

2009 Value for Money Update

Law Officers' Departments

This document forms the Law Officers' Departments' contribution to overall public sector efficiencies announced in the April 2009 Budget. It forms a chapter of the HM Treasury Government wide publication '2009 Value for Money Update' published on the HM Treasury website on 22 April 2009.

The overarching purpose of the Law Officers' Departments (LOD) is to use legal expertise for public benefit, delivering prosecution, fraud and legal services. They play a crucial role in delivering an effective criminal justice system and share Public Service Agreement targets with the Home Office and the Ministry of Justice.

Improving public services

1.1 Over the past decade Government has invested to strengthen the criminal justice system, increasing the number of offenders brought to justice, improving the experience of victims and witnesses, and ensuring criminals cannot benefit from the proceeds of crime.

1.2 In the year to December 2007, 1.45 million offences were brought to justice, a 44.6 per cent increase since the year to March 2002¹ and targets to improve public confidence in the criminal justice system and increase the satisfaction of victims and witnesses are on course to be met. Since the introduction of joint Crown Prosecution Service (CPS) and police Witness Care Units across the country in 2005, witness attendance rates have increased from 77 per cent to 86 per cent and the number of trials that did not go ahead due to witness issues has fallen by 63 per cent in the Crown Court, and by 27 per cent in Magistrates' Courts. There are continued improvements in reducing the number of unsuccessful cases brought by prosecutors.

1.3 Since 1999 the CPS budget has grown substantially in real terms, and this investment has helped to drive improvements in performance across the criminal justice system. The additional resources enabled the CPS to assume

¹ The numbers of offenders brought to justice for 2007 and 2008 were published in the CPS Autumn Performance Report 2008 and are un-validated data from the courts and police. The final validated data for 2007 was published as a National Statistic by the Ministry of Justice in 'Criminal Statistics in England and Wales 2007' on the 27th November 2008

the statutory responsibility for charging, expand its role in engaging the community and significantly improve the level of support provided to victims and witnesses. But alongside this additional investment, the Law Officers' Departments have put in place ambitious value for money reforms that have succeeded in delivering significant savings for reinvestment in key priorities, directly contributing to delivery of the Law Officers' Departments' key objectives.

A record of delivering efficiency savings

1.4 The Law Officers' Departments have a strong track record of delivering against challenging efficiency targets. As part of the 2004 Spending Review, CPS delivered £99 million efficiency savings by March 2008, against a target of £24 million. The Law Officers' Departments as a group delivered £109.4 million efficiency savings against a target of £40.6 million while continuing to play a vital role in the delivery of an effective and efficient criminal justice system. These savings were reinvested to support the delivery of high quality public services. A wide range of reforms enabled these savings including:

- by March 2006, a year ahead of schedule, the CPS had rolled out statutory charging and became responsible for deciding the charge in all but the most minor cases. The CPS is delivering considerably more efficiency savings compared to the original business case, which forecast savings of over £60 million per year for the criminal justice system as a whole. The CPS now has over 547,000 consultations a year with the police compared to the original prediction of 238,000;
- the CPS has successfully implemented networked office automation and national case management and witness management systems that enables links to police forces and the Courts. Through exploiting this technology to the full the CPS was able to deliver efficiency savings of over £48 million in 2007–08; and
- all Law Officers' Departments have successfully focused on driving down the costs of providing corporate services and improving value through better procurement practices and delivered savings of over £10 million.

An increased level of ambition going forward

1.5 Building on this strong record of delivery, as part of the 2007 Comprehensive Spending Review, the Law Officers' Departments identified

scope to deliver a further £79 million of annual cash-releasing value for money savings by 2010–11 through:

- optimising the deployment of in house advocacy;
- re-engineering business processes extending lean methodology to case management;
- working with the HM Court Service to maximise the benefits from Criminal Justice, Speedy, Simple, Summary;
- restructuring and improving headquarters functions to release resources and reduce headcount by at least 10 per cent; and
- working in partnership together to provide shared back-office support where appropriate.

1.6 The CPS continues to develop its programme of in house advocacy. Associate Prosecutors now conduct a large number of cases in the Magistrates' courts that previously would have been conducted by more expensive lawyers. CPS Crown Advocates routinely conduct cases that would otherwise have been conducted by the self-employed Bar in the Crown Court. Advocacy now has the potential to deliver up to £16 million savings by 2010–11.

1.7 The CPS "Optimum Business Model", developed to streamline and improve common business processes across the CPS, is delivering results. Early indications show a reduction in the number of adjournments in court as well as improvements in timeliness, with clear benefits for the criminal justice system. The programme, together with the Courts' programme, "Criminal Justice, Speedy, Simple, Summary" is expected to deliver £24 million value for money savings by 2010–11.

1.8 The Treasury Solicitor's Department has delivered real terms savings to its clients of more than five per cent per year over the period 2007–08 to 2008–09. It is reducing the cost of its corporate services by modernising business processes and collaborating routinely on procurement.

1.9 The Attorney General's Office has led a benchmarking exercise on corporate services across the Law Officers' Departments and has been developing a shared services and estates rationalisation strategy which, when implemented will contribute to existing, and future, value for money savings.

1.10 These targets are stretching and ambitious, however the Law Officers' Departments continue to seek opportunities to improve value for money and increase the effectiveness of the services they deliver. Over the past year the

Law Officers' Departments have taken forward substantial strategic planning to prepare themselves for future challenges, as well as engaging fully with the Operational Efficiency Programme.

1.11 In December 2008 the Attorney General, together with the Directors of her Departments, established a Strategy Programme to examine whether the Law Officers' Departments were best positioned to deliver effective and efficient prosecution, legal and fraud services in the future. The first phase of the Programme is now complete and has identified a number of areas where value for money savings can be made whilst strengthening service delivery, including by:

- Merging the Crown Prosecution Service and the Revenue and Customs Prosecution Office (RCPO) to create a single enhanced prosecution service. Whilst driving out economies of scale and minimizing duplication, this move will also create a more flexible and resilient organization that is better placed to handle specialist, complex casework. Work on integrating the two Departments is already underway and the merger is planned for 2009–10 with further consolidation in 2010–11;
- Shared Services: The Law Officers' Departments are already sharing some back office functions and plan to expand this model to include Finance, HR, Estates Management, IS and procurement functions where it is cost-effective to do so. Estates will be rationalised across the Law Officers' Departments as leases expire on current accommodation leading to further efficiencies on support services. The first step in the rationalisation – to be complete by December 2011 – will be to review the use of RCPO and CPS accommodation and ensure that use is optimised to enhance service delivery. Future work will allow the whole LOD estate to be used more flexibly in the future;
- Improving the fraud landscape. The Serious Fraud Office and the National Fraud Strategic Authority (NFSA) are examining with other players across Government whether Government has the right arrangements in place for the investigation and prosecution of serious fraud. Initial focus will be on improving capability and capacity across the existing organisations within the Law Officers' remit.

1.12 By pushing ahead rapidly Law Officers' Departments will be able to deliver an additional £15m of value for money savings by 2010–11,

increasing the headline value for money target to £94 million by 2010–1. This will be delivered while continuing to invest in and deliver high quality prosecution and legal services, bringing offences to justice, enhancing the experience of victims and witnesses, and increasing public confidence in the criminal justice system. The planned additional reforms will mean that, by the end of 2010–11:

- RCPO and CPS will have merged into one prosecuting body, saving £9.8 million in 2010–11 with the potential for ongoing savings in future years;
- CPS will benefit from strengthened financial management capacity and from making more use of collaborative procurement techniques, saving £4 million;
- planned work on fraud will have been delivered early and for less, saving £0.9 million;
- shared service solutions will be starting to deliver benefits, saving £0.3 million in 2010–11 but with the potential to generate further savings as new ways of working are embedded; and
- an estates rationalisation strategy will be in place and implementation underway, leading to real savings against current accommodation costs in future years.

Continuing to Invest to strengthen public services

These changes will enable the Law Officers' Departments to deliver more cost effective and efficient services for the years to come. Through the bringing together of CPS and RCPO, further improvements to the fraud landscape and the increased use of shared services, the Law Officers Departments will be able to provide high quality services at reduced cost from 2011–12 and beyond.