

HMCS Business Strategy

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Introduction

The Secretary of State and Lord Chancellor's overarching vision for the Department for Constitutional Affairs is that the services we deliver should be for the public not the provider. In his Manifesto for a New Department Lord Falconer said:

".....the driving force behind our future reforms, policies and funding is to demonstrate a clear and unequivocal shift; a shift from responding to the needs of public service providers to delivering on the priorities of the public they serve."

Our strategic goal

This strategy looks ahead to create a vision for the organisation that Her Majesty's Courts Service (HMCS) aims to become over the next five years. Our goal is that:

*“All citizens according to their differing needs are entitled to **access to justice**, whether as victims of crime, defendants accused of crimes, consumers in debt, children in need of care, or business people in commercial disputes. Our aim is to ensure that access is provided as quickly as possible and at the lowest cost consistent with open justice and that citizens have greater confidence in, and respect for, the system of justice.”*

We recognise that to achieve this we must work with others, including the Legal Services Commission, to deliver improved outcomes for citizens using the justice system, many of whom do not come to court. Our responsibilities extend to these people as much as to court users. When people do come to court we will provide services that suit the court user, through modernising service delivery channels and streamlining processes. Tailoring the courts' estate and improving IT infrastructure will play a key part in delivering this strategy.

Our ability to deliver a significant change programme depends on securing the necessary investment and efficiency savings, and our strategy and implementation plans will have to be reviewed and updated as the investment and revenue funding becomes clear. We are developing business cases to support the case for change and to determine the priorities for implementation, and our capacity and capability to achieve this change.

Our ability to implement change will also depend upon:

- generating internal investment through efficiency savings from reducing operational costs, procedural change, administrative consolidation and increased take-up of automated services;
- ensuring that capacity and resources are not wasted on activities that could be better done elsewhere; and
- securing new investment to modernise service provision.

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

There are some key areas where we can administer the courts more efficiently:

- improved use of our buildings;
- removal of high volume bulk work from courts;
- centralisation of some back office administration;

- improved take-up of telephone and e-services;
- new ways of administering the £20bn of money we handle each year;
- consolidation of fines and enforcement activity in the national enforcement service;
- improved electronic management of documents and case files.

We set out here the strategic principles that underpin organisational change and key milestones for the leaders of HMCS, so that these can be built into current planning rounds and prioritisation.

Strategic principles

Our strategy is based on six principles that address this goal.

We will:

1 Put the needs of the citizen first

This means we will focus on the needs of all citizens, and ensure that the requirements of the most vulnerable in society, especially children, are met when they need to use the justice system.

- Our planning and decision-making will be informed by the views of those who use the justice system, and supported by better data about the needs of those at risk, and about performance and efficiency;
- different users have different needs - “one size does not fit all”;
- the best possible outcomes for children will be achieved as quickly as possible, and their protection from harm will be a priority;
- in criminal cases, the needs of victims, witnesses and jurors will be a priority. They will be treated with respect, kept safe and will be well informed throughout. We will work with judges, magistrates, and others to ensure a just and fair hearing for all who appear before the courts;
- good quality advice and information will be made available in civil and family disputes; the citizen will be advised and guided as to the best way of avoiding or resolving a dispute, including ways of resolving it outside the courtroom, and on wider issues such as indebtedness;
- processes and procedures will be designed to suit the user rather than the administrator.

2 Increase access to justice

This means that court users have greater choice and convenience.

- Services will be made available when and where they are needed - at court houses, by telephone, on the internet, and through intermediaries, such as quality marked advice agencies;
- information about the courts will be made easily understandable and widely available;
- counter services and court hearings will be made available at multi-purpose centres;
- better facilities will be provided for all users - jurors, victims and witnesses - and better support provided for users when they give evidence or attend at court;
- where appropriate we will use telephone and video technology to make it easier to participate in proceedings.

3 Ensure respect for, and confidence in, the courts

This means we will ensure that the needs and concerns of local communities are understood and reflected in the priorities agreed with the judiciary for our courts. We will ensure that decisions of the court are respected and complied with, and where not complied with, are swiftly enforced. Those who attend court will be treated with dignity and respect.

- We will develop national customer service standards and a new HMCS courts charter that will aim to build the trust of those who use our courts;
- we will continue to promote understanding of the courts, the parts played by citizens and professionals, and the outcomes of proceedings, for example, through open days and school activities;
- we are piloting new approaches to community justice in Liverpool and Salford and will implement the lessons learnt into other courts;
- we will make it easier to comply with orders and will pursue default rigorously when it occurs;
- we will implement a national enforcement service, for criminal and civil enforcement, that will manage fine accounts closely, trace defaulters, improving standards and strengthening the powers of, and support for, enforcement officers;
- there will be a new combined Register of Judgments and Fines.

4 Transform service delivery

This means that we will provide access to justice in new ways that meet the expectations of court users for modern standards of service.

- We will aim to increase the proportion of civil cases that are commenced electronically to at least 75% by 2010;
- we will investigate the potential to provide systems for the electronic management of cases and court papers;
- we will increase the number of short hearings that can be dealt with remotely to save people travelling to court;
- longer term our aim will be that the citizen will be able to get help or information about progress in a case at any court, regardless of where the case was issued;
- we will automate some processes and enable court users to track progress on-line in more cases;
- we will jointly deliver criminal justice services to ensure that citizens are not passed from one agency to another.

5 Support the independence of the judiciary

This means that, in accordance with the principles of the judicial concordat, we will provide the support necessary for judges and magistrates to carry out their roles effectively.

- We will ensure that courts have sufficient skilled and well-trained staff;
- we will ensure that other resources and facilities are sufficient for effective and efficient operation of the courts, and we will work closely with partner agencies to secure key services critical to court operations;
- we will carry out the tasks delegated to us by judges and magistrates expertly and professionally;
- we will work in partnership with the judiciary to support judicial decisions about deployment and allocation of work.

6 Be an employer of choice for those wishing to deliver first class public service

This means we will be a listening, learning and empowering organisation. We will listen to the ideas and concerns of our people and use their experience to make HMCS a good place to work and to improve the system for court users.

- We will align jobs with customers' needs;
- we will provide the right training, skills and tools to support people in their roles;
- we will use the Professional Skills for Government Programme to ensure the right mix of skills, develop our people and provide opportunities to progress;
- we will develop excellent leaders;
- our people will be representative and understanding of the diverse communities we serve.

What will be different for court users?

- **The vulnerable** will have a single point of contact through the court process; will have separate facilities at court; and will be able to give evidence safely. They will be kept informed, have certainty about what is happening and their cases will be dealt with swiftly. Decisions about children's futures will be made more quickly, with an emphasis on helping parents to understand children's needs.
- **The citizen** will be provided with an excellent service to victims whilst ensuring that the defendant's rights are fully respected. We will make sure that those who step forwards to perform a public duty as a juror, or witness, will be properly supported. Magistrates will be recruited from a whole range of occupations and backgrounds, and will be trained to be effective and confident members of the judiciary. Citizens will be guided to the best way of avoiding or resolving a dispute. Court procedures will be simpler, and easier to access, and help will be available at any courthouse for an enquiry. The internet will provide 24-hour service, and more services will be available by telephone.
- **Those engaged in the Criminal Justice System and other partner agencies** will exchange information and documents with the courts electronically. We will work with them to provide services, closely manage progress of cases, and look after witnesses; and we will share facilities and accommodation. Intermediaries, such as advice agencies, will provide access to some civil and family services.
- **The legal professions** will be able to file documents and present evidence electronically and will be actively encouraged to engage with HMCS electronically. They will have easy access to information about the progress of their cases, and greater certainty about timetables and hearing dates.
- **Business** will have better facilities for the resolution of commercial disputes; they will have access to swift and efficient ways of recovering debt or property around the clock; and will be able to rely on effective enforcement of court judgments.
- **The state** will, where appropriate, conduct its court business, as prosecutor, claimant or creditor, electronically in order to extend electronic access to the courts for citizens and to ensure best use of public funds.
- **Fine and debt payers** will comply with court orders and have hundreds of places to pay, and 24 hour internet payment. If they do not pay they can expect a swift reminder and then rapid recovery action if they still fail to comply.

What will our organisation look like?

Our underlying organisation will reflect the shift of work from traditional structures to services that are designed with the citizen in mind. When personal attendance or face-to-face advice is required courthouses will continue to be important. Our other services will increasingly be provided by telephone or the internet, will be convenient and affordable, and our administrative structures will change to reflect this.

Courthouses - by 2010, instead of separate buildings and separate administrative staff for the Crown, county and magistrates' courts, there will be many unified or linked centres with a joint administration to provide flexible support for the business of the courts. This will mean:

- the development of family court centres, mainly within existing centres;
- consolidating our estate without losing local services;
- the provision of dedicated courts and panels – e.g. community justice, domestic violence, drugs and anti-social behaviour.

Administrative services by 2010 we will have moved from duplicated and fragmented local administration to a mix of back office and joint local administration maintaining performance while meeting our efficiency targets for fewer staff. This will mean:

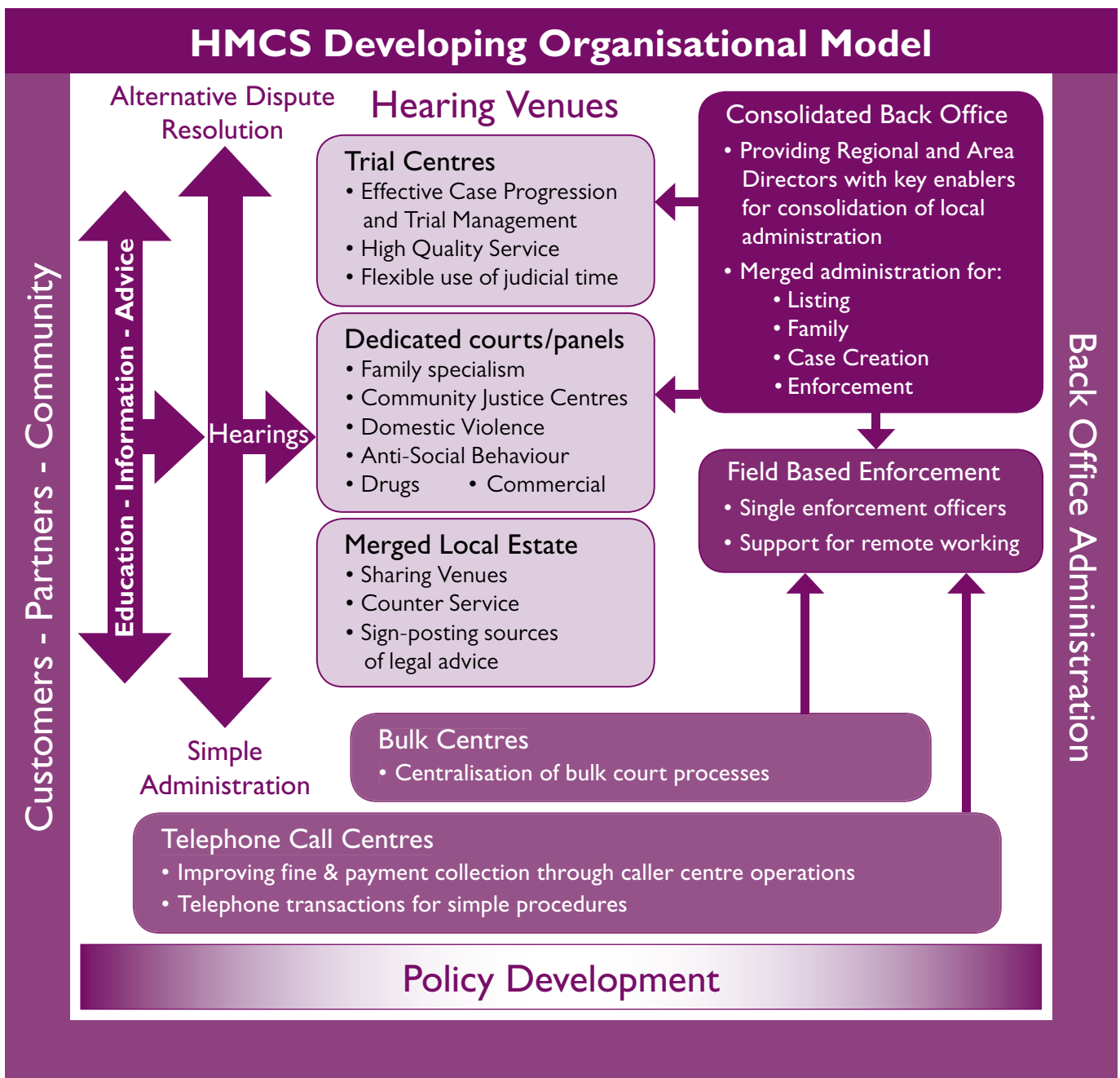
- local and area administrative teams working in partnership with judges in preparing and listing cases, and supporting them in the courtroom;
- administrative processes will be streamlined and centralised in regional and national administrative centres with industrial strength file management and printing and document despatch solutions;
- an increasing proportion of the work will be electronic and automated;
- more enquiries dealt with in telephone call centres that will support internet services and provide services by telephone.

Enforcement services by 2010 we will have moved from separate criminal and civil enforcement teams to a single national enforcement service. This will mean:

- field based enforcement teams linked in real time to administrative offices and particularly to other criminal justice agencies by technology;
- payment collection using telephone call centres;
- improved collection of and accounting for payments providing more efficient administration of money handling.

The developing organisation model

The emerging high-level organisational model looks like this:



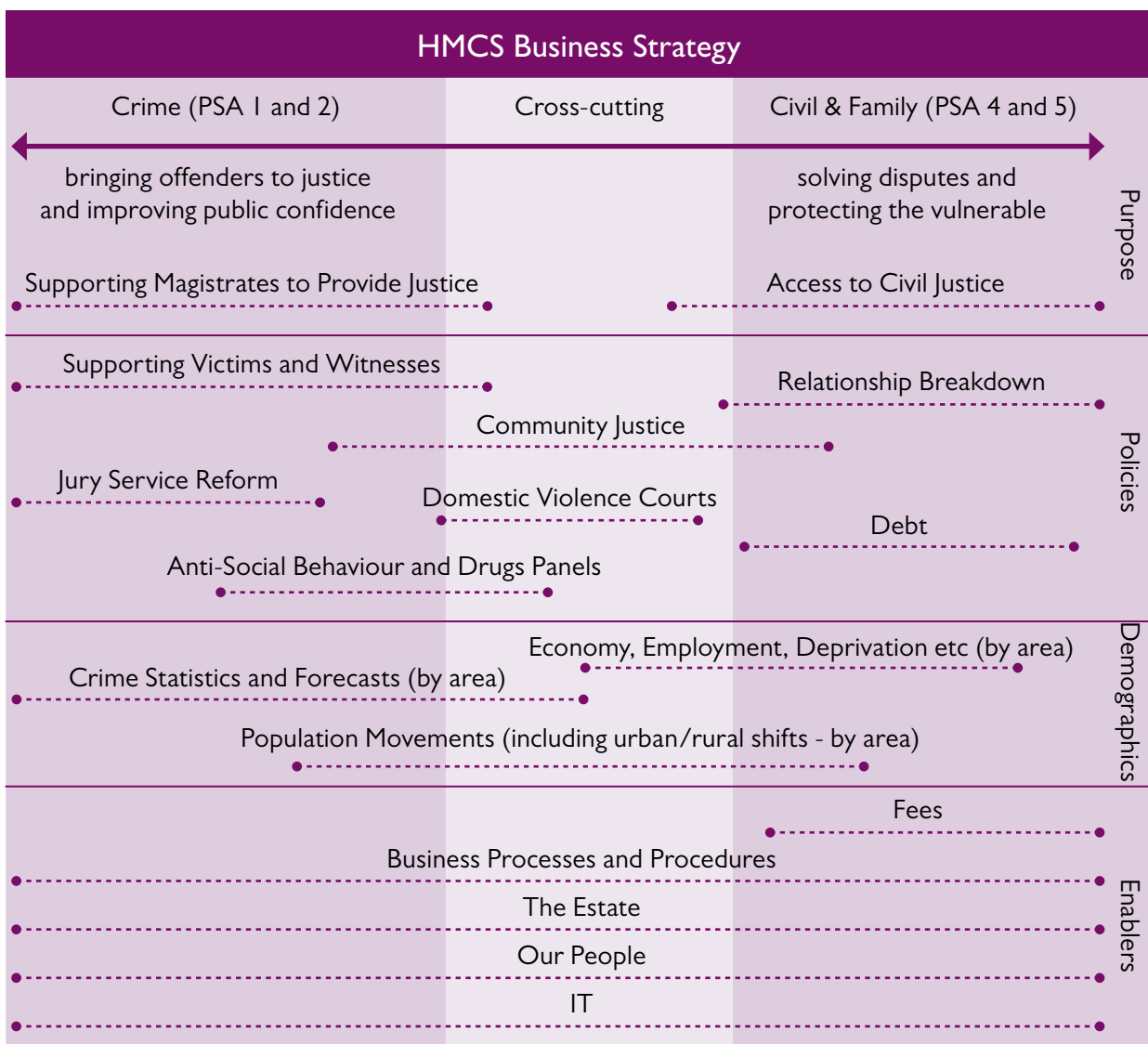
The model shows the different options for the administration of work entering the justice system, and illustrates the importance of establishing the needs of different court users and the connection between the development of policy and operational delivery that is a key role for the policy units in the HMCS corporate centre.

Delivering Government priorities

The Department for Constitutional Affairs Strategy has articulated a set of priorities aimed at:

- reducing crime and anti-social behaviour;
- protecting the vulnerable; and
- delivering faster, more effective and more proportionate dispute resolution.

The Office for Criminal Justice Reform has developed a strategic framework to improve criminal justice performance by improving the way in which DCA, HMCS, the Home Office and the Crown Prosecution Service work. We go forward into the next five years already developing a major programme of reform that reflects these priorities and strategies.



In *Making a Difference – Taking Forward Our Priorities* published in May 2005 the Secretary of State and Lord Chancellor described the priorities for the coming period. These priorities drive our Public Service Agreements (PSA).

Bringing more offences to justice

We have contributed to the improved performance in bringing offences to justice across the criminal justice system. We will continue to do so through close co-operation at Local Criminal Justice Boards and:

- prosecutions for the more serious crimes will transfer to the Crown court under a more streamlined procedure with automatic directions made at magistrates' courts being monitored by case progression officers;
- where the defendant pleads not guilty, compliance with court directions orders for preparation for trial will be strictly enforced;
- prosecutions for the less serious crimes will be heard much more quickly at magistrates' courts. We will work with the judiciary to establish dedicated courts or panels where this is in the interests of justice;
- some high volume, low level work, such as TV licensing, council tax and some motoring offences, will be dealt with in alternative ways that do not require disproportionate amounts of court time and resource.

Improving public confidence

Increased public confidence will follow from improved performance, but there must be more.

We will:

- set standards for service and facilities consistent with the new Code of Practice for Victims and Witnesses published in 2005;
- implement a new customer satisfaction measure across all courts from 2006;
- ensure that information on progress and outcomes in criminal cases is rapidly disseminated so that all parts of the criminal justice system have up to date information for planning, policing and keeping the public informed;
- improve the facilities and information provided for jurors;
- develop proposals for dedicated courts or panels for priority areas in community justice during 2006;
- achieve corporate Charter Mark status that will include assessment of "positive results from our involvement with the community" by 2008;
- implement dedicated courts/panels that focus resources and experience on achieving better outcomes in cases involving drugs misuse by 2007.

Protecting the vulnerable

We will provide the necessary support to the judiciary so that children's cases can be dealt with as quickly as possible, and by providing the right levels of support for vulnerable victims and witnesses.

We will:

- implement local Family Justice Councils responsible for promoting inter-agency delivery;
- develop proposals for an advocacy or support role to help the victims of serious crime;
- implement the Civil Partnerships Act in 2006;
- ensure there is a significant increase in the number of courts implementing a specialist approach to domestic violence;
- work with the judiciary to reduce delay in Public Law Children Act cases by increasing the proportion of care cases dealt within 40 weeks by 10%;
- work with other government departments to increase the quality and availability of expert witnesses by 2007.

Earlier, more effective and proportionate resolution of disputes

We will provide facilities to enable disputes to be resolved in the way that is best for those involved. In some cases this will be through measures that avoid disputes, and in others it may mean providing speedier alternatives to an adversarial trial.

- Where a dispute arises and court proceedings are not the best way of resolving it, people will be guided towards other ways of resolving disputes, such as early neutral evaluation, conciliation and mediation;
- Work with the Legal Services Commission to develop ways in which financial support will be given to agencies and lawyers who encourage ways of avoiding debt and disputes;
- Where there is no appropriate alternative to court proceedings, simple cases that are not defended will be dealt with efficiently and simply, making best use of electronic and centralised administrative channels that reduce cost and increase speed;
- Where cases are defended, or involve complex issues, they will be dealt with expertly at the right level.

We are developing new approaches in a number of priority areas, which put the needs of the citizen at the heart of the justice system, will improve our performance, and will lead to transformational change.

Our programme **Supporting magistrates to provide justice** is developing ways to give better support to the 28,000 magistrates who volunteer to sit in our courts. A White Paper published in 2005 set out how their effectiveness would be improved, and how

respect for them would be increased. It also put forward proposals to remove the burden of high volume bulk work from the courts.

Our **Jury service reform programme** will develop ways of improving the experience of jury service and ensuring that it is made clear that a juror's contribution is highly valued.

Our programme **Supporting victims of crime** will ensure that our court buildings provide separate, safe and comfortable facilities for victims and witnesses. We will develop proposals for legal advice for victims of crime in serious cases, and ensure that victims and relatives in serious crimes have a voice in proceedings and a right to representation and advocacy.

We will ensure respect for the authority of the court through our **Enforcement programme** that will implement a national enforcement service for all court enforcement, and through measures to improve court attendance including the development of proposals for trials in absentia.

We will work with our criminal justice partners to review the way that **fraud trials** are dealt with. This will include steps to focus presentation, create specialist centres, and reform jury requirements.

Our strategy for achieving this change

Detailed plans, schedules and resource costings will proceed as part of programme and project management activities. The business strategy will provide the overall agenda for change and will be kept under regular review, and updated when necessary. In summary the key business change activities are listed below:

Effective case management

We will provide better systems to support the judiciary in case management and listing so that cases are ready to come to trial as quickly as possible at the appointed time reducing delay.

We will:

- implement a Criminal Case Progression Framework;
- implement a diary planning tool for criminal listing officers in 2006;
- develop and roll out a cross-agency criminal case progression system by 2007;
- develop a network of family court centres, some within existing court centres;
- establish case progression officers in each criminal court;
- pilot case progression officers in family courts in 2006;
- roll out a single case records system to family courts by 2008;
- pilot a case management IT system for the Commercial Court in 2006.

Modernising service delivery

We will modernise our services to improve access to justice and to increase customer choice and convenience. We will provide services that meet increased customer expectations, and we will use new technology to do things in new ways. The table below indicates the scope of opportunity.

Customer Interaction	Current Mechanism	New opportunity
Information and guidance	Telephone Mail publications Web	Dedicated helplines Quality marked advice agencies
New claims	Post Electronic money claims (MCOL & Claims Centre) Local court office	Internet for all claim types Data transfer for housing and other major claimants Any court office

Customer Interaction	Current Mechanism	New opportunity
Requesting judgment	Post Money Claims On Line	Telephone Internet for all money claims
Issuing enforcement	Post Local court office	Telephone Internet Any court office
Changing case details	Post	Telephone Internet
Payments	Cheques, Postal Orders by post and at the counter Some non standard electronic payment systems in areas	Nationwide Electronic Payment Internet Payment Payment cards at commercial outlets
Case enquiries	Post Telephone	Internet case progress File and serve shared document systems
Filing documents	Post In person Some e-mail	Internet forms e-filing service
Response to jury summons	Post	Telephone Internet

We will:

- further develop the National Mediation Helpline;
- with the Department for Education and Skills, expand facilities for in-court conciliation, and develop new arrangements for reducing the conflict in contested family cases;
- develop new approaches to mediation in civil and family cases during 2006;
- implement a National Framework of Customer Service Standards during 2006;
- pilot telephone transactions at the County Court Bulk Centre during 2006;
- implement real time data sharing via the XHIBIT and LIBRA systems that will cut delays, reduce re-offending by improving operational intelligence and improve efficiency. In line with Bichard Recommendation 7 we will develop direct links to the Police National Computer that will improve data quality and ensure that police officers have accurate bail status information for street policing and data to support investigations;
- work with the prosecutors in serious and complex cases to develop a business case for technology that makes it easier to present documentary and audio-visual evidence so that is easier for practitioners to find material and for jurors to follow it, shortening the length of the trial;

- digitise recording of testimony in criminal courtrooms by 2007 to improve retrieval of oral evidence and support judges in summing up and in hearing appeals;
- improve and actively market Money Claims On Line (MCOL) and the Claims Production Centre increasing the proportion of money claims commenced electronically and aiming to achieve 250,000 claims per year via MCOL by 2008, reducing by 40% the cost of administering those claims;
- develop proposals for a document e-filing service in partnership with a third party supplier or with other public sector agencies;
- implement an internet service for rent and mortgage housing claims, Possession Claims On Line (PCOL) by 2006 accounting for 100,000 claims by 2008;
- extend the scope of the Register of County Court Judgments to include fines and High Court judgments by 2006, and by 2008 increase the data held to improve lending and enforcement practice;
- develop proposals for national electronic payment methods for fines and debts by 2008;
- work towards the capability to offer service from any court office to citizens by 2010.

Simplification of process and procedure

We will continue to work with the judges and procedural rules committees to make the court system easier to use and ensure that processes are clear, easier to understand and respected by the public.

We will:

- improve education, guidance and advice for court users and citizens;
- review our procedural rules to identify ways to make procedures simpler for court users and easier to administer;
- improve and simplify the small claims procedure during 2006;
- work with the Family Procedure Rule Committee to harmonise and integrate family proceedings rules;
- review case management of defended civil actions and implement any changes in 2007;
- develop options for a single stage money claims procedure for possible public consultation in 2007;
- complete the reforms of enforcement that include Administration Order and Attachment of Earnings proceedings by 2008;
- consider creating a single civil jurisdiction after 2009.

Efficient administration

We will ensure maximum value for money for the taxpayer and fee-payer. We will manage the needs of different customer groups in ways that more closely match their needs and we will create an affordable service delivery model.

We will:

- increase the proportion of work conducted through existing bulk centre and electronic services by targeting specific groups of court users and the professions;
- develop plans to centralise issue of all money claims and warrants at the County Court Bulk Centre by 2007;
- implement upgraded versions of our case records systems that will support administrative consolidation and flexibility in 2007;
- evaluate the opportunity to consolidate the administration of fine, fixed penalty and debt payments into national or regional centres by 2008;
- increase use of our electronic services by mandating public sector organisations by 2008;
- consult on proposals to divert bulk work from the magistrates' courts to other agencies or to bulk centres;
- work with others to establish the potential to increase the number of offences for which Fixed Penalty Notices can be issued;
- work with our new IT suppliers to develop or outsource large-scale court printing and despatch solutions;
- consolidate administrative services into fewer sites by 2010;
- consider mandating to increase use of electronic services for other appropriate organisations by 2010.

Ensuring compliance and effective enforcement

We will ensure that orders and financial penalties imposed by the court are complied with and enforced; we will deal swiftly and effectively with defaulters.

We will:

- develop proposals for regional telephone call centres for fine and debt payments during 2006;
- implement the national enforcement service to ensure best practice, good performance and closer working with other enforcement agencies in a pathfinder region in 2006, and elsewhere in 2007;
- provide new mechanisms for the enforcement of Contact Orders;
- develop plans to implement mobile technology nationally for enforcement officers in 2008;
- work towards implementing a single electronic record of all fine accounts held for a fine defaulter by 2010.

The challenges we face

Creating a new organisation and culture

The creation of HMCS has brought together 43 organisations into one. Historically this has meant different service levels across the court system, and a degree of duplication of estate, technology and other resources.

To meet the strategic challenge we will build on the best practice, skills and assets from the past, understand the demands and priorities for the future, and ensure HMCS is focused on the diverse needs of people, communities and society, and has a culture that delivers excellent customer service.

Meeting demand and maintaining performance

Demand forecasting is complex. HMCS is building further modelling and forecasting capacity for the unified organisation to assess trends of workflow in the courts. However, we can make planning assumptions based on some current trends.

Criminal Justice

Key factors:

- overall levels of crime are falling and projections indicate a stable or slightly increasing criminal caseload;
- continued improvement in effective enforcement;
- eight criminal justice areas in the South East will be affected by planned population growth;
- evidence shows that anti-social behaviour is worst in the poorest communities. The index of social deprivation continues to provide a focus for priority investment in approaches to community justice;
- the most expensive 1% of cases by volume in the Crown Court account for 28% of the whole criminal legal aid budget, or 50% of all Crown Court legal aid expenditure;
- the ineffective trial rate in Crown and magistrates' courts continues to improve reaching the target baseline in England & Wales in May 2005;
- just under 410,000 people were called to jury service in 2005, of whom 181,000 sat on a jury.

To meet the strategic challenge we must ensure that we have the capacity to deal with any increase in the number of criminal cases that are brought to court by the criminal justice agencies, and achieve minimum delay for victims and witnesses. We will support the judiciary in the management of cases and their trial in as short a time as is

possible consistent with the interests of justice. We will implement new approaches to fraud trials and with the Legal Services Commission will develop new approaches to remuneration for criminal cases. We will focus investment in our estate strategy in line with priority areas.

Family and civil justice

Key factors:

- although now increasing slightly, civil cases have declined by 20% since the civil justice reforms, and further initiatives to support the earlier resolution of problems are expected to reduce the current workload by up to a further 10% by 2010. Within this context our operating structures must be reorganised to provide affordable and efficient services, and our fee strategy must be developed to achieve the correct alignment between cost and income;
- caseload in the High Court in Queens Bench and Chancery has fallen over the last four years, but the overall picture across the divisions is a complex one. Some areas of the High Court have high proportions of long and complex cases and very small fluctuations in numbers of these types of cases can lead quickly to pressures or over-capacity in specialist areas while, changes in policy and legislation can rapidly increase workload;
- family cases are currently decreasing. Divorce cases have decreased in the past three years to 167,000 petitions, and remain 7% below the peak of 1993. In 2004 the number of Public and Private Law applications decreased by 3% and 7% respectively, though the number of orders made increased over the previous year by 3%.

To meet the strategic challenge we must respond to changes in demand in a number of ways.

- recognise that going to court is often not the best way of resolving disputes and that people need early information and advice;
- ensure that the cost base is as low as is consistent with providing good service and access to justice;
- ensure that we are providing what each group of different users actually needs and focus resources on meeting that need rather than a “one size fits all” provision based on our buildings;
- work with the judiciary to deliver the effective planning and allocation of judicial business, ensuring that work is appropriately categorized to the right level, matched with judicial specialism, and that judges are deployed to meet pressures. The last requires effective judicial involvement in business planning;
- in family cases, achieve earlier intervention, less report writing, better focus on dispute resolution and increased settlement by consent, as well as ensuring that cases are dealt with at the right level;
- ensure that capacity and resources are not wasted on activities that could be better done elsewhere.

Providing access to justice in new ways

Access to justice is a fundamental human right, but the traditional model for access to justice is a restricted one. The assumption has been that the provision of access to justice is based on use of a courthouse; access to services has therefore been defined by physical location.

To meet the strategic challenge we must take a broader view of access to justice.

- providing increased access to justice without an overall increase in cost by using new technology that provides greater convenience and reduces the need to go to a courthouse.
- understanding the real needs of local justice, the priorities for the community and the importance of the 28,000 magistrates who serve their local community and reflecting that in the priorities for community justice
- in planning how we provide services we need to distinguish more accurately what must be delivered locally and what can be delivered by telephone or internet, or possibly centralised.
- in some, more complex or serious, cases we need to achieve the right levels of expertise by concentrating specialised services into fewer centres, rather like the way that medical services range from local GP services to specialist hospitals. We already concentrate such “once in a lifetime” services in complex family cases to achieve high quality, for example, in proceedings for the care or adoption of children.

Investment and funding

We face significant financial challenges to implementing our vision, including efficiency and benefits realisation pressures. We have challenging fee recovery targets and an ambitious change agenda. We will be developing detailed cost/benefit analysis and business cases for the CSR2007 process.

To meet the strategic challenge we must hold to a transformational vision, but take an evolutionary approach.

We will:

- generate efficiencies from within our current resources that enable us to take the early steps along a transformation programme. This will release more resources over time to continue the transition;
- improve the effectiveness and value for money of our procurement;
- identify shared business cases across the criminal, civil and family jurisdictions and programmes, and with partner public sector organisations, such as the new Tribunals Agency, the Legal Services Commission, Coroner’s Courts, and other criminal justice agencies;
- develop a fairer approach to fee recovery that matches cost more closely to revenue and frees resources for the development of more efficient services;
- consider alternative business models that attract investment from and create revenue streams for third parties.

Achieving our goals through working with partners

Good performance, changes in the justice system, the operation of the courts and service to the public depend on partnership working with other criminal justice agencies, Children and Family Courts Advisory and Support Service (CAFCASS) and other agencies, the professions and the voluntary and not for profit sectors and those who work for the community.

We must meet the strategic challenge in two ways. Firstly we must transform our relationships with key partners and court users to improve what we do. This will include developing joint approaches to delivery of services that benefit court users. This means collaborating to achieve processes that suit court users, joint working to achieve outcomes rather than comply with process, working together on priority areas, and working with local agencies to achieve good outcomes for the community.

Secondly to meet the expectations of citizens, we need to provide services through partnership and shared investment with other agencies and organisations.

Supporting strategies

The business strategy will support the development of a change programme for HMCS and a number of supporting strategies for the following key areas:

Our people strategy

HMCS will only be a successful effective organisation because of the people who work in it, and, therefore, our human resources strategy is the most important supporting strategy.

We want to make HMCS a good place to work for everyone who joins us, and we want contact with our people to be a good experience for those who use the courts. We do not believe that those conditions can be met without listening to and learning from our people, and empowering them to provide first class service.

Our business strategy sets the direction for the development of an HR Strategy that will:

- ensure HMCS is a public service employer of choice;
- ensure our staff is representative and understanding of the diverse communities we serve;
- ensure effective performance management throughout HMCS;
- implement a reward system that will enable the recruitment, retention and motivation of staff of the required quality to deliver our business;
- develop strategies for our people that support them through business change;
- implement Professional Skills for Government to secure the right level and mix of skills and enhance opportunity for development and progression;
- provide appropriate learning and development for our people in order to:
 - support the development of a cross-jurisdictional approach towards working in multi-purpose centres focused on improved court user service and facilities
 - support staff dealing with automated, telephone and electronic services so that they can quickly advise on the progress of cases
 - support staff who need specialist knowledge to fulfil roles such as legal advisers, listing officers, case progression officers and those involved in dedicated approaches to particular types of cases and help with victims, witnesses and jurors
 - develop the leaders and managers within HMCS and identify the new leaders of the future
- ensure, through a Pay and Grading Review, a fair and equitable pay system across DCA and HMCS during August 2006.

Information Technology

We have inherited a difficult legacy IT landscape characterised by multiple out-dated applications that duplicate functions. Although current projects are addressing this to some extent, there are key strategic issues.

- we have new databases coming on stream that are sufficiently upgraded to give us choices about which systems we continue with as mainstream options for the future and which we target for retirement;
- our modern infrastructure will support “best of breed” business applications, but does not cover all of our sites and is not yet integrated;
- we have internet services that have spare capacity, and we have the opportunity to develop them further;
- new contractual arrangements with suppliers will secure better value for money and an opportunity to develop effective partnerships. The Departmental Innovation and Support Contracts Programme (DISC) will award new supplier contracts for technology in 2006.

Our business strategy sets the direction for the development of IS/IT and e-Service strategies that will:

- support the development of a cross-jurisdictional approach towards the development of a system or systems that support the management of case files, case progression and court hearings in courts and tribunals;
- achieve efficiencies through automation, integrated electronic service channels and electronic printing and despatch solutions;
- extend the use of existing internet and bulk centre services to court procedures in the Crown and magistrates’ courts;
- develop electronic links to field based teams so they can have access to data in real time when dealing with customers face to face;
- give access to all records from anywhere, to provide flexibility about where administration is conducted, and to enable us to deal better with those who have multiple interactions with the system;
- reduce support costs for IT, and reduce duplication of business systems, selecting and upgrading the “best of breed” systems so that they replace systems that, although out-dated, perform essential tasks.

Estate

Our business strategy suggests that demand will remain high in the metropolitan criminal courts despite projected falls in crime¹, and that the pressures from more complex cases will maintain and even increase pressure on the Crown Court.

¹ Home Office Strategic Plan 2004

The business strategy argues against a “one size fits all” approach to service delivery, and this is equally true of our approach to estate. There are significant differences between the models for estate in individual areas, partly through differences in demographics, and partly because of the size of some of the areas.

We face difficult challenges on estate, as some of it is no longer “fit for purpose” and there is a significant maintenance backlog.

Our estate strategy will support the business strategy by:

- reducing the costs of administering our estate;
- by 2010 we will have consolidated our estate without compromising local services;
- ensuring that improved and separate facilities for victims, witnesses and the vulnerable are available where appropriate;
- supporting the development of a specialist network of family courts centres;
- reducing numbers of headquarters, regional and area support sites;
- increasing flexibility of use for hearings and administration in new and existing estate and potential partnerships with Tribunals;
- developing back office sites, including opportunities for shared back office facilities, potentially across the Department for Constitutional Affairs and other agencies.

Fees

We have a specific commitment during SR2004 to:

- return to full cost recovery (less remissions and exemptions) for the civil courts;
- achieve an overall 66% recovery rate for the family courts centres;
- bring the magistrates’ courts on to a fee recovering footing that is consistent with the civil courts.

Section 92 of the Courts Act 2003 introduces a single fee setting power for all three tiers of court. This power is now subject to parliamentary scrutiny and the Lord Chancellor must have regard to access to the courts when setting fees.

A Civil Fee Programme has been established to deliver the long-term strategy that will:

- meet full cost recovery;
- protect access to justice;
- be affordable within the departmental expenditure limit;
- be flexible enough to meet changes in demand.

The strategy will aim to achieve services that represent value for money, and balance the costs of the system with its income. The programme consists of four inter-linked projects:

- Fee Structures Project – shifting from a front-loading of fees on commencement to fee charging points in the process that more closely match the cost stages;
- Access to Justice – developing a common system for remission of fees, establishing appropriate income and capital levels and deduction criteria;
- Delivering Cost Recovery – planning the existing fee increases needed to meet our obligations under SR2004;
- Revised Costing Model – a fundamental review of the information systems used to calculate full cost and account for fee recovery.

Next Steps

We have identified the key strategic principles and proposed a strategic vision for the organisation and identified the initiatives required to take the vision forward at a high level. To progress the strategy we move to a phase that will provide:

- detailed planning;
- estimates and business cases;
- benefits assessment;
- programme management structures.

This will then enable us to ensure that plans are implemented as parts of programmes of change that support the direction. We will need to continue to keep the strategy under review, identifying the points where key strategic decisions are required, and updating the strategy and the plans as required.

This process may mean that some of the candidate projects are eliminated as being inappropriate or unfeasible. Remaining projects will be scoped in terms of:

- resources and costs;
- outcomes or benefits;
- risk;
- implications for IT infrastructure and support;
- dependencies on other activities;
- constraints on timing.

Many of the projects identified in the strategy have been through this process and have both a strategic fit and a sound benefits case. We will identify whether they have the right prioritisation in the overall context of the strategy, and develop a realistic implementation plan.

