

## **Machinery of Government: Security and Counter-Terrorism, and the Criminal Justice System**

### **Executive summary**

The Prime Minister has today announced that the Home Secretary will be developing our capabilities to tackle the threat posed by terrorism.

Alongside this, the Prime Minister has decided to create a Ministry of Justice, moving the National Offender Management Service and lead responsibility for criminal law and sentencing policy from the Home Office to the Department for Constitutional Affairs. This change will take effect from 9 May. The security and counter-terrorism changes have immediate effect.

The machinery of Government changes being announced today build on the 'Security Crime and Justice' strand of the Government's policy review, which sets the broad direction for the Government's policy response to security, public protection and the criminal justice system issues over the next decade. The structural changes the Prime Minister is announcing today will provide a sustainable platform for the Government's policy objectives to be delivered.

The decisions to reshape our counter-terrorism structures, and to create a Ministry of Justice have been the product of detailed consideration. While linked by timing, the rationale for making each change is distinct. The two issues are, therefore, dealt with separately in this paper which provides further background to the Prime Minister's written ministerial statement to Parliament.

### ***Security and Counter-Terrorism***

All those working in the field of counter-terrorism, particularly the police, security and intelligence agencies, have worked unstintingly to protect the country from the threat that we face. However, the continuing and growing threat from terrorism means that the Government must develop and improve its counter-terrorism and security capabilities, and its governance.

The Prime Minister is strengthening the role of the Home Secretary and the capabilities of his Department in facing the terrorist threat. While critical areas of the counter terrorism Strategy are overseen by other Secretaries of State, notably the Foreign Secretary and the Secretary of State for Communities and Local Government, the Home Secretary has the lead responsibility for the strategy in relation to security threats in the UK, including their overseas dimension. This also means that the Prime Minister holds the Home Secretary accountable for assisting him in coordinating the

delivery of the strategy across Government. The Prime Minister continues to look to the Foreign Secretary to lead on threats from terrorism to British interests abroad.

The Prime Minister has therefore decided:

- to **establish a new Ministerial Committee on Security and Terrorism**, subsuming the current Defence and Overseas Policy (International Terrorism) Committee and the counter-radicalisation aspects of the Domestic Affairs Committee's work. The Prime Minister will chair the committee, with the Home Secretary normally acting as deputy chair, although other ministers such as the Foreign Secretary, and the Secretary of State for Communities and Local Government, will deputise as appropriate. It will be supported by a sub-committee focusing on counter-radicalisation, which will be chaired by the Secretary of State for Communities and Local Government. The Committee will meet regularly, and will be supported by a more frequent meeting focusing on the threat to the UK, chaired by the Home Secretary; and
- in order to support the Home Secretary in his new role, to **establish an Office for Security and Counter-Terrorism**, based in the Home Office and reporting to the Home Secretary. The Office for Security and Counter-Terrorism will take on overall responsibility for the CONTEST strategy, reporting through the new Ministerial Committee. The Government will also establish a research, information and communications unit in support of the struggle for ideas and values. This will be based in the Home Office, reporting to the Home Secretary, Foreign Secretary, and Secretary of State for Communities and Local Government.

The changes set out here are aimed at producing a step change in our approach to managing the terrorist threat to the UK and winning the battle for hearts and minds, needed despite UK counter-terrorist capabilities and strategy already being among the best in the world. These changes do not, however, change the responsibilities of the Foreign and Defence Secretaries, or other ministers, or the strategic and operational reporting lines of any of the security and intelligence agencies. The Cabinet Office will retain its role supporting the Prime Minister on national security and counter-terrorism.

### *Criminal Justice System*

Alongside this, the Prime Minister has decided to reorganise responsibility for aspects of the criminal justice system. The National Offender

Management Service, including the Prison and Probation Services, will move from the Home Office to the Department for Constitutional Affairs on 9 May, creating a Ministry of Justice. The Home Office will retain its other existing responsibilities, including for policing, anti-social behaviour, drugs, overall crime reduction, immigration, asylum and identity, in addition to security and counter terrorism.

The Ministry of Justice will be responsible for policy on the overall criminal, civil, family and administrative justice system, including sentencing policy, as well as the courts, tribunals and legal aid. It will help to bring together management of the criminal justice system, meaning that once a suspect has been charged, their journey through the courts, and if necessary prison and probation, can be managed seamlessly.

The Ministry of Justice will take the leading role in delivering a fairer, more effective, speedy and efficient justice system, and also in reducing re-offending. In doing so it will work closely with the Home Office and the Attorney General's Office, and respect the vital roles and independence of the judiciary and the prosecuting authorities.

Public protection and crime reduction will continue to be the core focus of Government policy. The Government has made clear that prison will continue to be necessary to protect the public from the most serious offenders, although some non-dangerous offenders do not need to be in custody as their offending can better be addressed through non-custodial means. The Government has announced plans to build a further 8,000 prison places by 2012, having already increased capacity by 19,700 since 1997.

The Government will carry through its reforms of the criminal justice system and its critical workforces. The reforms set out in the Offender Management Bill currently before Parliament will ensure that the National Offender Management Service has the powers to commission high-quality services from the best provider, whether in the public, private, or voluntary sector.

Criminal law and sentencing policy will move to the new Ministry of Justice, along with the National Offender Management Service. In order to maintain the Government's clear focus on public protection and crime reduction, the Home Secretary will continue to have a core role in decision making in this area, reflecting his responsibilities for crime reduction. The new Secretary of State for Justice will work with the Home Secretary, the Attorney General and other ministers to ensure flexible and effective responses to different types of crime, from anti-social behaviour, to serious and organised criminality, including through the expansion of summary

powers. Government policy in this area will, in future, be decided by a new Cabinet Committee on Crime and the Criminal Justice System, chaired by the Prime Minister.

Responsibility for the Crown Prosecution Service and the other prosecuting authorities will remain with the Attorney General, who has a statutory duty to superintend them. The prosecuting authorities are an integral part of the criminal justice system and the Ministry of Justice will continue to work with the Attorney General and his departments to deliver a world-class criminal justice system.

The existing trilateral arrangements have been a success in delivering improvements to the criminal justice system and will continue under the new structure. Hence the Ministry of Justice will work jointly with the Home Office and the Attorney General's Office in taking decisions about the delivery of efficient criminal justice and reform of the system. To facilitate this joined-up working, there will continue to be a shared National Criminal Justice Board and an Office for Criminal Justice Reform, based in the Ministry of Justice and working trilaterally between the Home Office, the Ministry of Justice and the Attorney General's Office. This will ensure that the police and prosecutors continue to work closely and effectively with the courts, prison and probation to bring offenders to justice.

Outside the criminal and sentencing law arena, the relationship between the Home Office and the Ministry of Justice remains vital, and strong working level agreements will be put in place, for example between the National Offender Management Service, the police, and the Immigration and Nationality Department.

The table below shows the core responsibilities of Ministers and Departments following reorganisation:

<b>Home Office</b>	<b>Ministry of Justice</b>	<b>Attorney General's Office</b>
<ul style="list-style-type: none"> <li>- Office for Security and Counter-terrorism</li> <li>- Policing</li> <li>- Crime Reduction and Drugs Strategy</li> <li>- Serious and Organised Crime</li> <li>- RESPECT and Anti-social Behaviour</li> <li>- Border and Immigration Agency</li> <li>- Identity and Passport Service</li> </ul>	<ul style="list-style-type: none"> <li>- Existing functions of the Department for Constitutional Affairs</li> <li>- National Offender Management Service, including the prison and probation services</li> <li>- Criminal Law and Sentencing Policy</li> <li>- Sponsorship of relevant inspectorates and NDPBs, including the Prison Service, Parole Board, Youth Justice Board</li> </ul>	<ul style="list-style-type: none"> <li>- Existing functions remain, including superintendence of the prosecuting authorities and other existing criminal justice responsibilities</li> </ul>

The Office for Criminal Justice reform will be based in the Ministry of Justice, but, as a shared resource, work trilaterally between the Home Office, Ministry of Justice and the Attorney General's Office.

### **Home Office**

Over the last decade, a number of machinery of Government changes have taken place to ensure that the Home Office can focus on its core responsibilities of crime prevention, public protection, and immigration control. A number of functions, including electoral law, family policy, responsibility for the Coroners' service and community cohesion policy have transferred to other Departments. Today's announcement is the next step on this journey, and will allow the Home Secretary to focus relentlessly on security, crime reduction, public protection, and strengthening our borders.

**Over this period, and against a challenging backdrop of a rapidly changing society, the Home Office has had significant successes.**

- The chance of being a victim of crime is now at the lowest level 1981
- Overall, according to the British Crime Survey, crime has fallen by 35% compared to 1997. This means that there were just over 5.8 million fewer offences in 2005/06 than there were in 1997 and significant drops in the following areas:
  - Burglary with entry down 48%
  - All vehicle thefts down 51%
  - All household offences down 36%
  - All BCS violence down 34% and risk of wounding is now less than 1%
- There are now 14, 715 more police on the streets than a decade ago. Police Community Support Officers were introduced to reassure the public and tackle the menace of anti-social behaviour. There are 11,000 on the streets now.
- The Serious and Organised Crime Agency was created in 2006 to bring together the agencies responsible for tackling serious and organised crime. The Government recovered a record £97 million in assets from criminals in 2005-6.
- A new range of summary powers has been introduced to tackle different levels of crime, from anti-social behaviour to the most serious crime. 4,060 ASBOs were issued in 2005.
- The number of people receiving drug treatment has increased. In 2005/6 181,000 people received drug treatment, an increase of 113% since 1998/9
- Our borders have been strengthened through juxtaposed controls, the airline liaison network, e-borders and biometric visas
- A points based system has been developed for people who want to work or study as part of a simple, fair and transparent system to decide who can come to the UK
- The UK Passport Service has delivered outstanding levels of customer service, and has issued 4 million 'e-passports' incorporating a chip with a facial image biometric. The introduction of Identity cards, and a national identity register, is well underway.
- Asylum intake has reduced to the lowest level since 1993, and in 2006, for the first time, more asylum seekers have been removed than new unfounded applications.
- The amount spent annually on Security, intelligence and resilience, has been doubled, since 9/11, to £2¼ billion by 2007/08. The police, security and intelligence agencies have foiled 6 plots since the tragic attacks on London in July 2005.

## *Security and counter-terrorism*

The Government, the police and security and intelligence agencies have worked ceaselessly to tackle the threat of terrorism for many years, and with renewed focus since the 11 September attacks in 2001. Since then the Government has been evolving and refining its long-term strategy for countering terrorism, known as CONTEST. The strategy<sup>1</sup> has been to prevent terrorism by tackling the radicalisation of individuals that leads to violent extremism; robust pursuit of terrorists and those that sponsor them; protection for the public, key national services, and UK interests overseas; and preparing for the consequences of terrorist attacks.

Investment in this programme has increased. Annual spending on counter-terrorism, intelligence, and resilience will have doubled to £2¼ billion by 2007-08. There have been significant operational successes. However, the threat of terrorism has also increased, and there have been attacks, here in the UK in the London bombings of July 2005, but also abroad, with British citizens caught up alongside others of many nationalities in attacks in Bali, Egypt, Turkey, and elsewhere.

Following the disruption of the alleged plot to detonate bombs on aircraft in August 2006, the Prime Minister asked the Home Secretary to lead a review of the Government's counter-terror policies, approach, and structures. A complementary review of the way our counter-terrorism effort is delivered and resourced is taking place as part of the current Comprehensive Spending Review (CSR). The Home Secretary's review identified the need for dedicated and constant political leadership, from across Government, supported by enhanced co-ordination of our strategy, aims, and prioritisation of resources. At the heart of the review's recommendations was the underlying recognition that one of the most difficult aspects of the threat being faced was a struggle of ideas and values, and that a new, sustained political focus was needed to tackle the causes of terrorism, and the beliefs that motivate it.

The Prime Minister agrees that there is an operational and political imperative to improve our capability to counter terrorism. The Prime Minister has therefore decided to strengthen the role of the Home Secretary and the capabilities of his Department in tackling the terrorist threat. While critical areas of the counter terrorism strategy are overseen by other Secretaries of State (notably the Foreign Secretary and the Secretary of State for Communities and Local Government, but also other ministers) the Home Secretary will take lead responsibility for the strategy in relation to security threats in the UK, including their overseas dimension. The Prime Minister

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<sup>1</sup> "Countering International Terrorism: The United Kingdom's Strategy", (Cm 6888, July 2006)

holds the Home Secretary accountable for assisting him in co-ordinating the delivery of the counter-terrorism strategy across Government. The Home Secretary will therefore develop the Government's strategy in conjunction with the Foreign Secretary, the Defence Secretary, the Secretary of State for Communities and other Ministers, and it will be agreed collectively through the new Ministerial Committee.

To this end, the Prime Minister has today announced:

- **The creation of a new Ministerial Committee on Security and Terrorism**, subsuming the work of the Defence and Overseas Policy (International Terrorism) Committee and the counter-radicalisation aspects of the Domestic Affairs Committee's work. The Prime Minister will chair the committee, with the Home Secretary normally deputising for him, though other Ministers, such as the Foreign Secretary, and the Secretary of State for Communities and Local Government, will deputise as appropriate. The Committee will meet regularly, with the Cabinet Office providing the secretariat. It will be supported by a sub-committee focusing on counter-radicalisation, which will be chaired by the Secretary of State for Communities and Local Government.
- **That the Home Secretary will chair a more frequent meeting to discuss the current threat to the UK.** Representatives of the intelligence and security agencies, the police, key Whitehall departments and the Cabinet Office will attend. The Home Office will provide the secretariat. Operational responsibility for counter-terrorism operations will remain with the police and security agencies, whose reporting lines are unchanged.

The Prime Minister considers it essential that the Home Secretary is supported to be able to oversee progress against the strategy, and to reprioritise effort across the strategy in response to the emerging pattern of the threat. Therefore:

- an **Office for Security and Counter-Terrorism will be established**, based in the Home Office and reporting to the Home Secretary. This will take on overall responsibility for the CONTEST strategy from the Cabinet Office. The Office for Security and Counter Terrorism will provide an enhanced resource to carry out horizon-scanning, strategy, planning, and programme management. It will support the Ministerial Committee on Security and Counter Terrorism on issues such as strategy, planning, programme management and balance of investment decisions.

- a **cross-Government research, information and communications unit** will be established within the Office for Security and Counter Terrorism, to lead on the struggle for ideas and values. A seamless international and domestic approach is particularly important in the key question of countering the ideology and other factors which drive groups and individuals into violent extremism. The Foreign Secretary and Secretary of State for Communities and Local Government respectively have key roles to play in this area, both abroad and in the UK. This team will therefore report to the Home Office, Foreign and Commonwealth Office and Department for Communities and Local Government, with a joint Ministerial Supervisory Board.

The Prime Minister believes that aspects of the Cabinet Office's role in supporting him and other ministers collectively must be retained, including: senior, authoritative and well-supported advice to the Prime Minister on national security and counter-terrorism; support for the Cabinet and official committee system; intelligence advice, both immediate and strategic, including through the Joint Intelligence Committee; and crisis response arrangements. The role of the Office for Security and Counter-Terrorism on prioritisation of resources will not affect the present arrangements in respect of the Single Intelligence Account.

The changes set out here are aimed at producing a step change in our approach to managing the terrorist threat to the UK. They do not, however, change the responsibilities of the Foreign or Defence Secretaries, or other ministers, nor the strategic and operational reporting lines of any of our security and intelligence agencies.

### ***The new Home Office***

The reconfigured Home Office, including the new functions outlined above, will renew its focus on security and public protection: from personal and local security from crime and anti-social behaviour, to security from terrorist attack. It will lead on policing, which underpins this security role. It will also keep the UK's borders secure through the Borders and Immigration Agency, and will safeguard identity through the Identity and Passports Service. It will retain responsibility for crime reduction and for policing, including: counter-terrorism and related law; serious and organised crime; drugs; alcohol-related crime; and anti-social behaviour and the Respect programme (working with other Departments across Government). It will also retain responsibility for the National Policing Improvement Agency and the Criminal Records Bureau. Because it retains the lead on policing, the Home Office will also lead on major police-led partnership programmes,

including the Priority and Prolific Offenders Programme and the Drugs Intervention Programme. These programmes will continue to work closely with the National probation service and others on the ground.

The core components of the reformed Home Office are:

- **The Office for Security and Counter-Terrorism;**
- **Crime Reduction and Community Safety Group:** Crime, Policing,

*Home Office Objectives*

The Home Office will focus on public protection and security by:

- Reducing risk to the public from terrorists
- Reducing crime, especially organised and drug-related crime
- Making people feel safer in their homes and local communities
- Securing our borders, reducing immigration abuse, and boosting the UK economy by sustained and effective management of migration
- Safeguarding identity

anti-social behaviour, drugs policy, community safety; sponsorship of associated delivery bodies including the Serious and Organised Crime Agency (SOCA), National Policing Improvement Agency (NPIA) and Criminal Records Bureau, as well as HM Inspectorate of Police;

- **Borders and Immigration Agency** (Shadow Agency status from 1 April): Securing the border, managing migration, preventing abuse of immigration laws, asylum support and asylum and immigration casework and enforcement (will incorporate the Immigration Service);
- **Identity and Passport Service** - responsible for ID management programme, and for issuing passports and ID cards;
- Trilateral share of **Office for Criminal Justice** Reform, which will be hosted by the Ministry of Justice, but run on a tripartite basis, as explained below;
- **The corporate centre:** Smaller and more focused strategic centre supporting the Board to shape overall Home Office strategy and drive performance and delivery.

## **The Ministry of Justice**

The criminal justice system (CJS) has undergone a number of reforms over the past decade, the primary objective of which has been to bring together previously disparate elements of the system into a coherent and model public service that puts the interests of victims and witnesses and the law-abiding citizen at the heart of its operations.

In 2003 we created Her Majesty's Court Service, which brought responsibility for all courts, save for the Supreme Court, together in England and Wales. This has allowed for greater coherency and joint working, not only across the courts but also across all CJS agencies. Likewise, the establishment of the National Offender Management Service in 2004 brought together the prison and probation services to enhance our ability to tackle the offender, rather than the offence, through targeted disposals and tighter case management.

These changes have taken place against a backdrop of rapidly evolving patterns of criminality, and new forms of crime, and it is clear that more progress now needs to be made. Rehabilitation and re-offending rates need to improve, as do the effective usage of expensive penal resources and the public's perception of and confidence in the CJS. Greater coherence, planning and effectiveness across the criminal justice agencies and departments will allow the Government to achieve these objectives. On this basis, the creation of the Ministry of Justice is the logical next step in these reforms to the criminal justice system.

**As a result of the reforms already made, outcomes in the Criminal Justice System have improved, though there is still progress to be made:**

- The number of offences brought to justice has risen to 1.38million per year, an increase of 24% since 1997
- Public confidence in the CJS has improved from 39% in 2003 to 44% in 2006. The number of ineffective trials – where a trial cannot take place and has to be re-listed - has dropped in both the Crown and the Magistrates’ courts.
- There have been no Category A escapes from prison since 1997
- For the first time in over a century, the Government has overhauled the legislation on sexual offences to provide greater supervision and monitoring of those convicted.
- Tougher sentences have been introduced for serious, violent and sexual offenders.
- New powers and penalties, such as Penalty Notices for Disorder and Anti Social Behaviour Orders, have been introduced to ensure swift effective and proportionate justice for low level offending and anti-social behaviour.
- The payment rate for fines has increased from 55% in 2002/03 to 93% in 2006.
- The Youth Justice System has been completely overhauled through the establishment of the Youth Justice Board and Youth Offending Teams to efficiently and effectively deal with youth crime. The time taken to deal with young offenders has fallen by half.

***The new Ministry of Justice***

The new Ministry of Justice will bring together the courts, prisons and probation service for the first time and, working with the police and prosecutors, will help bring together management of the delivery of justice, from an offender’s first appearance in court, right through to rehabilitation and release.

The focus of the department will be public protection and reducing reoffending, delivering justice and upholding rights and democracy. Bringing together these functions will improve the ability of the justice system to serve the public – whether they encounter it as victims, witnesses,

or offenders; whether they use the civil courts, tribunals or alternative resolution procedures, or family courts; or whether they simply need to feel secure in going about their daily lives. The Ministry of Justice's responsibilities for the criminal, civil and family justice systems, as well as civil advice, offer the opportunity to look at offenders with multiple problems in the round, and to work closely with other departments on social exclusion, health and education.

Public protection and crime reduction will continue to be the core focus of Government policy. Custody will remain the right punishment for serious, violent and sexual offenders. The Government has already announced that it will build a further 8,000 prison places by 2012, having already increased prison capacity by nearly 20,000 places since 1997. But alongside this we need to develop better ways for dealing with less serious, and non-violent offenders – through robust and tough community sentences, and other disposals.

Criminal law and sentencing policy will move to the new Ministry of Justice. In order to maintain the Government's clear focus on crime reduction, the Home Secretary will continue to have a core role in decision making in this area, reflecting his responsibility for policing, crime reduction, and public protection. Where the Home Secretary makes a proposal reflecting these responsibilities, the expectation will be that the Ministry of Justice will work with the Home Office to deliver such changes as are necessary, taking account of the wider resource implications for the CJS and the need for sentencing policy to tackle re-offending. Government policy in this area will, in future be decided by a new Cabinet Committee on Crime and the Criminal Justice System, chaired by the Prime Minister.

Outside of the criminal and sentencing law arena, the relationship between the Home Office and the Ministry of Justice will be key, and strong and close working arrangements will be established, for example between NOMS, the Police, and the Immigration and Nationality Department.

### ***National Offender Management Service***

The creation of the National Offender Management Service (NOMS) in 2004 has improved the 'end-to-end management' of each offender from first contact with the correctional services to full completion of the sentence.

Whether offenders are in prison or in the community, there is a need to manage them better to stop them re-offending, offering them the chance to change and to address their offending behaviour. NOMS fulfils that role by bridging the divide between custody and community. The Offender

Management Bill, currently before Parliament, will ensure that the NOMS has the powers to commission high quality services from the best provider, whether in the public, private or voluntary sector. The National Reducing Re-offending plan sets out NOMS' key commitments to reduce re-offending and better protect the public.

### ***The Office for Criminal Justice Reform***

The Office for Criminal Justice Reform (OCJR) is a cross-departmental team which supports the Home Secretary, Secretary of State for Justice and the Attorney General in working together to deliver an effective and efficient criminal justice system. OCJR will in future be based in the Ministry of Justice but will continue to report to all three Criminal Justice Ministers.

OCJR works closely with all the criminal justice agencies to ensure the alignment of strategic and business plans, targets and performance management systems. It supports the National Criminal Justice Board, which will continue to be owned and chaired by all three Criminal Justice Ministers. The NCJB brings together the political, operational and official leadership of each of the criminal justice agencies. OCJR also supports the work of local criminal justice boards which replicate these arrangements at local level and provide the framework for local joined-up delivery.

Responsibility for the Crown Prosecution Service, and the other prosecuting authorities, will remain with the Attorney General, who has a statutory duty to superintend them. Close working between the police and the CPS will remain.

### ***Sentencing***

The Ministry of Justice will make links between those who sentence offenders and those who manage the correctional and other facilities. Working with the Home Office, the Attorney General's Office, the police, NOMS, with HM Courts' Service and the judiciary, it will develop an approach to sentencing which takes proper account of the need for punishment, custody and rehabilitation – ensuring that serious and dangerous offenders go to prison, and that non-dangerous offenders are dealt with speedily and effectively in the community. The creation of this new department is an opportunity to increase the coherence of our approach, by developing a clearer understanding of the effectiveness of certain sentencing options, developing a balance between custodial and non-custodial penalties and increasing public confidence in sentencing.

Government Departments will work together to analyse the evidence base for proposed new offences and sentences, and will take account of the operational impacts on the CJS. The Secretary of State for Justice will consider the effects of new proposals on sentencing policy overall and will, with the Attorney General and the Home Secretary, assess the impacts of new proposals on CJS delivery agencies. As outlined above, the Home Secretary will have a core role in decision making in this area, as the lead on crime prevention and public protection. The new Cabinet Committee will be the route to formal collective agreement of new policy.

The determination of a sentence is, of course, a judicial decision. The need for a strong, independent Judiciary is fundamental to any criminal justice system. The new Department will strengthen further the already strong Judicial-Executive relationship set out in the concordat produced during the passage of the 2005 Constitutional Reform Act, and which sets out the roles and responsibilities of the Lord Chancellor and the Judiciary.

### *Links between the justice system and constitutional policy*

The Ministry of Justice will also have responsibility for the constitution, rights and democracy. These responsibilities fit closely with the delivery of justice, as they provide the framework in which the rule of law, and the rights of individuals and communities are upheld, both nationally and in our work through the European Union.

#### **The Ministry of Justice's key objectives will be to:**

- protect the public from dangerous offenders
- reduce re-offending through common sense custodial and non-custodial penalties
- provide access to justice for all, especially the most vulnerable
- uphold people's rights
- deliver democracy and constitutional reform

The core components of the new Ministry of Justice will be:

- **The National Offender Management Service:** Administration of correctional services in England and Wales through Her Majesty's Prison Service and the Probation Service, under the umbrella of the National Offender Management Service

- **Criminal, civil, family and administrative Law:** Criminal law and sentencing policy, including sponsorship of the Sentencing Guidelines Council and the Sentencing Advisory Panel; the Office of Criminal Justice Reform.
- **Youth Justice**, including sponsorship of the Youth Justice Board
- **The Courts Service:** Administration of the civil, family and criminal courts in England and Wales through Her Majesty's Courts Service
- **The Tribunals Service:** Administration of tribunals across the United Kingdom
- **Legal Aid**, and the wider Community Legal Service, through the Legal Services Commission
- **Support for the Judiciary:** Judicial appointments, via the newly created Judicial Appointments Commission; support for the judiciary through the Judicial Office and Judicial Communications Office.
- **The Privy Council Secretariat and Office** of the Judicial Committee of the Privy Council
- **Constitutional affairs:** electoral reform; civil and human rights; freedom of information; devolution.
- **The corporate centre:** focused corporate centre to shape overall strategy and drive performance and delivery.

### **Timetable, and implementation issues**

The changes relating to Security and Counter Terrorism will take effect immediately.

The Ministry of Justice will operate from 9 May 2007, and transitional arrangements will be put into place in the interim period.

### **Business Continuity and Collaboration**

#### ***Minimising disruption***

The Government is clear that the priority is to make sure that work continues which delivers real change and improvement for the public. The Government is committed to ensuring change is handled well, and with the minimum of fuss and disruption, especially to staff. We will provide an environment that supports and encourages learning and progress - building the capability and skills of people throughout Departments, providing prospects for career development. Changes to systems, accommodation and estates will be phased over time. Similarly, corporate support functions will

not change on day one, but Departments will work through in detail the appropriate action to take.

### ***Joint working***

While this reorganisation provides capacity and clarity of roles to tackle the key challenges set out, it remains the case, as ever, that Departments will work together to achieve results. The new structures, far from creating Departments which operate independently of each other, have at their core arrangements to ensure better coordination and cooperation.

**Cabinet Office**  
**March 2007**