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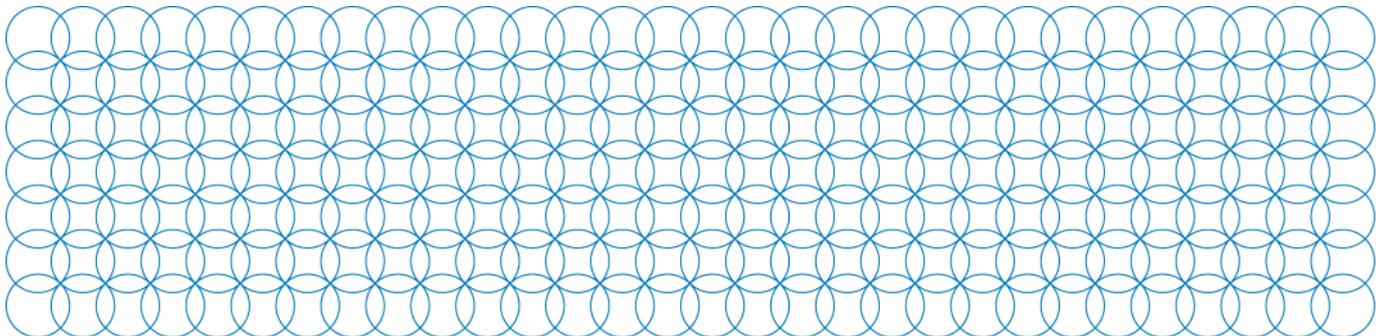
A platform for the future

A consultation on a unified Courts and Tribunals Service

Consultation Paper CP14/10

This consultation begins on 30 November 2010

This consultation ends on 25 February 2011





Ministry of
JUSTICE

A platform for the future

**A consultation on a unified Courts and
Tribunals Service**

**A consultation produced by the Ministry of Justice. It is also available on
the Ministry of Justice website at www.justice.gov.uk**

About this consultation

To: This consultation sets out the benefits which a unified courts and tribunals service has the potential to deliver. The consultation is aimed at other government departments and agencies, members of the judiciary, legal practitioners and their representative organisations, bodies representing tribunal and court users and users themselves.

Duration: From 30/11/10 to 25/02/11

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(including
requests for
the paper in
an alternative
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Response paper: A response to this consultation exercise is due to be published in Spring 2011 at: <http://www.justice.gov.uk>

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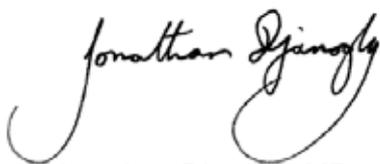
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Foreword

Courts and tribunals have a tremendously important role to play in the justice system. Between them they deal with over 3 million cases a year. They help resolve disputes in every part of society ensuring the public are protected, rights are upheld and that entitlements are enforced.

Despite the large range of issues, spanning criminal, family, civil and administrative justice, courts and tribunals have much in common. They are united by the common aim of ensuring access to justice for all and the shared value of putting the public at the heart of what they do.

This consultation is about the opportunities presented by bringing courts and tribunals into a single administration. We believe there is far more that can be achieved as a single organisation than as two separate ones and we are eager to hear the views of those who use the system. We are seeking your views on whether we are looking to deliver the right sorts of benefits and would welcome your thoughts on our proposals.



Jonathan Djanogly MP
Parliamentary Under Secretary of State
Ministry of Justice

Executive summary

An announcement was made as part of the 2010 budget that the Ministry of Justice would be bringing Her Majesty's Courts Service (HMCS) and the Tribunals Service into a new, single organisation. This is the next step in joining up the administrative functions of the justice system following the creation of HMCS in 2005 and the Tribunals Service in 2006. The new organisation will be called Her Majesty's Courts and Tribunals Service and will begin operating on 1 April 2011.

In creating this new organisation we will be unifying the administrative functions but we will not be changing the legal processes and procedures within courts or tribunals. We are committed to preserving and protecting the distinctive nature of tribunals and ensuring that users continue to receive the service they value.

The vision for Her Majesty's Courts and Tribunals Service is to run an efficient and effective courts and tribunals system which enables the rule of law to be upheld and provides access to justice for all.

There are a number of benefits which we will realise as a result of creating a unified administration. Through bringing corporate functions together we will remove duplication in management functions.

We also believe that a unified administration will bring improvement in the services provided to the public. We are determined that service levels will not be compromised through the transitional period and we will be looking over the next five years to deliver a number of improvements for users.

This consultation paper sets out what we believe those service benefits are, and the outcomes we want to see. We believe unification provides a platform for the future, whereby:

- A unified courts and tribunals service will support users and partners in understanding how the organisation's administrative and judicial processes can be accessed to help them achieve their goals;
- A unified courts and tribunals service will help ensure users and partners regard the administrative processes as well designed, consistently applied and effectively delivered to meet their needs; and
- A unified courts and tribunals service will enable services to be delivered to users and partners in an environment appropriate to the diverse needs of different groups.

The benefits we want to deliver over the next five years to achieve these outcomes are:

- Reduction in cost through the elimination of duplicated management arrangements and corporate structures and services;
- Improved accessibility of services for users through a single point of access and a staff with a knowledge of all jurisdictions;
- Use of more appropriate accommodation which is better suited to the needs of our users;
- Greater utilisation of a shared estate;
- Flexibility in deployment of resources to manage workflows;
- Opportunity to share best practice across courts and tribunals and standardise administrative processes as appropriate; and
- Opportunity for further efficiency in back office functions to ensure resources remain focused on the frontline.

There is still work to be done on how these benefits are to be delivered. Some are more aspirational than others, however unification provides the catalyst for them all to be achieved. We are interested in the views of partners and stakeholders as to whether we have correctly identified the desirable benefits and whether there are other benefits we should be looking to exploit as part of this work.

The creation of a unified administration also provides opportunity to consider judicial structures. Whilst it is not part of this consultation, the Government has recently set out its proposal¹ to bring the tribunal judiciary in England and Wales under the overall leadership of the Lord Chief Justice. This is being looked at alongside the question of whether responsibility for tribunals should be devolved to Scotland and Northern Ireland. These changes would require legislation and so a separate consultation will be published on these areas at an appropriate time in the future.

¹ <http://www.justice.gov.uk/news/announcement160910b.htm>

Introduction

This consultation sets out the benefits which a unified courts and tribunals service has the potential to deliver. The consultation is aimed at other government departments and agencies, members of the judiciary, legal practitioners and their representative organisations, bodies representing tribunal and court users and service users themselves.

A Welsh language version of this consultation paper is available at www.justice.gov.uk/consultations/consultations.htm

This consultation is conducted in line with Code of Practice on Consultation and falls within the scope of the Code. The consultation criteria, which are set out on page 21, have been followed.

An Impact Assessment indicates that the proposals are unlikely to lead to additional costs or savings for businesses, charities or the voluntary sector. The Impact Assessment and a draft Equality Impact Assessment are available at www.justice.gov.uk/consultations/consultations.htm and comments on these are welcome.

Copies of the consultation paper are being sent to all key stakeholders of Her Majesty's Court Service and the Tribunals Service.

This includes user groups and support groups representing a wide range of customers and users, professional associations and other Government departments. It also includes a wide range of judicial representative groups. Copies of the consultation document have also been sent to Senior Members of the Judiciary.

However, this list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by this paper.

The creation of a new executive agency

In March 2010 an announcement was made that the Ministry of Justice would be bringing Her Majesty's Courts Service (HMCS) and the Tribunals Service together, creating a single unified organisation. The new organisation will be launched on the 1 April 2011. This proposal, which has long been discussed, is the next natural step in bringing together administration of the justice system.

This paper sets out the rationale for the creation of a new agency and explains what we believe the benefits will be. It also sets out what will remain the same following the creation of the agency.

Both the courts and tribunals system have undergone significant change in the last 10 years and it is these developments which have ensured we are now in a position to be able to move forward to full integration. However in considering where we are going, it is helpful to set out briefly where both organisations have come from.

History of HMCS

Sir Robin Auld published a Review of the Criminal Courts of England and Wales in 2001, which recommended a single and nationally funded administrative structure for the court service. The Government accepted his recommendations, and the then Department for Constitutional Affairs (DCA) established the Unified Courts Administration Programme to bring all of the courts in England and Wales together into an executive agency, accountable to Parliament.

HMCS was created in April 2005, bringing together the Court of Appeal, High Court, Crown Court and County Courts with all 42 Magistrates' Courts Committees into a single national agency responsible for the delivery of court services.

The creation of HMCS heralded a move towards providing greater efficiency and consistency in practices, procedures, management and funding across the court system. It was a significant step in delivering a modern service to the public. In its 5 years of existence HMCS has performed well, establishing consistent levels of service and process, and working increasingly well with partners across the justice sector to improve the services it offers.

History of the Tribunals Service

The creation of the Tribunals Service has followed a similar path with very much the same aim and end goal. Sir Andrew Leggatt's Review 'Tribunals for Users – One System, One Service' was published in the same year as the Auld review. The Leggatt report argued for a substantial reform of administrative justice. A key recommendation was the creation of a single Tribunals Service which would be responsible for the administration of all tribunals.

The Government accepted this recommendation and the Tribunals Service was created in April 2006. The Tribunals Service brought together a wide range of tribunals previously administered by other Government departments into one organisation. This removed the situation where tribunals were administered by staff from the same department which had made the decision that was being challenged. The 5 largest Tribunals which were based in other Government departments moved to join the tribunals already based in the DCA and collectively formed an executive agency. Since then further tribunals have joined and the Tribunals Service currently consists of 35 different tribunal jurisdictions, arranged in 12 chambers.

In the last four years not only has the Tribunals Service been able to provide increased confidence in the independence of tribunals decisions, it has made significant efficiency savings and driven up performance.

The creation of Her Majesty's Courts and Tribunals Service

The Government, having sought the views of the Lord Chief Justice and Senior President of Tribunals on its proposal, has announced to Parliament its intention to create a new executive agency responsible for all administration in courts and tribunals. The new organisation is to be called Her Majesty's Courts and Tribunals Service and will be launched on 1 April 2011.

Despite both organisations being relatively young they have matured quickly, developing their own identity, strategies and organisational structures. Performance in both organisations has been driven up and stable foundations which can accommodate further change and improvement have been laid. Both HMCS and the Tribunals Service have made considerable progress in improving the level and quality of service provided, putting the public at the heart of what they do. However in order for both organisations to continue to improve the service they offer, they now need to work more closely together. While there has been collaboration in many areas significant improvements can only be delivered if organisational models become more closely aligned.

There is a great deal both services have in common and they frequently deal with the same users and customers. The nature of the administrative work undertaken in courts and tribunals is also broadly similar with case file preparation, case management and listing common to all areas. A unified administration will help explore these similarities further and will provide the flexibility to meet the challenges courts and tribunals face. Unification will enable us to drive out improvements in efficiency and drive up service delivery.

The creation of a courts and tribunals service provides the platform for change to be delivered. However in describing the outcomes we hope to deliver, it is important to set out clearly what will not change or occur as a result of a unified administration.

Specialism

The level of knowledge and specialism of staff in tribunals and courts will not be lost as a result of the creation of Her Majesty's Courts and Tribunals Service. It is envisaged that the creation of this larger organisation will increase the ability to retain those staff with specialist knowledge, as it will be able to provide them with further development and career opportunity. Moreover a unified administration will, in time, give us increased flexibility in how staff are deployed and will help us to ensure there is opportunity for further training and sharing of knowledge so that expertise can be passed on and spread, and not lost.

Unique and distinctive nature of tribunals

The unique and distinctive nature of tribunals will continue to be promoted and protected. We will work closely with the judiciary to guard against any erosion of the distinctive character of tribunals. It will remain a priority for Her Majesty's Courts and Tribunals Service to ensure tribunals remain investigative in nature, contain judges and tribunal members who are specialists in the areas being adjudicated upon and use settings appropriate to the nature of the dispute and the parties involved.

Procedures and operations of courts and tribunals

Responsibility for procedural rules and operation of courts and tribunals will remain with procedural rules committees. Users will still have cases adjudicated on in the same way and cases will follow the same legal processes and be subject to the same procedural rules.

Deployment of resources

We remain committed to upholding the rule of law and ensuring access to justice. In fulfilling this commitment the Lord Chancellor takes account of his statutory duty² to make sure all parts of the system are adequately resourced. A unified administration with the streamlined structure of the one we envisage will ensure there is dedicated senior management attention on all areas of courts and tribunals business.

Governance

A partnership between the Lord Chancellor, Lord Chief Justice and Senior President of Tribunals will be formed in relation to the effective governance, financing and operation of Her Majesty's Courts and Tribunals Service. This partnership reflects the one which currently exists between the Lord Chancellor and the Lord Chief Justice in relation to HMCS. The details of the partnership will be set out in the agency's framework document.

² Section 1, Courts Act 2003 and Section 39, Tribunals, Courts and Enforcement Act 2007

Vision for the new organisation

The vision for Her Majesty's Courts and Tribunals Service is to run an efficient and effective courts and tribunals system which enables the rule of law to be upheld and provides access to justice for all.

In order to deliver this aim the Lord Chancellor, Lord Chief Justice and Senior President of Tribunals have set the following objectives for Her Majesty's Courts and Tribunals Service:

- provide the supporting administration for a fair, efficient and accessible courts and tribunal system;
- support an independent judiciary in the administration of justice;
- drive continuous improvement of performance and efficiency across all aspects of the administration of the courts and tribunals;
- collaborate effectively with other justice organisations and agencies, including the legal professions, to improve access to justice; and
- work with government departments and agencies, as appropriate, to improve the quality and timeliness of their decision making in order to reduce the number of cases coming before tribunals and courts.

We believe that through meeting these objectives we will be able to give effect to the vision we have set for Her Majesty's Courts and Tribunals Service. We recognise that these are challenging objectives and considerable effort will be required to deliver them, but we are confident they are achievable.

Your views are sought on whether we have set an appropriate vision. Do you think it makes clear what the agency will do? Are there other areas which you would like to see given greater prominence?

1. Do you think the proposed vision and focus for the new organisation is correct?

Benefits of a unified organisation

The Government firmly believes that the creation of a unified organisation will release a number of benefits to users, the public and those who work in the system. These benefits will be both quantitative and qualitative in nature.

Structural benefits

The new agency needs to have a structure which will support and complement the delivery of an efficient and effective courts and tribunals system. Through working with those who have operational experience of courts and tribunals, we have designed a structure which will meet the delivery needs of the organisation in an efficient manner. The design of the new agency's structure has concentrated on ensuring the Headquarters function is as lean as possible, with just one level of management (known as an intermediate tier) between the Chief Executive and the frontline. The intermediate tier will provide leadership and delivery, inside and outside the organisation, for each region. The design work provides a blueprint for the new organisation and in making any structural changes the department will follow existing agreed statutory and departmental processes.

The current financial climate in the public sector has meant every department has had to look hard at its spending and find areas where savings can be made. Reduced operating budgets have been set for all departments as part of the 2010 Spending Review.

The new combined organisation will cost significantly less to run because it will eliminate duplication in management structures and corporate overheads (IT, estates, governance, finance). We believe that we will be able to make savings of £34 million annually from April 2013. This will enable us to operate within the reduced budget. Through reducing the costs of administration and management we will be able to concentrate a greater proportion of our limited resources on the operations of courts and tribunals. It is planned to make these changes within the early years of the organisation's operation.

We are confident that over the next spending review period we will be able to make further savings through greater sharing of estates and further rationalisation of infrastructure. This will include working to rationalise the number of separate IT systems across both courts and tribunals down to a more manageable and appropriate number. Not only will this allow us to concentrate our resources on a smaller number of systems, it will also mean we have to spend less supporting them. There is a great deal of work which will need to be undertaken by the organisation to identify the full scope of the savings which can be made, however it is likely that there are significant savings to be made over time.

Do you think there are other areas where savings could be made as a result of unification that the new organisation should be considering? Are there other

shared activities or opportunities which unification creates which could be explored to increase the level of savings?

2. Are there other savings which could realistically be achieved but we have not identified?

Service Benefits

The creation of Her Majesty's Courts and Tribunals Service not only provides the ability to realise financial benefits but will also act as driver for improved outcomes for users. The Government wants to take full advantage of the opportunities that a unified administration provides and make improvements in the services provided to users. The detailed work required to deliver these benefits will need to be taken forward by the new organisation as it establishes itself. It is however clear that the creation of a unified administration provides the platform for change.

The benefits we aspire to deliver will improve accessibility, drive up quality and provide a more appropriate environment for users.

Accessibility

Accessing the justice system can be a very stressful process for users. The circumstances which lead people to court or a tribunal are often stressful and a source of anxiety. For some, identifying the right service can be confusing and many find it difficult to access the right service in the right way and at the right time. This is compounded by the fact that courts and tribunals are separate administratively, and so despite considerable progress in improving customer services there remains a limited ability to support users to navigate their way through the justice system.

There are also significant numbers of citizens who despite using services in both courts and tribunals have to follow markedly different administrative processes to lodge and track their cases. This can add unnecessary burdens and cause confusion, as well as increasing the costs of administration.

A unified courts and tribunals service will support users and partners in understanding how the organisation's administrative and judicial processes can be accessed to help them achieve their goals.

It is our view this can be achieved in three ways:

- i. Unification provides the platform for establishing a single point of access to the justice system. We would like to create a service where users are not confronted with having to make an initial decision about which service they should approach and are instead able to access the system through one clear point of entry. Over time a single point of entry will enable more effective signposting for users around the system as there will be a consistent look and feel brought about through a single corporate brand.

- ii. Unification acts as a driver for greater consistency in administrative procedures and levels of service as staff will be part of the same organisation, and therefore operating with shared values, a common culture and under the leadership of a single team.
- iii. Unification enables the courts and tribunal service to have a greater presence in the justice system than two separate organisations. This will be advantageous in both increasing public awareness of the services we offer, and in wider promotion of services like mediation and alternative dispute resolution. This will benefit users through increasing awareness, and therefore use, of forums to resolve disputes before they enter the court or tribunal room.

Quality

Courts and tribunals have both seen changing workloads in recent years. Some courts, particularly magistrates courts, have seen a reduction whilst others have become busier than ever before. Tribunals have seen increases in almost every area. It is testament to the hard work of staff, the judiciary and tribunal members that the increased volume of work has in large part been contained. This however cannot continue indefinitely and we recognise that the system can, at times, become overstretched. In order to meet the performance challenges increased workloads have presented, courts and tribunals have developed short term administrative processes and fixes but have not always had the capacity or resources to develop long term strategic solutions.

A unified courts and tribunals service will ensure users and partners regard the administrative processes as well designed, consistently applied and effectively delivered to meet their needs.

It is our view that this can be achieved in four ways:

- i. Unification will provide greater flexibility in the deployment of resources to contain the work pressures which flow through the system. This will enable a more concerted effort to remove administrative blockages and delays through the focused use of administrative resource and, where possible, greater sharing of the estate. Having managers who are responsible for both courts and tribunals in a local area will ensure workloads can be managed more effectively and performance can be driven up.
- ii. Unification will allow a more strategic focus on administrative processes. We will be able to look to standardise administrative and office processes where it will not change procedures set out by the court or tribunal. Unification will further support continuous improvement by sharing best practice from different parts of the organisation. There is considerable scope to look at the administrative processes and procedures for business which is transacted in the civil courts and in tribunals to see whether improvements can be found and made.

- iii. Unification provides the opportunity to look at further large scale efficiencies which may be generated through increasing the use of back office functions. There are currently back office capabilities in some parts of the Tribunals Service and work is ongoing to develop back office functionality for the civil courts. Unification opens up the possibility of considering what can be achieved by providing a simpler administrative service spanning a range of areas.
- iv. Unification will result in a single organisation which can engage with stakeholders and partners right across the system. This will help ensure that the needs of courts and tribunals are clearly heard, but also will mean partners and stakeholders will only have to engage through one channel not two. This will reduce duplicated effort for them. As one organisation engaging with stakeholders and partners we will also be in a better position to identify synergies, common themes and areas where process can be aligned and duplication removed. Specific jurisdictional engagement will continue but contained within this overall framework.

Environment

A major factor in the experience of those who use our courts and tribunals is the quality and suitability of the environment in which their cases are dealt with. Significant strides in improving the quality of both court and tribunal accommodation have been made in recent years, but we recognise there is still more that can be done.

Similarly, we know that providing the right sort of accommodation is integral to a positive experience for users. This is true not only for tribunals, where the type of proceeding dictates the accommodation which is appropriate, but also for cases in courts. Family cases for example are often far more suited to informal, non-courtroom surroundings in the same way tribunals which involve children or vulnerable adults are.

A unified courts and tribunals service will enable services to be delivered to users and partners in an environment suited to the diverse needs of different groups.

It is our view this can be achieved in two ways.

- i. Unification will give greater control over how the whole estate is used, making it simpler to ensure we are providing appropriate accommodation for users. Through sharing a single estate there will be greater flexibility so that cases can be heard in the most appropriate accommodation. This will enable greater use and efficiency of the specialist estate primarily for criminal work and civil, family and tribunals cases requiring custody facilities or specialist witness facilities and a more flexible approach to the use of non-specialist hearing venues.
- ii. Unification will also, through the establishment of a unified estate, ensure there is greater utilisation of better quality hearing facilities, reducing the need to use and retain lower quality facilities. It will be easier to coordinate the use of the estate as it will be staff in one organisation working together. Unification will provide the platform for the organisation to get the best from its estate.

There is still work to be done in fully defining how these benefits will be delivered and we need to think carefully about the impact they will have on all those who use courts and tribunals. This will be for the new organisation to take forward, but what we have set out here are the benefits we believe unification provides the platform to deliver. We recognise there will need to be further engagement on the detail of these ideas, but at this stage we are seeking the views of our partners, stakeholders and the public on whether these benefits are desirable and whether there are other opportunities which we have not considered in this paper.

- 3. The creation of Her Majesty's Courts and Tribunals Service provides the platform to deliver improved outcomes for users over the next 5 years. Are the outcomes we are seeking to improve (Accessibility; Quality; Environment) those that we should focus on?**

- 4. Will the benefits identified here be effective in achieving these outcomes?**

- 5. Are there other service benefits which we have not identified that would be desirable?**

- 6. Are there any concerns over the delivery of these benefits which we should be aware of and seek to address?**

Creation of a single head of the Judiciary and devolution

A unified administration provides the opportunity to deliver the benefits we have set out. However, in making these organisational changes, the Lord Chancellor agreed with the Lord Chief Justice and Senior President of Tribunals that the current judicial structures should also be reviewed to ensure administration reflects and supports it appropriately.

Following further discussion, the Lord Chancellor has agreed with the Lord Chief Justice and Senior President of Tribunals that we should work towards a unified judiciary encompassing both courts and tribunals.

This could be achieved, so far as concerns England and Wales, by transferring the statutory powers of the Senior President of Tribunals to the Lord Chief Justice, and creating a new office of Head of Tribunals Justice with a statutory obligation to protect and develop the distinct and innovative features of the tribunals. A Written Ministerial Statement announcing the Government's intention to legislate to make this change was laid on the 16 September 2010³.

³ <http://www.justice.gov.uk/news/announcement160910b.htm>

Linked closely with this is the opportunity a unified judiciary presents for devolution of tribunals. Consideration is being given to whether responsibility for tribunals should be devolved to Scotland and Northern Ireland. Discussion is at an early stage and any proposals would be contingent on agreeing appropriate arrangements to maintain close co-operation and cross border working as far as possible.

Devolving tribunals and creating a single head of the judiciary for England and Wales would require legislative change and a public consultation seeking views on these proposals will be published shortly.

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

1. **Do you think the proposed vision and focus for the new organisation is correct?**
2. **Are there other savings which could realistically be achieved but we have not identified?**
3. **The creation of Her Majesty's Courts and Tribunals Service provides the platform to deliver improved outcomes for users over the next 5 years. Are the outcomes we are seeking to improve (Accessibility; Quality; Environment) those that we should focus on?**
4. **Will the benefits identified here be effective in achieving these outcomes?**
5. **Are there other service benefits which we have not identified that would be desirable?**
6. **Are there any concerns over the delivery of these benefits which we should be aware of and seek to address?**

Thank you for participating in this consultation exercise.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 25 February 2011 to:

CTIP Consultation team
Post point 8.22
Ministry of Justice
102 Petty France
London SW1H 9AJ

Tel: 020 3334 6995

Fax: 020 3334 2536

Email: courtsandtribunalsintegrationprogramme@justice.gsi.gov.uk

Extra copies

Paper copies of this consultation can be obtained from this address and it is also available on-line at www.justice.gov.uk/consultations/consultations.htm

Alternative format versions of this publication can be requested by emailing the address above.

Publication of response

A paper summarising the responses to this consultation will be published in spring 2011. The response paper will be available on-line at www.justice.gov.uk/consultations/consultations.htm

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

These criteria must be reproduced within all consultation documents.

Consultation Co-ordinator contact details

Responses to the consultation must go to the named contact under the How to Respond section.

However, if you have any complaints or comments about the consultation **process** you should contact the Ministry of Justice consultation co-ordinator at consultation@justice.gsi.gov.uk.

Alternatively, you may wish to write to the address below:

**Ministry of Justice Consultation Co-ordinator
Legal Policy Team, Legal Directorate
6.37, 6th Floor
102 Petty France
London SW1H 9AJ**

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