

Ministry of Justice Draft Structural Reform Plan

July 2010

Structural Reform Plans

Structural Reform Plans are the key tool of the Coalition Government for making departments accountable for the implementation of the reforms set out in the Coalition Agreement. They replace the old, top-down systems of targets and central micromanagement.

The reforms set out in each department's SRP are designed to turn government on its head, taking power away from Whitehall and putting it into the hands of people and communities. Once these reforms are in place, people themselves will have the power to improve our country and our public services, through the mechanisms of local democratic accountability, competition, choice, and social action.

The reform plans set out in this document are consistent with and form part of the Department's contribution to the Spending Review. All departmental spending is subject to the Spending Review.

We have adopted a cautious view of the timescales for delivering all legislative measures due to the unpredictability of pressures on Parliamentary time.

Departmental priorities

1. Reform of sentencing and penalties

- Ensure that the justice system protects the public and reduces reoffending by introducing more effective sentencing policies and considering the use of restorative justice for adult and youth crimes

2. Rehabilitation revolution

- Establish an offender management system that harnesses the innovation of the private and voluntary sectors, including options for using payment by results, to cut reoffending

3. Courts and legal aid

- Reform the legal aid system to make it work more efficiently, whilst protecting the most vulnerable members of society. Develop court reforms to determine how disputes should be resolved, based on principles of transparency, decentralisation and accountability

4. Reform of the prison estate

- Review the prison estate's contribution to rehabilitation and reducing reoffending, developing a sustainable and cost-effective prison capacity strategy as part of the Spending Review

5. Civil liberties

- Contribute to a full programme of measures to reverse the erosion of civil liberties and to roll back state intrusion

1. Reform of sentencing and penalties

Ensure that the justice system protects the public and reduces reoffending by introducing more effective sentencing policies and considering the use of restorative justice for adult and youth crimes

ACTIONS

	Start	End
1.1 Conduct a full examination of sentencing policy to ensure that it helps to cut crime, protects the public, punishes offenders and reduces reoffending. In particular, ensure that sentencing for drug use helps offenders come off drugs		
i. Develop reform options for the sentencing framework that covers the full range of penalties and restorative measures in adult and youth sentencing	Jun 2010	Oct 2010
ii. Consult on sentencing reforms as part of a rehabilitation Green Paper (see priority 2)	Nov 2010	Feb 2011
iii. Develop detailed options for sentencing reform as part of the Government's response to the rehabilitation Green Paper consultation	Mar 2011	Nov 2011
iv. Introduce legislation on sentencing in the second session of Parliament	Nov 2011	Nov 2012
1.2 Implement the Prisoners' Earnings Act 1996 to allow prison governors to deduct from prisoners' earnings and transfer the money into the Victims' Fund	Jun 2010	Jun 2011
1.3 Develop proposals to use proceeds from the Victim Surcharge to fund rape crisis centres	Jun 2010	Mar 2011
1.4 Develop options so that historical convictions for consensual gay sex with over-16s will be treated as spent and will not show up on criminal record checks	Jun 2010	Dec 2010

MILESTONES

A. Sentencing proposals published in Green Paper on rehabilitation	Nov 2010
B. Proposals announced on using the Victims Surcharge to fund rape crisis centres	Mar 2011
C. Prison governors start to deduct from prisoners' earnings	Jun 2011
D. Legislation on sentencing introduced	Nov 2011

2. Rehabilitation revolution

Establish an offender management system that harnesses the innovation of the private and voluntary sectors, including options for using payment by results, to cut reoffending

ACTIONS

2.1 Determine options and strategy for a reduction in reoffending and more effective rehabilitation

- i. Develop a Green Paper setting out the approach to reducing reoffending and improving rehabilitation
- ii. Consult with the public following publication of the rehabilitation Green Paper
- iii. Develop detailed options for rehabilitation in response to the Green Paper consultation

Start	End
Jun 2010	Oct 2010
Nov 2010	Feb 2011
Mar 2011	Nov 2011

2.2 Trial payment by results mechanisms working with voluntary and private sector organisations that specialise in rehabilitation of offenders

- i. Develop options for contracting out rehabilitation to third parties, including contractors commissioned by the Department for Work and Pensions (offender employment) and Department of Health (alcohol and drug rehabilitation)
- ii. Hold round table with suppliers (private and voluntary sector providers) to refine options for contracting out rehabilitation to third parties
- iii. Launch and evaluate a pilot rehabilitation scheme, funded by a Social Impact Bond, to reduce re-offending by paying private sector and third sector providers by results

Start	End
Jun 2010	Nov 2010
Aug 2010	
Aug 2010	Dec 2012

MILESTONES

- A. Round table with suppliers held
- B. Strategy to reduce reoffending considered by Home Affairs Cabinet Committee
- C. Green Paper on reduction in reoffending and more effective rehabilitation published, incorporating options on contracting out and insights from round table
- D. Interim contract evaluation of Social Impact Bond pilot is undertaken

Aug 2010
Sep 2010
Nov 2010
Dec 2012

3. Courts and legal aid

Reform the legal aid system to make it work more efficiently, whilst protecting the most vulnerable members of society. Develop court reforms to determine how disputes should be resolved, based on principles of transparency, decentralisation and accountability

ACTIONS	Start	End
3.1 Reform the legal aid system to make it work more efficiently, whilst protecting the most vulnerable members of society		
i. Develop proposals for a reform of legal aid spending to improve efficiency (including within courts) and balance changes with the interests of justice	Jun 2010	Autumn 2010
ii. Public consultation on legal aid reform proposals	Autumn 2010	Winter 2010/11
3.2 Develop court reforms to determine how disputes should be resolved		
i. Consult on a programme of court closures	Jun 2010	Sep 2010
ii. Implement measures to increase court utilisation and work with criminal justice partners to eradicate waste and inefficiency	Jun 2010	Dec 2010
iii. Develop options for using technology and alternative dispute resolution to reduce attendance at all courts	Sep 2010	Apr 2011
iv. Develop proposals for court reform and modernisation to improve accessibility to justice and efficiency	Jun 2010	Jan 2011
v. Merge HM Court Service with Tribunals Service	Apr 2011	
3.3 Increase transparency by providing more information on the results of court cases		
i. Publish sentencing data for different types of offence for every court in an open and standardised format	Oct 2010	
ii. Develop options to publish detailed court data in an open and standardised format	Jun 2010	Jan 2011
MILESTONES		
A. Consultation launched on programme of court closures	Jun 2010	
B. Sentencing data for every court published in an open and standardised format	Oct 2010	
C. Consultation launched on legal aid reforms	Autumn 2010	
D. HM Court Service and Tribunals Service merged into a single organisation	Apr 2011	

4. Reform of the prison estate

Review the prison estate's contribution to rehabilitation and reducing reoffending, developing a sustainable and cost-effective prison capacity strategy as part of the Spending Review

ACTIONS

4.1 Commission any additional prison places needed in the short term to replace lost capacity from cancelling the proposed Young Offenders' Institution at Glen Parva

Start

End

Jul 2010

Sep 2010

4.2 Develop a sustainable and cost-effective prison capacity strategy

- i. Spending Review to consider how to meet capacity requirements, including (with the Department of Health) alternative forms of secure, treatment-based accommodation for mentally ill and drugs offenders
- ii. Model longer-term impact on prison capacity of improvements in rehabilitation and changes to the framework of penalties, including any restorative measures in adult and youth sentencing
- iii. Subject to i. and the condition of existing prison estate, consider tendering for the building of new capacity to replace inefficient and worn-out prisons

Jul 2010

Nov 2010

Mar 2011

Nov 2011

Nov 2010

Apr 2012

MILESTONES

A. Capacity proposals completed in light of Spending Review settlement

Nov 2010

5. Civil liberties

Contribute to a full programme of measures to reverse the erosion of civil liberties and to roll back state intrusion

ACTIONS

	Start	End
5.1 Establish a Commission to investigate the creation of a UK Bill of Rights	2011	Ongoing
i. Establish Commission and agree detailed scope and timetable, working with the Deputy Prime Minister		
5.2 Develop a mechanism to prevent unnecessary criminal offences	Jun 2010	Jul 2010
5.3 Amend the Freedom of Information Act 2000 to cover more organisations and support cross-government measures to provide greater transparency	Jun 2010	Nov 2011
5.4 Support the work of the Deputy Prime Minister, Cabinet Office and Home Office to introduce a Freedom Bill	Jun 2010	Nov 2011
5.5 Support the Home Office in their work to identify and implement steps to end unnecessary storage of internet and email records	Jun 2010	Nov 2010
5.6 Develop options, working with the Home Office, to provide people with greater protection to prevent crime and apprehend criminals, including to defend themselves against intruders	Jul 2010	Dec 2010
5.7 Develop options for reform of libel laws to protect freedom of speech	June 2010	Mar 2011

MILESTONES

A. Mechanism to prevent unnecessary criminal offences announced	Jul 2010
B. Publish proposals for the storage of internet and e-mail records	Nov 2010
C. Commission on UK Bill of Rights established	2011
D. Draft Defamation Bill for the reform of libel laws published for pre-legislative scrutiny	Mar 2011
E. Freedom of Information Act 2000 extended	Nov 2011
F. Freedom Bill passed	Nov 2011