

Have you got what it takes?

Working with Her Majesty's Courts and Tribunal
Service (HMCTS) and the judiciary

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Important facts

HMCTS is an executive agency of the Ministry of Justice and is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland. It aims to provide a fair, efficient and effective justice system delivered by an independent judiciary (this includes judges, magistrates, high court judges, the court of appeal and the Supreme Court).

The Lord Chancellor and Secretary of State for Justice is under a duty to make sure there is an efficient and effective system of support for the courts. This duty is carried out by HMCTS in partnership with the judiciary in line with the [Framework Document](#) agreed by the Lord Chancellor and the Lord Chief Justice.

The judiciary is independent. In carrying out their roles, each judge and magistrate is impartial and independent. Individuals who appear in front of a judge or magistrate must have confidence that cases will be decided fairly and in line with the law. Judges and magistrates must follow the Sentencing Council's Guidelines and the Court of Appeal's decisions. A judge or magistrate must not be influenced improperly, whatever the source. This is a 'constitutional principle'.

Background

HMCTS was created on 1 April 2011 and brings together courts and tribunals into one agency. It uniquely operates as a partnership between the Lord Chancellor and the Lord Chief Justice (and the senior president of tribunals) as set out in the Framework Document.

HMCTS aims to run a system which helps the rule of law to be upheld and provides access to justice for all. HMCTS staff provide the support needed so the judiciary can carry out their functions independently.

HMCTS aims to make sure that everyone receives appropriate access to justice according to their needs, whether as victims or witnesses of crime or defendants accused of crimes. The listing of these cases is a function of the judiciary. That is, among other things, to try and make sure that cases are heard and prioritised in the interests of justice.

HMCTS staff have a joint responsibility to the Lord Chancellor and the Lord Chief Justice for the effective, efficient and speedy operation of the courts. All judges and magistrates have a responsibility to the Lord Chief Justice to work with staff to deliver these aims.

HMCTS' aims are to:

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

HMCTS handles over 2 million criminal cases, 1.8 million civil claims, over 150,000 family law disputes and almost 800,000 tribunal cases every year. They also employ around 20,000 staff over 650 locations and operate within a budget of around £1.7 billion.

The agency's work is overseen by a board headed by an independent chair who works with non-executive, executive and judicial members. Its business plan (see below) sets out its aims for each year.

More information

What is HMCTS' structure?

HMCTS has seven regions in England and Wales, headed by a delivery director who answers to the Chief Executive and HMCTS Board. The seven regions are further divided into 34 clusters. Regions have a head of crime who is responsible for operational policy and change across all criminal courts in the region. They work alongside the judiciary. They are the single point of contact for chief officers within the criminal justice system (CJS).

What is a cluster?

A cluster is an operational unit covering a geographical area containing a number of courts and tribunals. A cluster manager is responsible for courts and about 500 staff.

What other CJS partners does HMCTS involve?

HMCTS works closely with criminal justice partners and meets regularly to discuss criminal justice issues. The aim is to make sure the partners work together to deliver their joint aims.

Who controls the listing of cases?

Listing is a responsibility and function of the judiciary who make sure that cases are

brought to hearing and prioritised in line with the interests of justice. Judicial control also means that the resources available are used as effectively as possible, and that cases are heard by an appropriate judge with as little delay as possible. As a result, listing is a matter for the judiciary.

Working with HMCTS, judges are responsible for deciding on assigning cases to particular courts and the listing of those cases before particular judges.

How are sentencing decisions made?

Judges and magistrates act independently on sentencing decisions. They:

- **apply the law within the framework set by Parliament;**
- **follow guidelines issued by the Sentencing Council and decisions of the Court of Appeal; and**
- **decide on the appropriate type and length of sentence in each case.**

As a result, sentencing decisions must take account of the full legal context and the individual facts of each case.

Contacting HMCTS

You should approach the appropriate head of crime for your area through the relevant delivery director's office. You can find details at: (<http://www.justice.gov.uk/contacts/hmcts/delivery-directors>)

Performance of local courts

You can find details at the open justice website - <http://open.justice.gov.uk/home/> and on the Justice website for court level data: <http://www.justice.gov.uk/statistics/courts-and-sentencing>

The Framework Document

You can find Her Majesty's Courts and Tribunals Service Framework Document April 2011 on the following website <http://www.justice.gov.uk/publications/corporate-reports/hmcts>

The HMCTS Business Plan

You can find the HM Courts & Tribunals Service Business Plan 2011-2015 on the following website <http://www.justice.gov.uk/publications/corporate-reports/hmcts>