



National Audit Office

DEPARTMENTAL OVERVIEW

The performance of the Ministry of Justice 2012-13

OCTOBER 2013

Our vision is to help the nation spend wisely.

Our public audit perspective helps Parliament hold government to account and improve public services.

The National Audit Office scrutinises public spending for Parliament and is independent of government. The Comptroller and Auditor General (C&AG), Amyas Morse, is an Officer of the House of Commons and leads the NAO, which employs some 860 staff. The C&AG certifies the accounts of all government departments and many other public sector bodies. He has statutory authority to examine and report to Parliament on whether departments and the bodies they fund have used their resources efficiently, effectively, and with economy. Our studies evaluate the value for money of public spending, nationally and locally. Our recommendations and reports on good practice help government improve public services, and our work led to audited savings of almost £1.2 billion in 2012.

Contents

Introduction 4

Aim and scope of this briefing 4

Part One

About the Ministry of Justice 5

Part Two

Recent NAO work on the Department 22

Part Three

Case study: Legal aid reform 27

Appendix One

The Department's sponsored bodies at
1 April 2013 35

Appendix Two

Results of the Civil Service People Survey
2012 36

Appendix Three

Publications by the NAO on the
Department since March 2012 38

Introduction

Aim and scope of this briefing

- 1** The primary purpose of this report is to provide the Justice Select Committee with a summary of the Ministry of Justice's activity and performance since September 2012, based principally on published sources, including the Department's own accounts and the work of the National Audit Office (NAO).
- 2** Part One of the report focuses on the Department's activity over the past year. Part Two concentrates on NAO analyses of that activity. Part Three takes the form of a case study, looking in greater detail at legal aid reform, a key issue for the Department currently.
- 3** The content of the report has been shared with the Department to ensure that the evidence presented is factually accurate.

Part One

About the Ministry of Justice

The Department's responsibilities

- 1.1** The Ministry of Justice (the Department) is responsible for setting and delivering government policy on the criminal, civil and family justice systems for England and Wales.
- 1.2** The major delivery areas of the Department are the administration of justice through courts and tribunals; the provision of legal aid; and the detention and rehabilitation of offenders via the prison and probation systems.

How the Department is organised

1.3 The Secretary of State for Justice (who is also the Lord Chancellor) is in overall charge and chairs the Department's board, which sets strategic direction. Membership of the Department's board consists of the ministerial team, the Permanent Secretary, directors general, non-executive board members and the chief executives of its three largest executive agencies, which cover the Department's major activities. As summarised in **Figure 1** overleaf, these are:

- HM Courts and Tribunals Service (HMCTS), which operates the facilities and services required for the administration of criminal, civil and family justice;
- the Legal Aid Agency (LAA), newly established in April 2013 as the successor body to the Legal Services Commission, which procures and provides legal aid to eligible participants in criminal and some civil cases; and
- the National Offender Management Service (NOMS), which runs the prison system and probation (through its sponsorship of 35 Probation Trusts).

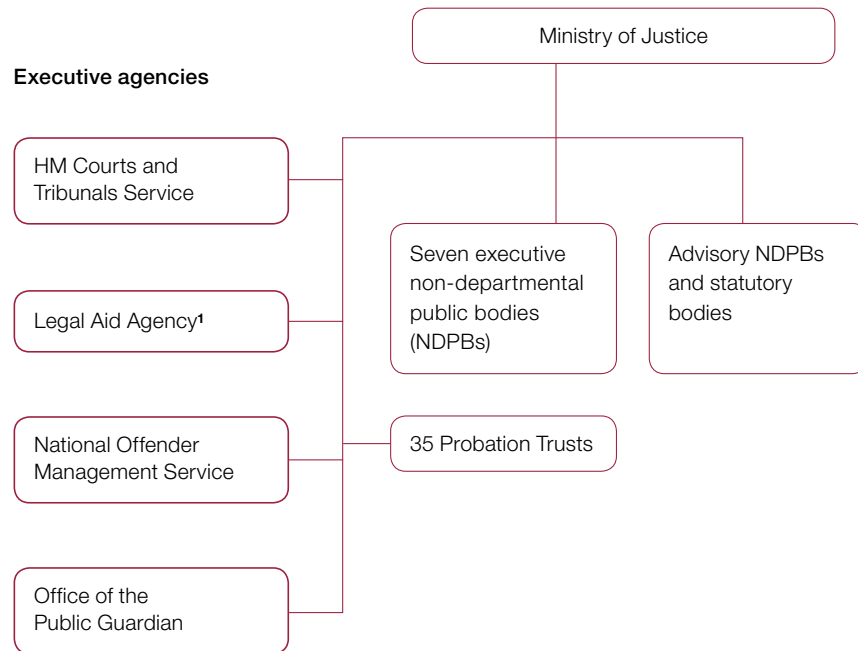
1.4 The Department's fourth executive agency, the Office of the Public Guardian, registers powers of attorney and supervises deputies appointed by the Court of Protection for individuals who have lost the mental capacity to handle their affairs.

1.5 Further functions are carried out by seven executive non-departmental public bodies (NDPBs) including: the Criminal Injuries Compensation Authority (CICA)¹ (administration of the compensation scheme); the Youth Justice Board (monitoring and advising on the operation of the youth justice system); and the Parole Board (hearings following applications from prisoners for early release). Appendix One lists all the Department's sponsored bodies.

¹ CICA's 2013 triennial review – available at: consult.justice.gov.uk/digital-communications/cica-triennial-review, accessed 2 September 2013 – concluded that CICA would become an executive agency.

Figure 1
Structure of the Ministry of Justice

The Department has four main delivery arms (the executive agencies) supported by seven executive non-departmental public bodies, 35 probation trusts and several other statutory bodies



Seven executive NDPBs comprise:

- Criminal Cases Review Commission
- Criminal Injuries Compensation Authority
- Judicial Appointments Commission
- Legal Services Board
- Office of the Information Commissioner
- The Parole Board for England and Wales
- Youth Justice Board

Advisory NDPBs and statutory bodies include:

- Advisory committees, councils and panels
- HM Inspectorate of Prisons
- HM Inspectorate of Probation
- Independent monitoring boards
- Procedure rule committees
- Office for Legal Complaints

Note

1 Agency as of April 2013. Previously the Legal Services Commission, a non-departmental public body.

Source: Ministry of Justice, *Annual Report and Accounts 2012-13*, Session 2013-14, HC 22, June 2013

Where the Department spends its money

1.6 In 2012-13, the Department spent (excluding capital) £9.9 billion, through which it generated nearly £1.5 billion in income, resulting in net expenditure of £8.4 billion. The Department's expenditure and income is shown by entity in **Figure 2** overleaf.

Analysis by expenditure type

1.7 The Department's gross cost of £9.9 billion in 2012-13 included:²

- £3.2 billion of **staff costs** relating to around 86,900 staff and a further £0.5 billion of **judicial costs** relating to around 3,300 judges;³
- around £2.0 billion relating to the Department's **estate** and its **managed prison contracts**;⁴ and
- £1.9 billion of net representation costs where the Department provided **legal aid** in civil or criminal cases.

Major projects

1.8 The Department estimates the whole-life cost of its current portfolio of major projects at £6.0 billion. Some £4.5 billion of this relates to the five procurements shown below.

Project	Whole-life cost (£m)
Future IT Sourcing Programme	1,146
Electronic Monitoring	892
Prison Competitions Phase 1	880
Prison Competitions Phase 2	787
Property Services and Works	757

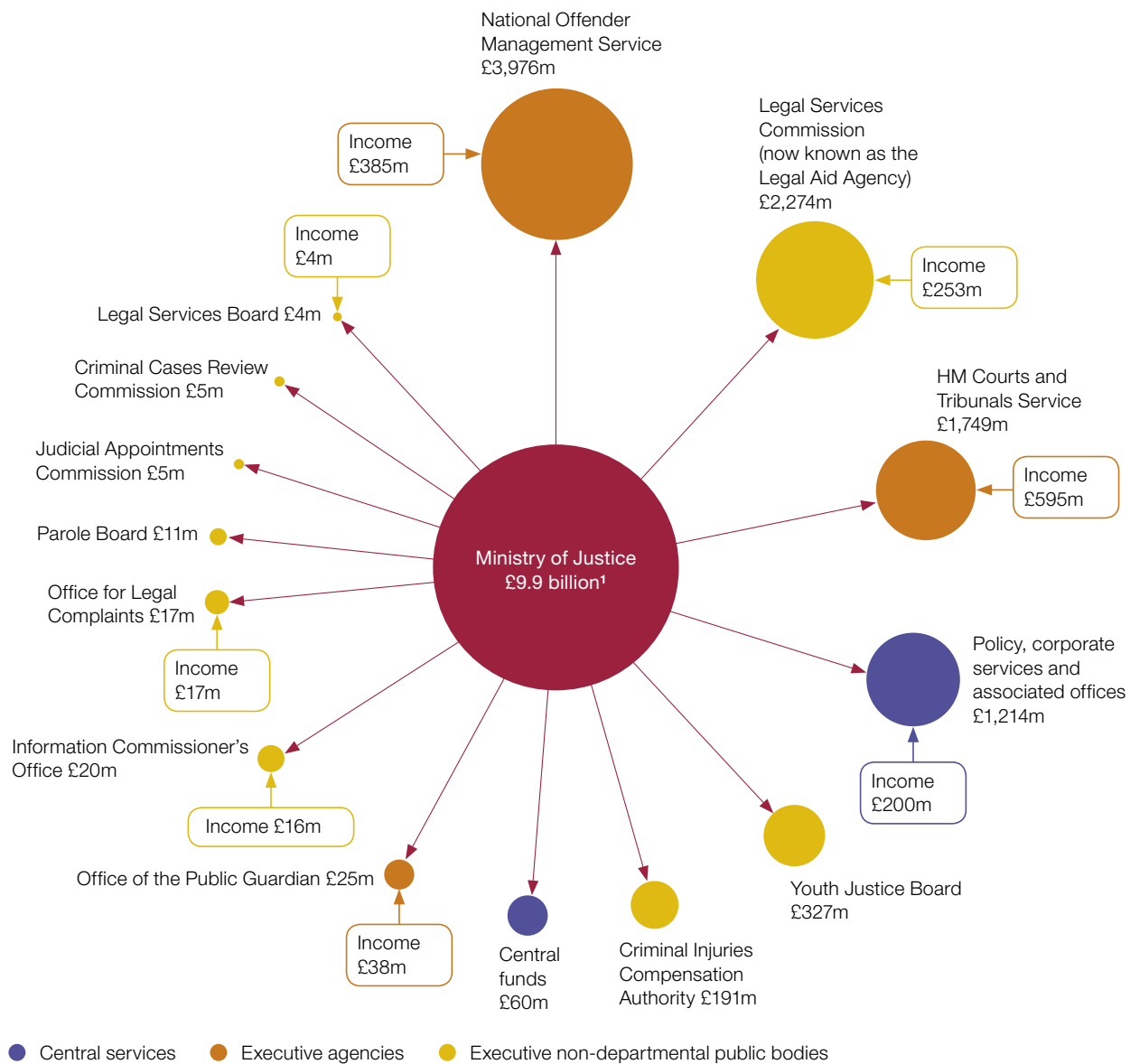
Source: Ministry of Justice

² Ministry of Justice, *Annual Report and Accounts 2012-13*, Session 2013-14, HC 22, June 2013.

³ Staff and judiciary numbers are on an average full-time equivalent basis and include all bodies in the Departmental group.

⁴ Includes expenditure lines for PFI service charges, operating lease rentals, depreciation, finance charges, youth custody costs, accommodation, maintenance and utilities.

Figure 2
Where the Department spent its money in 2012-13



Notes

- 1 Gross spend was £9.9 billion, through which the Department generated £1.5 billion in income, reducing the net public expenditure requirement to £8.4 billion.
- 2 Figures for expenditure are from the Statement of Parliamentary Supply (SoPS). These do not agree directly to the Statement of Comprehensive Net Expenditure, but are reconciled in notes 2-5 to the annual accounts.
- 3 The individual accounts of each organisation will not reconcile directly to the figures shown due to adjustments made for the SoPS.

Source: Ministry of Justice, *Annual Report and Accounts 2012-13*, Session 2013-14, HC 22, June 2013, note 2

Recent and planned changes to the Department's spending

Spending Review 2010

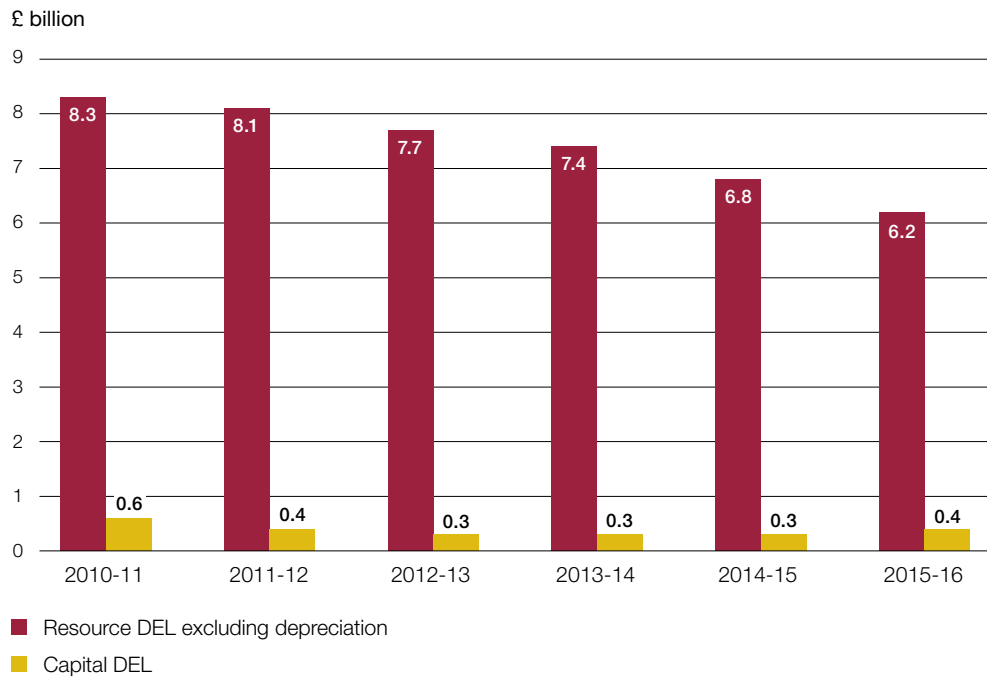
1.9 As part of the 2010 Spending Review (SR10) the Department was required to make resource savings of 23 per cent in real terms, based on 2010-11 outturn, by 2014-15.⁵ These limits are shown in **Figure 3** overleaf. The Department plans⁶ to achieve this cost reduction by:

- reforming the scope of legal aid;
- reducing reoffending and managing down the prison population through a 'rehabilitation revolution' and reforms to sentences and penalties;
- streamlining the criminal justice system through further integration, the closure of under-utilised courts and an increased focus on alternative dispute resolution mechanisms;
- lowering administrative costs by 33 per cent; and
- using capital funding to focus on maintaining prison capacity, essential new capacity and key 'invest to save' projects.

⁵ HM Treasury, *Spending Review 2010*, Cm 7942, October 2010, p10.

⁶ Ministry of Justice, *Business Plan 2011-2015*, May 2011, available at: www.gov.uk/government/publications/ministry-of-justice-business-plan-2011-15--2, accessed 2 September 2013.

Figure 3
Spending Review settlements



Note

1 Figures for 2014-15 include adjustments made to original SR10 settlement through Autumn Statements and SR13.

Source: HM Treasury, *Spending Review 2010*, October 2010 and HM Treasury, *Spending Round 2013*, June 2013

1.10 During 2012-13 the Department has made progress in these areas as follows:

a Legal aid and sentencing

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 included restrictions to the scope and eligibility of legal aid as well as changes to sentencing. All remaining provisions came into force in April 2013.

b Court closures

In 2010 ministers announced the closure of 162 courts. Following a significant number of disposals during 2011-12, HM Courts and Tribunals Service sold a further 19 properties this year and found alternative uses for a further five. At 31 March 2013, 41 courts were classified as held-for-sale and 20 remained under review.⁷

⁷ HM Courts and Tribunals Service, *Annual Report and Accounts 2012-13*, Session 2013-14, HC 239, June 2013, p90.

c **Prison competition and benchmarking**

In 2009 the Department launched a competition, to run in phases, for the operation of some prisons (including new builds). Out of 122 prison establishments (as at April 2013), five were competed in phase one and a further eight in phase two. Successful bidders from phase one started their contracts in calendar years 2011 and 2012; and by summer 2013, the Department had announced the results of phase two for five out of eight establishments. Of the five phase two establishments announced, four are to be public sector-operated following the end of the competition, whereas one (HMP Northumberland) is to be operated by Sodexo Justice Services. NOMS has also identified a new efficiency benchmark for public sector prisons. By reforming the operations of public sector prisons to bring them up to this benchmark, NOMS estimates it will save £450 million over the next five years.⁸

d **Staff costs**

The Department reduced headcount further in 2012-13, with average full-time equivalent staff employed falling by approximately 5,000 from the 2011-12 figure of 92,000. Around half of this reduction was achieved through voluntary exit schemes.

1.11 In addition to the areas that the Secretary of State originally announced as coalition reform priorities, the Department also made significant changes to the **Criminal Injuries Compensation Scheme**, which were implemented in November 2012. The revisions include changes to the scope of awards – removing awards for people with less serious injuries and reducing awards for moderate injuries – and restrictions to the eligibility criteria for claimants. Our analysis of 2008-09 and 2009-10 data presented in the consultation document,⁹ suggests that the changes to the scope of awards would have produced an 82 per cent reduction in the number of cases where awards were made and a 52 per cent reduction in the amount paid out for those years. The total cost of criminal injuries compensation in 2012-13 was £164 million (2011-12: £193 million).

8 National Offender Management Service, *Annual Report and Accounts 2012-13*, Session 2013-14, HC 265, June 2013, p25.

9 Ministry of Justice, *Getting it Right for Victims and Witnesses*, Cm 8288, January 2012.

Spending Round 2013

1.12 As part of the recent 2013 Spending Round¹⁰ the Department has committed to further cuts of 10 per cent in real terms between 2014-15 and 2015-16. In the years up to 2015-16 the Department plans to meet this target principally by:

- reducing the net cost of the courts by £200 million through increased efficiency across the criminal justice system, additional income from court fees and the recoupment of case costs from offenders;
- reducing the cost of publicly run prisons by £180 million;
- further reforming the legal aid system with the aim of delivering new savings rising to £220 million a year (see Part Three); and
- eliminating £130 million in back-office and administrative costs across the Department and its arm's-length bodies.

Policy and delivery: major developments in 2012-13

Legal Aid, Sentencing and Punishment of Offenders Act 2012

1.13 This Act was passed in May 2012, with all remaining elements coming into force from April 2013. Key provisions in this legislation include:

- changes to the legal aid system (see Part Three);
- sentencing changes such as the 'two strikes' mandatory life sentence for people convicted of a second very serious sexual or violent offence; and
- the introduction (from October 2012) of further restrictions on repayments from central funds for costs, especially for Crown Court cases. These payments are made to defendants who have funded their defence privately and been acquitted, or where the prosecution has offered no evidence.

Other legislative changes

1.14 The Crime and Courts Act came into force during April 2013. This Act:

- created the National Crime Agency, which will report to the Home Office;
- enacted changes to the structure, administration, proceedings and powers of courts and tribunals; and
- introduced the possibility of broadcasting from courts.

1.15 The Department also implemented the new Criminal Injuries Compensation Scheme in November 2012 following parliamentary approval (see paragraph 1.11).

Current consultations

Rehabilitation

1.16 In January 2013 the Department consulted on the transformation of rehabilitation.¹¹ After reviewing responses to this consultation, the Department published its Strategy for Reform¹² in May 2013. This outlines significant changes to the commissioning and delivery of probation services. The Department is in the initial stages of implementing these changes, which are documented in more detail at paragraph 1.45 below.

Legal Aid

1.17 The Department's consultation on further changes to the legal aid system¹³ closed in June 2013. This considers introducing competition between providers and changing the structure of how criminal legal aid is provided. See Part Three for further detail.

Ministerial statement on the future structure of HM Courts and Tribunals Service

1.18 On 26 March 2013, the Lord Chancellor stated in the House of Commons¹⁴ that he was exploring how to:

- make use of the UK's position as a leading international dispute resolution centre to generate additional revenue in the courts; and
- raise the investment necessary to modernise IT and estates infrastructure in the courts and tribunals.

1.19 To support these aims, the Department is considering 'appropriate vehicles' to support the courts and tribunals in the future. Later, the Lord Chancellor clarified in a letter to judges¹⁵ that no options involving shareholders would be considered, although a 'public interest corporation' was a possible outcome. The Department expects to consult further, and to develop more detailed proposals, during autumn 2013.

¹¹ Ministry of Justice, *Transforming Rehabilitation*, Cm 8517, January 2013.

¹² Ministry of Justice, *Transforming Rehabilitation: A Strategy for Reform*, Cm 8619, May 2013.

¹³ Ministry of Justice, *Transforming Legal Aid: delivering a more credible and efficient system*, April 2013, available at: www.justice.gov.uk/downloads/consultations/transforming-legal-aid.pdf, accessed 2 September 2013.

¹⁴ Hansard HC, 26 March 2013, cols. 94WS-95WS.

¹⁵ Ministry of Justice, *Reforming HM Courts and Tribunals Service*, 25 July 2013, available at: www.gov.uk/government/news/letter-to-judges, accessed 2 September 2013.

Fee-paid judges

1.20 The *O'Brien v Ministry of Justice* case at the UK Supreme Court concluded in February 2013. The Supreme Court ruled that a retired fee-paid recorder is entitled to a pension on terms equivalent to those of a salaried circuit judge. The Department estimated in June 2013 that additional costs of £1 billion¹⁶ will arise as a result of this decision in relation to the pension-related entitlements already accrued by fee-paid judges.

1.21 When preparing the £1 billion estimate, the Department made a number of assumptions since at the time a variety of outcomes at the planned employment tribunal were still possible. For example, it was not clear what periods of service the tribunal would decide could reasonably confer entitlement.

1.22 The employment tribunal gave an initial judgment on 19 August 2013. This included a ruling that pension entitlement can be claimed from the judge's date of appointment, and that the claims may be made for compensatory interest. This judgment implies a significantly higher cost for the Department than originally estimated; however, litigation is ongoing and the final cost will remain uncertain for some time.

1.23 Hearings on other cases awaiting the outcome of the *O'Brien* case are expected in September and December 2013. These relate to fee-paid judges' entitlement to annual leave, sick leave and other benefits and could result in further costs to the Department.

The Department's digital strategy

1.24 By the end of 2012, each department was required to produce a digital strategy, an indication of the central part that digital services now play in government business. In this section, we consider briefly the main elements of the Department's digital strategy.

1.25 The Department published its strategy¹⁷ in December 2012. Its main aim was to set out how the Department would increase the volume of services delivered via digital channels rather than face-to-face, by phone or post. The Department estimates that savings will be realised by reducing the demand on higher-cost channels while providing more efficient and convenient services for users.

1.26 The Strategy is grouped under four themes:

- a** *Transforming our services* – redesigning service delivery towards digital channels as the default mode of access for users;
- b** *Transforming the way we work* – increasing digital capability and leadership in the Department, supporting flexible working and agile development of digital projects;

¹⁶ Ministry of Justice, *Judicial Pension Scheme Annual Report and Accounts 2012-13*, Session 2013-14, HC 44, July 2013, p7.

¹⁷ Ministry of Justice, *Digital Strategy*, December 2012, available at: open.justice.gov.uk/digital-strategy/, accessed 2 September 2013.

- c *Breaking barriers to digital transformation* – through using a wider range of suppliers and open source solutions (where programming code is freely available for re-use); and
- d *Transforming the way we engage* – by using technology to further connect civil servants with service users, and to open up policy-making.

Progress to date

1.27 The Department has established a new Digital Services Division (DSD) to provide in-house design, programming and portfolio management. This team is supported by board-level sponsorship and uses a digital ‘gateway’ to provide assurance over all digital products across the Department.

1.28 The Department is focusing on its largest public-facing transactions by volume, starting with four exemplar projects, two of which have gone live.

Project	Description	Key dates and progress
Civil claims (HMCTS)	Redesign of the services supporting possession and money claims	Currently in development and due to complete in October 2013
Fee payment (HMCTS)	Move to electronic payment mechanism, starting with the newly introduced Employment Tribunal (ET) fees	Started with ET fees which went live in July 2013 (marked as a public beta ¹)
Prisoner visits booking (NOMS)	Online booking service for prisoner visits to replace current telephone services	Currently in development and due to complete in October 2013
Office of the Public Guardian (OPG) digitisation	Wholesale digitisation of OPG services, starting with the application process for Lasting Powers of Attorney (LPAs)	Online application now live (marked as a public beta ¹); further progress on deputyships and electronic registration up to 2015

Note

¹ A ‘beta’ phase for software involves the release to users of a version which is feature complete but may contain some bugs.

1.29 Other projects under way include work to digitise applications for civil and criminal legal aid applications by 2015. The Department has already delivered some smaller services, including an online tool enabling people to check whether they are eligible for legal aid.

Future digital projects

1.30 The DSD is currently scoping a second wave of services in addition to those included in the current Digital Strategy.

Investment in digital projects at courts announced in Spending Round 2013

1.31 Ministers announced in June 2013 that the Department would roll out ‘Digital Courtrooms’ nationally.¹⁸ The Department plans to invest £160 million into the project, which involves installing Wi-Fi, digital evidence screens and new presentation and collaboration tools into the majority of courtrooms. The investment will also provide funding for new IT software necessary to reduce the use of paper in the court system. However, the Lord Chancellor said in July 2013¹⁹ that he believes that even with investment for digital working in the criminal courts secured, “there is still some way to go before we have an IT system fit for purpose across the whole [courts and tribunals] system”.

Independent assessments of the Department’s performance

1.32 In Part Two of this report, we look at the NAO’s assessment of the Department’s performance in 2012-13. Alongside our work and that of the Justice Select Committee, a number of other bodies regularly produce independent analyses of how the Department is doing and of the challenges it faces. In this section, we look at some of the most notable of these reports published in the last year.

1.33 The work of the Department is examined by independent bodies such as HM Inspectorate of Probation and HM Inspectorate of Prisons. Both regularly carry out inspections and publish reports on the standard of services delivered by the Department.

HM Inspectorate of Probation

1.34 In July 2013 HM Inspectorate of Probation published its annual report,²⁰ which provides a summary of its work in 2012-13. The Inspectorate rated adult work in the community overall as having met a ‘sufficiently high level of quality’. Some key figures from the report are included below in **Figure 4**. The findings of the Inspectorate are broadly in line with the Probation Trust Annual Performance Ratings for 2012-13 prepared by NOMS, in which all Trusts scored either ‘good’ or ‘exceptional’.²¹

Figure 4

Key figures from HM Inspectorate of Probation

75 per cent	Of work undertaken by probation trusts sufficient to keep individuals’ risk of harm to a minimum.
74 per cent	Of work undertaken sufficient to make individuals less likely to reoffend.
92 per cent	Of surveyed offenders were largely satisfied with the service provided to them by probation.

Source: HM Inspectorate of Probation, *Annual Report 2012-13*

18 Ministry of Justice, Damian Green: ‘Digital Courtrooms’ to be rolled out nationally, 28 June 2013, available at: www.gov.uk/government/news/damian-green-digital-courtrooms-to-be-rolled-out-nationally, accessed 2 September 2013.

19 See footnote 15.

20 HM Inspectorate of Probation, *Annual Report 2012-13*, July 2013, available at: www.justice.gov.uk/downloads/publications/corporate-reports/hmi-prob/hmi-probation-annual-report-2012-2013.pdf, accessed 2 September 2013.

21 National Offender Management Service, *Probation Trust Annual Performance Ratings 2012-13*, July 2013.

HM Inspectorate of Prisons

1.35 HM Inspectorate of Prisons (HMIP) has not yet published its annual report for 2013; however, we have reviewed the inspection reports published throughout the year and drawn out the following findings.

- There is significant variation in the amount of time spent in cells during the working day, ranging from 1 per cent at HMP Leeds to 60 per cent at HMP Thameside. This correlates with concerns expressed by the HMIP at the number of prisons not providing acceptable levels of purposeful activity.
- Many inspection reports conclude that uncertainty and change are not well managed. There has been considerable change in the estate in the last year, and in many cases – for example HMP Hewell, where NOMS combined three prisons into one – the reports conclude that this has impacted on the day-to-day running of the prison and welfare of prisoners. However, there have also been examples of good practice, such as HMP Huntercombe, which inspectors concluded had adapted well to its change of role.
- Access to drugs and alcohol can still be unacceptably high in some cases, for example at HMP Lindholme where they were described by the inspectors as ‘easily available’.

1.36 HMIP assesses prisons against four main criteria: resettlement, respect, safety and purposeful activity. **Figure 5** overleaf shows the year-on-year movement in positive outcomes noted in inspections by HMIP against these headings. It shows that while there has been an improvement against the respect category, HMIP has assessed a decline in the area of purposeful activity.

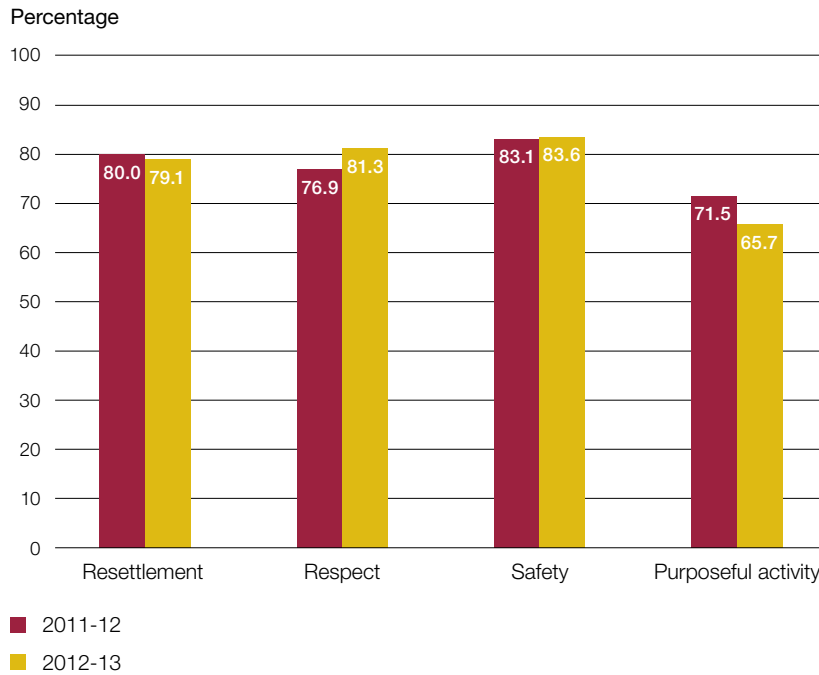
Comparison to NOMS’ assessment of prisons

1.37 NOMS also performs its own annual assessments of the performance of individual prisons, which rate all establishments between 1 (‘overall performance of serious concern’) and 4 (‘exceptional performance’). NOMS’ methodology for attributing scores has changed between 2011-12 and 2012-13 so prisons now need to meet a higher set of standards at each level. Bearing this in mind, the 2012-13 assessment²² shows an increase in those establishments whose overall performance NOMS judges to be of concern (from two in 2011-12 to fourteen in 2012-13) or serious concern (from none in 2011-12 to three in 2012-13). The three establishments of serious concern were HMP Oakwood (operated by G4S), HMP Thameside (operated by Serco) and HMP Winchester (operated by HM Prison Service).

²² National Offender Management Service, *Prison annual performance ratings 2012-13*, July 2013, available at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/225226/prison-annual-per-ratings-12-13.pdf, accessed 30 September 2013.

Figure 5

Proportion of positive outcomes in HMIP survey areas



Source: National Audit Office analysis of 2012-13 Prison Rating System (PRS) data available at: www.gov.uk/government/publications/prison-and-probation-trusts-performance-statistics-201213

Staff attitudes

1.38 The government has conducted its Civil Service People Survey annually for the past four years. The most recent survey was carried out during October 2012, with detailed results available from February 2013. Continuing our practice in past briefings, we summarise here the views of the Department’s staff on a number of key issues, and compare them to benchmarks for the civil service as a whole. Detailed results for all departments are reproduced at Appendix Two.

Results across the civil service and in the Department’s HQ

1.39 In the two themes that we analysed from the survey (‘organisational objectives’ and ‘leadership and managing change’) there has been improvement in the civil service average for all but three questions, which showed no movement.

1.40 The all-department analysis at Appendix Two shows the results for around 4,000 staff at the Department’s headquarters only, rather than the departmental group. The Department has improved its scores by an average of 3 per cent on those questions that were asked in both years. The greatest increase in positive responses arose for the themes of leadership and managing change (from 39 per cent to 43 per cent) and learning and development (from 43 per cent to 47 per cent).

1.41 The increase in the proportion of positive scores at headquarters across the themes analysed have outpaced the improvement trend in the civil service as a whole. The Department was 1–3 per cent above the civil service benchmark with the exception of questions relating to ‘pay and benefits’ (8 per cent above the benchmark at 38 per cent) and ‘organisational objectives’ (5 per cent below the benchmark at 77 per cent).

Results in the Department’s largest agencies

1.42 The analysis in **Figure 6** overleaf shows the results for the Department’s two biggest agencies, HMCTS and NOMS (excluding Probation Trusts). There has been a significant improvement in staff views at HMCTS, consistent with the results at headquarters. However, the results show a decline in scores for NOMS, with a decrease in the proportion of positive responses for 11 out of 13 questions, with the remaining two seeing no change.

1.43 Despite improvements at HMCTS, results for both HMCTS and NOMS remain below the civil service benchmark for all questions analysed. Scores at NOMS were the lowest across the Department for those themes, while the most positive were to be found in the Department’s arm’s-length bodies.

Major developments for the year ahead

1.44 The Department has a number of significant developments planned for the year ahead, including implementation of a new probation strategy; further consultations on legal aid; and, depending on further work, structural reform of HMCTS (described above). In September 2013, the Department also made announcements about significant changes to the prison estate.

Probation changes

1.45 In response to the consultation paper *Transforming Rehabilitation*,²³ the Department published its strategy for reform²⁴ in May 2013. This sets out the key steps the Department plans to take, which taken together are of a significant scale, including:

- enforcing statutory supervision and rehabilitation for all offenders released from custody, with continuity of support between custody and community providers;
- competing the provision of rehabilitation services for low- and medium-risk offenders, including through payment by results contracts, replacing current public sector provision; and
- creating a National Probation Service to perform the retained functions of contract management and the management of high-risk offenders.

²³ See footnote 11.

²⁴ See footnote 12.

Figure 6

Attitudes of staff in the Department's two largest agencies by employee numbers

Theme	Theme score 2012 (% positive) ¹		Difference from 2011 survey		Difference from civil service average 2012	
	HMCTS	NOMS	HMCTS	NOMS	HMCTS	NOMS
I have a clear understanding of my organisation's purpose	75	72	2	-4	-9	-12
I have a clear understanding of my organisation's objectives	70	69	3	-3	-9	-10
I understand how my work contributes to my organisation's objectives	74	71	1	-3	-8	-11
I feel that my organisation as a whole is managed well	31	27	4	-3	-12	-16
Senior civil servants in my organisation are sufficiently visible	40	34	9	-3	-8	-14
I believe the actions of senior civil servants are consistent with my organisation's values	36	33	6	-2	-6	-9
I believe that the Department's board has a clear vision for the future of my organisation	36	27	7	0	-4	-13
Overall, I have confidence in the decisions made by my organisation's senior civil servants	28	23	6	-2	-11	-16
I feel that change is managed well in my organisation	25	17	3	-4	-4	-12
When changes are made in my organisation they are usually for the better	19	13	3	-2	-6	-12
My organisation keeps me informed about matters that affect me	46	36	5	0	-10	-20
I have the opportunity to contribute my views before decisions are made that affect me	29	17	2	-3	-7	-19
I think it is safe to challenge the way things are done in my organisation	34	23	4	-2	-6	-17

Note

1 A positive response is deemed to be where the respondent answered 'agree' or 'strongly agree'.

Source: Cabinet Office, Civil Service People Survey 2012

1.46 The Department launched a competition for the provision of rehabilitation services for low- and medium-risk offenders on 19 September 2013, and expects to award contracts by 2015. These changes are supported by legislation currently progressing through Parliament as the Offender Rehabilitation Bill.

Developments in the prison estate

1.47 The Department has confirmed²⁵ that it plans to start building a new 2,000 place prison in Wrexham by summer 2014, pending approval. It has also started feasibility work on a second large prison for both adult males and youth offenders for the South East, replacing HM Young Offender Institution (YOI) Feltham.

1.48 The Department plans to close four prisons by the end of March 2014 (HMPs Blundeston, Dorchester, Northallerton and Reading) and to convert HMP Verne into an immigration removal centre, which will transfer to Home Office management.

1.49 Finally, the Department is undertaking a review of prison places for young offenders and adult females. This will report in October, but the Secretary of State has already announced that HMP Downview will hold male rather than female offenders, and HMYOI Warren Hill will stop holding young offenders.

Part Two

Recent NAO work on the Department

Our audit of the Department's accounts

2.1 Our financial audits of government departments and associated bodies are primarily conducted to allow the Comptroller and Auditor General (C&AG) to form an opinion of the truth and fairness of public accounts. In the course of these audits, the National Audit Office (NAO) learns a great deal about government bodies' financial management and sometimes this leads to further targeted pieces of work that examine particular issues. In this section, we look at the outcome of our most recent financial audit on the Ministry of Justice (the Department) and its bodies.

Audit opinions

2.2 In 2012-13 the C&AG gave the Department's accounts an unqualified audit opinion. The Department continued to improve its consolidation process and was the first department to lay its accounts before Parliament, meeting HM Treasury's deadline of 30 June 2013.

2.3 All bodies within the departmental boundary received unqualified opinions with the exception of the Youth Justice Board (YJB). Of those bodies whose accounts were unqualified, the Legal Services Commission was successful in removing the qualification to its accounts on regularity, which the C&AG had applied in each year between 2008-09 and 2011-12. This reflected a reduction in the amounts paid to legal aid providers where the claim was not in accordance with statutory rules, or after legal aid was granted to applicants who were ineligible or whose eligibility could not be proven.

2.4 The C&AG qualified his opinion on regularity in relation to the YJB because benefit-in-kind payments were made to the deputy chief executive of secure accommodation which were not authorised by the Department. His report concluded that a lack of oversight, scrutiny and transparency of senior management remuneration led to this and other issues. The YJB is undertaking a review of arrangements and the Department has requested additional actions to improve governance, accountability and capability. This reflects the Department's more proactive management of non-departmental public bodies (NDPBs), particularly where capacity and capability issues arise.

Significant findings or developments

2.5 Significant issues included potential fraudulent reporting by G4S and Serco under the electronic monitoring contract and progress on the shared services programme.

- **Reporting under the electronic monitoring contract:** During the re-tendering process for this contract, the Department identified issues in relation to billing under the current arrangements. Following initial investigations, Serco agreed to comply with a full forensic audit, but G4S rejected this proposal. As a result the Secretary of State has announced in Parliament that he has referred G4S to the Serious Fraud Office.²⁶ The Department has commissioned forensic audits of other contracts with both companies and is focusing its effort on those with greater risks attached. It is also undertaking a wider review of the management of all major contracts. We are keeping up to date with the progress of these audits and will report our findings to the Committee of Public Accounts (PAC) in due course. Finally, in July 2013 the Cabinet Office announced a government-wide review of contracts held by G4S and Serco,²⁷ which expects to report in the autumn.
- **Shared Service Centre programme:** The programme to replace the multiple back-office systems and commercial contracts for HR, finance and procurement at the Department has been paused. The Department increased its oversight of the project as a result of delivery issues, which it ascribed to complex contractual arrangements and shortcomings in programme governance. A revised business case submitted to the Cabinet Office in April 2013 was rejected in July 2013. The Department received approval to continue with the initial stage of the revised project in August 2013.

Spend to date on the programme is around £100 million. The Department disclosed a constructive loss of £500,000 in its 2012-13 accounts, recognising that this subset of the outlay has not produced tangible results. We anticipate that there may be further losses in 2013-14 as the revised scope of the project, and the potential to re-use development work performed to date, becomes clearer.

Our audits of the Department's effectiveness and value for money

2.6 The NAO's work to test the effectiveness and value for money of government spending in 2012-13 included a number of projects that focused on the Department. The principal findings of these, and in some cases the actions that have been taken since, are summarised below.

²⁶ Hansard HC, 11 July 2013, cols. 573–575.

²⁷ Cabinet Office, Review of government G4S and Serco contracts, 11 July 2013. Available at: www.gov.uk/government/news/review-of-government-g4s-and-serco-contracts, accessed 2 September 2013.

Ministry of Justice's Language Services Contract

2.7 In August 2011 the Department signed a framework agreement with Applied Language Solutions²⁸ (ALS) for the provision of interpreting and translation services to a range of justice sector bodies. Under this framework the Department entered into a contract with ALS for the provision of services to several parts of the justice sector. The largest service provision area (courts and tribunals) immediately faced operational difficulties, with a large number of interpreter requirements going unfulfilled at the start of the contract. Consequently, we investigated various aspects of the contract, from the procurement process and implementation to resolution of problems and the financial controls put in place.

2.8 We found there were strong reasons for implementing a new system and a fair and competitive tendering process took place, but that the Department had:

- not performed sufficiently thorough due diligence on the successful ALS bid;
- encountered difficulty in contract implementation because they underestimated risks and engaged insufficiently with stakeholders;
- been slow to perform inspections; and
- decided not to enforce deductions for poor performance to which they were entitled, even after ALS had failed to comply with their contractual obligations and failed to notify the Department of this.

2.9 We recommended that the Department should:

- examine what needs to be done to prevent due diligence problems reoccurring;
- commission and publish an independent assessment of whether the new contract's quality standards for interpreting and translation are adequate; and
- ensure complete checks on interpreters are carried out.

2.10 Based on our report and additional evidence from the Department and ALS, the PAC made further recommendations in relation to contract design, management, quality control and recruitment procedures. The PAC also noted that the Department had been unable to provide sufficient information on costs incurred from the lack of interpreters, and recommended comprehensive cost and benefit analysis of all new policies.

2.11 The Department responded to all of the PAC's recommendations in February 2013, agreeing to a programme of spot checks on ALS to provide assurances over the quality of interpreters to start immediately, and a lessons learned exercise on the broader recommendations to be completed by February 2014.

28 Applied Language Solutions was acquired by Capita in December 2011.

Ministry of Justice Data Assurance Summary Report

2.12 In 2011-12, we began a three-year programme to examine the data systems underpinning indicators of performance against targets set in the Department's business plan, and other key management information. Last year our work focused on the data systems related to NOMS. We published this year's review,²⁹ which focuses on HMCTS, in August 2013.

2.13 In the 2013 review we examined 12 data systems; eight were business plan indicators and four were operational data sets. In all cases we examined whether these data systems were fit for the purpose of providing relevant and reasonably accurate information. A summary of our findings is displayed in **Figure 7**.

Figure 7

A summary of the results of our data assurance exercise

Score	Meaning	Indicator
4	The indicator's data system is fit for purpose and run cost-effectively	Care proceedings timeliness Civil proceedings timeliness (small claims hearings and fast/multi-track trials) Criminal court timeliness Number of cracked, effective and ineffective trials by court Number of new criminal offences Number of people taking up publicly funded family mediation assessments and conversion rate from mediation assessment to mediation session in family cases The payment rate for financial penalties ('enforcement rate')
3	The indicator's data system is adequate but some improvements could be made	Staff and judicial cost per sitting day (Crown, magistrates', civil courts and tribunals) Tribunals timeliness
2	The indicator's data system has some weaknesses, which the Department is addressing	None
1	The indicator's data system has weaknesses which the Department must address	Proxy measure for the proportion of civil disputes resolved out of court
0	No system has been established to measure performance against indicator	None

Source: National Audit Office, *2012-13 review of the data systems of the Ministry of Justice*, August 2013

²⁹ National Audit Office, *2012-13 review of the data systems of the Ministry of Justice*, August 2013.

2.14 Overall, our findings showed the data systems for each indicator were effective. Out of the 12 systems analysed, we judged nine to be fit for purpose, two adequate, (with some improvement possible) and one which we felt the Department must improve.

The Department in a cross-government context

2.15 In addition to our work on individual departments, the NAO increasingly looks at performance across government, in order to understand how different departments measure up on important issues. Of the cross-government reports we have published in the last year, only one included substantial coverage of the Ministry of Justice, *Early action: Landscape Review*.³⁰

2.16 Early action involves the provision of public services to address causes rather than symptoms to prevent cases reaching a state where costly reactive intervention is required (for example, acute healthcare). The Department featured in the report through its work with the Home Office on youth crime prevention along with other relevant departments.

2.17 Among the report's recommendations were that government should:

- consider how early action could reduce long-term service demand; and
- examine current early action projects in a rigorous and consistent way, using best practice in cost-benefit analysis and the attribution of outcomes.

NAO work in progress

2.18 The NAO has two reports in progress relating to the Department.

- **Management of the custodial estate – scheduled for autumn 2013:** This study will examine whether the NOMS strategy for the prison estate is likely to improve the value for money of holding prisoners who have been remanded and sentenced by the courts. Our report will also evaluate whether the current prison estate allows NOMS to meet its objectives, NOMS's strategy for the future, and whether NOMS is effectively implementing its strategy.
- **Confiscation orders study – scheduled for late 2013:** Government bodies collect more than £100 million per year through confiscation orders; however, £1.2 billion of current orders was outstanding at March 2012, with much considered uncollectable. This study aims to assess the value for money of the management and enforcement of confiscation orders by examining the current governance arrangements, estimating the cost and efficiency of the confiscation order process and examining the financial and performance reporting of confiscation order collection and outstanding debt.

³⁰ Comptroller and Auditor General, *Early Action: Landscape Review*, Session 2012-13, HC 683, National Audit Office, January 2013.

Part Three

Case study: Legal aid reform

3.1 One of the five coalition priorities for the Ministry of Justice (the Department) is to 'reform courts, tribunals and legal aid, and work with others to reform delivery of criminal justice'.³¹ As part of this priority the Department introduced changes to the scope of legal aid and the criteria for eligibility. These changes were implemented under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), along with other reforms. Historically, the legal aid bill has been one of the highest per capita internationally, as shown in **Figure 8** overleaf.

3.2 Legal aid reform is fundamental to the Department's plans for meeting its spending commitments to reduce cost. The Secretary of State has argued that legal aid spending has expanded into unnecessary areas in recent decades, but reaffirmed the Department's commitment to access to justice regardless of ability to pay. Balancing this principle with the reform of legal aid is a challenging task and the Department's changes have attracted a high level of interest from MPs, the legal profession and the media.

Changes introduced to date

3.3 In 2010, the Department started the process of reforming legal aid by reducing, through secondary legislation, the level of fees payable to legal aid providers for individual cases.

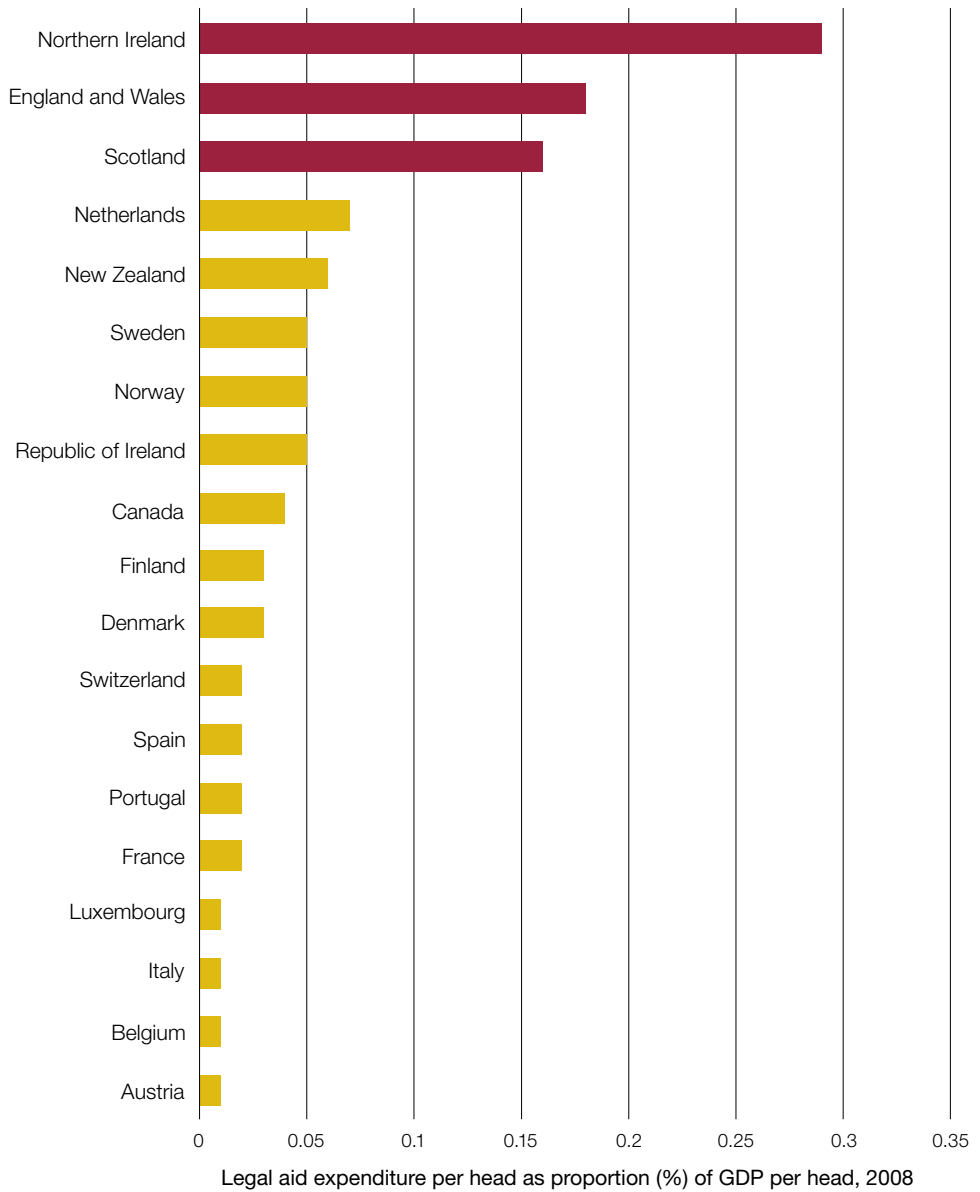
3.4 LASPO introduced wider-reaching changes, the vast majority of which affect civil legal aid. These include:

- substantial reductions in the **scope** of legal aid, that is, the types of case which qualify for it; and
- changes to the rules which determine an individual's **eligibility** for legal aid, which are principally based on financial circumstances.

³¹ Ministry of Justice, *Business Plan 2012–2015*, May 2012.

Figure 8

Legal aid expenditure per head as a proportion of GDP per head, 2008



Source: Ministry of Justice, International Comparisons of Public Expenditure on Legally Aided Services: ad hoc statistics note, 2011, Table 2, p.3

Scope changes

3.5 A number of areas of work are no longer in scope for legal aid, the most significant of which are private family law disputes involving children and finance and most non-asylum immigration matters. Some areas of law have been only partially de-scoped and it is still possible to claim legal aid in particular circumstances. For example, family cases involving disputes over children and finances still qualify for legal aid where there is prescribed evidence of domestic violence or where there is a risk of child abuse.

Eligibility changes

3.6 The main changes to eligibility in civil cases under LASPO are that the Legal Aid Agency (LAA) now:

- means-tests all applicants for legal aid regarding their capital wealth, including those in receipt of income-based ('subsistence') benefits;
- caps the value of contested property that is disregarded when assessing individuals' capital wealth for eligibility purposes at £100,000 for all levels of service, including some where there was previously no cap;
- requires income-based contributions, payable by middle-earners, at a level 40 per cent above pre-LASPO amounts; and
- applies the 'merits' test so that legal aid may be refused in any individual case suitable for alternative funding.

3.7 The Department anticipates that these changes will lead to savings of around £200 million³² a year and contribute to a reduction in spending as shown by the LAA's overall expenditure plans in **Figure 9** overleaf.

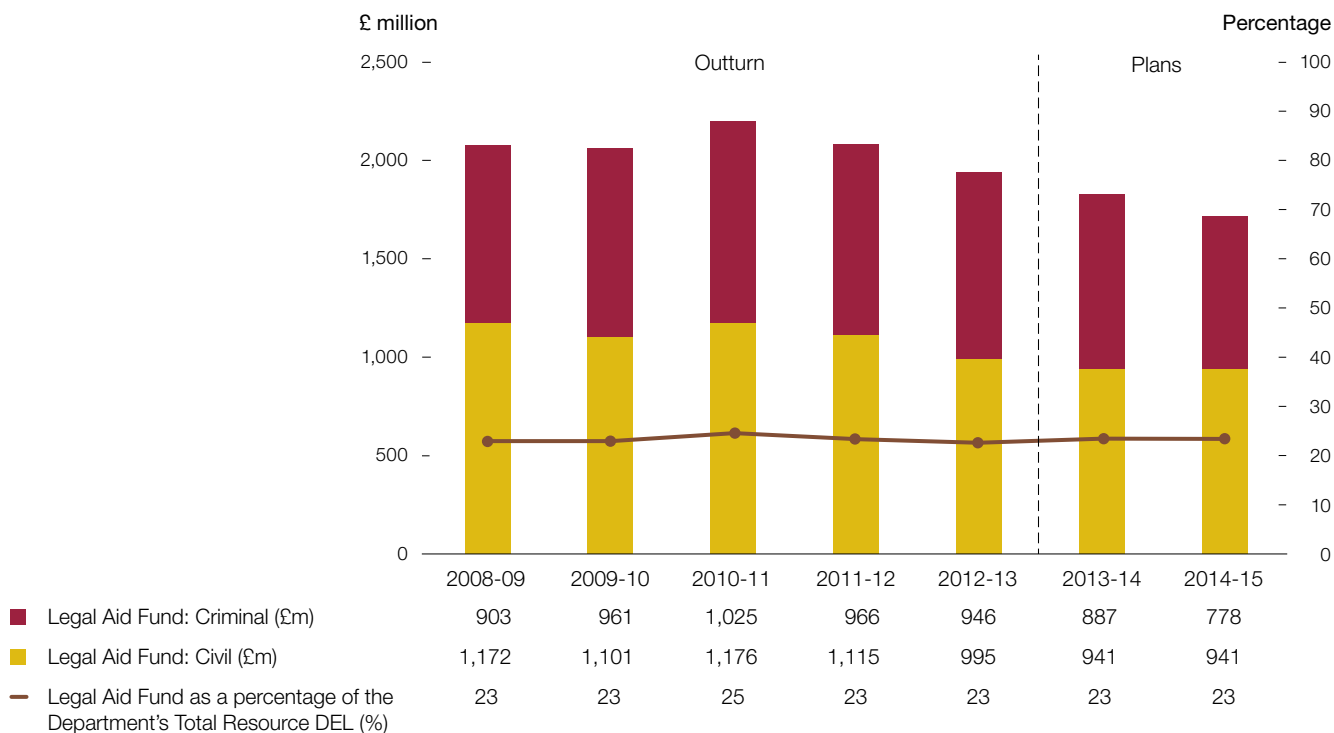
Impact of changes to date on the legal aid market and overall cost

3.8 It is not possible to state with confidence what changes have arisen as a direct result of LASPO due to the many other factors which affect demand and supplier activity. However, LAA continues to monitor the financial outturn for each legal aid 'stream' (for example, asylum cases) and does consider internally where legislative change may have been a major driver for variations in cost.

3.9 Likewise, the Agency also monitors the legal aid market and has reported seeing providers diversify into areas including dispute resolution, collaborative law and offering low-cost fixed-fee services which are not funded through the legal aid system.

Figure 9

Change in legal aid spending



Source: Ministry of Justice, *Annual Report and Accounts 2012-13*, Public expenditure tables

Forecast data

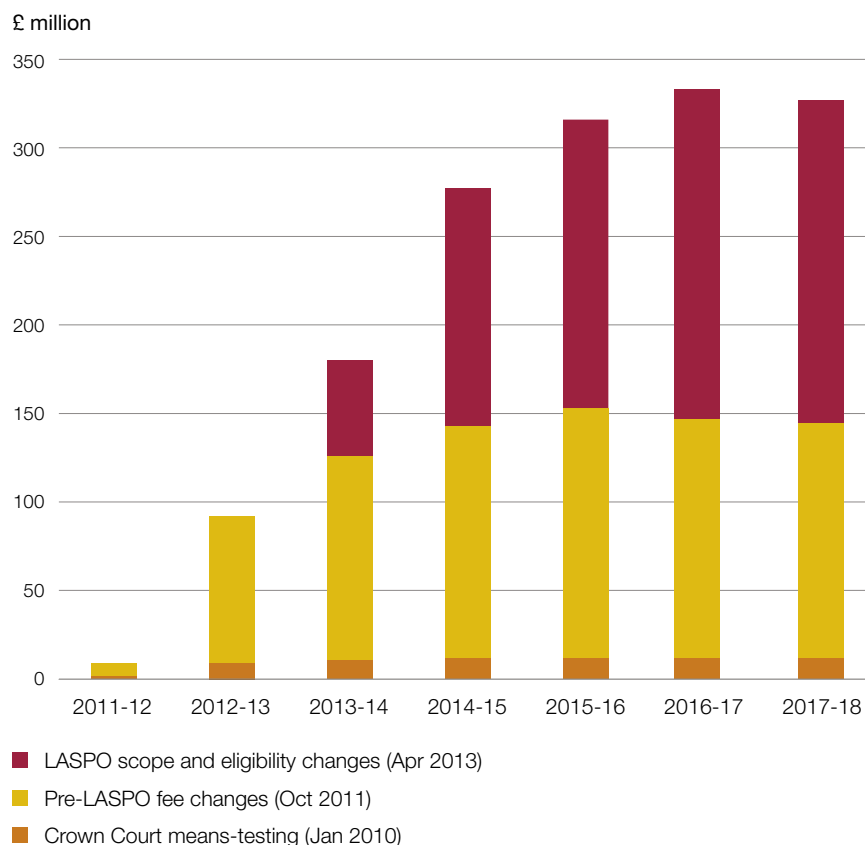
3.10 While retrospective information on the effects of LASPO is hard to derive, LAA has forecast the expected savings that will arise from the scope and eligibility changes brought about by LASPO, as well as earlier changes including the introduction of Crown Court means-testing (January 2010) and the implementation of fee reductions (October 2011). As shown in **Figure 10**, LAA estimates that the savings will be significantly greater in future years, as time elapses on cases begun under the previous system. The analysis also shows the financial significance of the earlier fee reductions, which up to 2014-15 are on a par with the estimated impact of LASPO.

Possible impacts on other areas of the justice system

3.11 While these changes aim to reduce the legal aid bill, some stakeholders are concerned that there could be a negative impact on other areas of the justice system, producing additional cost elsewhere.

Figure 10

Estimated profile and timing of legal aid savings from implemented changes

**Note**

1 Forecasts are based on the latest estimated volumes going through the system, which are lower than the 2009-10 baseline volumes used to calculate the initial Legal Aid Reform (LAR) savings.

Source: Ministry of Justice, *Legal Aid Fund Forecast*, May 2013

Litigants in person

3.12 For instance, with legal aid being withdrawn from a large number of individuals, the Law Society and Bar Council have predicted a significant increase in self-represented 'litigants in person'. It is likely that in many of these cases, court time will increase as litigants in person often struggle to understand and comply with procedural requirements and need a greater level of explanation during hearings.

3.13 Although litigants in person are not a new phenomenon, particularly in family law, the potential increase is a concern for the judiciary, as shown in the report by the Judiciary Working Group on Litigants in Person³³ published in July 2013.

³³ Judiciary of England and Wales, *The Judicial Working Group on Litigants in Person: Report*, July 2013, available at: www.judiciary.gov.uk/Resources/JCO/Documents/Reports/lip_2013.pdf, accessed 2 September 2013.

'Meritless' cases

3.14 The same organisations have also suggested that there may be a higher number of legally meritless cases as without legal advice individuals may be less able to determine the likelihood of winning their case and whether there is a more appropriate method of resolution such as an out of court settlement.

Awards from central funds

3.15 In addition to legal aid reforms, LASPO also reduced the scope of awards from central funds that can be made to privately funded defendants following an acquittal. These awards are no longer available in Crown Court cases and restrictions have been placed on their use in the magistrates' courts. This change may cause defendants who would previously have used private representation to claim legal aid since they no longer have recourse to apply for central funds, particularly in criminal cases.

Future changes anticipated

3.16 Following Spending Round 2013, the Department has committed to a reduction in its overall resource budget of 10 per cent in real terms (see Figure 3). The settlement for 2015-16 totals £6.6 billion, of which £6.2 billion is resource (non-capital) budget. Savings will be delivered in part through further reforms to legal aid, and LAA anticipates that these will rise to £220 million a year by 2018-19³⁴ in addition to those already implemented.

3.17 To facilitate this additional saving, the Department launched the *Transforming Legal Aid* consultation³⁵ on changes to criminal legal aid and further reforms in civil legal aid, which closed on 4 June 2013. Following the Department's review of responses it launched a second, shorter consultation – *Transforming Legal Aid: Next Steps*³⁶ – on 5 September 2013. This refines and removes some of the proposals in the original consultation.

Transforming Legal Aid consultation

3.18 The main proposals in the original consultation were that the Department:

- introduce competition, based on both price and quality, for litigators in most areas of the criminal legal aid market (with competition in civil and family cases to be addressed over the longer term);
- reduce fees for other areas of criminal work, including Very High Cost Cases and payments to advocates;
- make further changes to eligibility, scope and the 'merits' test; and
- further reduce fees in family legal aid, and for expert fees in all jurisdictions.

³⁴ See footnote 10.

³⁵ See footnote 13.

³⁶ Ministry of Justice, *Transforming Legal Aid: Next Steps*, September 2013, available at: <https://consult.justice.gov.uk/digital-communications/transforming-legal-aid-next-steps>, accessed 6 September 2013.

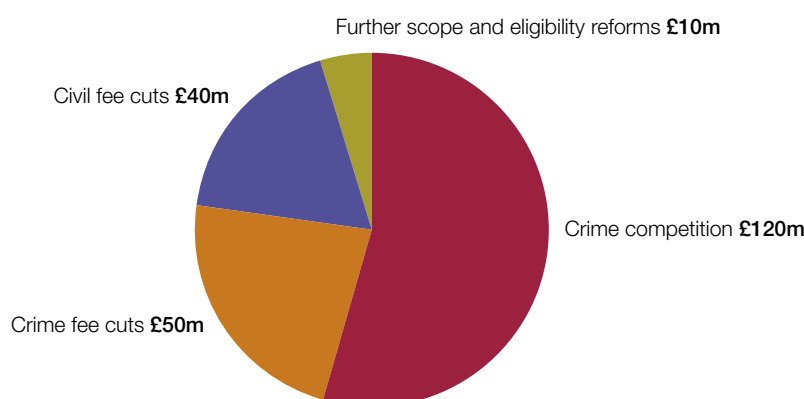
3.19 Figure 11 below shows LAA's forecast of how these distinct measures will contribute to achieving total annual savings from Legal Aid Transformation by 2018-19.

3.20 The Department intended the introduction of competition to produce a consolidation of the market (for instance, through mergers of smaller firms) and a reduction in cost. The consultation proposed that tenders would need to include a price cap at 17.5 per cent below 2012-13 price bids for each area and estimated that the current contract level of more than 1,600 providers would reduce to around 400. Original proposals included allowing clients no choice in provider allocated to their case unless there were exceptional circumstances, although the Secretary of State removed these proposals through the 'Next Steps' consultation (see below).

3.21 Two of the most significant eligibility changes proposed were:

- imposing a **financial eligibility threshold in the Crown Court**. Under the proposals, individuals would be subject to upfront means-testing and where annual household disposable income exceeds £37,500 they would not be entitled to legal aid (the current system provides full legal aid upfront followed by an assessment for contributions); and
- introducing a **residence test** for civil legal aid. Applicants would have to have been lawfully resident in the UK, a British Overseas Territory or a Crown Dependency at the time of application and resident for a continuous period of 12 months at any point in the past in order to be eligible for civil legal aid. The Department planned to make some exceptions, for example for asylum seekers.

Figure 11
Expected breakdown of £220 million Legal Aid Transformation savings



Notes

- 1 Crime competition savings assume a 17.5 per cent saving on 2012-13 levels.
- 2 Further scope and eligibility reforms include restricting the scope of criminal legal aid for prison law, Crown Court eligibility threshold changes, payments for judicial review cases, a residence test and amending the merits test.
- 3 Some numbers have been adjusted due to rounding.

Source: Ministry of Justice, *Cumulative Legal Aid Impact Assessment*, September 2013

Transforming Legal Aid: Next Steps consultation

3.22 The *Transforming Legal Aid* consultation generated a significant level of interest, with nearly 16,000 responses. As a result of the responses received, the Secretary of State announced in evidence to the Justice Select Committee that a second shorter consultation would be published in September with further legal aid proposals.³⁷

3.23 This *Next Steps* consultation was launched on 5 September 2013, and runs for six weeks. The most significant areas changed from the original consultation are competitive tendering and the reform of criminal advocacy fees.

- **Competitive tendering for litigators in most criminal cases:** The Department proposes a revised procurement model, under which it would not use price as an award criterion. Instead, it will expect providers to demonstrate that they have the capacity to deliver duty solicitor services at the right quality. The Department aims to achieve the same savings by legislating for a fee cut for solicitors and other litigators in criminal cases – 8.75 per cent in early 2013, followed by a further 8.75 per cent in spring 2015.
- **Criminal advocacy fees:** While the Department still plans to introduce a 30 per cent cut for Very High Cost Cases, the Secretary of State has reconsidered his proposals for other advocates' fees, and is consulting on two options: a revised model involving the harmonisation of basic fees for early guilty pleas and cracked trials, and the tapering of attendance fees from day three of a trial; or a variation of the Crown Prosecution Service model, which would establish 'standard' and 'enhanced' fixed fees for case preparation, depending on complexity.

3.24 In most other areas the Department plans to implement its original proposals with little or no modification, and to introduce legislation between late 2013 and April 2014.

Appendix One

The Department's sponsored bodies at 1 April 2013

Executive agencies

National Offender Management Service
 HM Courts and Tribunals Service
 Office of the Public Guardian
 Legal Aid Agency

Non-ministerial departments

The National Archives
 The UK Supreme Court

Inspectorates, Ombudsmen and Statutory office holders

Commissioner for Victims and Witnesses
 HM Inspectorate of Prisons
 HM Inspectorate of Probation
 Independent Monitoring Boards of Prisons, Immigration
 Removal Centres and Short-Term Holding Rooms
 Judicial Appointments and Conduct Ombudsman
 Judicial Office for England and Wales
 Office for Judicial Complaints
 Official Solicitor and Public Trustee
 Prisons and Probation Ombudsman

Executive non-departmental public bodies

Criminal Cases Review Commission
 Criminal Injuries Compensation Authority
 Information Commissioner's Office
 Judicial Appointments Commission
 Legal Services Board
 Parole Board for England and Wales
 Probation Trusts (35)
 Youth Justice Board for England and Wales

Advisory and review bodies

Administrative Justice and Tribunals Council
 Advisory Committees on Justices of the Peace
 Advisory Council on National Records and Archives
 Advisory Panel on Public Sector Information
 Assessor for Compensation of Miscarriages of Justice
 Burials and Cemeteries Advisory Group
 Civil Justice Council
 Civil Procedure Rule Committee
 Criminal Procedure Rule Committee
 Family Justice Council
 Family Procedure Rule Committee
 Insolvency Rules Committee
 Judicial Studies Board
 Law Commission
 Prison Service Pay Review Body
 Reducing Reoffending Third Sector Advisory Group
 Restraint Advisory Board
 Sentencing Council
 Tribunal Procedure Committee
 Victims Advisory Panel

Other bodies

Court Funds Office
 Legal Services Consumer Panel
 Office of the Judge Advocate General

Statutory body

Office for Legal Complaints

Appendix Two

Results of the Civil Service People Survey 2012

	Civil service overall	Department for Business, Innovation & Skills (excluding agencies)
Question scores (% strongly agree or agree)		
Leadership and managing change		
I feel that the department as a whole is managed well	43	39
Senior civil servants in the Department are sufficiently visible	48	51
I believe the actions of senior civil servants are consistent with the Department's values	42	40
I believe that the Department's board has a clear vision for the future of the Department	40	41
Overall, I have confidence in the decisions made by the Department's senior civil servants	39	37
I feel that change is managed well in the Department	29	26
When changes are made in the Department they are usually for the better	25	19
The Department keeps me informed about matters that affect me	56	59
I have the opportunity to contribute my views before decisions are made that affect me	36	31
I think it is safe to challenge the way things are done in the Department	40	37
Organisational objectives and purpose		
I have a clear understanding of the Department's purpose	84	81
I have a clear understanding of the Department's objectives	79	74
I understand how my work contributes to the Department's objectives	82	79

Note

1 The score for a question is the percentage of respondents who strongly agree or agree to that question.

Cabinet Office (excluding agencies)	Department for Communities and Local Government (excluding agencies)	Department for Culture, Media & Sport (excluding agencies)	Ministry of Defence (excluding agencies)	Department for Education	Department of Energy & Climate Change	Department for Environment, Food & Rural Affairs (excluding agencies)	Foreign & Commonwealth Office (excluding agencies)	Department of Health (excluding agencies)	HM Revenue & Customs (excluding agencies)	HM Treasury	Home Office (excluding agencies)	Department for International Development	Ministry of Justice (excluding agencies)	Department for Transport (excluding agencies)	Department for Work & Pensions (excluding agencies)
38	31	23	19	39	39	29	56	31	21	62	39	63	48	43	29
47	45	37	26	46	64	42	59	47	33	71	48	71	56	59	30
40	33	23	24	39	47	34	55	39	27	59	40	62	47	47	29
29	31	29	22	31	27	22	54	24	24	47	28	64	37	35	30
40	30	18	16	35	42	29	50	33	19	57	35	58	43	39	23
28	22	19	11	27	27	19	42	18	17	49	23	44	34	27	24
22	14	12	9	17	25	14	36	14	14	35	18	32	29	19	20
57	54	56	41	55	67	56	62	49	40	72	60	69	61	63	46
34	32	32	20	37	39	31	42	30	20	48	33	50	37	35	23
41	29	32	30	36	43	37	45	31	29	54	38	44	41	43	33
73	67	64	80	83	87	74	83	68	75	86	84	94	79	80	79
63	63	62	72	77	84	70	80	62	72	80	80	92	73	74	77
73	72	70	76	80	86	75	84	69	75	82	81	91	77	79	78

Appendix Three

Publications by the NAO on the Department since March 2012

Publication date	Report title	Weblinks
August 2013	Data Assurance Summary Report – Ministry of Justice	www.nao.org.uk/report/2012-13-review-of-the-data-systems-for-the-ministry-of-justice/
May 2013	Funding of Women's Centres in the Community	www.nao.org.uk/report/funding-of-womens-centres-in-the-community/
February 2013	Response to the Ministry of Justice Consultation on Transforming Rehabilitation	www.nao.org.uk/report/response-to-moj-consultation-on-transforming-rehabilitation/
September 2012	Restructuring of the National Offender Management Service, HC 593, Session 2012-13	
September 2012	The Ministry of Justice's Language Services Contract	www.nao.org.uk/wp-content/uploads/2012/09/1213_MoJ_Language_services.pdf
August 2012	Review of the Data Systems for the Ministry of Justice	www.nao.org.uk/report/review-of-the-data-systems-for-the-ministry-of-justice/
June 2012	Legal Services Commission, Community Service Fund and Criminal Defence Service 2011-12 Accounts	www.justice.gov.uk/downloads/publications/corporate-reports/lsc/lsc-annual-report-2011-12.pdf
May 2012	Improving the Criminal Justice System – lessons from local change projects	www.nao.org.uk/report/improving-the-criminal-justice-system-lessons-from-local-change-projects/
March 2012	National Offender Management Service: Realising the benefits of the headquarters' restructure	www.nao.org.uk/wp-content/uploads/2012/05/National_Offender_Management_Service_restructuring.pdf

Where to find out more

The National Audit Office website is
www.nao.org.uk

If you would like to know more about the NAO's
work on the Ministry of Justice, please contact:

Jeremy Lonsdale

Director

020 7798 7412

jeremy.lonsdale@nao.gsi.gov.uk

If you are interested in the NAO's work and
support for Parliament more widely, please contact:

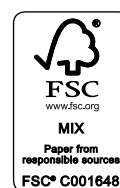
Ashley McDougall

Director of Parliamentary Relations

020 7798 7689

ashley.mcdougall@nao.gsi.gov.uk

Twitter: @NAOorguk



This report has been printed on Evolution Digital Satin and contains material sourced from responsibly managed and sustainable forests certified in accordance with the FSC (Forest Stewardship Council).

The wood pulp is totally recyclable and acid-free. Our printers also have full ISO 14001 environmental accreditation, which ensures that they have effective procedures in place to manage waste and practices that may affect the environment.

Design and Production by
NAO Communications
DP Ref: 10264-001
Printed by Precision Printing
© National Audit Office 2013



National Audit Office
