

Department for Constitutional Affairs

Introduction

1. This Supplementary Estimate is required for the following purposes:

RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all

Increases:

Transfers from Other Government Departments

Transfers from other Government Departments totalling £27,545,000 resources and £3,480,000 capital as follows:

1. £215,000 resources from the Home Office in relation to support funding for Essex Local Criminal Justice Board (LCJB) (subhead C2)
Criminal Justice Information Technology (CJIT) ring fenced funding
2. £3,550,000 resources from the Home Office in relation to Criminal Justice Information Technology (CJIT) Criminal Justice Service (CJS) ring fence to provide additional funding for the Effective Trial Management Programme (ETMP) information technology programme (subhead A1)
3. £23,780,000 resources from the Home Office in relation to Criminal Justice Information Technology (CJIT) ring fenced funding (subhead A2)
4. £3,480,000 capital from the Home Office in relation to Criminal Justice Information Technology (CJIT) Criminal Justice Service (CJS) ring fence to provide additional funding for the Effective Trial Management Programme (ETMP) information technology programme (subhead A7)

Take up of End-Year Flexibility (EYF)

Take up of EYF of £27,864,000 resources (near cash) and £35,780,000 capital as follows:

1. £18,500,000 to subhead C7 (capital) in relation to Manchester Civil Justice Centre
2. £10,200,000 to subhead C7 (capital) in relation to Greater London Magistrates Court Authority capital receipts
3. £11,300,000 to subhead J3 in relation to Core Capital Grants to Local Authorities.
4. £48,000 to subhead F3 in relation to Invest to Save Budget (ISB) funding for the Live and Interactive Project - ISB Ref: 297 (o/w £34,000 capital)
5. £1,225,000 to subhead A1 (resources) in relation to Local Government Elections
6. £15,141,000 to subhead A1 (resources) in relation to Departmental underspend.
7. £150,000 to subhead A1 (resources) and £1,330,000 to subhead A7 (capital) in relation to Criminal Justice Information Technology (CJIT)
8. £5,580,000 to subhead A7 (capital) in relation to the Criminal Justice Reserve.
9. £170,000 to subhead A7 (capital) in relation to the Capital Modernisation Fund.

Decreases:

Transfers to Other Government Departments

Transfers to other government departments totalling £4,250,000 resource and £16,900,000 capital as follows:

1. £248,000 to the Crown Prosecution Service in relation to staff on secondment to Liverpool Community Justice Centre (subhead C1)
2. £150,000 to the Home Office in relation to Contribution to the Central Witness Bureau (subhead A1)
3. £16,900,000 to the Home Office in relation to Criminal Justice Information Technology (CJIT) funding (subhead A7)
4. £2,000,000 to the Home Office in relation to Local Criminal Justice Board (LCJB) funding (subhead A2)
5. £1,804,000 to Crown prosecution Service in relation to Effective Trial Management Programme (ETMP) Funding. (subhead A2)

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Machinery of Government Transfer

6. £48,000 to the Department for Culture, Media & Sports in relation to the Remembrance Sunday Ceremony (subhead A1)

Enforcement Improvement Pilot

1. £44,600,000 additional appropriations in aid (subhead C5) in relation to the Enforcement Improvement Pilot Scheme (the appropriation in aid of fine receipts in order to reinvest in the enforcement process).

Neutral Changes:

Increased expenditure offset by income

1. £82,156,000 resources to subhead C2 and C5 in relation to Her Majesty's Court Service fee recovery.
2. £27,384,000 resources to subhead C2 and C5 in relation to Enforcement Programme receipts
3. £549,000 resources to subhead A1 and A5 in relation to Official Solicitor & Public Trustee (OSPT) fees
4. £765,000 resources to subhead A1 and A5 in relation to income from Scotland Office secondees
5. £1,300,000 resources to subhead A1 and A5 in relation to Legal Service Complaints Commission (LSCC) receipts.
6. £128,000 resources to subhead A1 and A5 in relation to Data Protection Fees
7. £4,400,000 capital to subheads C7 and C8 in relation to the sale of fixed assets
8. A reduction of £1,289,000 in subhead D1, £975,000 in subhead D2 and £2,264,000 to subhead D5 in relation to internal re-allocation.

Transfers between sections within RfR1

1. £44,600,000 from subhead A2 to C2 in relation to the Enforcement Improvement Pilot scheme - The appropriation in aid of fine receipts in order to reinvest in the enforcement process.
2. £28,487,000 from subhead C2 to subhead A2 and £11,895,000 from C7 to A7 in relation to internal re-allocations
3. £11,000 from subhead B1 to A1 in relation to internal re-allocations
4. £380,000 from subhead D1 to A1 in relation to internal re-allocations
5. £10,600,000 from subhead C1 to A1 as part of the Departmental Reshape Programme in relation to Unified Administration Programme
6. £3,682,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Family Policy
7. £4,167,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Civil Policy
8. £3,375,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Statistics Branch
9. £938,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Finance Branch
10. £361,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Image
11. £198,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to performance directorate
12. £6,777,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Estates Branch
13. £294,000 from subhead A2 to C2 as part of the Departmental Reshape Programme in relation to Family Justice Council
14. £2,810,000 from subhead A2 to C2 in relation to Criminal Justice Act costs
15. £56,309,000 from subhead G3 to A2 in relation to a correction of CDS baseline funding
16. £17,020,000 from subhead A2 to H3 in relation to Single Asylum Fund (SAF)

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17. £2,000,000 from subhead A2 to C2 in relation to National Enforcement Service
18. £4,740,000 from subhead C1 to subhead A1 in relation to ARAMIS costs
19. £3,410,000 from subhead A1 to subhead C1 in relation to LIBRA funding
20. £2,000,000 from subhead A7 to subhead D7 in relation to Public Guardianship Office (PGO) capital funding.

21. £1,995,000 from subhead A7 to subhead F3 in relation to Legal Services Commission (LSC) capital expenditure.
22. £6,400,000 from subhead A2 to subhead F3 in relation to National Taxing Team (NTT) Service Level Agreement (SLA) charges.
23. £2,000,000 from subhead F3 to subhead A2 in relation to internal re-allocations.

RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the

Increases:

1. £59,000,000 increase in Grant payable to the Scottish Consolidated Fund (subhead E3)
2. As a result of these changes there is an increase in the net cash requirement of £87,919,000
3. Symbols are explained in the Introduction to this booklet.

Part I

£

RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all	†	8,554,000
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government		59,000,000
Total additional net resource requirement		67,554,000
Additional net cash requirement	†	87,919,000

SUPPLEMENTARY amounts required in the year ending 31 March 2006 for expenditure by the Department for Constitutional Affairs on:

RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all

HQ and associated offices; administration of the Judicial Pension Scheme; HM Courts Service as formed under the Courts Act 2003 and associated activities including fine income netting off, pre-1990 loan charges debt payments, Justices Clerks' Societies, grants in relation to the Debt Programme and Better Dispute Resolution project, Wider Markets Initiatives; Section 31 grants to Local Authorities; the Public Guardianship Office; Official Solicitor and Public Trustee; Courts Funds Office; Legal Aid paid through the Criminal Defence Service and Community Legal Service; administration for the Legal Services Commission; expenditure relating to the Legal Service Complaints Commissioner and the Legal Services Ombudsman; administration of the Office of the Information Commissioner; administration of Tribunals (including Asylum; costs paid from central funds; the Appellate Committee of the House of Lords and the Judicial Committee of the Privy Council; grant in aid to the Trafford Law Centre for a pilot to evaluate proposals for providing improved advice and support to tribunal customers; payments to HM Land Registry; costs in relation to constitutional offices; democracy and constitution costs in relation to policy formulation; human rights workshops and surveys; promotion of information rights through advertising and formal education; electoral policy; research into constitution settlement/devolution; European and international judicial policy; EU Presidency events; Judicial Exchange programmes; research on behalf of the British Institute of International and Competition Law; Constitutional education programmes within schools; costs in relation to the policy on the conduct of all national elections and referendums in the UK and local elections; referendums in England and Wales (except mayoral Referendums in Wales) as provided under the Representation of the People (RPA) Acts and the Political Parties, Elections and Referendums Act 2000 and the European Parliament (Representation) Act 2003; proposals under the Electoral Administration Bill, including the establishment of the Co-ordinated on-line record of Electors (CORE); funding of voting pilots, including electronic voting, all- postal voting and administrative pilots; policy on coroner and cremation services; applications for exhumations, cremating repatriated remains and the closing of burial grounds as provided under Coroners Act 1988, the Coroners Rules 1984 and Local Government Act 1972 applications for exhumations; other legal services; joint initiatives in the Criminal Justice System; associated non-cash items.

RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government

administration; the Boundary Commission for Scotland; the Commission on Boundary Differences and Voting Systems in Scotland; payments of a grant to the Scottish Consolidated Fund; and associated non-cash items.

Part I (*continued*)

RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales

administration; Lord Lieutenants' expenditure; the North Wales Child Abuse Inquiry; payments to support expenditure by the National Assembly for Wales; and associated non-cash items.

The **Department for Constitutional Affairs** will account for this Estimate.

[†] The Cenotaph Ceremony function was transferred to the Department for Culture, Media and Sport on 1 April 2005. The changes relating to this machinery of government transfer are that the net resource (RfR1) and the net cash requirement are both reduced by £48,000.

Part II: Changes proposed

£'000

Resources	Present Net Provision	Change in Gross Provision	Change in A in A	Change in Net Provision	New Net Provision
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all					
Spending in Departmental Expenditure Limits (DEL)					
RfR 1 - A Headquarters and Associated Offices	503,041	49,081	2,742	46,339	549,380
RfR 1 - B Judicial Pensions Administration	12	-11	-	-11	1
RfR 1 - C HM Courts Service	891,000	138,292	154,140	-15,848	875,152
RfR 1 - D Public Guardianship Office	3,205	-2,644	-2,264	-380	2,825
Non-budget					
RfR 1 - F Legal Services Commission: Administration	80,289	6,443	-	6,443	86,732
RfR 1 - G Criminal Defence Service	1,107,244	-56,309	-	-56,309	1,050,935
RfR 1 - H Community Legal Service	852,993	17,020	-	17,020	870,013
Spending in Departmental Expenditure Limits (DEL)					
RfR 1 - J Core Capital Grants to Local Authorities	-	11,300	-	11,300	11,300
Total RfR 1		163,172	154,618	8,554	
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government					
Non-budget					
RfR 2 - E Grant payable to the Scottish Consolidated Fund	20,876,903	59,000	-	59,000	20,935,903
Total RfR 2		59,000	-	59,000	
Total Changes to RfRs		222,172	154,618	67,554	

	Present Provision	Change in Provision	£000 New Provision
Capital and Cash			
Total Capital Expenditure	128,247	24,765	153,012
Non-Operating A in A	-	4,400	4,400
Net cash requirement	34,871,116	87,919	34,959,035

Part II: Revised subhead detail including additional provision

Resources						Capital		£'000
1	2	3	4	5	6	7	8	
Admin	Other current	Grants	Gross Total	A in A	Net Total	Capital	Non-operating A in A	
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all								
444,295	1,539,354	2,024,054	4,007,703	511,366	3,496,337	152,146	4,400	
Spending in Departmental Expenditure Limits (DEL)								
<i>Central Government spending</i>								
A Headquarters and Associated Offices								
401,815	154,624	75	556,514	7,134	549,380	31,165	-	
B Judicial Pensions Administration								
401	-	-	401	400	1	-	-	
C HM Courts Service								
25,322	1,337,630	-	1,362,952	487,800	875,152	118,981	4,400	
D Public Guardianship Office								
16,757	2,100	-	18,857	16,032	2,825	2,000	-	
E Costs from Central Funds								
-	45,000	-	45,000	-	45,000	-	-	
<i>Court Service</i>								
-	-	-	-	-	-	-	-	
<i>HM Land Registry Invest to Save Budget</i>								
-	-	-	-	-	-	-	-	
Support for Local Authorities								
<i>Magistrates Courts Grants</i>								
-	-	-	-	-	-	-	-	
<i>Magistrates Courts Capital Grant</i>								
-	-	-	-	-	-	-	-	
<i>Magistrates Courts Grant on Loan Charges</i>								
-	-	-	-	-	-	-	-	
Non-budget								
F Legal Services Commission: Administration								
-	-	86,732	86,732	-	86,732	-	-	
G Criminal Defence Service								
-	-	1,050,935	1,050,935	-	1,050,935	-	-	
H Community Legal Service								
-	-	870,013	870,013	-	870,013	-	-	
I Information Commissioner's Office								
-	-	4,999	4,999	-	4,999	-	-	
Spending in Departmental Expenditure Limits (DEL)								
Support for Local Authorities								
J Core Capital Grants to Local Authorities								
-	-	11,300	11,300	-	11,300	-	-	

Part II: Revised subhead detail including additional provision

Resources						Capital		£'000
1	2	3	4	5	6	7	8	
Admin	Other current	Grants	Gross Total	A in A	Net Total	Capital	Non-operating A in A	
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government								
7,333	400	20,935,903	20,943,636	965	20,942,671	100	-	
Spending in Departmental Expenditure Limits (DEL)								
<i>Central Government spending</i>								
A Scotland Office								
4,959	-	-	4,959	170	4,789	100	-	
B Office of the Advocate General								
2,374	-	-	2,374	795	1,579	-	-	
C Boundary Commission for Scotland								
-	300	-	300	-	300	-	-	
D Commission on Boundary Differences and Voting Systems in Scotland								
-	100	-	100	-	100	-	-	
Non-budget								
E Grant payable to the Scottish Consolidated Fund								
-	-	20,935,903	20,935,903	-	20,935,903	-	-	
RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales								
3,922	-	10,618,054	10,621,976	9	10,621,967	766	-	
Spending in Annually Managed Expenditure (DEL)								
<i>Central Government spending</i>								
A Wales Office								
3,922	-	-	3,922	9	3,913	766	-	
Non-budget								
B Grant payable to the National Assembly for Wales								
-	-	10,618,054	10,618,054	-	10,618,054	-	-	
Total for Estimate:								
455,550	1,539,754	33,578,011	35,573,315	512,340	35,060,975	153,012	4,400	

Part II: Resource to cash reconciliation

	<u>Present</u>	<u>Increase (+)/ Decrease (-)</u>	<u>£'000</u> <u>Revised</u>
Net total Resources	34,993,421	67,554	35,060,975
Voted capital items			
Capital expenditure	128,247	24,765	153,012
<i>Less:</i> non-operating A in A	-	4,400	4,400
Total net voted capital	128,247	20,365	148,612
Accruals to cash adjustment			
Adjustments to remove non-cash items:			
Cost of Capital charges	-153,829	-	-153,829
Depreciation	-117,072	-	-117,072
New provisions and adjustments to previous provisions	-	-	-
Profit/loss on sale of assets	-	-	-
Prior period adjustments	-	-	-
Other non-cash items	-9	-	-9
Increase(+)/decrease (-) in stock	-	-	-
Increase(+)/decrease (-) in debtors	-	-	-
Increase(-)/decrease (+) in creditors	-1,642	-	-1,642
Use of provisions	22,000	-	22,000
Total accruals to cash adjustments	-250,552	-	-250,552
Excess cash to be CFERd	-	-	-
Net cash requirement	34,871,116	87,919	34,959,035

Part III: Extra receipts payable to the Consolidated Fund

As in existing provision

Forecast Operating Cost Statement

	£'000
	2005-06 provision
Net Administration Costs	
RfR 1	435,400
RfR 2	6,368
RfR 3	3,913
Total Net Administration Costs	445,681
Net Programme Costs	
RfR 1	3,060,937
RfR 2	20,936,303
RfR 3	10,618,054
Non voted expenditure	159,000
Total Net Programme costs	34,774,294
Total Net Operating Cost	35,219,975
<i>of which:</i>	
Net Resource Outturn	35,060,975
CFERs	-
Non-voted expenditure	159,000
Resource Budget Outturn	3,580,129

Notes to the Estimate

Reconciliation of resource expenditure between Estimates, Accounts and Budgets

	£'000
	2005-06 Provision
Net Resource Outturn (Estimates)	35,060,975
<i>Adjustments to remove:</i>	
provision voted for earlier years	-
<i>Adjustments to additionally include:</i>	
non-voted expenditure in the OCS	159,000
Consolidated Fund extra receipts (CFERS) in the OCS	-
Other adjustments	-
Net Operating Costs (Accounts)	35,219,975
<i>Adjustments to remove:</i>	
capital grants to local authorities	-11,300
capital grants financed from the Capital Modernisation Fund	-
European Union income and related adjustments	-
voted expenditure outside the budget	-31,553,957
<i>Adjustments to additionally include:</i>	
other Consolidated Fund Extra Receipts	-
resource consumption of non departmental public bodies	-74,589
unallocated resource provision	-
Other adjustments	-
Resource Budget Outturn (Budget)	3,580,129
<i>of which:</i>	
Departmental Expenditure Limit (DEL)	3,580,129
Annually Managed Expenditure (AME)	-

Reconciliation of capital expenditure between Estimates and Budgets

	£'000
	2005-06 Provision
Net Voted Capital Outturn (Estimates)	148,612
<i>Adjustments to remove:</i>	
gains/losses from sale of capital assets	-
<i>Adjustments to additionally include:</i>	
other Consolidated Fund Extra Receipts	-
capital spending by non departmental public bodies	2,029
capital grants to local authorities	11,300
capital grants financed by the Capital Modernisation Fund	-
local authority credit approvals	-
capital spending by levy funded bodies	-
unallocated capital provision	-
Other adjustments	-
Capital Budget Outturn (Budget)	161,941
<i>of which:</i>	
Departmental Expenditure Limits (DEL)	161,941
Annually Managed Expenditure (AME)	-

Notes to the Estimate (*continued*)

Explanation of Accounting Officer responsibilities

In accordance with the Government Resources and Accounts Act 2000 the Treasury has made the following Accounting Officer appointments for the Requests for Resources within this Estimate.

Request for Resources 1	Alex Allen, Permanent Head of Department
Request for Resources 2	Jim Wildgoose, Additional Accounting Officer and Head of Scotland Office
Request for Resources 3	Alan Cogbill, Additional Accounting Officer and Head of Wales Office

Alex Allen as the Principal Accounting Officer (PAO) of the Department for Constitutional Affairs has personal responsibility for the proper presentation of the department's resource accounts as prescribed in legislation, or by the Treasury, and their transmission to the Comptroller and Auditor General. The PAO as the permanent head, remains in general overall charge of the Department for Constitutional Affairs.

The responsibilities of an Accounting Officer are set out in Annex 4.1 of Government Accounting. In essence these responsibilities include a personal responsibility for the propriety and regularity of the public finances for which they are answerable; for keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of all the available resources. In addition, the Accounting Officer must ensure that there is a sound system of internal control to support the achievement of the Department for Constitutional Affairs' policies, aims, and objectives; and should regularly review the effectiveness of that system.

In accordance with Government Accounting requirements the relationship between Principal Accounting Officer and Additional Accounting Officers with their Ministers, together with their respective responsibilities, is set out in writing.

Notes to the Estimate (*continued*)

Analysis of appropriations in aid (A in A)

	£'000	
	2005-06 Provision	
	Operating A in A	Non operating A in A
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all		
Administration income	8,895	-
Other current income	502,471	-
Sale of fixed assets	-	4,400
Total RfR 1	511,366 *	4,400 **
*Amount that may be applied as appropriations in aid in addition to the net total, arising from civil court fees; fees charged by the Public Trustee and the Court of Protection; recoveries from the National Investment and Loans Office for the cost of administering funds in court; recovery from the investment managers for the cost of administering the Commons Investment Schemes; recoveries for research and recommendation work undertaken by the Law Commission; recoveries by the Official Solicitor pursuant to his duties under the Supreme Court Act 1981 and Public Trustee Act 1906; fees charged by the Lands Tribunal, recoveries from the National Insurance Fund for the cost of Social Security Commissioners; fees from the Land Registry; receipts relating to the Land Registry Adjudicator; fees relating to the Office of the Information Commissioner; fees from nursery facilities and other fees; charges and receipts received; sale of publications; reimbursements from the ARAMIS PFI supplier of the costs of seconded staff and banking charges; receipts from rents; service charges and site usage; recovery for magistrates' courts accommodation; contributions paid by legally aided defendants in the higher courts; receipts of VAT refunds on contracted out services, judicial superannuation contributions, receipts from the European Commission; receipts from the Financial Services and Markets Tribunal; receipts under the New Deal Scheme; receipts from Wider Markets Initiatives; receipts from Royal Licences; receipts from the Judicial Pensions supply Estimate to fund administrative costs; recovery of costs from Twinning projects; recovery of costs relating to the Hunting Bill; receipts in relation to Enforcement Improvement schemes; receipts in relation to the devolution Service Level Agreement; receipts in relation to by-election funding; receipts in relation to the use of DDJs as prison adjudicators; receipts in relation to Legal Services Complaints Commission, receipts in relation to Scotland Office secondees, receipts in relation to Data Protection enquiries and income arising from Machinery of Government changes.		
** Amount that may be applied as non operating appropriations in aid arising from the disposal of land, buildings and surplus equipment.		
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government		
Rent receipts; payments for legal services	965	-
Total RfR 2	965 *	-
*Amount that may be applied as appropriations in aid in addition to the net total, arising from receipts in respect of rent, payments from other departments for legal services and other receipts.		
RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales		
Rent receipts; payments for legal services	9	-
Total RfR 3	9 *	-
*Amount that may be applied as appropriations in aid in addition to the net total, arising from income from rent for use of accommodation in Gwydyr House by the National Assembly of Wales.		
Total A in A	512,340	4,400
<i>of which: Administration budgets</i>	<i>9,869</i>	<i>-</i>

Notes to the Estimate (*continued*)

Departmental Expenditure Limits and Administration Budgets

As announced to the House of Commons, the Department for Constitutional Affairs Departmental Expenditure Limit will change as follows:

	Change	New DEL		£'000
		Voted	Non-voted	Total
Resource	66,225	1,554,039	2,026,090	3,580,129
<i>of which :Administration Budget</i>	<i>18,331</i>	<i>445,681</i>	<i>-</i>	<i>445,681</i>
Capital	33,694	159,912	2,029	161,941
Depreciation*	-	-117,072	-832	-117,904
Total	99,919	1,596,879	2,027,287	3,624,166

**Depreciation, which forms part of resource DEL, is excluded from total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.*

Cash which may be retained to offset expenditure

£'000

516,740

Cash which may be retained by the department to offset expenditure in the year due to its relationship with income (operating and non-operating) that has been or will be appropriated in aid