

Legal Services Agency Northern Ireland

Our vision for 2021 and business plan 2018-2019



Our Vision for LSANI by 2021 by Paul Andrews

As an executive agency of the Department of Justice (DoJ) we will continue to deliver our core business while progressing our Transformation Programme. The Transformation Programme represents an exciting opportunity to bring digitally enabled services to the all aspects of the legal aid schemes. It will also strengthen the assurance which the Agency can provide for the public funds allocated to legal aid, through a registration and compliance regime, robust fraud and error measures and enhance forecasting capability. The programme will also see the Agency move towards the publication of official statistics.

This business plan, sets out the Agency's vision of working towards a transformed and digitally enabled service by 2021 and sets out the steps the Agency will take in 2018/19.

The Business Plan reflects the Agency's priorities and will be subject to revision once a Minister is in post. The Agency will also keep under review its core operational targets as these will need to be revisited to accommodate the go-live of the digitalisation project.

Our Strategic Objectives

Working with others to achieve excellence in the delivery of legal aid we will:

- Provide timely and reliable access to legal aid
- Supporting the policy initiatives
- Securing value for money and sound governance and accountability
- Supporting our staff to achieve their full potential through valuing them and being fair and supportive

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Our people:

We employ over 140 people and our staff are at the heart of everything we do. The majority of our staff are engaged in front line operational services with a team dedicated to the transformation programme.

The Agency will invest in its people to ensure that the Agency is equipped to face the new challenges of digitalisation and transformation, including a range of new functions and different ways of delivering services.

The Agency's core values are:

- (a) Delivering Effectively
- (b) Valuing our People
- (c) Working Together
- (d) Being Outwardly Focused
- (e) Taking Responsibility



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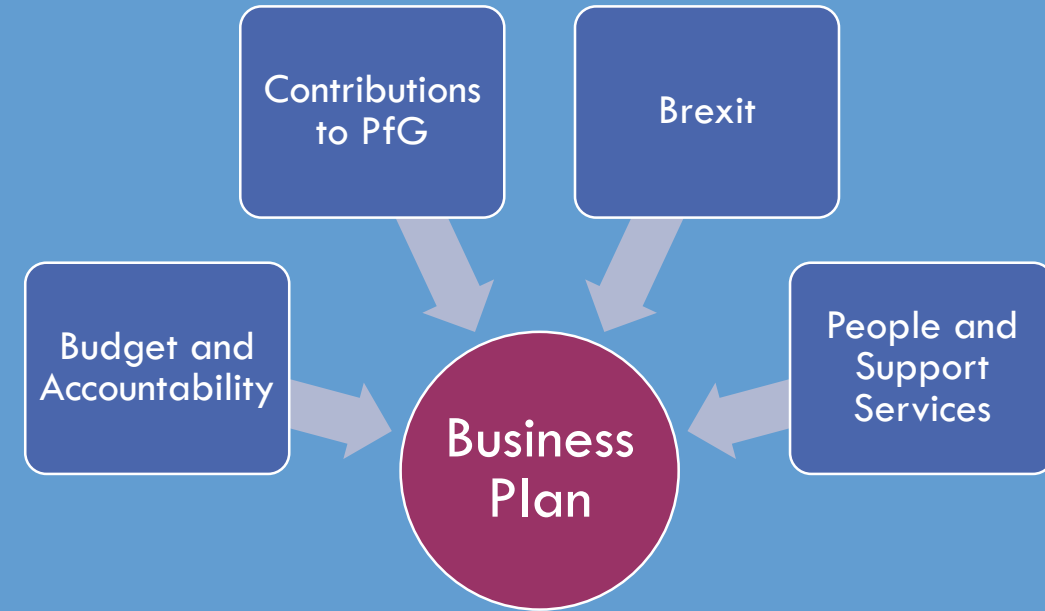
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The Department of Justice's Mission Statement is ***'to support the Minister of Justice deliver a safe community where we respect the law and each other'***.

The Legal Services Agency supports the Department's Mission statement by being an innovative, responsive and impartial Agency, effectively and efficiently administering quality publicly funded legal services for all stakeholders.

The Agency will assess its outcomes against the following Programme for Government (PfG) outcomes: *"We have a safe community where we respect the law and each other"* and *"We connect people and opportunities through our infrastructure"*

Agency has developed its own Business Indicator which is *"To continually improve the efficiency of the Agency"*



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LSA Achievements

Our achievements – LSA in 17/18:

- We provided 78,680 legal aid acts of assistance
- We paid 77,195 full report payments for legal aid
- We received £1.03m through debt recovery
- We completed all the required steps, in this period, to move towards our new digitalised service
- We implemented a new EDRM system and trained all staff in its usage
- We worked collaboratively with the Department for Communities to further develop our Error and Fraud management
- We continued to develop, test and review the new Legal Aid Management System
- We established an Information and Analysis Unit

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Our priorities

Delivering existing services

We will process applications for civil legal services and exceptionality and will assess bills and process payments to providers in a timely manner. We will review existing processes and procedures, seeking to improve the quality of the services we provide and to ensure that we maximise the efficiencies which can be delivered as part of our digitalisation programme.

We will embark on a programme of decision making reviews to ensure that our adjudication of applications for civil legal services and our assessment of all payments are in keeping with the statutory arrangements.

Developing digitally enabled services

As part of a transformation programme we will develop a new digitally enabled platform to deliver civil legal services and criminal legal aid. This will enable us to transact our business electronically, by supporting providers to submit some 78,680 acts of assistance [17/18 figures] applications and us to pay some 77,195 full reports per annum. We will engage providers of publically funded legal services in the testing and training for the rollout of the new system and will explore further opportunities to enhance the new digital platform. We will ensure that new platform enables us to work effectively to deliver timely and reliable access to legal aid, and that the tax payer and recipients of legal aid receive the best possible value.

Designing enhanced assurance services

We will design enhancements to the assurance we can derive from the services we provide.

We will do this by

- prepare to roll out of the statutory registration scheme
- enhance the quality of our forecasting and provisions models
- assess the accuracy of our decision making processes
- embed a fraud and error methodology; and
- move towards the publication of official statistics.

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Our governance and planning context

Governance

The LSA Board, which is chaired by the Chief Executive of the Agency, oversees the work of the LSA, leads strategic planning and assists the Accounting Officer in meeting corporate governance responsibilities. The Members of the Board adhere to the Seven Principles of Public Life.

The Board consists of:

- Chief Executive, Paul Andrews (chair);
- Director, Corporate Services, Glynis Brown;
- Director, Payment Services, Jill Herron;
- Director, Civil Legal Services, Sheila McPhillips;
- Independent member, Allen McCartney;
- Independent member, Professor John Morison;
- Independent member, Stephen Wooler CB.

In addition, a representative of the Department attends Board meetings.

Planning Context

The Business Plan has been developed against the background of the Programme for Government. The plan will be adjusted to reflect emerging ministerial priorities once a Minister for Justice has been appointed. In addition the plan has been developed against the backdrop of the budget allocation which the LSA has received for 2018/19.

The LSA will focus on delivering its core business while progressing a Transformation Programme to fundamentally change how the Agency undertakes its business and strengthens its governance.

Key components within the Transformation Programme are the development of a new digital platform for legal aid, embedding a process to measure the level of fraud and error within the legal aid system and preparation for the introduction of a statutory Registration Scheme and associated compliance reviews. These elements will be fully realised in 2019/20 but the preparatory work will be undertaken in 2018/19.

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Strategic Objective 1 – Provide timely and reliable access to legal aid

In 2018/19 we will:

- Adjudicate on applications for civil legal service
- Adjudicate on applications for exceptionalality
- Support the independent appeals process
- Pay properly assessed bills

We will measure this against the following targets:

- Process 95% of all properly completed applications received from 1 April 2018 for emergency legal aid for representation lower and higher courts within 48 hours from date of receipt
- Process 80% all of all properly completed non emergency applications for legal aid for representation higher courts and exceptionalality received from 1 April 2018 which do not require additional information within 14 weeks of date of receipt
- Process 75% of all properly constituted appeals against the refusal of representation higher courts within 16 weeks from date of receipt and all other appeals against fees paid within 6 weeks in respect of Civil and Criminal matters to include exceptionalality and Extra Statutory Grant Funding.
- Process 95% of standard fees which do not generate queries within 8 weeks of date of receipt
- Process 75% of non-standard fees which do not generate queries within 16 weeks of date of receipt (non-Children Order claims)
- Process 75% of non-standard fees which do not generate queries within 24 weeks of date of receipt (Children Order claims)
- Process 95% of Taxed cases (excluding those cases involving statutory charge) which do not generate queries within 6 weeks of date of receipt

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Strategic Objective 2 – Supporting the policy initiatives

In 2018/19 we will:

- Support DoJ in developing policy proposals
- Implement new policy provisions
- Participate in work of Shadow Family Board and the Shadow Civil Justice Council

We will measure this by:

- Participating in all DoJ legal aid reform projects
- Introducing new fees to support the problem solving justice pilot projects
- Implementing new family fees
- Give effect to new arrangements in support of revised Recovery of Convicted Defendant Cost Order arrangements

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Strategic Objective 3 – Securing value for money and sound governance and accountability

In 2018/19 we will:

- Live within our allocated budget
- Complete the design of our new Case Management system and prepare for implementation in 2019/20
- Develop measurement of error approach and enhance fraud practices
- Set up the Practitioner Compliance and Registration Scheme once the legislation is passed

We will measure this by:

- Closely monitoring both fund, admin and capital spend
- Closely monitoring the delivery of the key stages of the Case Management project
- Ensuring the agency prioritises the work required to develop the measurement of error approach and enhance fraud investigations
- Implementing our delivery plan once the Practitioner Compliance and Registration Scheme legislation is approved
- Deal promptly with audit recommendations

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Strategic Objective 4 –

Support our staff to achieve their full potential by valuing them and being fair and supportive

In 2018/19 we will:

- Improve and enhance our business processes
- Implement improvements to our business
- Develop the capability of our staff to manage and lead the business
- Build on ensuring we have an inclusive workplace, that has dignity for all staff
- Adhere to NICS People Strategy

We will measure this by:

- Monitoring our levels of staff engagement
- Monitoring staff absence and sickness rates across the Agency
- Implement the plans of the staff engagement forum
- Monitoring training courses taken in the Agency and their effectiveness
- Monitoring progress against NICS People Strategy

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What we fund

(a) Advice and Assistance

This covers advice on any point of Northern Ireland law, subject to the individual satisfying a financial eligibility test. This can be used to resolve issues before they proceed to litigation or can enable a case to be established before litigation. In certain circumstances it can be used to support individuals who require recourse to tribunals.

There were 33,305 acts of assistance in 2017-18. Although this equates to 42% of the total legal aid volume, the average costs per individual act are modest and this form of assistance accounted for only 5% of total legal aid expenditure.

(b) Representation Lower

This covers representation in Magistrates' Court (including Family Proceedings Courts) and certain tribunals subject to individuals being financially eligible. There were 7,562 acts of assistance in 2017-18 funded under this scheme. This accounted for 10% of total legal aid volume and 11% of total legal aid expenditure.

(c) Representation Higher

This covers civil proceedings in the higher courts, primarily in the County Court, the Court of Judicature, and the Court of Appeal subject to individuals being financially eligible. There were 6,826 acts of assistance in 2017-18. This accounted for 9% of total legal aid volume and 35% of total legal aid expenditure.

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What we fund

(d) Criminal Legal Aid (Excluding Criminal Court of Appeal)

Criminal Legal Aid covers free legal representation to defend someone charged with a criminal offence in the Magistrates' Court or the Crown Court. There were 30,861 acts of assistance in 2017-18, accounting for 39% of total legal aid volume and 42% of the total legal aid expenditure.

(e) Criminal Court of Appeal

This covers representation before the Criminal Court of Appeal. There were 126 acts of assistance in 2017-18, accounting for less than <1% of the total legal aid volume and 6% of the total legal aid expenditure.

(f) Exceptional Funding

This can cover a range of cases which do not fall within the scope of the non-criminal schemes. Primarily this form of funding occurs in respect of coroners' inquests.

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Our Decisions and Resources

Director of Legal Aid Casework

The Legal Aid and Coroner's Act 2014 ensured that the decision making process for legal aid remained independent from Ministers. The role of Director of Legal Aid Casework (DLAC), has sole responsibility for making decisions on individual cases. The DLAC has delegated the majority of case and has practices in place to maintain the independence of the decision making process. The LSA's Chief Executive undertakes this role. The DLAC Report is published annually.

Living within our means

As part of DoJ we will contribute to the overall required reduction in spend at departmental level as a result of the Spending Review both in the administration of legal aid and the remuneration paid for legal aid.

Our allocation for 2018/19 is:

Unringfence Resource DEL	£85,654k
Capital DEL	£1,300k

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