

# Her Majesty's Courts Service Business Plan 2010–11

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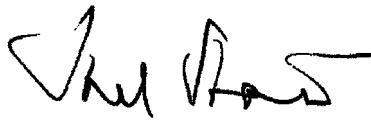
## Introduction

We are pleased jointly to introduce Her Majesty's Courts Service's (HMCS) Business Plan for 2010–11. This will be the third year of our successful partnership to oversee the financing and operation of HMCS.

With the leadership and broad direction set by the HMCS board, we remain confident in the due and independent administration of justice as HMCS continues to support the provision of access to justice for communities across England and Wales.

The Business Plan takes forward a range of initiatives which will benefit all those who use the courts, including, for example, victims or witnesses of crimes, defendants, children in care proceedings, consumers struggling to manage debt or businesses resolving commercial disputes.

HMCS has set itself strategic priorities which directly contribute to improvements across the wider justice system. Although challenging, we are confident that they will be achieved given the commitment of all those who work in the courts.



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



Lord Judge  
Lord Chief Justice of England and Wales

## Foreword



Chief Executive



Non-Executive Chair

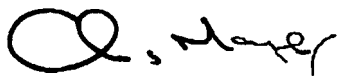
HMCS is committed to providing access to justice for the communities we work in across England and Wales. This business plan sets out how we will continue to work with other organisations across the justice system, to put the needs of victims and witnesses at its heart and ensure the best value for every pound of public money spent on running the courts.

We will work with the judiciary and our colleagues in the Ministry of Justice and the other criminal justice agencies to ensure the criminal courts and the wider criminal justice system operate as efficiently as possible by eliminating waste, simplifying processes and making better use of technology. This will help ensure that the criminal justice system is radically more efficient for the benefit of the public.

Providing fair and simple routes to civil and family justice will also remain an important focus through the provision of early advice and support, and enabling claimants to begin civil cases online. Small claims mediation services have been embedded in the county courts and we continue to promote mediation through the National and Family Mediation Helplines. In addition, we will direct claimants to other dispute resolution services in both civil and family disputes. We are also looking at how we can transform the civil justice system by moving the processing of straightforward, undefended debt claims to dedicated business centre; increasing the volume and range of transactions that can be undertaken online, and improving information and assistance to court users by making better use of telephone and web services. As well as supporting increased transparency in the sensitive work of the family courts we will contribute to the recently announced Review of Family Justice.

We will continue to improve performance and innovate to develop new and better ways of working, to enable us to achieve successes even at a time of financial constraints. The Lean approach has now become an important part of the fabric of HMCS, and we will continue to deploy Lean techniques to ensure we work efficiently and effectively. We are sharing our experience with our partners to generate benefits across the wider justice system. We are streamlining processes and structures wherever possible to enable our resources to be targeted at frontline services, in order to deliver the best possible service to our customers.

Our Annual Report for 2009–10 (to be published later this year) will set out in full what we have achieved during that year. We recognise that it is HMCS staff who have delivered an excellent service, and who are committed to continuing to do so. We will continue to invest in our leaders by extending our development programme to all staff with significant leadership responsibilities. They are the key to achieving our ambitious plans for the year ahead.



Chris Mayer CBE  
Chief Executive



Sir Duncan Nichol CBE  
Non-Executive Chair

## 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](http://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 (DSO), 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.

The MoJ also shares responsibility for the Criminal Justice System (CJS) with the Home Office and the Attorney General's Office. The shared aim is to provide a CJS which:

- is effective in bringing offences to justice and acquitting the innocent;
- engages the public and inspires confidence;
- puts the needs of victims at its heart; and
- has simple and efficient processes.

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.



## **1.4 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 from the last spending review in 2007:

- PSA 13 – Improve children and young people's safety. HMCS has a Key Performance Indicator which is part of a system-wide target for reducing unnecessary delay in care and supervision proceedings.
- PSA 23 – Make communities safer. HMCS will support work to reduce re-offending through problem solving courts and approaches 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, and community engagement 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 is responsible for the courts element of this contribution.

## **1.5 Equality and diversity**

We will comply with equality legislation and codes of practice. Our commitment to this will be evident in each business plan throughout the organisation including actions that will be taken to meet the requirements of the HMCS Standard for Equality and Diversity and its supporting delivery plan.

## Section 2: Our Strategic Priorities and Key National Initiatives for 2010-11

### 2.1 HMCS strategic priorities

The HMCS Business Strategy produced in 2006 set out a clear direction of travel for the agency following the establishment of HMCS as a new organisation in 2005. Much has been done in the intervening time to deliver that strategy, for example through our: implementation of the Criminal Justice: Simple, Speedy, Summary (CJSSS) programme; contribution to the Community Justice programme; development of problem solving courts and approaches; enforcement blueprint; focus on improving services to victims, witnesses and jurors; development of the small claims mediation service, public law outline, and unified family service; Lean programme, and delivery of the Magistrates' Courts Operational Business Systems (MCOBS).

Funding and workload pressures, along with the creation of the MoJ, mean that the time is now right to refresh our strategy work. We must prioritise to make the best use of HMCS resources and those of other organisations in the MoJ and wider government. We also need to ensure that HMCS maximises its influence at local, regional and national level in the wider operation and future transformation of the justice system that is now taking place. The HMCS Board, with the approval of the Lord Chancellor and the Lord Chief Justice, has therefore set the following strategic priorities together with a series of key enabling activities that will support the delivery of our aim and objectives:

#### HMCS strategic priorities

- Work with the judiciary and the criminal justice agencies to ensure the Criminal Justice System is more efficient, speedy and responsive for the public (DSOs 1, 3 and 4).
- Ensure the family courts operate more efficiently, quickly, transparently and responsively for all those who use the family courts and in particular vulnerable children (DSOs 1 and 2).
- Ensure that where cases need to come to the civil courts, they are dealt with as efficiently as possible and that services to users are improved (DSO 2).
- Deliver a cheaper, faster and more proportionate enforcement system that achieves a significantly higher degree of compliance with court orders (DSOs 1, 3 and 4).

#### Key enabling activities

- Develop a modernised, fit for purpose court estate that maximises the use of resources (DSOs 2, 3 and 4).
- Improve the efficiency, service delivery and value for money of HMCS business (DSOs 2, 3 and 4).
- Develop the skills of leaders throughout our organisation so they are confident in performing their duties and can contribute to the corporate work of transforming HMCS and the wider justice system (DSOs 2, 3 and 4).
- Develop IT services that support the effective and efficient administration of justice and reduce costs (DSOs 2, 3 and 4).

**Planned activities to deliver our strategic priorities are set out at section 2.2 – 2.5, and our key enabling activities are at section 2.6 – 2.9. The priorities and activities are supported by our performance targets at Annex A.**

## **2.2 Transforming criminal justice**

### **Working with the judiciary and the criminal justice agencies to ensure the Criminal Justice System is more efficient, speedy and responsive for the public**

Our vision is for efficient criminal courts that inspire confidence and engage wherever possible with their local communities. Within the courtroom there will be an effective and efficient administration of cases. We will meet our responsibilities for the overall management of cases across the wider end to end criminal justice process. We will promote the authority that the courts have over offenders; and take advantage of the potential of the courts to bring the criminal justice agencies and the wider voluntary sector together to tackle recidivism and reduce reoffending. We will improve the experience of all those who use the criminal courts.

In delivering our vision for the criminal courts we will work with the Judiciary, Police, Crown Prosecution Service, Probation, Youth Offending Teams, Local Authorities, Crime and Disorder Reduction Partnerships, Local Criminal Justice Boards, and the third sector.

#### **Programme Outline**

We will:

- Work with other criminal justice agencies and the judiciary to tackle rising Crown Court workload and to improve the efficiency of the courtroom process. In particular, we will support any further work arising from the current judge-led review of Crown Court workload efficiency.
- Build on our work to improve Youth Court processes; based in the lessons of the CJSSS programme. This will help the judiciary to ensure youth cases are dealt with in an appropriate and timely manner.

### **Improving the experience of all those who use the criminal courts**

- Work with other criminal justice agencies to review our obligations in the Code of Practice for Victims of Crime so that the revised Code can be sent to Ministers by the end of June 2010. We will promote actions to improve witness waiting times in the criminal courts. We will introduce a system for monitoring criminal courts' compliance with the standards of service set out in the Witness Charter.
- Ensure that the time of those citizens who carry out jury service is effectively used by monitoring performance against the jury utilisation targets that we have set. We will share and promote best practice amongst the courts to help to improve our performance and

service. We will introduce a survey to be conducted on a snapshot basis across the courts to monitor compliance with the standards of service set out in the Juror Charter.

- Continue our work with the Office for Criminal Justice Reform and the police services to provide effective access to final outcomes of magistrates' court hearings.
- Ensure that magistrates' courts continue to engage with their local communities, with support from HMCS, and to integrate that work with Local Criminal Justice Boards to co-ordinate engagement work.
- Continue our work to roll out Crown Court Means Testing. National implementation will take place between April and June 2010. A post implementation review of the project will take place by the end of 2010.
- Continue developing a model to enable magistrates' courts to tackle the issues behind offending behaviour by adopting problem solving techniques.
- Complete evaluation of our Mental Health Court pilots by July 2010 and Dedicated Drug Court pilots by Autumn 2010 and advise Ministers on the way forward.
- Continue to contribute to the delivery of the Department of Health's Improving Health, Supporting Justice strategy to support defendants with mental health and learning disability needs, in particular by implementing service level agreements with health trusts to commission court psychiatric reports throughout 2011.
- Work with the other criminal justice agencies and with the judiciary to consider and take forward the findings from the evaluation of the community impact statement. We will continue testing the statements and carry out a further assessment by the end of the year.

## 2.3 Efficient, transparent and responsive family courts

### **Ensuring the family courts operate more efficiently, quickly, transparently and responsively for all those who use the family courts and in particular vulnerable children**

The safety of children and the needs of the vulnerable will be at the heart of all we do. Our vision is for family court services that are easily accessible, transparent and provide the right services that meet the individual needs of our users including, where it is appropriate, access to alternatives that support families to reach their own resolutions. We will support the judiciary in simplifying and speeding up the family courtroom process and we will promote much closer working and efficiency between the individual agencies working in the family justice system.

In delivering our vision we will work with the judiciary, Children and Family Court Advisory and Support Service (Cafcass) and CAFCASS CYMRU, local authorities and the Welsh Assembly Government, the Department for Children Schools and Families, the National Safeguarding Delivery Unit and Access to Justice Policy Directorate.

## Programme Outline

We will:

- Contribute to the Review of Family Justice announced in January 2010.
- Work alongside the judiciary to develop a comprehensive business strategy that puts the safety of children and the needs of the vulnerable at the heart of all we do, so that we will have family court services that are easily accessible, transparent and provide the right services that meet the individual needs of our users.
- Contribute to the improvement of communications across all agencies involved in Family Justice and strengthen joined-up relations through committees such as the National Family Justice Board, the President's Combined Development Board and the Family Resources Delivery Committee. Through these, we will continue to support the President of the Family Division and the family judiciary.
- Encourage the take up of mediation, for instance by signposting enquiries to other dispute resolution services away from the courthouse. As the MoJ family mediation programme develops, we will facilitate process changes and other initiatives which will encourage the use of mediation.
- Continue to work to reduce unnecessary delay in public law proceedings.
- Continue to expand the Unified Family Service, increasing the areas in England and Wales where we have a single point of entry into the family justice system. Currently over 70% of family work is being processed at unified family court centres.

Children's safety and the needs of the  
vulnerable will be at the heart of all we do

- Support implementation of the revised guidance from the Private Law Programme in conjunction with the judiciary the MoJ, the Department for Children, Schools and Families (DCSF), Cafcass and CAFCASS CYMRU, which will put safeguarding and welfare of children at the forefront of the process.
- Work with the judiciary, user representative groups and other interested parties to review, and as agreed, amend the Court of Protection and Probate Rules to provide simpler processes that are more sensitive to the needs of those acting for the vulnerable and bereaved when making use of these services.

## **2.4 Improved civil courts**

### **Ensuring that where cases need to come to the civil courts, they are dealt with as efficiently as possible and that services to users are improved**

Within the next 5-10 years we will have a service that:

- makes economies of scale by centralising administrative work at dedicated business centres;
- provides a broader range of channels for accessing advice and guidance, such as telephone helpdesks and web-based guidance tools;
- offers alternative, video or telephony enabled means of attending court hearings; and
- rationalises our core dispute resolution services into a specialist network of hearing centres.

Taken separately, each of the themes can deliver efficiencies and improvements in our services. Taken together, this will result in a re-shaped service that through the use of new technologies, is accessible outside of normal office hours and, as a result of being less reliant on our network of courthouses, less costly to run.

In delivering our vision for the civil courts we will work with the judiciary, advice agencies, housing associations and bulk users.

#### **Programme Outline**

We will:

- Work with MoJ to improve the way in which advice and guidance is delivered to our potential users. We will begin to implement a central telephone helpdesk for civil court users, building on the knowledge and experience gained from local pilots and our existing telephone services over 2010-11 with a view to launching the service in Summer 2011.
- Begin to centralise processes that do not need judicial intervention away from the courthouse, so that we can better concentrate on providing support for the judicial processes; and complete the first phase of transferring basic administrative processes into dedicated business centres by October 2010.
- Upgrade our CaseMan and FamilyMan IT systems to enable remote access to court records which will be completed by December 2010. We will also continue to improve our e-claims service through our work on Possession Claim Online (PCOL) and Money Claim Online (MCOL), so that we can make it more attractive to a wider range of users.

- Work with MoJ and the Civil Procedure Rules Committee to initiate the necessary legislative and procedural changes that will enable the dedicated business centres to be run more effectively and efficiently.
- Improve our back office processes so that we have a better chance of making efficiencies and savings. We will begin to implement an electronic fee accounting system into business centres, and pilot the use of account facilities for our larger users by summer 2010.
- Continue to work with MoJ to provide accurate forecasting of court fee income and will further develop the management information systems that underpin this.

### Providing a reshaped service that is accessible outside of normal office hours

- Work with MoJ to look to remove non-core processes from our responsibility. For example, we will work through MoJ with the Insolvency Service to develop proposals to remove personal debtor insolvency work from the county courts.
- Work with MoJ to re-focus our dispute resolution service offering more alternatives but with less reliance on the courthouse and allowing judges to concentrate on those cases where their expertise is required.
- Work with MoJ to complete work on the automatic orders pilot in 2010, with a rule change that will allow civil court staff to process work that previously could only be dealt with judicially. Building on this, we will work with MoJ to identify whether any further, non-discretionary elements of judicial work could be delegated to administrative staff.

## 2.5 Enforcement

### **Delivering a cheaper, faster and more proportionate enforcement system that achieves a significantly higher degree of compliance with court orders**

Our vision will see court orders complied with at the earliest opportunity and at minimum cost. We will continue to enhance the speed and effectiveness of compliance and enforcement activities, stripping out unnecessary cost. The implementation of Part 3 of the Tribunals, Courts and Enforcement Act 2007 will complement and assist the civil business strategy.

In delivering our vision for enforcing the orders of the court we will work with the judiciary, suppliers, debtor organisations, creditors, bailiff companies and other government departments.

## Programme Outline

We will:

- Continue implementation of the Blueprint for Compliance and Enforcement Services across England and Wales aimed at achieving a higher degree of first time compliance with court orders through the principles of intelligent enforcement, enhanced technology and a reprioritisation of focus and resources.
- Continue our work on the independent regulation of the bailiff industry including the introduction of a unified fee structure and regulations through Part 3 of the Tribunals, Courts and Enforcement Act 2007.
- Consider an ever improving enforcement model to continue the improvement embedded by the Criminal Operational Blueprint post 2012.

## 2.6 A modern court estate

### Developing a modernised, fit for purpose court estate that maximises the use of Government resources

We will deliver an affordable and well maintained portfolio of buildings whose use will be shared with other agencies within the justice system in ways that optimise customer services. New technologies will reduce the need for some customers to visit our courts but when they do, court users will find modern, accessible facilities in which courts operate efficiently and effectively.

Our vision is for an estate comprising of lower cost but better quality facilities, exploiting opportunities for synergies within Access to Justice and the wider MoJ to rationalise the overall MoJ front office network. Furthermore, our civil strategy will support this work through the development of other access channels removing the need for people to attend court.

Our overall strategy will see faster and more reliable services, delivered on time, in the right place, by the right people. And for many there will be no need to visit a court at all in order to resolve their issue.

## Programme Outline

We will:

- Publish a response to the consultations on court closures that were announced in October 2009. Following consideration of the consultation responses, the Lord Chancellor will make decisions on closures on a case-by-case basis. As part of the estates strategy, we will continue to review the estate.
- Open the following new court buildings: Warwickshire Criminal Justice Centre; Bristol Civil Justice Centre; the Rolls Building, Royal Courts of Justice; and the new Westminster Magistrates' Court.



- Continue our programme of integrations (county courts into magistrates' courts) and explore further opportunities for integration with the Tribunals Service and the rest of MoJ.

**Our estate will comprise of lower cost  
but better quality facilities**

- Incorporate our requirements for Estates Management contracts and services within the proposed frameworks for MoJ property services and works by April 2011.

## **2.7 Improved service delivery**

### **Improving the efficiency, service delivery and value for money of HMCS business**

Our vision sees an organisational structure and operating system that are fit for purpose providing best value for money, engendering confidence and delivering sustainable performance. We will be a reliable, stable and respected justice agency that is flexible enough to respond to the changing needs of our customers and the changing demands of the justice systems we serve.

We will ensure that the structure and processes of HMCS are as efficient as possible; resources are focussed on the front line and consistent procedures are applied throughout HMCS. We will exploit opportunities for joint working and sharing of services with other MoJ bodies; in particular with the Tribunals Service. We will understand the needs of all those who use the courts and adapt our services to meet these needs.

#### **Programme Outline**

We will:

- Continue to develop new and improved systems and tools to provide high quality financial management information to underpin approaches to resource allocation and wider decision making.
- Build on the recent development of an Activity Based Costing model for the magistrates' courts, and will extend this approach to analyse the administration of the Crown Court and the main elements of our enforcement activities.
- Complete work to refine our accounting and reporting systems to analyse costs more accurately on a jurisdictional basis. This will enable improvements to forecasting and modelling the impact of workload changes.

- Complete the majority of planned initial Lean implementation events in courts and offices across HMCS by March 2011.
- Build on the cross-CJS efficiency work currently underway in South Sefton and by Gwent and Sussex Criminal Justice Boards. This continuous improvement work will result in more effective and streamlined case management and make better use of all criminal justice agency resources. This work will be driven forward as part of the transforming justice programme.

## Adapting our services to understand and meet the needs of all those who use the courts

- Continue our investment in new technology to help reduce energy consumption, by using these systems to monitor and target consumption at our most energy inefficient courts. These improvements will inform spending on energy efficiency that will drive down costs and further reduce our overall energy consumption.
- Shift the focus of our sustainable development strategy in 2010-11 to investing in water saving equipment, with a predicted water consumption saving of 10% across the estate.

## 2.8 Developing skills

### **Developing the skills of leaders throughout our organisation so they are confident in performing their duties and can contribute to the corporate work of transforming HMCS and the wider justice system**

Our vision sees all HMCS staff contributing towards the efficient and effective operation of the courts, whether that be leaders in the justice field contributing their expertise in the development of justice policy at local, regional or national level. We will have a well trained and fully engaged workforce that is flexible and able to deal with a changing environment where more and more is demanded of it.

#### **Programme Outline**

We will:

- Further develop our leadership programme; for example through expanding it to a wider range of managers and introducing Appreciative Leadership techniques throughout HMCS.
- Ensure that high performing members of staff throughout the organisation are identified and given support to enable them to progress more quickly.
- Implement steps to ensure we are engaging effectively with our staff; in particular responding to findings of the annual MoJ staff engagement survey.
- Continue our equality and diversity training and put in place a strategy for local and national staff training to address any training gaps, create greater consistency and ensure that all new training materials and new courses have equality and diversity built into them at source.

Contributing towards the efficient and effective operation of the courts

- Improve succession planning by developing a system of talent management for our staff at Bands A and B, supported by appropriate learning and development opportunities.

## 2.9 IT that supports

### **Developing IT services that support the effective and efficient administration of justice and reduce costs**

We will have IT that supports the effective and efficient administration of justice and drives down the costs of the business. Our existing IT systems will be stabilised and new systems will be fit for purpose and effectively supported. We will develop systems to increase the

availability of information via the Internet to our service users and public, and provide the infrastructure required to support the delivery of our civil strategy, and of alternatives to going to court.

## Programme Outline

We will:

- Support the delivery of the HMCS Civil Strategy and the Access to Justice Strategy; for example through the Service Upgrade Project (SUPS) and providing the infrastructure required for back offices and maximising first contacts with the civil courts via the Internet.
- Complete the development of e-working capability for those High Court jurisdictions; Chancery Division, Admiralty & Commercial Court and Technology & Construction Court; moving into the Rolls Building in 2011 and evaluate this as a model.
- Give full consideration to Sir Rupert Jackson's Review of Civil Litigation Costs: Final Report which was published on 14 January 2010. We will work with MOJ and the judiciary to analyse and implement the recommendations, in particular the IT recommendations put forward for civil courts.

IT systems that increase availability  
of information via the Internet to our  
service users

- Improve cross-CJS connectivity to deliver more efficient and effective systems, communication and use of the justice estate; for example, through PentiP, Postal Charging and Prison to Court Video Links, and the piloting of Virtual Courts.
- Improve the reliability of HMCS IT systems, for example: the CRown Court Electronic Support (CREST) system replatforming; and improvements to eXchanging Hearing Information By Internet Technology (XHIBIT).
- Continue our work on Libra and the Magistrates' Courts Operational Business Systems (MCOBS) Project to reduce costs, improve court efficiency and performance; and to meet specific legislative and compliance requirements. These developments will maintain Libra system stability, availability and business continuity. Our work will improve the quality of management information. We will implement, where possible, new Libra interfaces to support improved information sharing with criminal justice partners.
- Continue to improve the rapid and secure flow of information between different business jurisdictions and with other partners, for example through the Bichard 7 project.

## **Annex A: Key Performance Indicators and Supporting Indicators 2010-11**

The following Key Performance Indicators (KPIs) and Supporting Indicators (SIs) in the table below 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 on 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).

<b>Business area</b>	<b>High level target Key Performance Indicator (KPI)</b>	<b>Other targets and measures Supporting Indicator (SI)</b>	<b>Target</b>
<b>Criminal Courts</b>	KPI 1 – Crown Court – To commence at least 78% of cases within the following timescales in the Crown Court: <sup>1</sup> <ul style="list-style-type: none"> <li>• cases that are sent for trial within 26 weeks of sending<sup>2</sup>;</li> <li>• cases that are committed for trial within 16 weeks of committal<sup>2</sup>;</li> <li>• appeals within 14 weeks of the appeal being lodged;</li> <li>• cases that are committed for sentence within 10 weeks of committal.</li> </ul>		78%
		Crown Court - Ineffective trial rate.	To maintain 09/10 performance
		Crown Court - Cracked trial rate <sup>3</sup> .	No target set <sup>4</sup>
		Crown Court - Effective trial rate.	No target set <sup>4</sup>
		Crown Court - Witnesses called within 2 hours <sup>5</sup> .	60%
		Crown Court - Average witness waiting time.	2 hours and 30 minutes
		Crown Court - Juror utilisation - Juror sitting days as a proportion of the sum of attendance and non attendance days.	70%

<sup>1</sup>Performance against this KPI is used as a diagnostic measure to support the Government's Efficiency and Effectiveness measures required to achieve Public Service Agreement 24.

There are four main types of case heard in the Crown Court. Some of the more serious offences can only be tried on indictment in the Crown Court and are immediately sent for trial from the magistrates' court to the Crown Court. Offences that could be heard either in the Crown Court or magistrates' court will first have a mode of trial hearing in the magistrates' court and if they are to be heard in the Crown Court are committed for trial. The Crown Court also hears appeals from magistrates' courts against conviction or sentence, and where the offence warrants it an offender who is found guilty in the magistrates' court can be committed for sentence to the Crown Court where the judge has greater sentencing powers.

Because of the different nature of each of these types of cases we set different timeliness periods for when the Crown Court should have undertaken its first main hearing. This reflects the different amounts of time needed to complete the preparatory work leading up to that hearing. However, in a proportion of cases the needs of justice are such that even more time will be needed to prepare a case and to provide for this our target is that 78% of cases meet the timeliness period set.

<sup>2</sup> For trial cases we will also monitor the average waiting time for custody cases, bail cases and overall.

<sup>3</sup> The vast majority of cracked trials in the Crown Court and magistrates' courts are still effective outcomes because the defendant offers an acceptable guilty plea on the day of trial.

<b>Business area</b>	<b>High level target Key Performance Indicator (KPI)</b>	<b>Other targets and measures Supporting Indicator (SI)</b>	<b>Target</b>
<b>Criminal Courts</b>	KPI 2 – Magistrates' courts – Charged cases, average time from charge to disposal.		<6 weeks
		% of charged cases disposed of within 6 weeks.	No target set <sup>4</sup>
		Magistrates' courts - The average number of hearings per case.	2.25
		Magistrates' courts - Ineffective trial rate	To maintain 09/10 performance
		Magistrates' courts - Cracked trial rate <sup>3</sup>	No target set <sup>4</sup>
		Magistrates' courts - Effective trial rate	
		Magistrates' courts - Vacated trial rate	
		Magistrates' courts - Witnesses called within one hour	60%
		Magistrates' courts - Witnesses called within two 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 <sup>6</sup> 2nd working day 95% by COP 3rd working day 100% by COP 6th working day

<b>Business area</b>	<b>High level target Key Performance Indicator (KPI)</b>	<b>Other targets and measures Supporting Indicator (SI)</b>	<b>Target</b>
<b>Enforcement</b>	KPI 4 – Payment rate for Financial Penalties <sup>7</sup> .		85%
		Payment rate excluding administratively cancelled matters.	No target set <sup>4</sup>
	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

<sup>4</sup>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.

<sup>5</sup> Performance against witness waiting targets are measured via biannual surveys in June and November.

<sup>6</sup> Close of Play

<sup>7</sup> 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.



<b>Business area</b>	<b>High level target Key Performance Indicator (KPI)</b>	<b>Other targets and measures Supporting Indicator (SI)</b>	<b>Target</b>
<b>Civil</b>	KPI 6 – Increase the proportion of defended small claims that are completed otherwise than by a court hearing.		65%
		The proportion of defended fast and multi-track cases that are completed otherwise than by a hearing.	87%
	KPI 7 – Increase the proportion of defended small claims that are completed (from receipt to final hearing) within 30 weeks.		70%
		The proportion of defended fast track cases that are completed (from allocation to final hearing) within 30 weeks.	78%
		The proportion of defended multi track cases that are completed (from allocation to final hearing) within 50 weeks.	78%
<b>Family</b>	KPI 8 – Percentage of care and supervision cases that achieve a final outcome for the child within 30, 50 and 80 weeks		26% within 30 weeks 66% within 50 weeks 92% within 80 weeks
		To increase the proportion of Family Proceedings Court cases completed within 30, 50 and 80 weeks.	35% within 30 weeks 75% within 50 weeks 95% within 80 weeks
		To increase the proportion of Care Centre cases completed within 30, 50 and 80 weeks.	20% within 30 weeks 60% within 50 weeks 90% within 80 weeks

<b>Business area</b>	<b>High level target Key Performance Indicator (KPI)</b>	<b>Other targets and measures Supporting Indicator (SI)</b>	<b>Target</b>
<b>Customer Service</b>	KPI 9 – The 'very satisfied' element of the HMCS court user survey be maintained at or above the year 2 (2007-08) survey baseline of 41%.		41%
		Regional Measure: Each Region to maintain their 'very satisfied' survey results at or above their 2009-10 Regional baseline.	Local Regional 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 <sup>8</sup> .	90%
		Courts - proportion of complaints responded to in 10 working days.	90%

<sup>8</sup> From 1 April 2010, HMCS will be reducing its complaint handling tiers from three tiers to two by removing the Area Directors Offices tier. This will be phased in over the next twelve months.

## Annex B: HMCS Resource Budget 2010-11

Category	2009-10 £ million	2010-11 £ million
<b>1 Income</b>		
Voted expenditure from MoJ (near cash)	755.0	752.0
Voted expenditure from MoJ (non-cash)	240.0	228.0
Income from fees, fines and other income	670.0	636.0
<b>Total income</b>	<b>1,665.0</b>	<b>1,616.0</b>
<b>2 Expenditure</b>		
Staff/Judicial costs	848.6	818.7
Estates	275.5	274.9
Other costs	244.3	264.5
Utilisation of provisions (magistrates' pensions)	17.0	29.8
Capital charges	240.0	228.0
<b>Total expenditure</b>	<b>1,665.0</b>	<b>1,616.0</b>

### Notes

1. Estates costs represent the resource costs. This includes rent, rates, service charges private finance initiative (PFI) costs, Aramis contract costs and other estate costs.
2. Other costs represent court costs (jurors/loggers), IT/telecoms, utilities, general office expenses e.g. printing, postage and other costs.
3. Capital charges cover non cash items; for example depreciation, cost of capital and other non cash provisions.
4. The 2009-10 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.



