
of which:									
HM Courts Service	-	-	-	-	-	927,400	999,321	1,039,272	-
Court Service	375,242	445,196	531,390	482,744	498,324	-	-	-	-
Public Guardianship Office	-	14,783	13,475	7808	663	-730	3,305	3,930	-
Public Trust Office	8904	-	-	-	-	-	-	-	-
Information Commissioner's Office	4	6891	8326	1561	1144	5000	5000	5000	-
Local authorities: magistrates' courts grants	284,417	317,552	274,951	279,977	299,010	-	-	-	-
Publicly funded legal services	1,791,183	1,888,915	2,116,518	1,898,732	1,540,967	1,924,279	1,978,536	2,026,536	-
of which:									
Community legal service	781,000	863,014	988,155	689,037	359,151	656,636	833,909	833,909	-
Costs from central funds	39,592	48,971	39,535	65,768	48,694	66,394	45,000	45,000	-
Criminal defence service	-	976,930	1,088,828	1,143,927	1,133,122	1,201,249	1,099,627	1,147,627	-
Legal aid: criminal	970,591	-	-	-	-	-	-	-	-

¹⁶ The DCA figures include Machinery of Government transfers for the Tribunals Service

Resource budget for DCA

Table 2 (continued) : Resource budget £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
Non departmental public bodies	60,193	79,907	73,455	80,686	100,998	93,801	81,313	81,313	-
<i>of which:</i>									
Legal Services Commission: administration	60,193	79,907	73,455	80,686	100,998	93,801	81,313	81,313	-
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	6840	13,265	9727	17,877	5798	5777	6768	6768	-
<i>of which:</i>									
Scotland Office	6840	13,265	9727	17,877	5798	5777	6768	6768	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	2703	2538	3132	3042	3803	4366	3913	3913	-
<i>of which:</i>									
Wales Office	2703	2538	3132	3042	3803	4366	3913	3913	-
Judicial Pensions Scheme	92,262	96,221	101,300	58,082	61,655	80,035	87,726	95,907	-
Total resource budget	2,918,410	3,109,914	3,441,537	3,259,610	3,158,114	3,863,615	3,836,375	3,888,318	-

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
Non departmental public bodies	60,193	79,907	73,455	80,686	100,998	93,801	81,313	81,313	-
<i>of which:</i>									
Legal Services Commission: administration	60,193	79,907	73,455	80,686	100,998	93,801	81,313	81,313	-
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	6840	13,265	9727	17,877	5798	5777	6768	6768	-
<i>of which:</i>									
Scotland Office	6840	13,265	9727	17,877	5798	5777	6768	6768	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	2703	2538	3132	3042	3803	4366	3913	3913	-
<i>of which:</i>									
Wales Office	2703	2538	3132	3042	3803	4366	3913	3913	-
Judicial Pensions Scheme	92,262	96,221	101,300	58,082	61,655	80,035	87,726	95,907	-
Total resource budget	2,918,410	3,109,914	3,441,537	3,259,610	3,158,114	3,863,615	3,836,375	3,888,318	-

Table 2 (continued) : Resource budget for DCA £000

Capital budget for DCA

Table 3: Capital budget for the Department for Constitutional Affairs¹⁷ £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
To promote the development of a modern, fair, cost effective and efficient system of justice for all	36,526	73,595	75,592	124,722	184,326	154,018	128,764	136,789	-
<i>of which:</i>									
Headquarters and associated offices	10,897	13,416	2,414	22,773	99,004	44,803	42,883	42,908	-
<i>of which:</i>									
Headquarters and associated offices	10,897	13,416	1314	8,873	99,004	44,803	42,883	42,908	-
HM Land Registry	-	-	1100	13,900	-	-	-	-	-
Executive agencies	2408	25,394	28,254	67,135	34,626	107,186	85,881	93,881	-
<i>of which:</i>									
HM Courts Service	-	-	-	-	-	106,186	85,881	93,881	-
Court Service	1284	18,827	20,091	64,891	33,568	-	-	-	-
Public Guardianship Office	-	5155	3230	1037	1058	1000	-	-	-
Public Trust Office	1124	-	-	-	-	-	-	-	-
Information Commissioner's Office	-	1412	4933	1207	-	-	-	-	-
Local authorities: magistrates' courts grants	22,437	32,850	43,839	34,809	45,753	-	-	-	-
Non departmental public bodies	784	1935	1085	5	4943	2029	-	-	-
<i>of which:</i>									
Legal Services Commission: administration	784	1935	1085	5	4943	2029	-	-	-

¹⁷ The DCA figures include Machinery of Government transfers for the Tribunals Service

Table 3: Capital budget for the Department for Constitutional Affairs¹⁷ £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
To promote the development of a modern, fair, cost effective and efficient system of justice for all	36,526	73,595	75,592	124,722	184,326	154,018	128,764	136,789	-
<i>of which:</i>									
Headquarters and associated offices	10,897	13,416	2,414	22,773	99,004	44,803	42,883	42,908	-
<i>of which:</i>									
Headquarters and associated offices	10,897	13,416	1314	8,873	99,004	44,803	42,883	42,908	-
HM Land Registry	-	-	1100	13,900	-	-	-	-	-
Executive agencies	2408	25,394	28,254	67,135	34,626	107,186	85,881	93,881	-
<i>of which:</i>									
HM Courts Service	-	-	-	-	-	106,186	85,881	93,881	-
Court Service	1284	18,827	20,091	64,891	33,568	-	-	-	-
Public Guardianship Office	-	5155	3230	1037	1058	1000	-	-	-
Public Trust Office	1124	-	-	-	-	-	-	-	-
Information Commissioner's Office	-	1412	4933	1207	-	-	-	-	-
Local authorities: magistrates' courts grants	22,437	32,850	43,839	34,809	45,753	-	-	-	-
Non departmental public bodies	784	1935	1085	5	4943	2029	-	-	-
<i>of which:</i>									
Legal Services Commission: administration	784	1935	1085	5	4943	2029	-	-	-

¹⁷ The DCA figures include Machinery of Government transfers for the Tribunals Service

Capital budget for DCA

Table 3 (continued): Capital budget for the Department for Constitutional Affairs £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	72	62	88	13	76	64	100	100	-
<i>of which:</i>									
Scotland Office	72	62	88	13	76	64	100	100	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	299	18	34	51	194	766	766	766	-
<i>of which:</i>									
Wales Office	299	18	34	51	194	766	766	766	-
Total capital budget	36,897	73,675	75,714	124,786	184,596	154,848	129,630	137,655	-

Table 3 (continued): Capital budget for the Department for Constitutional Affairs £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Outturn Estimated	2006/07 Plans	2007/08 Plans	2008/09 Plans
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	72	62	88	13	76	64	100	100	-
<i>of which:</i>									
Scotland Office	72	62	88	13	76	64	100	100	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	299	18	34	51	194	766	766	766	-
<i>of which:</i>									
Wales Office	299	18	34	51	194	766	766	766	-
Total capital budget	36,897	73,675	75,714	124,786	184,596	154,848	129,630	137,655	-

Capital employed for DCA

Table 4: Capital employed for the Department for Constitutional Affairs						£000
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	
Fixed assets	1,355,085	1,550,781	1,583,793	1,732,515	1,839,675	
<i>of which:</i>						
Land and buildings	1,293,567	1,471,725	1,517,064	1,604,260	1,659,716	
Plant and machinery	57,670	76,021	66,729	128,255	179,959	
Vehicles	3848	3035	-	-	-	
Current assets	162,401	180,890	272,037	297,341	222,783	
Creditors (<1 year)	-156,993	-200,958	-285,826	-301,149	-318,999	
Creditors (>1 year)	-2259	-1190	-7	-427	-59,439	
Provisions	-387,491	-437,466	-514,430	-33,571	-25,494	
Capital employed within main department	970,743	1,092,057	1,055,567	1,694,709	1,658,526	
NDPB net assets	1908	-6239	-18,426	-8881	-15,976	
Legal Aid Fund net assets	-1,982,546	-2,140,966	-2,246,030	-2,593,461	-2,120,282	
Total capital employed in departmental group	-1,009,895	-1,055,148	-1,208,889	-907,633	-477,732	

Table 4: Capital employed for the Department for Constitutional Affairs						£000
	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	
Fixed assets	1,355,085	1,550,781	1,583,793	1,732,515	1,839,675	
<i>of which:</i>						
Land and buildings	1,293,567	1,471,725	1,517,064	1,604,260	1,659,716	
Plant and machinery	57,670	76,021	66,729	128,255	179,959	
Vehicles	3848	3035	-	-	-	
Current assets	162,401	180,890	272,037	297,341	222,783	
Creditors (<1 year)	-156,993	-200,958	-285,826	-301,149	-318,999	
Creditors (>1 year)	-2259	-1190	-7	-427	-59,439	
Provisions	-387,491	-437,466	-514,430	-33,571	-25,494	
Capital employed within main department	970,743	1,092,057	1,055,567	1,694,709	1,658,526	
NDPB net assets	1908	-6239	-18,426	-8881	-15,976	
Legal Aid Fund net assets	-1,982,546	-2,140,966	-2,246,030	-2,593,461	-2,120,282	
Total capital employed in departmental group	-1,009,895	-1,055,148	-1,208,889	-907,633	-477,732	

Administration costs for DCA

Table 5: Administration costs for the Department for Constitutional Affairs¹⁸ £000

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans	2008/09 Plans
Administration Expenditure									
Paybill	108,913	101,969	120,703	155,843	191,834	171,846			
Other	219,759	63,741	108,921	170,522	300,686	370,572			
Total administration expenditure	328,672	165,710	229,624	326,365	492,520	542,418	534,875	530,598	-
Administration income	-892	-4083	-2666	-8147	-6616	-10,395	-7127	-7127	-
Total administration budget	327,780	161,627	226,958	318,218	485,904	532,023	527,748	523,471	-
Analysis by activity									
To promote the development of a modern, fair, cost effective and efficient system of justice for all	319,060	152,784	217,076	308,883	476,589	522,156	517,367	513,090	-
To support the Secretary of State in discharging his role of representing Scotland in the UK government, representing the UK government in Scotland, and ensuring the smooth working of the devolution settlement in Scotland	6017	6305	6750	6293	5512	5501	6468	6468	-
To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	2703	2538	3132	3042	3803	4366	3913	3913	-
Total net administration costs	327,780	161,627	226,958	318,218	485,904	532,023	527,748	523,471	-

¹⁸ The DCA figures include Machinery of Government transfers for the Tribunals Service

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Outturn	2005/06 Estimated Outturn	2006/07 Plans	2007/08 Plans	2008/09 Plans
Administration Expenditure									
Paybill	108,913	101,969	120,703	155,843	191,834	171,846			
Other	219,759	63,741	108,921	170,522	300,686	370,572			
Total administration expenditure	328,672	165,710	229,624	326,365	492,520	542,418	534,875	530,598	-
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Total administration budget	327,780	161,627	226,958	318,218	485,904	532,023	527,748	523,471	-
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To support the Secretary of State in discharging his role of representing Wales in the UK government, representing the UK government in Wales and ensuring the smooth working of the devolution settlement in Wales	2703	2538	3132	3042	3803	4366	3913	3913	-
Total net administration costs	327,780	161,627	226,958	318,218	485,904	532,023	527,748	523,471	-

Table 5: Administration costs for the Department for Constitutional Affairs¹⁸ £000

¹⁸ The DCA figures include Machinery of Government transfers for the Tribunals Service

Staff numbers for DCA

Table 6: Staff numbers for the Department for Constitutional Affairs **Full-time equivalents – FTEs**

	1999/00 Actual	2000/01 Actual	2001/02 Actual	2002/03 Actual	2003/04 Actual	2004/05 Actual	2005/06 Actual Estimated	2006/07 Plans	2007/08 Plans
Department for Constitutional Affairs:									
Permanent	10,640	10,600	11,210	11,740	11,950	12,533			
Casual	270	420	440	440	460	518			
Total	10,910	11,020	11,650	12,180	12,410	13,050	24,439	24,873	24,673
	Apr 00	Apr 01	Apr 02	Apr 03	Apr 04	Apr 05	Dec 05	Mar 07	Mar 08

Plans for future years do not differentiate between permanent and casual FTEs

Figures in previous years re-stated to align and be consistent with definitions used by Office of National Statistics/Cabinet Office

Departmental Management Board are currently additional workforce restructuring plans for 2006/07

Source: actual figures from Computerised Human Resources Information System (Departmental HR system)

Staff numbers for DCA

Table 6: Staff numbers for the Department for Constitutional Affairs **Full-time equivalents – FTEs**

	1999/00 Actual	2000/01 Actual	2001/02 Actual	2002/03 Actual	2003/04 Actual	2004/05 Actual	2005/06 Actual Estimated	2006/07 Plans	2007/08 Plans
Department for Constitutional Affairs:									
Permanent	10,640	10,600	11,210	11,740	11,950	12,533			
Casual	270	420	440	440	460	518			
Total	10,910	11,020	11,650	12,180	12,410	13,050	24,439	24,873	24,673
	Apr 00	Apr 01	Apr 02	Apr 03	Apr 04	Apr 05	Dec 05	Mar 07	Mar 08

Plans for future years do not differentiate between permanent and casual FTEs

Figures in previous years re-stated to align and be consistent with definitions used by Office of National Statistics/Cabinet Office

Departmental Management Board are currently additional workforce restructuring plans for 2006/07

Source: actual figures from Computerised Human Resources Information System (Departmental HR system)

Table 7: Identifiable expenditure on services, by country and region £m

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Plans	2005/06 Plans	2006/07 Plans	2007/08 Plans
North East	164.6	164.4	188.1	205.1	223.7	212.1	225.5	232.9
North West	323.8	324.6	373.5	406.0	465.7	454.9	475.8	487.6
Yorkshire and Humberside	121.5	120.4	147.2	153.1	183.7	186.8	187.7	187.8
East Midlands	137.9	137.2	162.5	173.0	198.7	193.6	200.0	203.0
West Midlands	151.3	150.4	179.6	190.1	222.8	223.0	227.9	230.2
Eastern	136.9	136.2	162.3	168.5	197.1	193.7	198.1	200.8
London	367.2	362.9	443.3	460.2	549.0	547.2	552.4	553.1
South East	178.1	178.3	216.8	225.6	292.5	286.8	287.6	286.8
South West	223.8	223.6	258.7	277.2	314.7	298.7	313.5	321.7
Total England	1805.1	1797.8	2132.0	2258.8	2647.8	2596.6	2668.4	2703.8
Scotland	5.0	5.4	6.2	0.3	24.9	3.0	3.3	3.2
Wales	168.8	167.7	197.0	210.0	239.8	229.6	239.3	244.2
Northern Ireland	1.3	1.4	1.6	0.1	6.3	0.8	0.9	0.8
Total UK identifiable expenditure	1980.2	1972.3	2336.8	2469.2	2918.8	2830.0	2912.0	2951.9
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	1980.2	1972.3	2336.8	2469.2	2918.8	2830.0	2912.0	2951.9
Non-identifiable expenditure	302.4	395.7	476.6	464.9	471.1	706.8	728.1	774.0
Total expenditure on services	2282.6	2368.0	2813.4	2934.1	3389.8	3536.8	3640.1	3725.9

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Plans	2005/06 Plans	2006/07 Plans	2007/08 Plans
North East	164.6	164.4	188.1	205.1	223.7	212.1	225.5	232.9
North West	323.8	324.6	373.5	406.0	465.7	454.9	475.8	487.6
Yorkshire and Humberside	121.5	120.4	147.2	153.1	183.7	186.8	187.7	187.8
East Midlands	137.9	137.2	162.5	173.0	198.7	193.6	200.0	203.0
West Midlands	151.3	150.4	179.6	190.1	222.8	223.0	227.9	230.2
Eastern	136.9	136.2	162.3	168.5	197.1	193.7	198.1	200.8
London	367.2	362.9	443.3	460.2	549.0	547.2	552.4	553.1
South East	178.1	178.3	216.8	225.6	292.5	286.8	287.6	286.8
South West	223.8	223.6	258.7	277.2	314.7	298.7	313.5	321.7
Total England	1805.1	1797.8	2132.0	2258.8	2647.8	2596.6	2668.4	2703.8
Scotland	5.0	5.4	6.2	0.3	24.9	3.0	3.3	3.2
Wales	168.8	167.7	197.0	210.0	239.8	229.6	239.3	244.2
Northern Ireland	1.3	1.4	1.6	0.1	6.3	0.8	0.9	0.8
Total UK identifiable expenditure	1980.2	1972.3	2336.8	2469.2	2918.8	2830.0	2912.0	2951.9
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total identifiable expenditure	1980.2	1972.3	2336.8	2469.2	2918.8	2830.0	2912.0	2951.9
Non-identifiable expenditure	302.4	395.7	476.6	464.9	471.1	706.8	728.1	774.0
Total expenditure on services	2282.6	2368.0	2813.4	2934.1	3389.8	3536.8	3640.1	3725.9

Table 8: Identifiable expenditure on services, by country and region, per head **£'s per head**

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Plans	2005/06 Plans	2006/07 Plans	2007/08 Plans
North East	64.7	64.7	74.1	80.8	87.9	83.8	89.2	92.2
North West	47.8	47.9	55.1	59.7	68.2	66.7	69.7	71.3
Yorkshire and Humberside	24.5	24.2	29.5	30.6	36.5	37.1	37.2	37.1
East Midlands	33.1	32.7	38.5	40.7	46.4	45.0	46.3	46.7
West Midlands	28.7	28.5	33.9	35.7	41.8	41.7	42.6	42.9
Eastern	25.5	25.2	29.9	30.8	35.9	35.0	35.6	35.8
London	50.7	49.6	60.1	62.3	73.9	73.2	73.4	73.1
South East	22.3	22.2	27.0	27.9	36.1	35.1	35.0	34.7
South West	45.5	45.2	52.1	55.4	62.5	59.0	61.5	62.7
Total England	36.7	36.4	42.9	45.3	52.9	51.7	52.9	53.3
Scotland	1.0	1.1	1.2	0.1	4.9	0.6	0.7	0.6
Wales	58.1	57.6	67.4	71.5	81.2	77.3	80.3	81.7
Northern Ireland	0.7	0.8	0.9	0.0	3.7	0.5	0.5	0.5
Total UK identifiable expenditure	33.6	33.4	39.4	41.5	48.8	47.1	48.3	48.8

Table 8: Identifiable expenditure on services, by country and region, per head **£'s per head**

	2000/01 Outturn	2001/02 Outturn	2002/03 Outturn	2003/04 Outturn	2004/05 Plans	2005/06 Plans	2006/07 Plans	2007/08 Plans
North East	64.7	64.7	74.1	80.8	87.9	83.8	89.2	92.2
North West	47.8	47.9	55.1	59.7	68.2	66.7	69.7	71.3
Yorkshire and Humberside	24.5	24.2	29.5	30.6	36.5	37.1	37.2	37.1
East Midlands	33.1	32.7	38.5	40.7	46.4	45.0	46.3	46.7
West Midlands	28.7	28.5	33.9	35.7	41.8	41.7	42.6	42.9
Eastern	25.5	25.2	29.9	30.8	35.9	35.0	35.6	35.8
London	50.7	49.6	60.1	62.3	73.9	73.2	73.4	73.1
South East	22.3	22.2	27.0	27.9	36.1	35.1	35.0	34.7
South West	45.5	45.2	52.1	55.4	62.5	59.0	61.5	62.7
Total England	36.7	36.4	42.9	45.3	52.9	51.7	52.9	53.3
Scotland	1.0	1.1	1.2	0.1	4.9	0.6	0.7	0.6
Wales	58.1	57.6	67.4	71.5	81.2	77.3	80.3	81.7
Northern Ireland	0.7	0.8	0.9	0.0	3.7	0.5	0.5	0.5
Total UK identifiable expenditure	33.6	33.4	39.4	41.5	48.8	47.1	48.3	48.8

Table 9: Identifiable expenditure on services by function, county and region, for 2004-05 £m

	General Public services		Public order and safety		Social Protection		Total for Department for Constitutional Affairs
	Public and common services	Total General public services	Administration of justice	Total order and safety	Public sector occupational pensions	Total Social protection	
North East	0.0	0.0	221.2	221.2	2.5	2.5	223.7
North West	0.0	0.0	450.0	450.0	15.7	15.7	465.7
Yorkshire and Humberside	0.0	0.0	174.0	174.0	9.7	9.7	183.7
East Midlands	0.0	0.0	193.7	193.7	5.0	5.0	198.7
West Midlands	0.0	0.0	214.3	214.3	8.5	8.5	222.8
Eastern	0.0	0.0	185.8	185.8	11.3	11.3	197.1
London	0.0	0.0	515.8	515.8	33.2	33.2	549.0
South East	0.0	0.0	266.1	266.1	26.3	26.3	292.5
South West	0.0	0.0	303.5	303.5	11.2	11.2	314.7
England	0.0	0.0	2524.5	2524.85	123.3	123.3	2647.8
Scotland	0.0	0.0	3.2	3.2	21.6	21.6	24.9
Wales	0.0	0.0	234.0	234.0	5.9	5.9	239.8
Northern Ireland	0.0	0.0	0.8	0.8	5.4	5.4	6.3
UK Identifiable expenditure	0.0	0.0	2762.6	2762.6	156.2	156.2	2918.8
Outside UK	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Identifiable expenditure	0.0	0.0	2762.6	2762.6	156.2	156.2	2918.8
Not Identifiable	1.1	1.1	469.9	469.9	0.0	0.0	471.1
£'s Millions Totals	1.1	1.1	3232.5	3232.5	156.2	156.2	3389.8

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Advisory Committees on Justice of the Peace and General Commissioners of Income Tax.

10.13 In the 2005/06 12 appointments have been made, including 3 women. We are continuing to work to increase year-by-year the proportion of public appointments held by women, members of ethnic minorities and people with disabilities in the NDPBs, but there have been relatively few appointments this year.

NDPB Public appointments in 2005/06 (and re-appointments)

10.12 The Department has oversight of 236 executive and advisory non-departmental public bodies, comprising (as of 31 March 2005) a total of 4,010 (ministerial and non-ministerial) appointments. The majority of the appointments are to the locally based courts boards (established from April 2005) and the

NDPB Public appointments in 2005/06 (and re-appointments)

Performance table SR2002

Target 1

To improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.15 million by 2005/06; with an improvement in all Criminal Justice System areas, a greater increase in the worst performing areas and a reduction in the proportion of ineffective trials. (Contributing to Criminal Justice System PSA)

Measures	Latest Outcome
Increasing the number of crimes for which an offender is brought to justice. The target will be met if 1.15 million offences are brought to justice in 2005/06.	AHEAD Latest performance (December 2005) shows that 1.267 ¹⁹ million offences were brought to justice, which is 26.4 per cent above baseline.
Improvement in all CJS areas. The target will be met if, in each of the 42 Criminal Justice System areas, more offences are brought to justice in 2005/06 than in the baseline year 2001/02.	ON COURSE To date 39 of the 42 criminal justice areas have improved their performance over the baseline year and putting us on course to achieve target. ¹²
Greater increase in worst performing areas. The target will be met if the average performance improvement achieved by the worst performing Criminal Justice System areas between 2001/02 and 2005/06 is greater than the national average performance improvement over the same period.	ON COURSE 18 areas have been classified as 'worst performing'. For the year ending December 2005, the aggregated performance of these areas was on course to achieve the target. ¹²
A reduction in the proportion of ineffective trials. The target will be met if the national level of improvement for Crown Court and magistrates' courts is 27per cent by March 2006. This equates to a reduction in the proportion of ineffective trials from 24 per cent to 17 per cent in the Crown Court, and from 31 per cent to 23 per cent in the magistrates' courts.	AHEAD At January 2006 the proportion of ineffective trials in Crown Court had reduced from 24 per cent (baseline) to 12.7 per cent. This is 4.3 per cent ahead of the 2005-06 target. For the magistrates' courts the proportion of ineffective trials has reduced from 31 per cent to 21.1 per cent in the quarter ending January 2006. This is 1.9 per cent ahead of the 2005/06 target.

¹⁹ Some of the data used for this measure is provisional and may be subject to minor revision

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Advisory Committees on Justice of the Peace and General Commissioners of Income Tax.

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¹⁹ Some of the data used for this measure is provisional and may be subject to minor revision

Target 2

Improve the level of confidence in the Criminal Justice System, including increasing that of ethnic minority communities, and increasing year on year the satisfaction of victims and witnesses, whilst respecting the rights of defendants.
(Contributing to Criminal Justice System PSA)15²⁰

Measures	Latest Outturn
<p>Improve the level of public confidence in the Criminal Justice System</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>AHEAD</p> <p>Baseline (BCS 2002/03): 39 per cent Target: (BCS 2005/06): an increase Annual outturn (BCS 2004/05): 43 per cent Latest outturn (Year to December 2005): 44 per cent</p>
<p>Ethnic minority community confidence – Ahead</p> <p>This is determined using questions in the BCS which ask whether people from a black or minority ethnic background believe the CJS is effective in bringing people who commit crimes to justice.</p>	<p>AHEAD</p> <p>Baseline (BCS 2002/03): 49 per cent Target: (BCS 2005/06): an increase Annual outturn (BCS 2004/05): 56 per cent Latest outturn (year to December 2005): 57 per cent</p>
<p>Increasing year on year the satisfaction of victims</p> <p>This is measured using BCS questions on victim satisfaction with the CJS, together with questions on victim satisfaction with the police.</p>	<p>SLIPPAGE</p> <p>Baseline (BCS 2003/04): 59 per cent Target: (BCS 2005/06): an increase Annual outturn: (BCS 2004/05) 58 per cent Latest outturn (year to December 2005): 59 per cent</p>
<p>Witness satisfaction</p> <p>This is measured using a BCS question measuring witness satisfaction with the police.</p>	<p>ON COURSE</p> <p>Baseline (BCS 2003/04): 57 per cent Target: (BCS 2005/06): an increase Annual outturn: (BCS 2004/05) 58 per cent Latest outturn (year to December 2005): 59 per cent</p>
<p>Respecting the rights of defendants</p>	<p>The rights of defendants are protected by law. We will investigate and take action if there is any evidence that the rights of defendants are not being respected or that public confidence in rights being respected is falling.</p>

²⁰ Public confidence is being measured through a question in the British Crime Survey on effectiveness of the criminal justice system in bringing people who commit crimes to justice. The target requires a statistically significant increase (1 per cent). Ethnic minority confidence is being measured through the same question and requires 3 per cent increase. Victim and witness satisfaction will be measured through new questions in the British Crime Survey, with a target of a 3 per cent increase on the baseline (October 2003 – March 2004).

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 Improve the level of confidence in the Criminal Justice System, including increasing that of ethnic minority communities, and increasing year on year the satisfaction of victims and witnesses, whilst respecting the rights of defendants.
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Target 4

Increase year-on-year the level of satisfaction of users by taking speedy, high-quality decisions and reducing unnecessary delay and cost, and by ensuring that outcomes are enforced effectively	
Measures	Final Outturn
The achievement of year-on-year improvements in four key areas of dissatisfaction identified through the 2002/03 customer satisfaction survey.	PARTLY MET
By March 2006	2005/06²¹
85 per cent customer satisfaction with knowledge of staff at public counter (2002/03 baseline 79 per cent)	83 per cent
80 per cent of customer satisfaction with knowledge over the telephone (2002/03 baseline 75 per cent)	83 per cent
60 per cent customer satisfaction with speed of resolution of complaints (2002/03 36 per cent)	34 per cent
80 per cent customer satisfaction with helpfulness of written communication (2002/03 70 per cent)	76 per cent
2005/06 supporting targets:	April 2005 – February 2006
1. 95 per cent of courts or units which apply for the Charter mark are awarded that status	Target met early ²²
2. 85 per cent of complaints answered within target timescales (see below):	
received by Ministers – 17 working days	99 per cent
received at Court Service Headquarters Customer Service Unit – 15 days	94 per cent
received by Area Directors – 10 days	81 per cent
received by Court managers – 5 days	87 per cent
3. 94 per cent of administrative transactions completed within 5 days	96 per cent

²¹ Three out of these four measures have improved over SR02, but not sufficiently to meet overall target. More information at paragraph 8.54.

²² In April 2004 we achieved 95 per cent court accreditation.

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80 per cent of customer satisfaction with knowledge over the telephone (2002/03 baseline 75 per cent)	83 per cent
60 per cent customer satisfaction with speed of resolution of complaints (2002/03 36 per cent)	34 per cent
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²³The key elements of a 'cost indicator' for the civil and family courts has been agreed with HM Treasury. This is a business tool that will be used for management information by HMCS, through being able to 'benchmark' key business and estate costs between HMCS regions and areas.

Measures	Final Outturn
To increase the percentage of civil cases heard within target from allocation to hearing: 4. 78 per cent small claims heard within 15 weeks 5. 78 per cent fast track cases heard within 30 weeks and 6. 78 per cent multi track cases heard within 50 weeks	83 per cent 82 per cent 78 per cent
Percentage of Public and Private Law Children Act Cases and Adoption Cases dealt with within target by the end of March 2006: 7(a) 70 per cent Public Law heard within 40 weeks 7(b) 70 per cent Private Law heard within 40 weeks and 8. 70 per cent of Adoption Cases heard within 20 weeks	46 per cent 72 per cent 66 per cent
12. 70 per cent of Charging Orders will be processed in the appropriate timescales: from application to interim order in 2 weeks and from interim order to final order in 10 weeks	93 per cent 84 per cent
13. 70 per cent of Third party Debt orders will be processed in the appropriate timescales: from application to interim order in 2 weeks and from interim order to final order in 10 weeks	92 per cent 88 per cent
14. 70 per cent of attachment of Earnings orders will be processed in the appropriate timescales: from application to first order (suspended or full) in 10 weeks	74 per cent
11. The amount of money on enforceable warrants as a percentage of the total value of enforceable warrants will be 85 per cent	93 per cent
10. Establish a cost indicator by April 2004	Met ²³
9. Realise at least 30 opportunities for county courts and magistrates' courts to accommodate by April 2006	31
10. Establish a cost indicator by April 2004	Met ²³

Target 4 (continued)

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Measures	Final Outturn
To increase the percentage of civil cases heard within target from allocation to hearing: 4. 78 per cent small claims heard within 15 weeks 5. 78 per cent fast track cases heard within 30 weeks and 6. 78 per cent multi track cases heard within 50 weeks	83 per cent 82 per cent 78 per cent
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9. Realise at least 30 opportunities for county courts and magistrates' courts to accommodate by April 2006	31
10. Establish a cost indicator by April 2004	Met ²³
11. The amount of money on enforceable warrants as a percentage of the total value of enforceable warrants will be 85 per cent	93 per cent
12. 70 per cent of Charging Orders will be processed in the appropriate timescales: from application to interim order in 2 weeks and from interim order to final order in 10 weeks	93 per cent 84 per cent
13. 70 per cent of Third party Debt orders will be processed in the appropriate timescales: from application to interim order in 2 weeks and from interim order to final order in 10 weeks	92 per cent 88 per cent
14. 70 per cent of attachment of Earnings orders will be processed in the appropriate timescales: from application to first order (suspended or full) in 10 weeks	74 per cent

²³The key elements of a 'cost indicator' for the civil and family courts has been agreed with HM Treasury. This is a business tool that will be used for management information by HMCS, through being able to 'benchmark' key business and estate costs between HMCS regions and areas.

Target 5

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

fast turnaround of manifestly unsound cases;

ensuring by 2004 that 75 per cent of substantive asylum applications are decided within two months; and that a proportion including final appeal, are decided within 6 months; and

enforcing the immigration laws more effectively by removing a greater proportion of failed asylum seekers.

(Joint target with Home Office)

Measures	Latest Outturn
<p>Measure 1: Fast turnaround of manifestly unfounded cases</p> <p><i>(Assessment to be confirmed by Home Office)</i></p> <p>The target was modified in July 2005. The target is now to remove 75 per cent of detained non-suspensive appeal cases certified as clearly unfounded and detained throughout the process within 28 days.</p>	<p>SLIPPAGE</p> <p>Target (2005/06): 75 per cent Annual Outturn (2004/05): 70 per cent</p>
<p>Measure 2: Number of substantive asylum applications decided within two month</p> <p><i>(Assessment to be confirmed by Home Office)</i></p> <p>75 per cent of substantive asylum applications are decided within two months</p>	<p>ACHIEVED</p> <p>Target (2003/04): 75 per cent Target Outturn: 81 per cent Annual Outturn (2004/05): 80 per cent</p>
<p>Measure 3: Number of substantive asylum applications, including final appeal, decided in six months</p> <p>75 per cent (year ending March 2006) including final appeal are decided within six months.</p>	<p>ON COURSE</p> <p>2003/04 Target: 60 per cent Outturn: 63 per cent</p> <p>2004/05 Target: 65 per cent Outturn: 67 per cent</p>
<p>Measure 4: Enforcing the immigration laws more effectively by removing a greater proportion of failed asylum seekers</p>	<p>AHEAD</p> <p>Baseline (2002/03): 21 per cent Target: remove greater proportion in 2005/06 Annual Outturn (2004/05): 27 per cent</p>

Measures	Latest Outturn
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<p>Measure 2: Number of substantive asylum applications decided within two month</p> <p><i>(Assessment to be confirmed by Home Office)</i></p> <p>75 per cent of substantive asylum applications are decided within two months</p>	<p>ACHIEVED</p> <p>Target (2003/04): 75 per cent Target Outturn: 81 per cent Annual Outturn (2004/05): 80 per cent</p>
<p>Measure 3: Number of substantive asylum applications, including final appeal, decided in six months</p> <p>75 per cent (year ending March 2006) including final appeal are decided within six months.</p>	<p>ON COURSE</p> <p>2003/04 Target: 60 per cent Outturn: 63 per cent</p> <p>2004/05 Target: 65 per cent Outturn: 67 per cent</p>
<p>Measure 4: Enforcing the immigration laws more effectively by removing a greater proportion of failed asylum seekers</p>	<p>AHEAD</p> <p>Baseline (2002/03): 21 per cent Target: remove greater proportion in 2005/06 Annual Outturn (2004/05): 27 per cent</p>

Target 5

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

fast turnaround of manifestly unsound cases;

ensuring by 2004 that 75 per cent of substantive asylum applications are decided within two months; and that a proportion including final appeal, are decided within 6 months; and

enforcing the immigration laws more effectively by removing a greater proportion of failed asylum seekers.

(Joint target with Home Office)

Target 6	
Increase year on year the number of people who receive suitable assistance in priority areas of law involving fundamental rights or social exclusion.	
Measures	Latest Outcome
<p>Performance will be measured by the triennial National Periodic Survey of Legal Need.</p> <p>This target will be met if the number of people receiving suitable assistance in priority areas of law increases from 31 per thousand (baseline) to 34 per thousand by the end of the Spending Review 2002 period (March 2006).</p> <p>An indicative annual Telephone Survey will be conducted to provide a broader indicator of trends towards delivery of the target.</p>	<p>SLIPPAGE</p> <p>Achievement of this target is measured by the National Legal Needs Survey, which was conducted every three years, the last survey referring to 2004, but is now moving to a continuous basis. Results will be available from Spring 2006, and at quarterly intervals thereafter.</p> <p>The target is unlikely to be met, because between 2001 and 2004 the number of people experiencing problems has fallen considerably, by about 15 per cent. Although there has been an increase of about 11 per cent in the proportion of problems reported as receiving assistance, the net result has been a fall of about 5 per cent in the number of problems reported as receiving assistance since the start of the SR02 period.</p> <p>To maintain the overall level of problems receiving assistance in the light of the decline in problems experienced would be a significant achievement by the contributors and would result in a further increase in the proportion of problems receiving assistance. However, it would not lead to the target being met, since the test for meeting the target was set to require a 10 per cent increase in numbers of people recorded by the survey as being helped – to give certainty that actual numbers had increased, bearing in mind the possible level of statistical error in the survey.</p>

Target 6

Increase year on year the number of people who receive suitable assistance in priority areas of law involving fundamental rights or social exclusion.

Measures

Performance will be measured by the triennial National Periodic Survey of Legal Need.

This target will be met if the number of people receiving suitable assistance in priority areas of law increases from 31 per thousand (baseline) to 34 per thousand by the end of the Spending Review 2002 period (March 2006).

Latest Outcome

SLIPPAGE

Achievement of this target is measured by the National Legal Needs Survey, which was conducted every three years, the last survey referring to 2004, but is now moving to a continuous basis. Results will be available from Spring 2006, and at quarterly intervals thereafter.

The target is unlikely to be met, because between 2001 and 2004 the number of people experiencing problems has fallen considerably, by about 15 per cent. Although there has been an increase of about 11 per cent in the proportion of problems reported as receiving assistance, the net result has been a fall of about 5 per cent in the number of problems reported as receiving assistance since the start of the SR02 period.

To maintain the overall level of problems receiving assistance in the light of the decline in problems experienced would be a significant achievement by the contributors and would result in a further increase in the proportion of problems receiving assistance. However, it would not lead to the target being met, since the test for meeting the target was set to require a 10 per cent increase in numbers of people recorded by the survey as being helped – to give certainty that actual numbers had increased, bearing in mind the possible level of statistical error in the survey.

An indicative annual Telephone Survey will be conducted to provide a broader indicator of trends towards delivery of the target.

The response rate to the telephone surveys has been increasingly insufficient for this to be regarded as a valid measure.

Target 7

Increase value for money from the Criminal Justice System by 3 per cent per year, increasing efficiency by at least 2 per cent a year, including the delivery of legal aid. (Contributing to Criminal Justice System PSA)

Measures

To increase value for money from the Criminal Justice System by 3 per cent per annum.

This target will be met if, by March 2006, improvements are achieved in value for money which, over the Spending Review 2002 period, equate to an average per year of 3 per cent of the £1.9 billion (i.e. £57 million p.a. or £171 million for three years) relating to criminal justice spend in the Department's 2002/03 baseline.

Increasing efficiency by at least 2 per cent a year, including the delivery of legal aid.

This target will be met if, by March 2006, improvements in efficiency are achieved which, across the whole Spending Review 2002 period, equate to an average per year of 2 per cent of the Department's total 2002/03 Departmental Expenditure Limit of £3 billion (i.e. £70 million per annum or £210 million for three years).

Latest Outturn

AHEAD

As at end of March 2005/06 forecast outturn against the DCA target was £456 million or 13 per cent of average annual DCA spend.

For the criminal justice target, forecast out-turn was £209 million or 11 per cent of average annual criminal justice spend.

The DCA figure is made up of £119 million of Very High Cost Criminal Cases (VHCCCs) efficiencies, £290 million asylum legal aid efficiencies and £47 million from other criminal and civil legal aid efficiencies.

The CJS target excludes the asylum efficiencies and £6 million civil legal aid efficiencies but includes an additional £49 million of efficiencies from fines enforcement.

Savings against the DCA target mainly result from reforms to the asylum and immigration legal aid process which were expected to result in significant savings in resource spend largely due to reduction in volumes of those seeking legal assistance. This, coupled with a reduction in numbers of asylum seekers generally, has led to a drastic decline in spend against this target throughout 2005/06.

In addition, the VHCCCs managed under the CCU have contributed to these savings although it has not progressed as expected. Changes introduced in 2004/05 reclassified some rates and structures in the barristers and solicitors graduated fee scheme which had the effect of reducing the original estimates of volume of cases. This required remodeling work on the CCU trajectory and a shortfall against the original savings projection resulted. (These CCU savings also represent the main area for savings against the CJS target.)

The planned savings from Fines alone were not thought to be sufficient to make up for the CCU shortfall and the activities under Other criminal and civil legal aid savings were undertaken to make up the target savings.

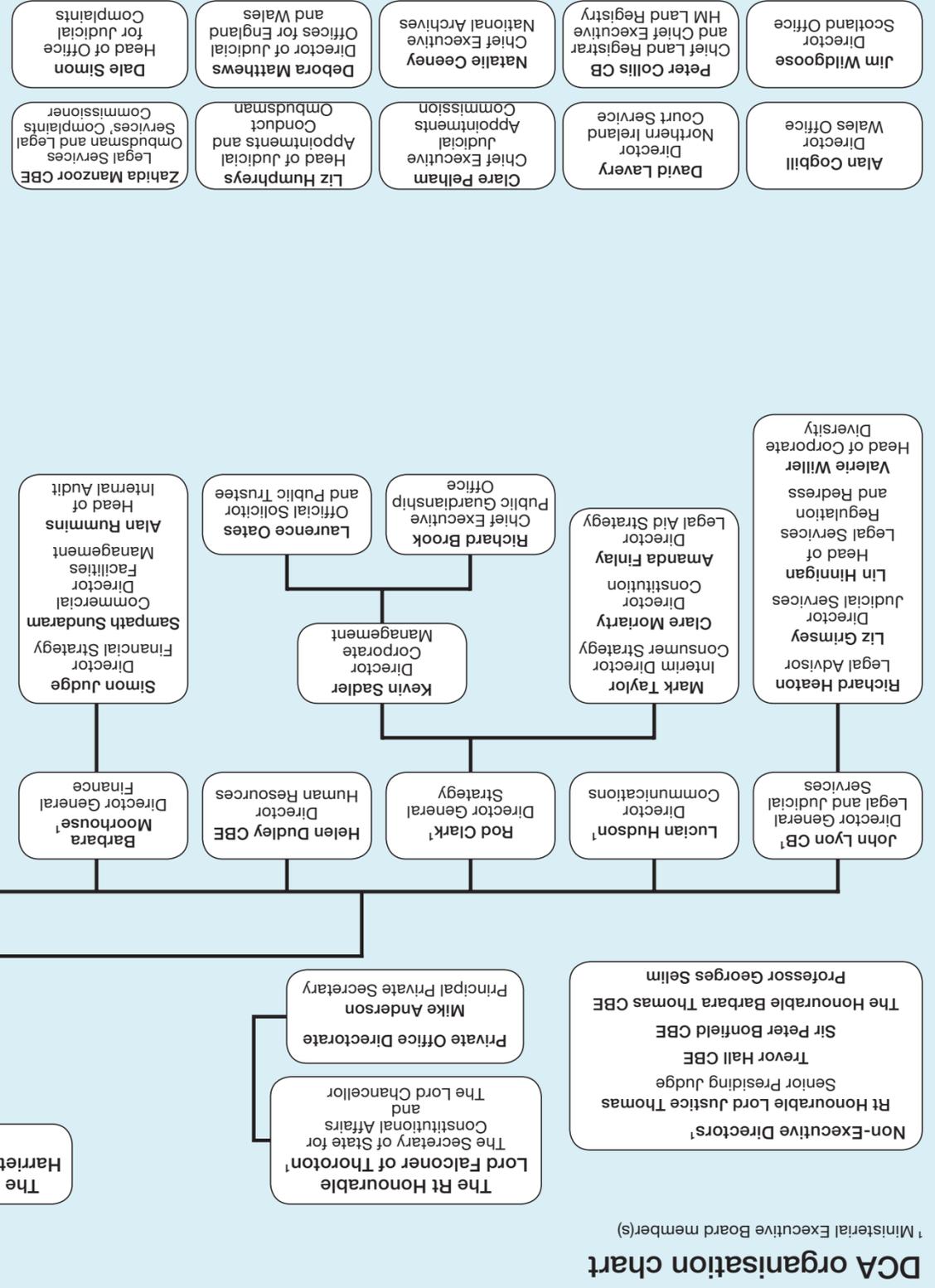
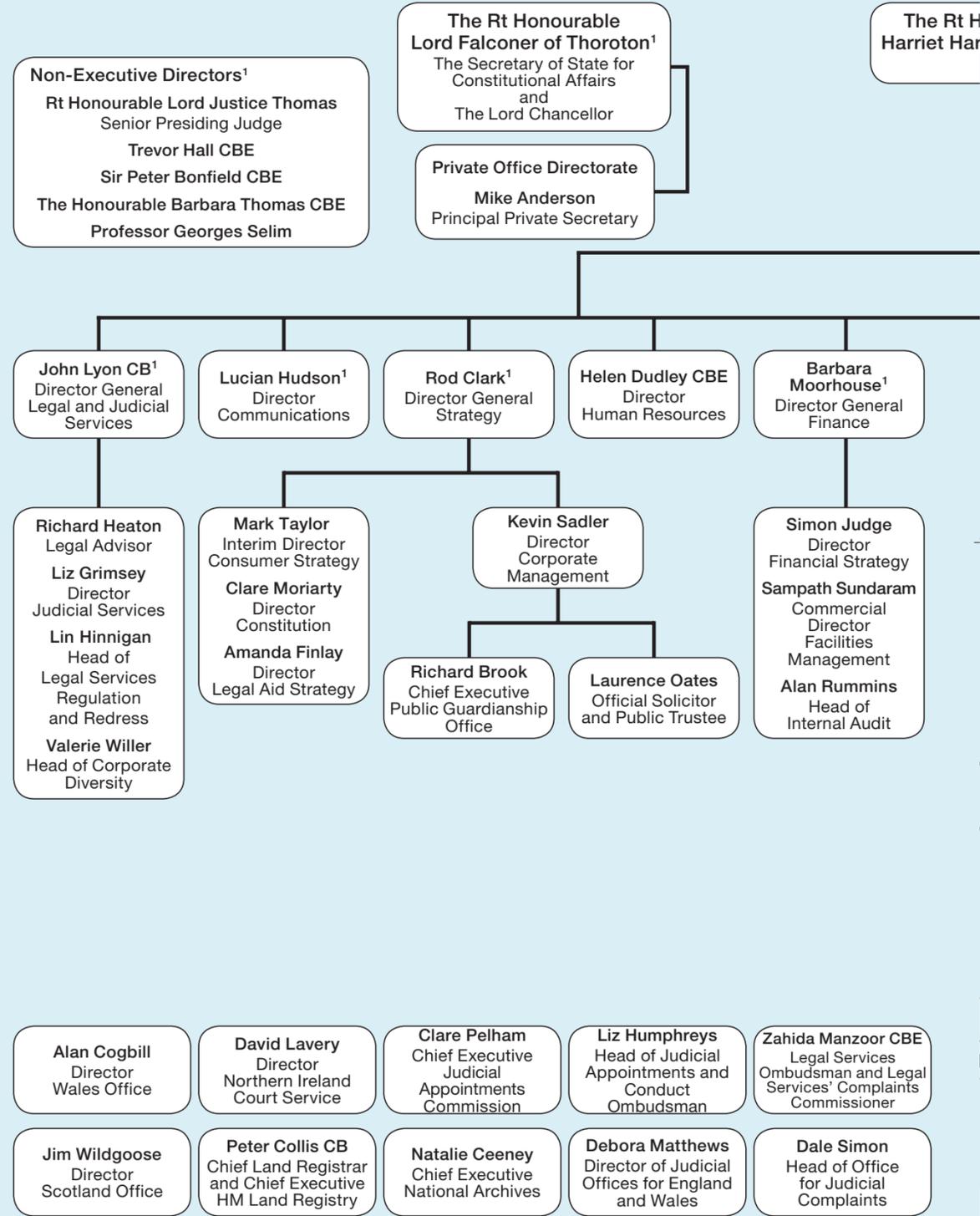
<p>Target 7</p> <p>Increase value for money from the Criminal Justice System by 3 per cent per year, increasing efficiency by at least 2 per cent a year, including the delivery of legal aid. (Contributing to Criminal Justice System PSA)</p>	<p>Measures</p> <p>To increase value for money from the Criminal Justice System by 3 per cent per annum.</p> <p>This target will be met if, by March 2006, improvements are achieved in value for money which, over the Spending Review 2002 period, equate to an average per year of 3 per cent of the £1.9 billion (i.e. £57 million p.a. or £171 million for three years) relating to criminal justice spend in the Department's 2002/03 baseline.</p> <p>Increasing efficiency by at least 2 per cent a year, including the delivery of legal aid.</p> <p>This target will be met if, by March 2006, improvements in efficiency are achieved which, across the whole Spending Review 2002 period, equate to an average per year of 2 per cent of the Department's total 2002/03 Departmental Expenditure Limit of £3 billion (i.e. £70 million per annum or £210 million for three years).</p>
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Annex A: Organisational chart

Annex A: Organisational chart

DCA organisation chart

¹ Ministerial Executive Board member(s)



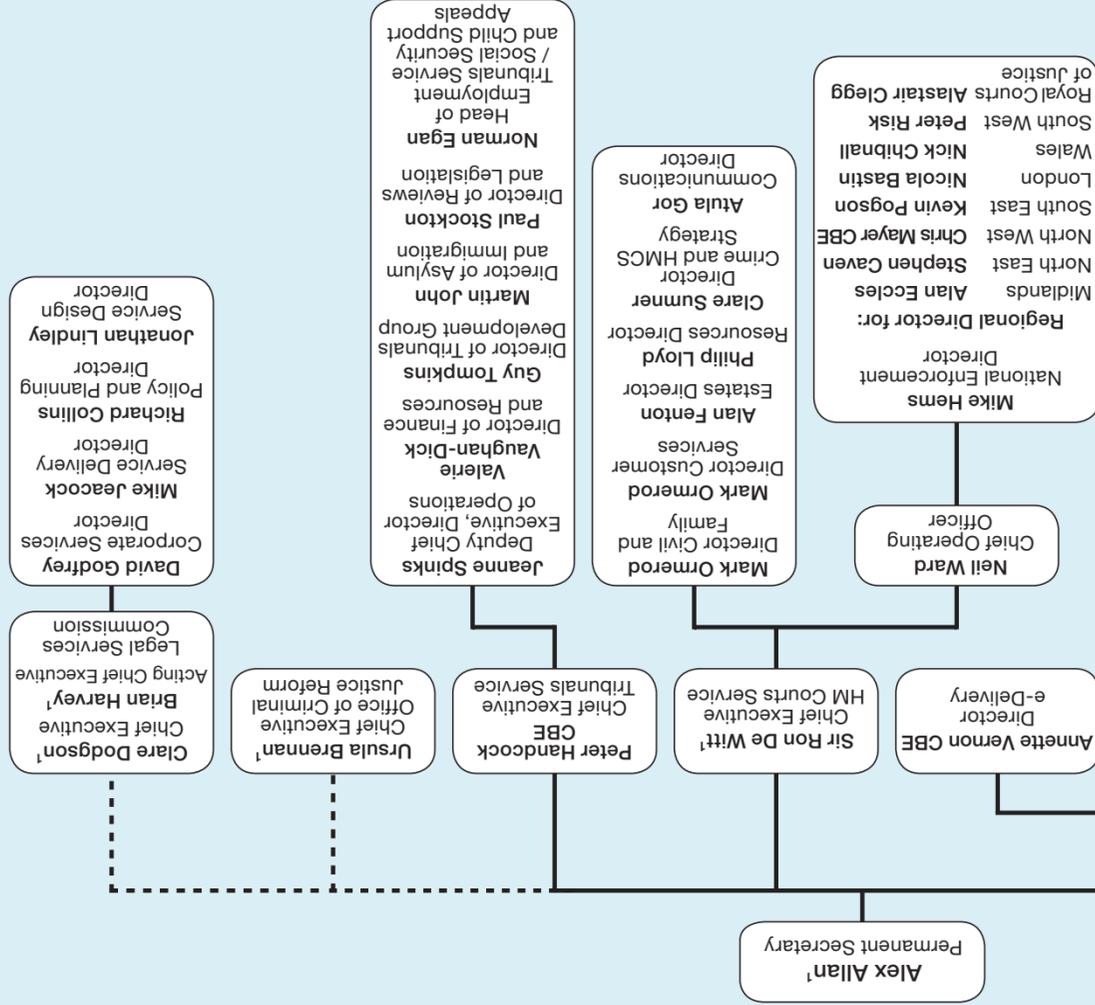
Charles Mullin
Solicitor to the
Advocate General
for Scotland

Richard Thomas
Information
Commissioner

Ray Burningham
Acting Secretary
Council on Tribunals

Steve Humphreys
Chief Executive
Law Commission

Eddie Bloomfield
HM Inspectorate of
Court Administration



Rt Honourable Harman QC MP¹

The Rt Honourable Baroness Ashton of Upholland¹

Bridget Prentice MP¹

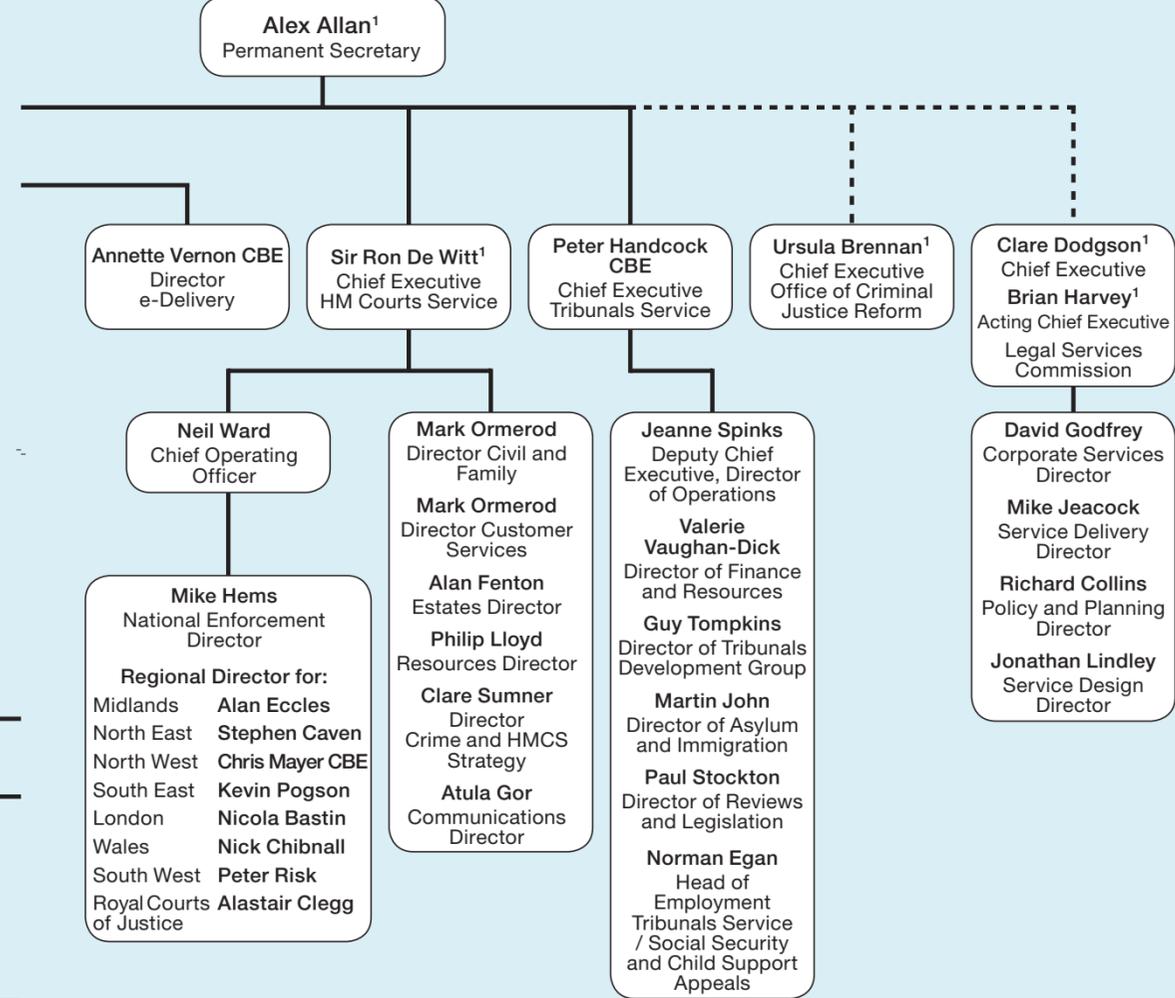
Vera Baird QC MP¹

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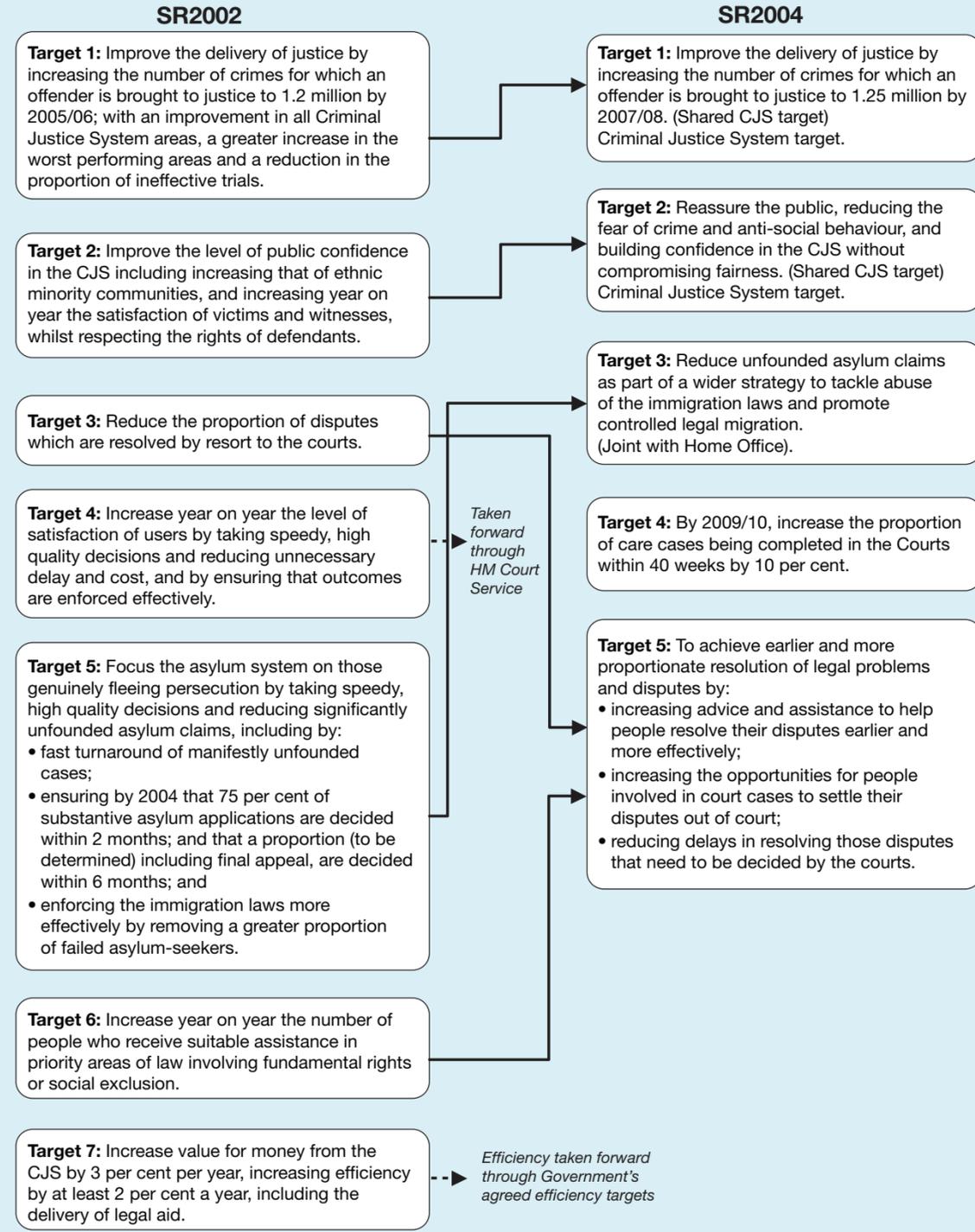
His Honour Judge
Jeff Blackett
Office of the
Judge Advocate
General



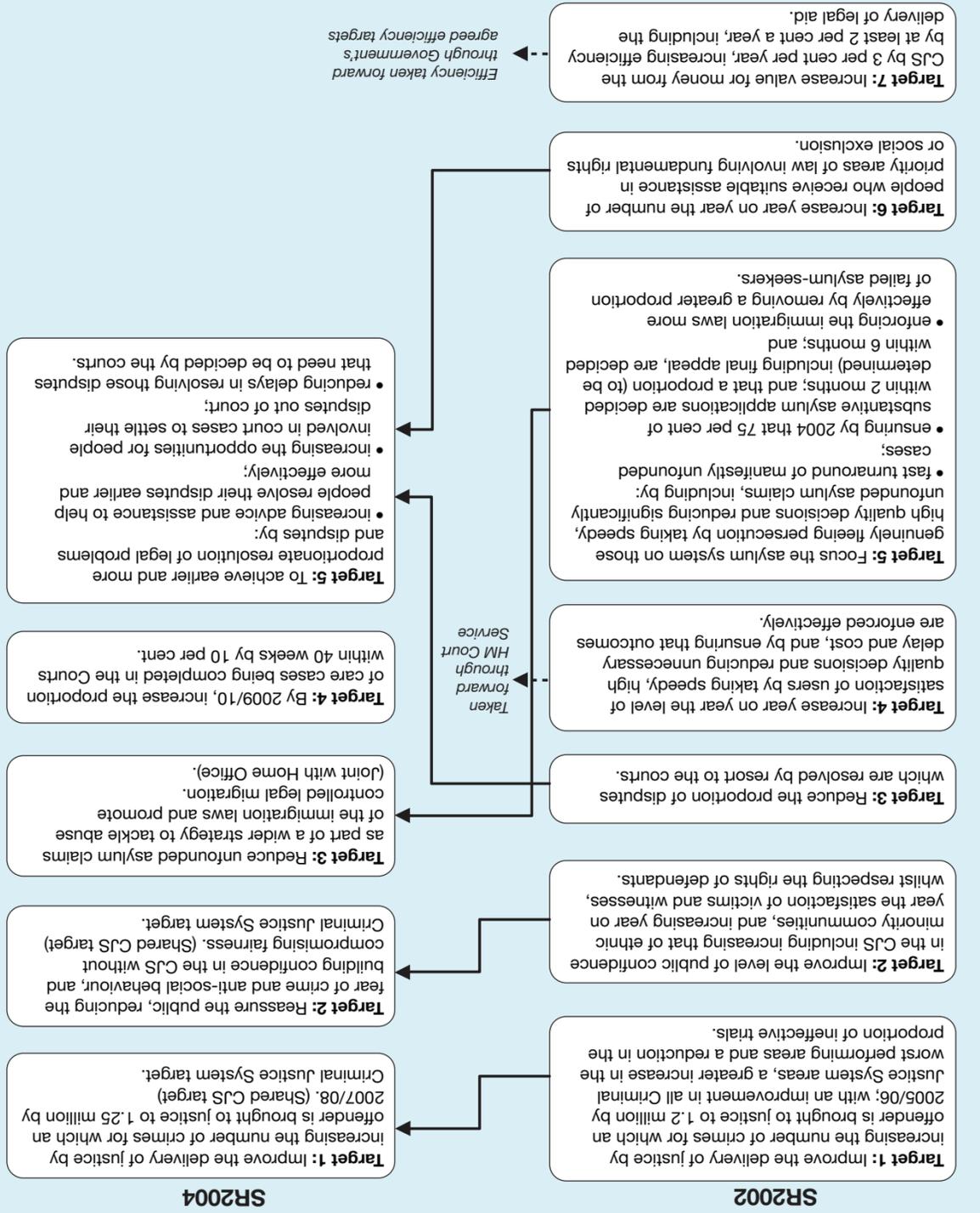
**Annex B:
Spending Review 2002
mapping onto 2004**

**Annex B:
Spending Review 2002
mapping onto 2004**

Mapping SR2002 and SR2004 PSA targets



Mapping SR2002 and SR2004 PSA targets



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