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## Introduction

The work of the courts touches the lives of everyone in our communities, whether we directly use them or otherwise rely upon them to provide order and resolution in troubled times. Her Majesty's Courts Service (HMCS) is committed to ensuring that everyone can have recourse to a justice system that is accessible, responsive and appropriate to their needs, and that the courts are ready and able to deal with the matters put before them.

We have entered into an important and new partnership in relation to the governance, financing and operation of HMCS. The courts are by their nature a shared endeavour between the judiciary and the Government, and under this partnership HMCS enters a new phase in its development, one in which we expect to see substantial improvement both in its delivery of services and in its capability to adjust to and meet the demands of modern society.

We commend this Business Plan to you.

(Signature in printed version)

The Rt Hon Jack Straw  
Secretary of State for Justice  
and Lord Chancellor

(Signature in printed version)

Lord Phillips of Worth Matravers  
Lord Chief Justice

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## SECTION 1: STRATEGIC FRAMEWORK

### 1.1 New Partnership for the Operation of HMCS

1.1.1 On 23 January 2008, the Lord Chancellor and the Lord Chief Justice issued a joint statement announcing a new partnership between them in relation to the effective governance, financing and operation of HMCS with a view to preserving the due and independent administration of justice. The detailed structure of governance of HMCS is set out in the Framework Document, which was published on 1 April 2008 and is available at [www.hmcourts-service.gov.uk/cms/files/Framework\\_Document\\_Fina\\_Version\\_01-04-08.pdf](http://www.hmcourts-service.gov.uk/cms/files/Framework_Document_Fina_Version_01-04-08.pdf)

1.1.2 The main principles of the new partnership are as follows:

- A new HMCS Board structure which holds HMCS (the Chief Executive and the executive team) to account for the delivery of the aim and objectives of HMCS agreed jointly between the Lord Chancellor and the Lord Chief Justice. The Board is led by an independent non-executive chairman who is neither a judge nor a civil servant.
- The other members of the Board are three judges, a representative of the Ministry of Justice, two non-executive directors and four executive directors (the Chief Executive of HMCS, the Chief Financial Officer and two others).
- The Chief Executive is responsible for the day-to-day operation of HMCS.
- The Chief Executive works under the general direction set by the Board and is held to account by it for the delivery of the efficient and effective operation of the courts in accordance with the Framework Document, the budget for HMCS and its agreed plans.
- A joint duty for all HMCS staff to the Lord Chancellor and the Lord Chief Justice for the effective and efficient operation of the courts.
- An open and transparent means of settling the budget for HMCS which includes greater judicial engagement in the resourcing of the courts through the HMCS Board. The process includes:
  - the HMCS Board having responsibilities for considering and approving HMCS resource bids and for developing the budget and plans for the operation of the courts; and
  - greater clarity in the role of the Lord Chief Justice when representing the views of the judiciary on the provision and allocation of resources. This will enable him to communicate the views of the judiciary to the Chancellor of the Exchequer, as well as the Lord Chancellor, when the Government is settling Spending Review negotiations.

- A clearer relationship between HMCS and the judiciary, reflecting the new partnership model, operating not only at the centre but also at regional, area, and court level.
- A joint examination of how we can improve performance and efficiency across all aspects of the operation of the courts, including the contribution the judiciary may properly make to that while respecting their independence as a body and in respect of individual decisions.

## **1.2 HMCS Aim and Objectives**

- 1.2.1 The Lord Chancellor and the Lord Chief Justice agree the aim and objectives for HMCS. In the Framework Document they have set the following:

### **Aim**

All citizens according to their different needs are entitled to timely access to justice, whether as victims of crime, defendants accused of crimes, creditors, consumers in debt, children at risk of harm, or business people involved in commercial disputes.

### **Objectives**

- Promotion of a modern, fair, effective and efficient justice system that is available to all and responsive to the needs of the communities it serves.
- Support of an independent judiciary in the administration of justice.
- Achievement of best value for money.
- Continuous improvement of performance and efficiency across all aspects of the courts' work having regard to the contribution the judiciary can appropriately make.
- Collaboration with a range of justice organisations and agencies, including the legal professions, to improve the service provided for local communities.
- Greater confidence in, and respect for, the system of justice.
- Achievement of excellence as an employer.

## **1.3 Ministry of Justice Strategy**

- 1.3.1 HMCS is an agency within the Ministry of Justice (MoJ). The Ministry was created on 9 May 2007 and brings together the agencies that are responsible for the criminal, civil and family courts, tribunals, sentencing policy, prisons and the management of offenders.
- 1.3.2 The MoJ has developed new Departmental Strategic Objectives, which support ongoing work to improve public services. HMCS plays a key role in the delivery of these objectives, through execution of this Business Plan.

## **1.4 Public Service Agreements**

1.4.1 HMCS also has an important role to play in contributing to the cross-government Public Service Agreements (PSAs). In particular, HMCS is closely engaged in the following current PSA targets:

- PSA 13 – Improve children and young people's safety. One of the Key Supporting Indicators detailed in Annex A focuses on the timeliness of Public Law Children Act cases;
- PSA 23 – Make communities safer. HMCS will support work to reduce re-offending through problem solving courts and community justice.
- PSA 24 – Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public. HMCS's work throughout its Crime and Enforcement division is targeted at meeting the requirements of PSA 24, in particular work on embedding 'Criminal Justice – Simple, Speedy and Summary' (CJSSS) in magistrates' courts, youth courts and the Crown Court, as detailed in section 3.3.
- PSA 26 – Reduce the risk to the UK and its interests overseas from international terrorism. The MoJ contribution is primarily through its responsibility for the resourcing of the courts, probation and prisons, and HMCS will be responsible for the courts element of this contribution.

1.4.2 Paragraph 10.2 of the Framework Document sets out important provisions that will apply in future to the process for setting PSAs and other central government measures.

## **1.5 The Development of the HMCS Budget and Plans**

1.5.1 Chapter 9 of the Framework Document sets out the process for the development of the HMCS Business Plan. The Board of HMCS initiates and develops the plan and in doing so works with the MoJ, the judiciary and other organisations and within the aim and objectives agreed by the Lord Chancellor and the Lord Chief Justice.

The Lord Chancellor and the Lord Chief Justice have agreed that the annual Business Plan will include:

- the priorities and work programme for the year;
- PSA and HMCS performance standards against which HMCS will measure its performance and achievements; and
- the operating assumptions and budget on which the plan is based.

1.5.2 The Lord Chancellor and the Lord Chief Justice approve the Business Plan. The process by which they do so in future years will be taken forward during 2008-09.

## **1.6 Risk Management**

- 1.6.1 HMCS has in place a risk management strategy to ensure that the key risks to delivering our business objectives are effectively managed. These may include risks to the Business Plan, PSA targets, group, divisional, area, or branch-level business plan targets, project and programme objectives, or specific business processes. It is a process of clearly defined steps, which supports better decision-making, giving a greater insight into the impact that those decisions will have. All business activities are subject to the same structured and focused approach to risk management.



## **SECTION 2. PROGRESS IN 2007- 08**

### **2.1 HMCS**

- 2.1.1 There have been significant changes that have impacted upon HMCS during 2007-08, including the formation of the MoJ and the announcement of the new partnership between the Lord Chancellor and the Lord Chief Justice for the operation of HMCS. A summary of some of the other significant initiatives and achievements by Directorate is detailed within this section.

### **2.2 Crime and Enforcement**

- 2.2.1 We have successfully introduced 'Criminal Justice: Simple, Speedy and Summary' (CJSSS) in all magistrates' courts, co-ordinating input from across the criminal justice agencies, the judiciary and the defence community. The project is being managed successfully pending an evaluation. CJSSS will be implemented in youth courts across England and Wales during 2008-09.
- 2.2.2 We worked with the judiciary, Local Criminal Justice Boards (LCJBs) and others to deliver community justice initiatives in a number of new locations in addition to the existing initiatives at North Liverpool and Salford.
- 2.2.3 We continued to work on problem-solving court models, including working with Family Justice colleagues on the expansion of specialist domestic violence court systems to nearly 100 sites by the end of 2007-08. We have piloted dedicated drug courts.
- 2.2.4 We have worked with colleagues across the Criminal Justice System to deliver improvements in enforcement performance, for example, fine enforcement which has achieved year-on-year increases in the payment rate since 2003. We have also completed the rationalising of the 63 independent HMCS confiscation enforcement sites into a network of nine Regional Confiscation Centres.
- 2.2.5 We delivered 14 new high security courtrooms suitable for hearing terrorist trials.

### **2.3 Civil & Family**

- 2.3.1 The introduction of small claims mediation services at county courts across the country which has given parties an alternative to having their claim heard at court. Between March 2007 and January 2008, the Small Claims Mediators settled 1,500 cases, which has saved over 1,800 judicial sitting hours. A survey of over 500 parties who participated in mediations resulted in over 98 per cent of users saying they would use the service again.
- 2.3.2 We have worked to bring together Family Proceedings Courts and county court family business through the Unified Family Service Programme, by co-locating hearing centres and/or administrative centres. This has enabled more flexible deployment of staff, estate and administrative resources.

- 2.3.3 We actively marketed the use of e-channels, and worked with major national issuers to increase the proportion of claims issued online via Money Claim Online (MCOL) and Possession Claim Online (PCOL).
- 2.3.4 As part of the long-term fee strategy, we have made changes to the fee structure in the main civil courts to establish a fairer set of charges which more closely reflects the actual costs of service provision. Hearing fees have been introduced with off-setting reductions in the fees for issue of proceedings. We have increased fees for civil business in the magistrates' courts as a step towards reflecting the full cost of services in these courts.
- 2.3.5 We implemented Sections 6 and 7 of the Children and Adoption Act 2006. This has enabled greater use of family assistance orders, and made risk assessments mandatory in Private Law Children Act proceedings where there is any reason to believe that the child concerned is at risk of harm.

### **Simplifying our services**

- 2.3.6 We have explored the use of Lean methodology and processes in a number of our county courts in the South East and London regions, and at the Royal Courts of Justice. These events have examined the scope for improving the efficiency of a range of functions, from post-opening to the processing of claims, filing, and enforcement. The results have been encouraging, both in terms of process improvements and staff engagement and enthusiasm. Further information about Lean, and about HMCS's plans to build on this positive start is in section 3.2.

## **2.4 Customer Service**

- 2.4.1 We place great emphasis on improving the service that court users experience. A wide range of specific initiatives have been undertaken, including internal information displays, internal staff information guides, customer leaflets and extensive customer feedback processes. We are one of the leaders in Government in seeking progress towards Charter Mark accreditation.

## **2.5 HMCS Change Programme**

- 2.5.1 The Change Programme focuses on ensuring that the major projects that are critical enablers for the strategy deliver successfully.
- 2.5.2 In magistrates' courts, the new case management application has successfully completed about half of its national roll-out as planned. The project is implementing a new case management system, which both replaces outdated and failing legacy applications, and joins up the courts IT system with those of the police and other criminal justice partners, enabling direct exchange of information, more efficiently and more accurately. We are also using this implementation to standardise the magistrates' business processes, introducing best practice consistently across all courts.

- 2.5.3 In the county courts, we are also introducing a modern IT system to replace out-of-date legacy applications. The project has been successfully implemented in three pilot courts in the Midlands, and in the Civil Bulk Centre, which manages a major part of our civil business. The system has worked well in all locations, and we are now planning for national roll-out, to gain further benefits and efficiencies.

## **2.6 Estates**

### **Court building programme**

- 2.6.1 We have completed eight new buildings this year, including the flagship Manchester Civil Justice Centre, opened by Her Majesty The Queen on 28 February 2008.

### **Estate integration programme**

- 2.6.2 Where appropriate and after public consultation opportunities are taken to rationalise our courts' estate, combining facilities where it is sensible locally to do so. In 2007-8, nine such integrations were delivered.

## SECTION 3. PERFORMANCE PRIORITIES FOR 2008-09

### 3.1 Breakthrough Commitments

- 3.1.1 In March 2007, HMCS published *Delivering a Step Change in Performance: National Standards, Consistently Applied*, a document that detailed the key commitments that HMCS plans to deliver by the end of 2008. In seeking to improve performance generally, it set out eight Breakthrough Commitments, which are listed below.

By the end of 2008 HMCS will:

- **Give greater priority and urgency to Public Law cases** often involving issues such as whether children should be taken into care, with a view to ensuring that the matter is resolved in less than 40 weeks or such later time as the judge or magistrates deem appropriate.
- **Simplify and speed up criminal cases in the magistrates' courts** so: most guilty plea cases are dealt with at the first hearing; most contested cases have no more than two hearings; the majority of simple charged cases take from a day to 6 weeks (on average) from charge to disposal.
- **Embed the underlying principles behind community justice in the magistrates' courts**, ensuring that local courts improve their awareness and take account of local issues, particularly when dealing with low-level crime.
- **Encourage more families to resolve issues themselves** through providing in-court conciliation or directing parties to mediation where it is appropriate and safe to do so.
- **Put in place systems and incentives to ensure that the vast majority of civil business is initiated online.**
- **Provide a simpler and quicker service in the county courts** through introducing a presumption that all but the most complex small claims are dealt with by way of mediation.
- **Reduce the time taken to deal with cases in the Crown Court**, so that the majority of cases are commenced and concluded within 16 weeks.
- **Provide a knowledgeable, personalised and readily accessible service**, keeping users informed about the progress of their case.

### 3.2 Improving the Operation and Services of HMCS

- 3.2.1 The new partnership for HMCS provides the opportunity to review how we undertake our work, with the primary objective of improving the services we provide. The key initiatives and programmes that we will undertake are outlined in this section.

## **Assisting the judiciary**

- 3.2.2 In order to work effectively, the new arrangements will require more judicial engagement with the administration of HMCS. In practical terms, this will mean that more support must be made available to the judiciary in order to minimise the impact on judicial sitting time.
- 3.2.3 Our commitment is that by [March 2009](#) we will have agreed a framework for providing support to all judges and justices who have leadership, administrative or representative responsibilities and have taken significant steps to deliver that support. This assistance may take the form of non-sitting time, administrative support or provision of IT or similar equipment.

## **Lean**

- 3.2.4 HMCS is committed to improving the quality of its service, and to simplifying and improving its business processes to make them easier to access and use both for court users and for staff. To achieve these objectives, HMCS will apply Lean methodologies and processes.
- 3.2.5 The principal aim is to reduce waste in our processes and focus on developing a smooth flow of information and material to deliver improved services to the customer. At the heart of HMCS's approach to Lean is the belief that our delivery staff and our customers should be involved in examining how our processes can be improved.
- 3.2.6 In 2008, we will expand on work already undertaken in the South East, London and the Royal Courts of Justice by conducting a wide-ranging test of the applicability of Lean methodology in three of our largest courts: Birmingham Civil Justice Centre, Newcastle Crown Court and Newcastle Magistrates' Court. If these tests prove successful, we will extend this approach and learning to our other courts as quickly as we can during 2008-09.

## **Sustainable development and energy - behavioural change**

- 3.2.7 HMCS is committed to promoting the link between individual behaviour and sustainable development, and by doing so improve the way we work. Practical examples of this include working with our staff so that, where possible, we replace unnecessary travel with the use of video or telephone conferencing. We also offer advances of salary for bicycle purchase, coupled with the provision of showers. The key objectives are to improve the quality of our working environment, minimise our environmental impact and work towards meeting the Government's road vehicles carbon emissions target.

## **The Way We Work**

- 3.2.8 HMCS is committed to creating the conditions for court managers and their staff to succeed in delivering excellent services around the needs of our customers. Court managers have line management responsibility for approximately 85 per cent of HMCS staff, and their knowledge, skills and leadership qualities directly determine the ability of HMCS as an organisation to deliver. They are key players in making HMCS the best public service it can be.

3.2.9 There are five segments to the programme, each led by an area director who will be responsible for identifying and delivering the necessary support for court managers to be better able to discharge their responsibilities:

1. Managing customer and community relations
2. Leading people through change
3. Stakeholder engagement
4. Infrastructure and environment
5. Managing operations

3.2.10 Web pages dedicated to 'The Way We Work' are available on the HMCS intranet. We will use these pages to build up a reference library, with links to more substantive guidance on the main subjects for which court managers are responsible. A good practice platform will be introduced during 2008 which will collect and promote good practices from across the whole of HMCS.

### **The Change Programme: delivering the HMCS Business Strategy**

3.2.11 The Change Programme brings together all the major enabling projects which will deliver the HMCS Business Strategy. The strategy has four major objectives:

- to improve services to the public and our users, especially to provide easier access through modern channels such as internet services;
- to join up with other agencies, so we can share information directly, efficiently and accurately;
- to provide modern, national systems and business processes which are responsive and flexible to change, so we can respond quickly and easily to changing priorities and needs; and
- to reduce our operating costs, through making better use of resources.

3.2.12 Fundamental to the delivery of these aims is the delivery of a number of programmes which will implement modern, national IT systems and infrastructure in and across all our courts.

3.2.13 In the magistrates' courts, a new case management system is now half way through its national roll-out, replacing ageing and failing legacy systems, and enabling us to introduce more modern and standardised ways of working in magistrates courts, which join up with the police systems and provide access to national information for courts, police and other agencies. Implementation will continue through the rest of this year, completing by [March 2009](#).

- 3.2.14 In the county and family courts, another case management system will replace existing outdated legacy systems, upgrading them to a new modern platform and enabling more efficient and flexible ways of working, through access to national databases. The systems have been successfully implemented in several pilot courts and the Civil Bulk Centre, which handles a major proportion of civil business. The systems will be introduced nationally from [December 2008](#), with a target completion date of the end of 2009.
- 3.2.15 In the course of this roll-out, we will complete the implementation of a modern infrastructure into all the remaining court estate, including in some 94 small courts and probate registries which are not currently connected to the national network.
- 3.2.16 The completion of this implementation will provide the necessary platform for further transformation of the civil courts to electronic ways of working through a longer-term strategic project, Electronic Filing and Document Management (EFDM). This project will enable users and the public to communicate directly and file documents electronically in the civil courts. This will be a genuinely transformational change to our way of working, bringing great benefits to our customers, their legal representatives, judges and HMCS staff. By [December 2008](#), we shall progress this critical project from planning to procurement and 'proof of concept' stage.

### **Balanced Scorecard**

- 3.2.17 HMCS uses a balanced scorecard approach to measuring its performance. A balanced scorecard is a strategic, measurement-based, management system which aligns business activities to strategy and monitors performance of strategic goals over time. It describes and explains what has to be measured in order to assess the effectiveness of strategies.
- 3.2.18 This approach reflects the fact that, while our Breakthrough Commitments, and PSA and financial targets are very important, to build for the future we also need to focus on more than just the current performance targets. We need to build our reputation with our customers and the wider community, we need to develop improved ways of working, we need to improve our support of the judiciary and we need to invest in our staff and their development.
- 3.2.19 As part of the focus on performance management, HMCS is committed to refining its balanced scorecard to ensure that it meets clear and rigorous objectives. Work progresses on the details of this scorecard to ensure that, wherever possible, each element will be Specific, Measurable, Achievable, Relevant and Timebound ('SMART').
- 3.2.20 The sections that follow describe our key deliverables for the year ahead. This gives an overview of the scope of what we plan to do this year, but it is not an exhaustive list and neither does it give detail about how we will do it. That detail is to be found in the operational business plans for the HMCS areas and the programme plans being managed by HMCS central teams.

### 3.3 Crime and Enforcement

- Following on from the Community Justice Project, and working with the judiciary, we will put in place arrangements for further engagement by magistrates with the community by [December 2008](#).
- We will assist the judiciary in implementing improvements, of a type similar to those achieved by CJSSS in the magistrates' courts, in the Crown Court through identification and sharing of best practice by [March 2009](#).
- A business assurance plan will be developed with the judiciary and stakeholders by [March 2009](#), highlighting the necessity of improving assurance for key business processes and moving towards a system in which:
  - mistakes are minimised through better guidance;
  - problems are identified and corrected at an early stage by checks conducted by operational managers; and
  - business assurance is challenged and validated via corporate assurance, internal audit and ultimately, Her Majesty's Inspectorate of Court Administration.
- A criminal operational blueprint for enforcement is currently being developed. The blueprint sets out HMCS's strategic objective for enforcement which is for a cheaper, faster and more proportionate system that primarily focuses on first-time compliance while continuing to apply the principles of rigorous enforcement to the hardcore of defaulters. HMCS will establish the supporting policy, programme and operational infrastructure required to deliver the existing proposals by [March 2009](#). Delivery across HMCS of the proposals set out in the criminal operational blueprint will be completed by [March 2012](#).
- We will work closely with the Office for Criminal Justice Reform and other government departments in developing and implementing cross-Criminal Justice System IT-enabled and non-IT-enabled business change. This initiative is ongoing.
- We will extend the dedicated drug court pilots to up to [four](#) new locations to test further the impact of the dedicated drugs court model by [October 2008](#).
- We are working with other organisations to develop an automated link that transfers court results directly to the police national computer and will have introduced it to all areas by the end of [March 2009](#).
- We will deliver initial guidance by [August 2008](#) to our enforcement teams that is compliant with current health and safety and enforcement legislation and reaffirms HMCS's commitment to its duty of care to those teams.



- We will publish an implementation plan for the enforcement reforms contained in the Tribunals, Courts and Enforcement Act 2007 by [May 2008](#). The consultation exercise required to develop the underpinning rules and regulations will have commenced, with at least one consultation paper having been issued by [March 2009](#).

### 3.4 Civil and Family

- We will implement key reforms to the care proceedings system through the Public Law Outline (PLO), which has been prepared by the judiciary and will be underpinned by guidance to local authorities on preparing care applications. The PLO came into effect in April 2008. The evaluation of the initial areas that have already been piloting the PLO will commence by [April 2009](#).
- We will look to embed mediation better into the civil court process, through developing a mediation code and providing awareness training, by [December 2008](#).
- We plan to introduce new national minimum standards for the provision of front-office services in the county court by [May 2008](#).
- We will continue to promote increased use of e-channels, such as Money Claim Online (MCOL) and Possession Claim Online (PCOL). We aim to have to have [75 per cent](#) of money claims issued online by [April 2010](#).
- We will work with the MoJ to implement the remaining provisions in Part 1 of the Children and Adoption Act 2006, aimed at securing better outcomes for children in contact cases, by [autumn 2008](#).
- We will support the expansion of specialist domestic violence courts to at least [100](#) sites by [December 2008](#).
- We will work with the MoJ to implement the Forced Marriage (Civil Protection) Act 2007, which will enable applications to be made at specified local county courts and for applications to be made on behalf of victims, by [autumn 2008](#).
- We will support the introduction of innovative multi-media content to the Directgov website by [October 2008](#), which will inform the public about all the options on resolving disputes and walk them through the process in an engaging manner.
- We will consider those tasks identified by the Association of Her Majesty's District Judges that could be dealt with administratively and work with the MoJ to establish a pilot to test new arrangements by [October 2008](#).
- We will liaise closely with the judiciary and key family justice organisations to consider any necessary revisions to the Private Law Programme. This initiative is ongoing.

### 3.5 Customer Service

- We will issue generic responsibilities for staff regarding customer service by [June 2008](#).
- We will continue to take forward a range of activities that will 'improve the customer experience' (ICE), particularly in respect of 'front of house' services delivered to HMCS customers. These activities will support the Breakthrough Commitments, for example, by launching the Customer Service Statement of Excellence in [April 2008](#). This statement sets what is expected of every member of HMCS staff in providing an excellent service to the people HMCS serve. The overall programme is [ongoing to 2011](#).
- Charter Mark has been superceded and will ultimately be replaced by the new government Customer Service Excellence Standard in [June 2008](#). We will continue to work towards achieving accreditation against this Standard by [2010-11](#). This corporate goal will be supported by all courts and business units achieving this standard by [December 2009](#).
- We will support all HMCS applicants in meeting some of the requirements of the new standard, including customer insight. Fresh guidance and frameworks will be produced for:
  - customer insight (developing an in-depth understanding of HMCS customers);
  - customer engagement and consultation;
  - customer focus (building the culture);
  - information, access and data-sharing; and
  - benchmarking and best practice.
- As part of our ongoing survey of court users, we will introduce a survey of Probate Service users by [May 2008](#).

### 3.6 Estates

#### Court building programme

3.6.1 A number of new buildings are currently programmed for completion. These are:

- Cambridge Magistrates' Court providing **six** courtrooms, as part of a major city centre development, by [June 2008](#).
- Caernarfon Criminal Justice Centre providing **two** magistrates' courtrooms and **one** Crown courtroom by [January 2009](#).
- Isleworth Crown Court providing **six** new Crown courtrooms by [March 2009](#).

## **Estate integration programme**

- 3.6.2 Subject to funding we will deliver approximately 10 further integration schemes from the following list: Aldridge, Aylesbury, Bath, Bodmin, Bedford, Consett, Durham, Gateshead, Kidderminster, Leigh, St Albans, Tamworth, Wigan and Worksop.

## **Sustainable development and energy**

- 3.6.3 We are developing an action plan to demonstrate how we will work towards central government sustainable development targets. This will cover energy, waste, water, transport, communications and procurement.
- 3.6.4 From [October 2008](#), HMCS will be required to be in possession of a valid advisory report and must report and post a valid display energy certificate in a prominent place in all buildings exceeding a gross internal area of 1,000 square metres. An Estates Management Notice has been published that advises regional estate managers how to proceed with this requirement.

## **Property transfer scheme**

- 3.6.5 A total of [159](#) transfers were achieved by [31 March 2008](#) and the remaining [49](#) are on track to be completed early in the new financial year or alternatively will form part of a second Property Transfer Scheme. We shall complete registration with the Land Registry by [30 June 2008](#).

## **Other estates projects/programmes**

- 3.6.6 Further initiatives to the total value of [£6 million](#) are to be undertaken on the magistrates' courts estate to improve access for disabled people, to comply with the Disability Discrimination Act by [March 2009](#).
- 3.6.7 It is anticipated that Maidstone Judges' Lodgings will be disposed of by [March 2009](#). A potential casual hiring is being explored for Reading Judges' Lodgings, which will allow the disposal of the existing freehold building.
- 3.6.8 HMCS Estates will take the lead in developing a corporate fire policy across the Ministry of Justice family (including National Offender Management). It will be launched in [early 2008-09](#) and be accompanied by a comprehensive educational and awareness training package.

## **Delivery of buildings at risk works programme**

- 3.6.9 At the beginning of 2006-07, the number of buildings on the critical list stood at 83. Restructuring and Modernisation Programme (RAMP) funding of £60 million, spread equally over the next two financial years, enabled the original list to be reduced to 10 by the end of the period. A further 20 buildings have been added to the critical list during the period so that at the beginning of 2008-09 there are [30](#) buildings on the critical list. Regions will be responsible for prioritising their maintenance allocation to ensure that the remaining buildings on the critical list are removed as soon as is practicable. The target will be to ensure that the maintenance backlog does not rise above its current level during 2008-09.

### 3.7 People and Learning

3.7.1 We will support the vision for our people set out in the HMCS Business Strategy through a complementary HMCS People Strategy.

3.7.2 In particular we will:

- ensure that our staff are representative and understanding of the diverse communities we serve by increasing the representation of women, people from ethnic minority groups and people with disabilities in senior roles within the organisation by [March 2009](#);
- ensure effective performance throughout HMCS to ensure that staff are clear about what is expected of them and how their performance will be assessed by ensuring that all staff are performance managed effectively and receive an end-of-year assessment rating based on work performance and contribution;
- ensure that our reward system enables recruitment, retention and motivation of staff of the required quality to deliver our business. This will be measured through the annual review of the pay and grading deal due to commence in [August 2008](#);
- deliver training to equip our staff with the technical job skills and knowledge they need to do their jobs more effectively and to focus other learning and development opportunities on the key business priorities namely: customer service, performance management, leadership and organisational change. Staff Opinion Survey results in [October 2008](#) will show a positive increase in respect of the questions relating to learning and development; and
- reduce sick absence to work towards the Civil Service target of [7.5 days](#) or less per annum by [March 2009](#).

## ANNEX A: TABLE OF KEY PERFORMANCE INDICATORS AND SUPPORTING INDICATORS 2008-09

The following key performance indicators and supporting indicators apply to HMCS. They will, where appropriate, be initiated or supported by other criminal justice agencies in their delivery. They include 'end-to-end' performance standards, such as the time taken from when proceedings are commenced to when they finish. Such standards cover the period when judicial activity may impact on the achievement of the standard; the standard applies to this period or activity, save in any case where it is inconsistent with the interests of justice to do so. These standards are not intended to impact upon judicial independence and should not be interpreted as doing so. They do not bind the judiciary in individual cases.

The following performance standards were set prior to the Framework Document of 1 April 2008. Further discussion in relation to them will take place during 2008-09.

### Our commitments to crime and enforcement are:

- Reduce the time taken to deal with cases in the Crown Court, so that the majority of cases are commenced within 16 weeks.
- Simplify and speed up criminal cases in the magistrates' courts so:
  - most guilty plea cases are dealt with at the first hearing;
  - most contested cases have no more than two hearings;
  - the majority of simple charged cases take from a day to 6 weeks (on average) from charge to disposal.

Embed the underlying principles behind community justice in all magistrates' courts, ensuring local courts improve their awareness and take account of local issues, particularly when dealing with low-level crime.

	Key Performance Indicators	Supporting Indicators & Measures	Target level by March 2009
Crime and Enforcement	<p><b>To commence 78% of cases within the following timescales in the Crown Court:</b></p> <ul style="list-style-type: none"> <li>• defendants' cases that are sent for trial within 26 weeks of sending;</li> <li>• defendants' committal for trial cases within 16 weeks of committal;</li> <li>• appeals within 14 weeks of the appeal; and</li> <li>• committals for sentence within 10 weeks of committal.</li> </ul>		78%

	Key Performance Indicators	Supporting Indicators & Measures	Target level by March 2009
<b>Crime and Enforcement</b>		<b>Crown Court</b> - ineffective trial rate	No target set – supporting indicator to Crown Court KPI
		<b>Crown Court</b> - cracked trial rate	
		<b>Crown Court</b> - effective trial rate	
	<b>To speed up criminal cases in the magistrates' courts so that, for charged cases, the average time from charge to disposal takes from a day to 6 weeks</b>		Less than 6 weeks
		<b>Magistrates' courts</b> - most guilty plea cases are dealt with at first hearing	More than 50%
		<b>Magistrates' courts</b> – proportion of contested cases have no more than two hearings	More than 50%
		<b>Magistrates' courts</b> - ineffective trial rate	No target set – supporting indicator to magistrates' courts KPI
		<b>Magistrates' courts</b> - cracked trial rate	
		<b>Magistrates' courts</b> - effective trial rate	
		<b>Magistrates' courts</b> - vacated trial rate	
	<b>Magistrates' courts – time taken to produce and send to Police Court Registers</b>		95% in 3 working days 100% in 6 working days
		Time taken from receipt of properly completed Rights to Representation applications to despatch of decision	90% by COP* 2nd working day 95% by COP* 3rd working day 100% by COP* 6th working day
	<b>To achieve an 85% payment rate for financial penalties</b>		85%
		To collect £132 million (including £12 million in compensation) from the enforcement of confiscation orders	£132 million

\*Close of play

	Key Performance Indicators	Supporting Indicators & Measures	Target level by March 2009
Crime and Enforcement	<b>For 60% of all breached community penalties to be resolved within 25 working days of the relevant failure to comply</b>		60%
		Community penalty breach warrants executed within 20 working days for adults and 10 working days for youths	75%
		Community penalty breach proceedings - average time from unacceptable failure to comply to resolution of the case	35 working days
		Reduce the proportion of unresolved community penalty breach cases over 35 working days old	Local targets apply
		<b>Crown Court</b> - witnesses called within 2 hours	60%
		<b>Crown Court</b> - average waiting time	2 hours and 30 minutes
		<b>Magistrates' courts</b> - witnesses called in one hour or less	60%
		<b>Magistrates' courts</b> - witnesses called within 2 hours	80%
		<b>Magistrates' courts</b> - average waiting time	1 hour and 30 minutes

**Our commitments to civil, family cases and customer service are:**

- Give greater priority to Public Law cases, often involving issues such as whether children should be taken into care, with a view to ensuring that the matter is resolved in less than 40 weeks or such later time as the judge or magistrates' deem appropriate.
- Encourage more families to resolve issues themselves through providing in-court conciliation or directing parties to mediation where it is appropriate and safe to do so.
- Provide a simpler and quicker service in the county courts through introducing a presumption that all but the most complex small claims are dealt with by way of mediation.
- Put in place systems and incentives to ensure that the vast majority of civil business is initiated online.
- Provide a knowledgeable, personalised and readily accessible service, keeping users informed about the progress of their case.

	Key Performance Indicators	Supporting Indicators & Measures	Target level by March 2009
Civil	<b>To increase the proportion of defended small claims that are completed otherwise than by a court hearing to 65% (settlement)</b>		65%
		Proportion of defended fast and multi-track cases that are completed other than by a hearing	Maintenance of 07/08 performance
	<b>To increase the proportion of defended small claims that are completed (from issue to final hearing) within 30 weeks to at least 70%</b>		70% or above
		Proportion of defended fast-track cases that are completed (from allocation to final hearing) within 30 weeks	Maintenance of 07/08 performance
		The proportion of defended multi track cases that are completed (from allocation to final hearing) within 50 weeks	Maintenance of 07/08 performance
	<b>To increase the amount of civil work initiated online – 55% of eligible possession claims through Possession Claim Online and 70% of specified money claims through Money Claim Online</b>		55% & 70% respectively



	Key Performance Indicators	Supporting Indicators & Measures	Target level by March 2009
Family	To increase the proportion of care and supervision cases completed within 40 weeks by 10 percentage points by 2009-10		56% Magistrates' courts  48% county courts
	To increase the proportion of residence and contact orders made by consent in the county courts (excluding cases involving allegations of harm) to at least 37% in each HMCS area		A) Areas with levels of consent orders at or above 37% to maintain or improve performance  B) Areas with levels of consent orders below 37% to improve performance to at least 37%
Customer service	To increase the 'very satisfied' element of the HMCS court user survey from the 2007-08 baseline		Increase from 41%
		Area measures are:  1) each area to improve against their 'very satisfied' (2007-08) survey results; and  2) each area to maintain their 'overall satisfaction' (the combined 'very satisfied' and 'fairly satisfied' performance) at or above their (2007-08) area benchmark.	
		Complaint handling speed/percentage targets to be carried forward from 2007-08	85%
		Area - 10 days	85%
		Court - 5 days	85%

## Annex B - HMCS RESOURCE BUDGET – 2008-09

CATEGORY	2007-08 £ million	2008-09 £ million
<b>Income</b>		
Voted expenditure from MoJ (near cash)	857.3	822.8
Voted expenditure from MoJ (non-cash)	217.5	235.8
Income from fees, fines and other income	625.4	643.9
<b>Total Income</b>	<b>1,700.2</b>	<b>1,702.5</b>
<b>Expenditure</b>		
Service delivery	1,356.5	1,346.2
Change programmes	98.3	86.7
Management overhead	12.6	13.6
Central policy	15.3	20.2
Capital charges	217.5	235.8
<b>Total Expenditure</b>	<b>1,700.2</b>	<b>1,702.5</b>

### Notes

1. Service delivery represents the day-to-day running costs of all Crown, county and magistrates' courts and all direct costs supporting their activity.
2. Change programmes represents the investment funding as detailed in our Business Plan to improve the efficiency and effectiveness of the courts.
3. Management overhead represents costs of support functions across HMCS Regions, areas and headquarters.
4. Central Policy covers corporate standards, policy and legislative initiatives.
5. The 2007-08 financial position will vary from the original budget in last year's plans. The full-year forecast may vary from actual results when they are published.