

Her Majesty's Courts Service Business Plan 2009–10

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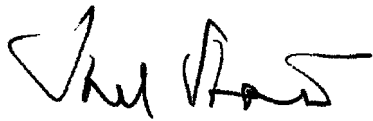
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INTRODUCTION

We are delighted to introduce Her Majesty's Courts Service (HMCS) Business Plan for 2009–10.

This will be the second year of our important partnership in relation to the governance, financing and operation of HMCS. We have charged the HMCS Board to lead and set the broad direction of HMCS. We believe that the programme of work set out in this Business Plan demonstrates how the work of the Board is now bearing fruit. In particular it sets out an ambition to improve the delivery of services to all those who use the courts.

The Business Plan will be challenging but, given the quality and commitment of all those who work in the court system, we are confident that it will be achieved.



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



Lord Judge of Draycote
Lord Chief Justice

FOREWORD



Chief Executive



Non-Executive Chair

HMCS lies at the heart of the aspirations of the Lord Chancellor and the Lord Chief Justice to promote a modern, fair, effective and efficient justice system that is available to all and responsive to the needs of the communities it serves. This Business Plan sets out our important contributions to delivering their priorities of listening to victims and the vulnerable, inspiring public confidence, involving communities, ensuring value for money for taxpayers in a very difficult financial climate and supporting an independent judiciary in the administration of justice.

HMCS has a strong track record of delivery and innovation; for example, through our central role in the community justice initiative and our work to unify the administration of the family courts. Last year saw us reaping the benefits of many programmes of work. For example, in the magistrates' courts, our Criminal Justice – Simple, Speedy and Summary (CJSSS) programme has seen significant improvement in timeliness. We also established new pilot drug and mental health courts aimed at tackling the root causes of crime. Moreover, we can be justly proud of our Small Claims Mediation Service, winners of the European Crystal Scales of Justice award for innovative court practice.

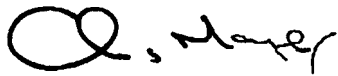
Our Business Plan for the coming year will see us build on these and our other successes. For example, through the Lean programme we will continue to identify and implement more efficient ways of working throughout HMCS. In the county courts, we will implement reforms so that the time and expertise of our District Judges are maximised. Finally, we will implement our Enforcement Blueprint to achieve a cheaper, faster and more proportionate system of enforcing court orders. Delivering this Business Plan will certainly be challenging given the difficult financial climate and increasing workload in the Crown Court and civil courts.

We firmly believe that the strength of HMCS lies in its staff at courts throughout the country who are committed to delivering an excellent service to the public and making a positive difference to people's lives. We know that everybody in HMCS, in whichever part of the organisation they work, is committed to continuing this as we move into the period covered by this Plan.



Sir Duncan Nichol CBE
Non-Executive Chair

I am greatly looking forward to my second year as the Non-Executive Chair of the HMCS Board. Since my appointment in April 2008 I have been greatly impressed by the way in which the staff are committed to their work and the communities they serve.



Chris Mayer CBE
Chief Executive

This will be my first full year as Chief Executive of HMCS. I am very proud to have the opportunity to lead an agency that has such a central role in the delivery of justice.

SECTION I: STRATEGIC FRAMEWORK

I.1 The Partnership

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 the governance of HMCS was subsequently set out in the *Her Majesty's Courts Service Framework Document*, which was published on 1 April 2008 and is available at www.hmcourts-service.gov.uk/cms/guidance.htm. In particular, the Lord Chancellor and the Lord Chief Justice placed the leadership and broad direction of HMCS in the hands of the HMCS Board.

The Board comprises an independent Non-Executive Chair, three representatives of the judiciary, a representative of the Ministry of Justice, the Chief Executive, three other HMCS executives and two non-executives.

All staff in HMCS owe a joint duty to the Lord Chancellor and the Lord Chief Justice for the efficient and effective operation of the courts.

I.2 HMCS aim and objectives

The Lord Chancellor and the Lord Chief Justice agreed the following aim and objectives for HMCS:

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

While HMCS embodies the partnership between the Lord Chancellor and the Lord Chief Justice, it is also an agency within the Ministry of Justice (MoJ). The MoJ itself brings together the areas responsible for the administration of the courts, tribunals, legal aid, sentencing policy, prisons and the management of offenders.

The MoJ has committed to delivering four departmental strategic objectives (DSOs), to which HMCS contributes, in the current spending period:

- DSO 1 – strengthening democracy, rights and responsibilities;
- DSO 2 – delivering fair and simple routes to civil and family justice;
- DSO 3 – protecting the public and reducing reoffending; and
- DSO 4 – ensuring a more effective, transparent and responsive Criminal Justice System for victims and the public.

The MoJ is structured around four business groups, which support delivery of the four DSOs. HMCS sits within the Access to Justice business group, which leads on the strategic objective to deliver fair and simple routes to civil and family justice, and in particular by supporting the business group's proportionate dispute resolution strategy. The group brings together the key agencies, non-departmental public bodies and other major delivery organisations that provide access to justice services, including:

- the Tribunals Service;
- the Office of the Public Guardian;
- the Legal Services Commission; and
- the Judicial Appointments Commission.

HMCS is committed to working with these organisations and others within the MoJ to improve services in order to deliver the aim and objectives agreed by the Lord Chancellor and the Lord Chief Justice.

I.4 Public Service Agreements

HMCS also plays an important role in contributing to the cross-government Public Service Agreements (PSAs). In particular, HMCS is closely engaged in the delivery of the following PSAs:

Spending Review 2004

- PSA 4 – By 2009–10, to increase the proportion of care cases being completed in the courts within 40 weeks by 10 percentage points.

Spending Review 2007

- 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 reoffending through problem solving courts and community engagement.
- PSA 24 – Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public. HMCS's work on embedding Criminal Justice – Simple, Speedy and Summary in the magistrates' courts and youth courts and its work to improve services to victims and witnesses contribute to this PSA.
- 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 effective administration of the courts, probation and prisons, and HMCS will be responsible for the courts element of this contribution.

SECTION 2: HMCS PROGRESS IN 2008–09

Our Annual Report for 2008–09 (to be published later this year) will set out in full what we have achieved during that year but highlights include:

- Our CJSSS programme improved timeliness and reduced unnecessary hearings for adult charged cases in the magistrates' courts. We have now successfully extended it to charged cases in the Youth Court.
- We devised our Enforcement Blueprint, aimed at a cheaper, faster and more proportionate enforcement system with a significantly higher degree of compliance with court orders. It is now being implemented across all our regions.
- A new computerised case management system is now live in every magistrates' court. National roll out of this new system was completed in December 2008, joining up the IT systems of the courts with those of the police and other criminal justice agencies, enabling direct, more efficient and more accurate exchange of information.
- We have produced guidance for the criminal courts on the requirements of *The Code of Practice for Victims of Crime*.
- We launched our *Juror Charter* in October 2008. This sets out the minimum standards that jurors can expect from HMCS staff to help them to perform their jury service. It also includes details of the support available during and following jury service.
- As part of the development of the principles of community justice, magistrates' courts across England and Wales are engaging with their communities to ensure that they are more visible and to learn more about local community concerns.
- Our Dedicated Drug Court pilots were extended to four new locations – Barnsley, Bristol, Cardiff and Salford Magistrates' Courts. A new Mental Health Court model is being piloted at Stratford and Brighton Magistrates' Courts. The number of Specialist Domestic Violence Court systems increased to over 100.
- We introduced the Public Law Outline (PLO) on 1 April 2008. The PLO and its supporting Practice Direction introduces a simplified and streamlined procedure for progressing public law cases through the courts. In September 2008 we commenced an evaluation of the benefits of the PLO which we plan to publish during spring 2009.
- The Forced Marriage (Civil Protection) Act 2007 came into force on 25 November 2008. The High Court and 15 county courts can now make Forced Marriage Protection Orders to protect someone facing being forced into marriage and/or someone who has already been forced into marriage.
- We have continued to receive very high levels of customer satisfaction for our Small Claims Mediation Service. For example, 98% of survey respondents were satisfied or very satisfied with the professionalism and helpfulness of the mediators. Moreover, the service won the European Crystal Scales of Justice award for innovative court practice in October 2008.

- A new national framework, setting out guidance and minimum standards for the provision of front office services in the civil courts, was introduced in September 2008. The framework introduced new flexibility for local managers by, for example, varying opening times for public counters.
- The mid-year results of our User Survey show levels of satisfaction holding up against our positive 2007–08 performance where ‘very satisfied’ users increased from 38% in 2006–07 to 41% and overall satisfaction also rose from 80% to 83%.
- We successfully piloted Lean methodology in the courts aimed at improving the consistency and efficiency of our processes. This resulted in a national programme – the HMCS Lean Programme – which we started to implement throughout HMCS in January 2009.
- Through Operation Restore we have improved our management information on the cost of our business and the performance of the courts. As a result, our financial allocations for 2009–10 are more closely aligned to business need.
- The new Cambridge Magistrates’ Court opened for business in October 2008.
- To date 850 of our leaders have undertaken our National Leadership Development Programme.

SECTION 3: OUR PRIORITIES AND KEY NATIONAL INITIATIVES FOR 2009–10

3.1 Key priorities

In the context of the financial allocation to HMCS for 2009–10, the HMCS Board, with the approval of the Lord Chancellor and the Lord Chief Justice, has set the following priorities for HMCS in the coming year:

- Providing an environment in which the judiciary can better deliver justice (all DSOs).¹
- Improving HMCS operational performance across all areas of the business (DSOs 2, 3 and 4).
- Working with other agencies in the Criminal Justice System to ensure a more effective, transparent and responsive Criminal Justice System for victims and the public (DSOs 1 and 4).
- Further developing problem solving courts and our contribution to the Community Justice initiative (DSOs 1, 3 and 4).
- Providing greater protection for vulnerable children and adults through the family courts and improving the openness of these courts (DSOs 1 and 2).
- Providing access to mediation services to help people resolve their disputes in a proportionate way but ensuring that where cases need to come to the civil courts, they are dealt with as efficiently as possible (DSO 2).
- Implementing Lean methodology across HMCS via the Lean Programme to ensure our processes are as efficient as possible and ways of working in courts are as consistent as possible in order to continue to provide a high quality service that meets the needs of its users (DSOs 2, 3 and 4).
- Progressing the work of Operation Restore, which seeks to improve the management and financial information on which we base our business decisions and ensuring improved efficiency, service delivery and value for money through our Performance and Efficiency Programme (DSOs 2, 3 and 4).
- Continuing to develop the leadership skills of our managers throughout the organisation (DSOs 2, 3 and 4).

Our planned activities to deliver these priorities supported by our performance targets at Annex A are set out on pages 13 to 20.

¹ All HMCS priorities contribute to one or more of the four Ministerial Departmental Strategic Objectives (see Section 1). The relevant DSO(s) have been identified against each HMCS priority.

3.2 Providing an environment in which the judiciary can better deliver justice

We have a key role to play in working with the judiciary and Criminal Justice System (CJS) and other government agencies in providing the public with the best facilities, systems and services that support the delivery of justice.

- We will implement the new guidance under paragraph 7.5 of the *Her Majesty's Courts Service Framework Document* on the development of regional, area and local arrangements to ensure judicial participation at all levels of HMCS administration. We will also implement the new framework, *Support from HMCS for Judges and Justices with Leadership, Administrative or Representative Responsibilities*.

We are committed to delivering high quality, accessible services that meet the needs of all our customers

- We will implement reforms in the county courts to make the best use of judicial experience and time. In particular, we will support the judiciary to ensure that cases are dealt with at the appropriate rank of judge. We will continue to develop and introduce new procedures and working practices removing those existing civil justice functions that unnecessarily require input from District Judges.
- We are committed to delivering high quality, accessible services that meet the needs of all our customers. By May 2009 we will have an agreed Equality and Diversity Policy and a clear action plan for its implementation, including training all HMCS staff on their responsibilities under equality and diversity legislation for identifying and providing necessary reasonable adjustments.

3.3 Improving HMCS operational performance across all areas of the business

- HMCS is committed to delivering its core operational functions as effectively as possible and will focus resources and effort on assisting frontline HMCS staff to improve the delivery of its core business. This priority is reflected in our Key Performance Indicators (KPIs) (see Annex A).

- We will streamline our headquarters, regional and area offices, ensuring that they are focused on supporting frontline services and providing value for money. We will ensure that this work is informed by the results of Operation Restore (see Section 3.9).

Our focus will be on supporting frontline services and providing value for money

- We will deliver our improvements in the context of a difficult financial climate through identifying new and innovative ways of working that can be delivered within our budgetary allocation. Utilising Lean methodologies (see Section 3.8) will enable us to draw on the knowledge and experience of staff in developing more efficient and effective operations.
- During 2009 we will introduce a series of new fines performance indicators that will replace the current KPI payment rate in 2010–11. These measures will fully satisfy the recommendations of the 2006 National Audit Office report and the 2007 Public Accounts Committee report and include the following:
 - The percentage of fines by value imposed in the year that are collected.
 - The number of offenders annually who pay their fine as a proportion of the number of offenders who have had a fine imposed in year.
 - The proportion of fines annually that require enforcement action.
 - The annual change in arrears.
 - The number and value of administrative cancellations broken down by reason for cancellations.
- During 2009–10 we will roll out these new indicators and establish baselines from which we will set targets for the following year. These new measures will provide us with significantly improved data in managing and driving up performance in the collection of financial impositions.
- We will develop a baseline for our performance in the average time taken between trial cases being received in the Crown Court and their first major hearing. We will identify improvement targets for custody cases and for bail cases to be set in 2010–11.

3.4 Working with other agencies in the Criminal Justice System to ensure a more effective, transparent and responsive Criminal Justice System for victims and the public

- In recent years we have successfully worked with the judiciary and other CJS agencies to apply the principles of our CJSSS programme in the magistrates' courts. We will now build on this to extend improvements in speed and effectiveness to all criminal cases within the magistrates' courts and beyond.

- We will continue to work with the Youth Justice Board (YJB) to improve the Youth Court process, building on the success of CJSSS. Following consultation with the YJB and wider stakeholders we will publish during 2009–10 a good practice guide for improving the delivery of Youth Offender Team services at court.
- We will work closely with other CJS agencies in developing an effective system of monitoring how courts meet their Victims' Code of Practice obligations and their Witness Charter standards after national implementation from April 2009. We will work with Local Criminal Justice Boards (LCJBs) to improve our performance in reducing witness waiting times through improved performance monitoring during the course of the year. We will produce an action plan by July 2009 that identifies gaps in existing court services to victims and witnesses under PSA 24 Indicator 3.

We will issue all courts with good practice guidance to reduce the waiting times for witnesses

- We will improve the service to the 200,000 citizens who carry out jury service each year and, in particular, ensure that best use is made of their time. In April 2009 we will provide best practice guidance to assist Crown Court centres in meeting the new targets for juror utilisation.
- We will work with the MoJ and our IT suppliers to identify the most effective technical solution to update the Crown Court's CREST IT system and commence the preliminary work to deliver this by 2011. We will continue with our rolling programme to upgrade and replace out-of-date video links in the Crown Court and magistrates' courts. This will increase the availability of equipment that allows for remote link use as well as provide modern facilities for the viewing of evidence.
- The Lord Chancellor announced in September 2008 his intention to open up the CJS by publishing the outcome of criminal court hearings online. HMCS has been working with the MoJ and the Office for Criminal Justice Reform to develop a solution that will provide effective access for the public to see the final outcomes of hearings. The precise level of detail that may be provided is subject to public consultation through the forthcoming Green Paper on engaging communities in criminal justice.
- With other CJS agencies we will assist with the piloting, evaluation and preparation for roll out of Criminal Justice IT Business Change initiatives. We will assess and monitor their impact on the courts to ensure that efficiencies are delivered and that their fit with our core court business is properly managed.
- We are working with the Legal Services Commission and the MoJ to ensure the successful implementation of the Crown Court Means Testing project. We plan to pilot the proposed new scheme at Bradford, Blackfriars, Norwich, Preston and Swansea Crown Court Centres and the magistrates' courts that feed into these centres.

3.5 Further developing problem solving courts and our contribution to the Community Justice initiative

- We will support and evaluate the Dedicated Drug Court pilots at Leeds, West London, Barnsley, Bristol, Cardiff and Salford Magistrates' Courts and the Mental Health Court pilots at Brighton and Stratford Magistrates' Courts. We will continue to expand the number of Specialist Domestic Violence Court systems (SDVCs), working towards the Government's commitment to establish 128 by 2011. We will work with other CJS agencies to devolve responsibility for performance management and quality assurance of the SDVCs to the LCJBs.
- Building on work begun in 2008–09, we will further embed principles of community engagement in the day-to-day running of the magistrates' courts. We will continue to build links with wider criminal justice activity as well as developing and further embedding engagement between the courts and local communities.
- We will use evaluation of the current models of problem solving, including assessing their impact on reoffending, to develop a framework by March 2010 to mainstream the problem solving approach across magistrates' courts in England and Wales. The aim is to identify and address the underlying causes of offending behaviour to help to reduce reoffending.
- We will work with colleagues in the MoJ and the National Offender Management Service to widen the use of the judicial power to review offenders' progress on community orders under section 178 of the Criminal Justice Act 2003. Pilots in up to five of the existing community justice areas will commence by May 2009.
- We will test the use of community impact statements in at least ten LCJB areas and begin evaluation of their effectiveness by autumn 2009.

3.6 Providing greater protection for vulnerable children and adults through the family courts and improving the openness of these courts

- We will work to deliver greater transparency in the family courts. From April 2009 we will implement new provisions that will allow media attendance at all family law proceedings (except adoption), subject to the court's discretion to exclude the media where it is in the interests of the child, or for the protection and safety of vulnerable adults.
- For Public Law cases and some exceptional Private Law cases, we are planning to pilot in spring 2009 the online publication of an anonymised record of the court's decision, which will also be issued to the parties. The pilots will also consider practical issues relating to retention of judgments and written reasons in order that they can be made available to children on reaching adulthood should they wish to see them.
- We will continue to embed key changes to the care proceedings system, supporting compliance with the PLO, throughout 2009–10. During the summer of 2009 we will work with the judiciary and other agencies to review the PLO and subsequently carry out any necessary amendments to our procedures.

- Our programme of unifying family administration of local county and magistrates' courts will continue to increase the areas in England and Wales where we have a single point of entry into the family justice system.

We will increase the number of areas where there is a single point of entry into the family justice system

- We will continue our work with the Children and Family Court Advisory Support Service (CAFCASS) and CAFCASS Cymru to ensure the smooth operation of new legislative provisions introduced on 8 December 2008. These more flexible powers will help to facilitate contact with children through a range of contact activity orders and provide additional ways to enforce contact orders made under the Children Act 1989.

3.7 Providing access to mediation services to help people resolve their disputes in a proportionate way but ensuring that where cases need to come to the civil courts, they are dealt with as efficiently as possible

- We will continue to embed our Small Claims Mediation Service in the county courts, as well as encourage the availability and take-up of mediation through both the National and Family Mediation Helplines, and by signposting enquiries to other dispute resolution services in both civil and family disputes.
- We will continue to implement the ongoing programme to simplify and clarify the Civil Procedure Rules. The Civil Procedure Rules already allow for a variety of hearings to take place by telephone, avoiding the need for the parties to attend court in person. Drawing on the recently published evaluation on the use of telephone hearings (for civil interim hearings), we will identify options for improving the effectiveness of these telephone hearings with the aim of increasing their use.
- We will significantly reduce the numbers of contested Personal Injury claims heard in the court through implementation by October 2009 of a new streamlined claims process for Road Traffic Accident claims under £10,000.
- We will promote the increased use of e-channels. We will conduct campaigns targeted at local possession users such as local authorities and housing associations as well as national campaigns addressing larger issuers of possession orders. We have set ourselves new challenging targets to increase the proportion of possession claims that are conducted through our Possession Claim Online service. We will issue all county courts with new marketing material to support the planned national roll out of an improved Money Claim Online service.
- We will develop a modernisation programme for the civil courts. This will draw together already planned initiatives, such as the simplification of the Civil Procedure Rules, the roll out of the enhanced case management systems (CaseMan and FamilyMan), and the greater use of e-channels, with new projects including work to establish our approach to the use of Business Centres to process administrative work.

3.8 Implementing Lean methodology across HMCS via the Lean Programme to ensure our processes are as efficient as possible and ways of working in courts are as consistent as possible in order to continue to provide a high quality service that meets the needs of its users

- We are committed to improving the quality of our services and to simplifying our business processes to make them easier for court users and staff. To achieve these objectives, we are introducing Lean methodology across our business. Central to achieving this will be involving our staff in devising improved ways of working. Our aim is to create a culture of continuous improvement to bring lasting and effective change.
- By the start of April 2009, the Lean Programme will have implemented Lean in 47 (5%) of our courts and offices while 60 out of the 75 staff to be trained as Lean Change Agents will be operational and active in their areas. By July we will have trained all the required Lean Change Agents and will have implemented Lean in 10% of all courts and offices in scope.² We will continue implementing Lean in the remaining courts and offices throughout 2009–10 and will have completed implementation in 65% of all courts and offices in scope (over 200) by March 2010.³

3.9 Progressing the work of Operation Restore, which seeks to improve the management and financial information on which we base our business decisions and ensuring improved efficiency, service delivery and value for money through our Performance and Efficiency Programme

- In 2008 we undertook Operation Restore, which was a fundamental review of our management information systems. This thorough and comprehensive review, with each element led by a Regional Director, identified existing good practice and suggested improvements. It has been an invaluable tool, informing our business planning processes and recent decisions of the HMCS Board.
- By providing an improved understanding of the costs of running our services, Operation Restore informed the mechanisms we used in allocating HMCS resources. We will build on this to develop proposals for activity-based costing in magistrates' courts. We will take forward the findings and recommendations of Operation Restore to ensure that our data collections provide the management information we need to improve the quality of our services.
- Operation Restore set the strategic objective of a cheaper, faster and more proportionate enforcement system that will achieve a significantly higher degree of compliance with court orders and a corresponding reduction in the need to take costly and ineffective enforcement action against defaulters. We will achieve this aim through implementing our Enforcement Blueprint across HMCS in 2009–10.

² Courts in scope include those with a staff of more than five full-time equivalents as well as Enforcement offices, Royal Courts of Justice divisions and back office functions.

³ Figures shown in this paragraph are approximate because deployment plans are in development and, therefore, not final at this stage.

- Through our HMCS Change Programme we will bring together the delivery of a number of programmes that will implement modern, national IT systems and infrastructure in all our courts. In 2009–10, the emphasis of the Change Programme will be on the following programmes:
 - commencing national roll out of CaseMan and FamilyMan, an enhanced county and family courts case management system, on a new, modern IT platform as a key enabler to the Civil Strategy during 2009;
 - national roll out of modern and efficient methods of payment into magistrates' courts by September 2009;
 - implementing a regional presence for the Administrative Court in Cardiff, Birmingham, Leeds and Manchester during 2009; and
 - taking forward a new project, the Magistrates' Courts Operational Business Systems (MCOBs) that will deliver various improvements to build on those achieved through Libra. MCOBs will provide:
 - a Welsh language version of the new case management system in magistrates' courts in Wales, allowing HMCS to meet its obligations under the Welsh Language Act and its Welsh Language Scheme; and
 - a range of enhancements to the application, further enabling other criminal justice initiatives and efficiencies in court processes.
- We aim to administer effectively the collection and accounting of court fees at all levels of civil and family courts and ensure that fee remissions are granted where appropriate. We will continue to work with the MoJ to provide accurate forecasting of court fee income and will further develop the management information systems that underpin this. We will implement any changes to fees orders made by Ministers, including those arising from current consultation on proposed changes to the setting of civil court fees.

**During 2009–10 we will open three
new buildings and facilitate seven
new co-locations**

- Our programme of integration where we locate different court jurisdictions within a single court building will, subject to funding approval, continue with seven schemes scheduled for 2009–10.
- We will deliver three new building projects in 2009–10 with the opening of new Justice Centres in Caernarfon and Salisbury and with completion of the Crown Court extension in Isleworth. At the heart of this investment are the needs of courts' users, in particular victims and witnesses. We will also complete the refurbishment of the Queens Building in the Royal Courts of Justice.

- We will complete work to ensure that all sites over 1,000m² exhibit a valid Display Energy Certificate. By June 2009 we will develop a programme of training courses aimed at changing staff behaviour towards energy consumption.

3.10 Continuing to develop the leadership skills of our managers throughout the organisation

- Our staff are our greatest asset. If we are to make the best use of the efforts of our staff we must ensure that they are adequately supported and are given opportunities to develop and grow.
- We will have completed our successful Leadership Programme for our senior leaders by May 2009 and will then extend the programme to all staff with significant leadership responsibilities throughout 2009–10.

**We will extend the successful
Leadership Programme to
junior managers**

- We will introduce a standardised management information and reporting tool for the management of staff absence by December 2009. We will implement a review of the performance management of our staff in June 2009. This review will be in line with the MoJ Leadership Guide and will address recent audit recommendations.
- We will develop and implement action plans at national and local level resulting from the findings of the MoJ Staff Engagement Survey at the end of 2008–09.

ANNEX A: KEY PERFORMANCE INDICATORS AND SUPPORTING INDICATORS 2009–10

The following Key Performance Indicators (KPIs) and Supporting Indicators (SIs) in Table I apply to HMCS. They will, where appropriate, be initiated or supported by criminal justice and other government 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 have an 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 have an impact upon judicial independence and should not be interpreted as doing so. They do not bind the judiciary in individual cases.

The following standards have been set in the light of the financial allocation for the coming year (Annex B). Performance reporting throughout the year will be against our balanced scorecard. A balanced scorecard is a strategic, measurement-based management system that aligns business activities to strategy and monitors the delivery of those strategic goals over time. This approach ensures that, in addition to delivering our performance targets, we continuously work towards building for the future by developing improved ways of working, investing in our staff and their development and improving our support of the judiciary and our reputation with our customers.

Table I – Performance measures and targets

Business area	High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Target
Criminal Courts	KPI I – Crown Court – To commence 78% of cases within the following timescales in the Crown Court: <ul style="list-style-type: none"> defendants' cases that are sent for trial within 26 weeks of sending; defendants' committal for trial cases within 16 weeks of committal; appeals within 14 weeks of the appeal being lodged; and committals for sentence within 10 weeks of committal. 		78%
		Crown Court – Average trial waiting time: <ul style="list-style-type: none"> for trial cases where defendants are on bail; for trial cases where defendants are in custody; and for all trial cases. 	No target set*
		Crown Court – Ineffective trial rate	To maintain 2008–09 performance
		Crown Court – Cracked trial rate	No target set*
		Crown Court – Effective trial rate	
		Crown Court – Witnesses called within 2 hours	60%
		Crown Court – Average witness waiting time	2 hours and 30 minutes
		Crown Court – Jury utilisation – Juror sitting days as a proportion of the sum of attendance and non-attendance days	70%

Business area	High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Target
Criminal Courts	KPI 2 – Magistrates' courts – Charged cases, average time from charge to disposal		<6 weeks
		Magistrates' courts – The average number of hearings per case	2.25
		Magistrates' courts – Ineffective trial rate	To maintain 2008–09 performance
		Magistrates' courts – Cracked trial rate	No target set*
		Magistrates' courts – Effective trial rate	
		Magistrates' courts – Vacated trial rate	
		Magistrates' courts – Witnesses called in one hour or less	60%
		Magistrates' courts – Witnesses called within 2 hours	80%
		Magistrates' courts – Average witness waiting time	1 hour and 30 minutes
	KPI 3 – Magistrates' courts – time taken to produce and send court results to police		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

Business area	High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Target
Enforcement	KPI 4 – Payment rate for financial penalties***		85%
		Payment rate excluding administratively cancelled matters	No target set*
	KPI 5 – Percentage of all breached Community Penalties to be resolved within 25 days of the relevant failure to comply		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 number of unresolved Community Penalty Breach cases over 35 working days old	Local targets
Civil	KPI 6 – Increase the proportion of defended small claims that are completed otherwise than by a court hearing (settlement)		65%
		The proportion of defended fast and multi-track cases that are completed otherwise than by a hearing	Maintenance of 2007–08 performance
	KPI 7 – Increase the proportion of defended small claims that are completed (from receipt to final hearing) within 30 weeks		70% or above
		The proportion of defended fast track cases that are completed (from allocation to final hearing) within 30 weeks	Maintenance of 2007–08 performance
		The proportion of defended multi-track cases that are completed (from allocation to final hearing) within 50 weeks	Maintenance of 2007–08 performance
	KPI 8 – Increase the amount of civil work initiated online – percentage of eligible possession claims through Possession Claim Online and percentage of specified money claims through Money Claim Online and via the Claims Production Centre		PCOL – 65% MCOL – 75%

Business area	High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Target
Family	KPI 9 – To increase the proportion of care and supervision orders completed within 40 weeks by 10 percentage points		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)	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%
		The percentage of section 31 Children Act applications (care and supervision) completed (by any disposal) within 50 weeks	55%
		Outstanding care and supervision cases over 40 weeks in the county court	<30%
		Outstanding care and supervision cases over 75 weeks in the county court	<10%
		Outstanding care and supervision cases over 40 weeks in the family proceedings courts	<20%
		Outstanding care and supervision cases over 75 weeks in the family proceedings courts	<5%

Business area	High level target Key Performance Indicator (KPI)	Other targets and measures Supporting Indicator (SI)	Target
Customer Service	KPI 10 – The 'very satisfied' element of the HMCS court user survey to be maintained at or above the year 2 (2007–08) survey baseline of 41%		≥41%
		Area measure – each area to maintain their 'very satisfied' survey results at or above their 2008–09 area baseline	Local area baseline targets
		Customer Service Unit (CSU) – proportion of complaints responded to in 15 working days	90%
		Area offices – proportion of complaints responded to in 10 working days	90%
		Courts – proportion of complaints responded to in 10 working days	90%

* No target has been set against a limited number of measures. The HMCS Board will be advised of performance against these measures in the same way as for targeted KPIs and SIs in order to provide a full understanding of business performance. It will be for the Board to determine whether movements in performance against these measures require attention.

** Close of play.

*** The payment rate is calculated by dividing the amount of fines collected in a year by the amount of fines imposed. The monies collected may relate to fines and other financial penalties imposed in that or earlier years.

ANNEX B: HMCS RESOURCE BUDGET 2009–10

Category	2008–09 £ million	2009–10 £ million
Income		
Voted expenditure from MoJ (near cash)	822.8	755.0
Voted expenditure from MoJ (non-cash)	235.8	240.0
Income from fees, fines and other income	643.9	670.0
Total income	1,702.5	1,665.0
Expenditure		
Service delivery	1,346.2	1,364.2
Change programmes	86.7	37.1
Management overhead	13.6	11.9
Central policy	20.2	11.8
Capital charges	235.8	240.0
Total expenditure	1,702.5	1,665.0

Notes

1. Service delivery represent the day-to-day running costs of the Crown Court, all county and magistrates' courts and all direct costs supporting their activity.
2. Change programmes represent the investment funding as detailed in our Business Plan to improve the efficiency and effectiveness of the courts.
3. Management overhead represents the costs of support functions across HMCS regions, areas and headquarters.
4. Central policy covers corporate standards, policy and legislative initiatives. During 2008–9 policy has been split into the business unit delivery arm (HMCS) and Access to Justice (A2J).
5. The 2008–09 financial position states the original budget in last year's plan. The full-year actual results will vary from those forecast above when they are published.

