

Department for Constitutional Affairs: Strategic review 2004

Public service agreement targets: Technical Notes

First published on 29 July 2004 and updated in December 2005

The December 2005 update reflects improvements to the Reassurance and Confidence PSA; update of the definition of “unfounded asylum claims”; and inclusion of target levels for the proportionate dispute resolution PSA.

Index

PSA		Page
1	Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25m by 2007/08.	2
2	Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the criminal justice system without compromising fairness.	3
3	Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration.	5
4	By 2009/10, increase the proportion of care cases being completed in the Courts within 40 weeks by 10%.	6
5	To achieve earlier and more proportionate resolution of legal problems and disputes by: <ul style="list-style-type: none">• increasing advice and assistance to help people resolve their disputes earlier and more effectively;• increasing the opportunities for people involved in court cases to settle their disputes out of court;• reducing delays in resolving those disputes that need to be decided by the courts.	7

PSA 1

Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08

Scope and Responsibility

The target applies to England and Wales.

Responsibility for this target is shared between the Home Office, the Department for Constitutional Affairs and the Crown Prosecution Service.

Definitions and Measurement Systems

The crimes included are set out below in the Additional Notes. These are, broadly, the more serious cases that come to the attention of the police.

Brought to justice means that the offence resulted in a caution, conviction, penalty notice or was admitted by the offender, who asked for the offence to be taken into consideration by the court (TIC), and signed a TIC acceptance form. Formal warnings¹ for the possession of cannabis are also included. Cautions include reprimands and final warnings to juveniles where a caution would previously have been given, and conditional cautions.

The Home Office collects these data from the courts and the police. They constitute National Statistics and are published in Departmental Annual Reports (in April) and Autumn Reports each year. Both are Command papers.

Baseline

As the target is an absolute figure, no baseline applies.

Success Criteria

The target will have been achieved if the number of offences brought to justice in 2007/08 is more than or equal to 1.25 million.

Additional Notes

The crimes that count towards achieving the target are: Notifiable Offences that have to be recorded by the police as at 1 June 2004, or which become Notifiable Offences during the Spending Review period, plus offences of resisting or obstructing a constable, that are then brought to justice by one of the means set out above.

¹ Also known as street warnings

PSA 2

Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the criminal justice system without compromising fairness

Scope and Responsibility

This target applies to England and Wales.

Responsibility for elements (a) to (c) lies with the Home Office; that for (d) to (f) is shared between the Home Office, the Department for Constitutional Affairs and the Crown Prosecution Service.

Definitions and Measurement Systems

All elements of the target, with the exception of (e), will be measured using the British Crime Survey (BCS)². The Home Office Citizenship Survey (HOCS)³ will be used to measure (e).

Baseline

The baseline period is the year 2002/03 or when baseline data is first available. Baseline periods are set out in brackets after the success criteria below.

Success Criteria

The target will have been achieved if, for the year 2007/08, two out of three elements in each of the following two sections are met:

Reassurance

- a) The percentage of people who have a high level of worry about becoming a victim of crime is lower than in the baseline year⁴ (baseline = 2002/03)
- b) The percentage of people who feel anti-social behaviour to be a very or fairly big problem is lower than in the baseline year⁵ (baseline = 2002/03)
- c) The percentage of people who think that the police in their area are doing a good or excellent job is higher than in the baseline year (baseline = 2003/04)

Confidence

- d) The percentage of people who are very or fairly confident about the effectiveness of the CJS in bringing people who commit crimes to justice is higher than in the baseline year (baseline = 2002/03)
- e) The percentage of people from Black and Minority Ethnic communities who think that one or more CJS agency would treat them worse than people of other races is lower than in the baseline year (baseline = 2001)
- f) The percentage of victims and witnesses who are satisfied is higher than in the baseline year (baseline = 2003/04)

² The BCS is a Government Statistical Service survey within the scope of National Statistics. Fieldwork is sub-contracted to external survey companies after competitive tendering. The Home Office Research Development & Statistics directorate undertakes quality control of the survey, data processing and the reliability of results. The BCS covers a randomly selected sample of those aged sixteen or over living in private households in England and Wales. The BCS is published quarterly and can be found at <http://www.homeoffice.gov.uk/rds/index.htm>

³ HOCS is a biennial survey that provides an evidence base for Home Office Community Policy.

⁴ The measures for fear are specific to vehicle crime, burglary and violence.

⁵ Perceptions of anti-social behaviour are measured by combining perceived levels of vandalism & graffiti, rubbish or litter, teenagers hanging around on streets, drug use and dealing, drunk or rowdy behaviour, noisy neighbours and abandoned vehicles.

Additional Notes

Rights of defendants are protected by law. We are committed to respecting the rights of defendants and to monitoring public confidence in how these rights are respected. We will continue do this using the British Crime Survey (BCS) question that measures public confidence that the CJS respects the rights of people accused of committing a crime and that such people are treated fairly. We will investigate, and take action, if there is any evidence that levels of confidence in this is falling.

The reassurance element of this PSA contributes to the delivery of ODPM PSA 8 on liveability to "lead the delivery of cleaner, safer and greener public spaces and improvement of the quality of the built environment in deprived areas and across the country, with measurable improvement by 2008".

Element (e) of the target will be underpinned by specific outcomes relating to reducing the disproportionate treatment of people from BME communities, in particular in relation to stop and search.

PSA 3

Reduce unfounded asylum claims as part of a wider strategy to tackle abuse of the immigration laws and promote controlled legal migration

Scope and Responsibility

This target relates to all demographic groups and the whole of the United Kingdom.

Responsibility is shared between the Home Office and the Department for Constitutional Affairs.

Definitions and Measurement Systems

An unfounded asylum claim is one where the applicant and dependents of the applicant have not been granted full refugee status (indefinite leave to remain) under the 1951 UN Convention, ie failed asylum seekers (applicants refused refugee status at the initial decision stage for which no appeal is received, and applicants whose appeal rights are exhausted).

The target is measured as the absolute number of unfounded claims in a year. The absolute number of claims includes both the number of principal applicants and dependants.

Data on asylum applicants and decisions on granting refugee status are contained within the "Control of Immigration Statistics United Kingdom", and "Asylum Statistics United Kingdom" published annually and quarterly by the Immigration Research and Statistics Service (IRSS) of the Home Office. Performance data, for the year as a whole, will be published in the asylum statistics, on the Home Office website, as soon as possible after the end of the financial year (once the data is judged sufficiently reliable).

Baseline

The baseline period is the year 2002/03.

Success Criteria

The target will have been achieved if the number of unfounded asylum claims in the year 2007/08 is less than in the baseline year.

PSA 4

By 2009/10, increase the proportion of care cases being completed in the Courts within 40 weeks by 10%.

Scope

The target applies to England and Wales.

Definitions and Measurement Systems

Care proceedings

Care proceedings are those that transfer long term parental responsibility for a child (including young persons in full time secondary education), generally from parent(s) to the Local Authority. Emergency protection orders are excluded from this target. Supervision orders, where the local authority has responsibility of supervision but not full parental responsibility, are included.

Process

The process begins when an application is made to a magistrates' family proceedings court (FPC), by a Local Authority. A case is completed when a final care or supervision order is made, either by the FPC or County Court Care Centre. The Protocol for Judicial Case Management in Public Law Children Act Cases was implemented on 1 November 2003. This sets a 'road map' for the processes of these cases and established the 40 week target.

By 2009/10 means by the end of March 2010.

10% means 10 percentage points. The target is met by increasing the proportion of cases completed in 40 weeks by 10 percentage points in Care Centres and in Family Proceedings Courts.

Data sources

Data is collected from County Court Care Centres on the Court Service's FamilyMan system and the Case Management System. These system(s) are able to track applications (which may involve more than one child), identifying the reasons for delay at any stage. The system(s) measures the number of completed cases and their age. An order may relate to one child or more than one child.

In the magistrates' courts, the data is collected through Family Case Tracker (FCT), which measures applications and completions for each child. The data collected by this system measures the number of cases completed in 40 weeks, and the time taken to transfer a case up to the Care Centre. The data is derived from the records of individual children.

Baseline

The baseline for performance in Care Centres is 38%. For Family Proceedings Courts it is 46%.

PSA 5

To achieve earlier and more proportionate resolution of legal problems and disputes by:

- **increasing advice and assistance to help people resolve their disputes earlier and more effectively;**
- **increasing the opportunities for people involved in court cases to settle their disputes out of court;**
- **reducing delays in resolving those disputes that need to be decided by the courts.**

Scope

Each of the component targets applies only to England and Wales.

Measures

The PSA will be achieved if the following three elements are met by March 2008:

- a 5% increase from 47.5% to 49.9% in the proportion of justiciable problems in respect of which people receive suitable advice and assistance;
- a 5% reduction from 40.5% to 38.5% in the proportion of disputed claims in the courts that are ultimately resolved by a hearing;
- a 2% increase from 79.9% to 81.5% in the proportion of Small Claim hearings that take place within target time.

Definitions and measurement systems

(i) to achieve a 5% increase from 47.5% to 49.9% in the proportion of justiciable problems in respect of which people receive suitable advice and assistance.

"Suitable advice and assistance" means support from a professional advice provider or Quality Marked organisation, including lawyers, solicitors, law centres, trade unions or professional bodies, Citizens Advice Bureaux or other similar organisations, local councils and other public bodies, as well as private sector companies such as legal expenses insurers. Advice and assistance includes information provided face to face, over the telephone, in writing, as well as electronic forms of communication (such as e-mail), and from internet websites, such as CLS Direct.

Performance against this element of the target will be measured by a continuous face-to-face survey carried out through the Legal Services Research Centre (LSRC). The baseline for the new target has been set using the findings from the LSRC 2004 face-to-face survey covering the period from January 2001 to the autumn of 2004. The 5% increase specified in the target refers to a 5% improvement over baseline; it is not an improvement of 5 percentage points.

(ii) a 5% reduction from 40.5% to 38.5% in the proportion of disputed claims in the courts that are ultimately resolved by a hearing.

“Disputed claims” refers to claims issued in the county court that are defended and allocated to one of three hearing tracks, depending on the value and legal complexity of the case.

“Resolved by a hearing” means a case that concludes with a judgment given at a substantive hearing or trial.

The baseline for the new target has been set on data reported in Quarter 1 of the 2005 calendar year. The 5% reduction specified in the target refers to 5% reduction below baseline; it is not a reduction of 5 percentage points.

The target will be measured using data collected from the Court Service’s (now HMCS) Caseman Computer System, which automatically records each administrative task on a case, and data collected manually.

The data will be reported on a quarterly basis, and will be available four to six weeks after the end of each period.

(iii) a 2% increase from 79.9% to 81.5% in the proportion of Small Claim hearings that take place within target time.

“Small Claims” are usually disputes up to a value of £5,000 (or up to £1,000 for personal injury cases).

The target time for Small Claims cases is 15 weeks. The target period refers to the time taken from the date of allocation to the Small Claims track to the date of the final order.

The target will be measured using data from the Court Service’s (now HMCS) Caseman computer system, which automatically records each administrative task on a case. The data will be reported on at quarterly intervals, and will be available four to six weeks after the end of each period.

The baseline for the new target has been set on data reported in Quarter 1 of the 2005 calendar year. The 2% increase specified in the target refers to a 2% increase above baseline; it is not an increase of 2 percentage points.