

Isle of Man

Attorney General's Chambers

Business Plan

2017 to 2020

6 December 2017

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Foreword

I am very honoured to be entrusted with the office of the Attorney General by Her Majesty the Queen. Since my appointment, which was initially made in 2013, I have continued the mission that I was given, which was to make required and significant changes to improve Chambers and inspire confidence in the services it provides. The nature and extent of required changes had been identified by the external review of Chambers which the Chief Minister had called for before my appointment, a summary of which recommendations have been published.

Serving the Lieutenant Governor, Tynwald Members, Government Departments and Statutory Boards for the good of the community is my own and so Chamber's primary purpose. Seeing those people as clients and ourselves as legal service providers is absolutely essential to our helping achieve cultural change and reform. Chambers must provide a high quality, timely legal service and we must play our part in making the services offered more efficient and cost effective.

There can be no doubt that the Attorney General's Chambers is now a different place to that which I joined four years ago. We are more client focussed; we now rely on a modern computerised workflow and records management system; we have a structure that recognises the benefits of strong leadership and good management; our finances are in better shape and we have made significant financial savings to Government's legal spend and to our own costs by reducing our footprint of office space by 50% and vacating expensive rented accommodation for our new home at Belgravia House.

Inevitably some faces in Chambers have changed, and after successful recruitment we are now fully staffed. Overall the level of camaraderie and team work has improved. We have been joined by the Island's first Solicitor General and with his help, together with a new Senior Leadership Team, we are now making measurable and significant progress to restoring confidence in Chambers.

We cannot be complacent and still have much work to do. We can still continue to improve by organising ourselves in better ways, making better use of technology, improving our turnaround times and making sure our stakeholders know exactly what they can expect of us. We must also improve our strategic planning methods so that Chambers is routinely making provision for the services our stakeholders require from us and we must continue to take account of and respond to international developments.

After my three years in office I felt able to confidently publish a Business Plan in August 2016. It was a first step towards improved strategic planning so that all are able to better measure our performance going forward. Since that time there has been a General Election and a different Administration formed. The Council of

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Ministers has published its new Programme for Government 'Our Island – a special place to live and work'. This revised Business Plan incorporates the new direction and although in other ways it is not materially different, it does help to focus all of our efforts on supporting our clients with achieving their objectives and it also addresses any new challenges which have emerged.

I take this opportunity to thank all staff in the Attorney General's Chambers for the advice and support they provide to the Law Officers and to our service users. It is a privilege to be leading such a great team.

John L M Quinn QC MLC
HM Attorney General

Introduction and Purpose

This Business Plan is designed to help focus our team efforts on the further change and reform which is needed within our office and externally in the way we deal with our many local and international stakeholders. It seeks to explain briefly what we do now and to look ahead and help Chambers to prepare for likely challenges. It should be looked to by all staff for guidance when drafting personal and team targets and to help with the prioritisation of Chambers work throughout the years to come.

Whilst our Strategic Aims should remain relevant and constant for the duration of this Business Plan, our operational objectives will be more dynamic, as Chambers must take account of any changing priorities including those of the Council of Ministers, Government Departments, Boards and Offices.

The Business Plan must be seen as a living document which we re-visit and update whenever it is necessary to do so. Importantly, we must challenge whether it continues to reflect the needs of our clients and stakeholders as the years progress.

This Business Plan is also designed to inform and involve the community of the Isle of Man. Chambers must become more community focussed and support the continuation and development of its role to improve relationships with all of our stakeholders. We welcome feedback about this plan.

Who We Are and What We Do

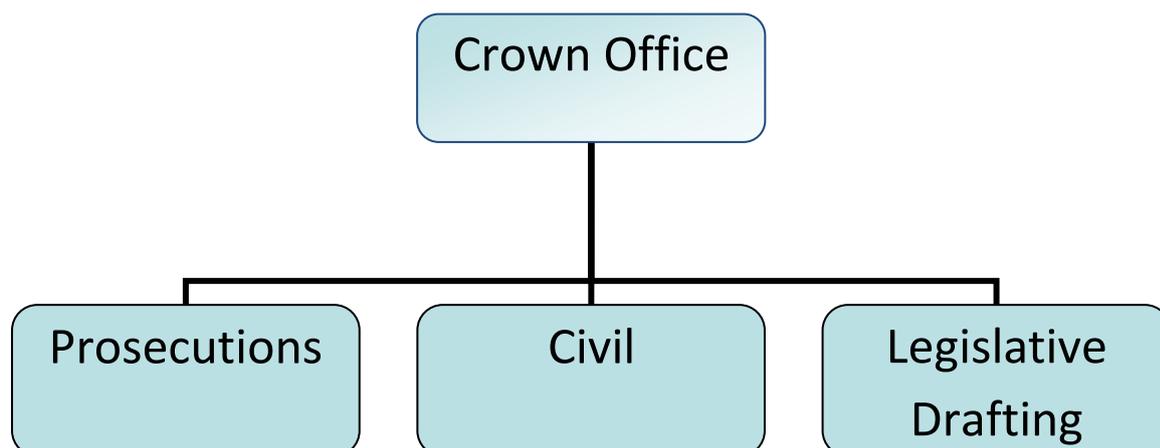
The Attorney General's Chambers is the office which supports the roles of two Crown Officers; Her Majesty's Attorney General (AG) and Her Majesty's Solicitor General (SG). This office, which is in effect their legal Chambers, is staffed by Civil Servants, many of whom are qualified lawyers. Qualified lawyers, whose role it is to support the Crown Officers whilst balancing their responsibilities as a Civil Servant with the professional standards of their governing body which they are required to adhere to. .

The Crown Officers, and as a result Chambers, have a necessarily unique, politically neutral and autonomous position. They are part of the Public Service, but distinct from Government and Parliament, providing advice to both but also, where statute requires, making decisions in their own right.

It is absolutely essential that decisions that need to be made by the AG or SG are free from any interference. A good example of this is whether the relevant tests are met in order to prosecute a person for an alleged offence.

The Crown Officers and Chambers staff must stay neutral to the political stance of the current administration, however they are also duty bound to assist with everything the administration tries to achieve, making sure impartial legal advice is provided when requested and cooperating with colleagues across Government and any other stakeholders.

Chambers is organised into four distinct teams as shown: -



Chambers' two Crown Officers are supported by a team of 55 people, organised as follows:

Who We Are and What We Do

- The **Attorney General** is in overall charge of Chambers. He is the Accounting Officer and has the supervision of his Legal Officers in respect of their professional roles. He is a non-voting Member of the Legislative Council and Tynwald. He is the Chair of the Board of the Financial Intelligence Unit and attends the Council of Ministers' weekly meetings as its primary legal adviser.
- The **Solicitor General** deputises for the Attorney General as necessary and in particular has oversight of legal work supporting other jurisdictions, including dealing with international letters of request.
- The **Director of Prosecutions** leads the **Prosecutions Division** which includes the International Co-operation and Asset Recovery Team (ICART) and is responsible for exercising, on behalf of the Attorney General, his statutory responsibilities for the prosecution of crime in the Island before all of its various courts. The Division provides pre-charge advice to the law enforcement authorities and offers out of hours support to the constabulary.
- The **Director of Civil Law** leads the **Civil Division**, dealing with the provision of legal services and support across Government in respect of all non-criminal matters including Civil litigation, human rights advice, data protection advice, procurement, commercial arrangements, employment issues, property, childcare and family matters. It also deals with the Attorney General's oversight of Charity matters.
- The **Chief Legislative Drafter** leads the **Drafting Division**, dealing with the drafting on behalf of Government of all primary legislation and reviewing secondary legislation.
- The **Chief Operating Officer** supports the Crown Officers, liaising with other areas of public service, overseeing the effective operation of Chambers on behalf of the Crown Officers and the Divisional heads, dealing with strategic and financial planning, governance, human resource management and information technology projects.

Who We Are & What We Do

The Crown Officers and their legal teams within Chambers provide the following services:-

- Legal advice to His Excellency, the Council of Ministers, Government Departments, Statutory Boards and Offices within Government; representing those persons and bodies in Court when taking legal action on their behalf and defending the same against Civil actions brought against them.
- Supporting Government Departments and Statutory Boards with procurement advice, administration and drafting of tenders and negotiation of contracts.
- Supporting the international community by responding to international requests for assistance made to the Attorney General as the Competent Authority. In doing so we seek to provide evidence for use in criminal cases and thereby deter criminals, including terrorists, from using the Isle of Man as a harbour for financial crime, money laundering or terrorist financing activities.
- Protecting vulnerable children and adults through the statutory functions entrusted to the Attorney General and by ensuring an effective criminal prosecution service is provided for the community.
- Providing governance oversight of registered charitable bodies.
- Drafting legislation for Departments, Boards and Offices in line with the Council of Minister's priorities for Legislative Drafting and drafting Private Members Bills for Members of Tynwald.
- Participating in the Criminal Justice Strategy programme of reforms to reduce offending and improve the efficiency of the criminal justice system and working productively with our partners across Government to align our processes to the emerging vision of a digital justice system.
- Providing free public access to the primary legislation of the Isle of Man through our website at <https://www.legislation.gov.im/cms/en/>

Our Priority Strategic Aims

The following issues will require us to take action and represent major challenges that will affect Chambers in the next three years: -

Aim 1. Keeping our community safe from serious crime and financially motivated crime

The Isle of Man has a very low crime rate, however its position as an international financial centre exposes it to the risk of financially motivated crime. To reduce this risk the Isle of Man has undertaken a National Risk Assessment and that now helps inform activity designed to prevent such abuse.

We must act swiftly, liaising with international partners as necessary, to ensure that we respond to the increasing threats to national security. We must maintain our robust, zero tolerance stance in relation to money laundering and the financing of terrorism.

The Isle of Man Government has published its Financial Crime Strategy 2017-2020.

Within the Strategy there are four Priority Objectives:-

1. Understanding the money laundering and financing terrorism threat, risks and harm facing the Isle of Man.
2. Ensuring the Isle of Man is a hostile jurisdiction for money laundering and financing of terrorism.
3. Proactively identifying and pursuing offenders.
4. Taking the benefit out of crime.

Chambers will play its part in the detailed action plans and focus our efforts towards the priorities.

In December 2016 the AG established a specialised unit within Chambers called the International Cooperation and Asset Recovery Team (ICART). This is a pilot project which has a dedicated team to focus on supporting the aims of the Strategy by taking the benefit out of crime.

The Isle of Man Government has also established a dedicated Financial Intelligence Unit (FIU) which is continuing to strengthen its resources and efforts to better meet the expectations of the international community. The Attorney General chairs the Board of the separate and independent FIU which Chambers continues to support to ensure that it becomes recognised as a highly effective organisation in the Island's fight against crime.

The increased focus on intelligence gathering and investigations is likely to lead to the detection of an increased number of cases of serious crime which will in turn

Our Priority Strategic Aims

need to be considered for prosecution by Chambers. When taken together with continuing improvements brought in by the Criminal Justice Strategy programme, it means that a larger proportion of prosecution resources will need to be dedicated to more complex issues.

We will:-

- Objective 1.1 Provide timely and effective international co-operation.
- Objective 1.2 Assist local and international law enforcement agencies by enforcing forfeiture and asset recovery in the Isle of Man on their behalf and where appropriate, make requests of other countries to support domestic investigations in suspected criminal cases.
- Objective 1.3 Pursue, through all available statutory powers including civil procedures, the assets of all who profit from crime wherever committed, when it is proper to do so.
- Objective 1.4 Support the FIU to ensure it is appropriately resourced and supervised to deliver its strategic and operational objectives in the fight against financially motivated crime.
- Objective 1.5 Develop a criminal justice policy for money laundering investigation and prosecution.
- Objective 1.6 Ensure that wherever appropriate offences of money laundering are put before the courts.
- Objective 1.7 Prioritise identification, restraint and recovery of assets resulting from serious and organised crime, with a particular focus on economic crime both in the Isle of Man and overseas.
- Objective 1.8 Improve the enforcement of domestic and international confiscation orders.
- Objective 1.9 Establish an approach for dealing with the management of seized assets other than money, including the instrumentalities of crime.
- Objective 1.10 Undertake a review and issue guidelines on the principle of proportionality.

Our Priority Strategic Aims

Aim 2. Providing support to our Stakeholders in delivering their objectives

Our stakeholders require an increasing amount of legal services from us and frequently this is required urgently and can be complex. In many ways Chambers is the original shared service and has been re-organised to ensure that we can better balance the needs and priorities of our primary stakeholders, the Departments, Statutory Boards and Offices of the Public Service who take their lead from the Council of Ministers.

Following the General Election, the Council of Ministers prepared a Programme for Government, which can be used as a guide to help prioritise Chambers' services.

The Programme for Government has three strategic objectives which are long term aims of the Council of Ministers. They are:-

- An inclusive and caring society
- An Island of enterprise and opportunity
- Financially responsible Government

There are twenty outcomes grouped into five themes which are underpinned by the more detail policy statements, outcomes and actions. The themes are:-

- Enterprise and Opportunity Island
- Responsible Island
- Sustainable Island
- Inclusive and Caring Island
- Healthy and Safe Island

Many of the policies and actions within the Programme for Government relate to a requirement to develop legislation or they will require Chambers to provide legal advice to support the proposed reform. Some actions are so intrinsic to the work of Chambers they are covered in a Priority Strategic Aim for Chambers in their own right or, where we are responsible in part or full for the delivery of reform, they are covered in one of our business plan Objectives.

In general, Chambers will continue to support and encourage opportunities to help Government achieve the Programme for Government.

Our Priority Strategic Aims

We will:-

- Objective 2.1 Ensure that the Government legislative programme is progressed in a timely and effective manner through effective liaison with instructing Departments and Boards.
- Objective 2.2 Give priority to advisory and other work that supports the Programme for Government or other subsequent priorities identified by the Government.
- Objective 2.3 Work with the Cabinet Office to support the introduction of legislation to meet the equivalency requirements of the EU General Data Protection Regulation by May 2018.
- Objective 2.4 Work with the Cabinet Office to support the continuing preparations for Brexit and provide or secure appropriate legal advice and representation as required.
- Objective 2.5 Roll out the new Procurement Policy.

Our Priority Strategic Aims

Aim 3. Implementing the Criminal Justice Strategy

The Criminal Justice Strategy supports the National Outcome “We live our lives safe from crime and danger”. It aims to ensure our residents can live their lives safe from crime, disorder and danger; that the Island has strong, resilient communities where people take responsibility for their own actions and how they affect others; and that we improve the quality of life for children, young people and families at risk.

Chambers plays a large part in the delivery of an improved Criminal Justice Service and in doing so we aim to improve the level of public confidence that the Island is a safe place to live.

We will:-

- Objective 3.1** Put victims at the centre of our considerations and aim to ensure they are fully informed on case progress and made aware of the procedure and of likely outcomes.
- Objective 3.2** Work constructively to ensure that the time taken from charge to case disposal is reduced and that trials are more effective (and the number of ‘cracked’ trials is reduced) in order to reduce the impact on victims and to reduce costs.
- Objective 3.3** Support initiatives to reduce reoffending and ensure that we fully support our partners within the Criminal Justice System with an effective prosecution function.
- Objective 3.4** Continue to work constructively with our partners to deliver the reform needed to move to a digital system of case management and digital Courts.
- Objective 3.5** Support our partners in delivering services for families and children which ensure the safety and wellbeing of the child is of paramount importance.
- Objective 3.6** Work with the Legal Aid Committee on proposals to develop a more efficient effective and equitable legal aid provision for the future.
- Objective 3.7** Manage the Seized Assets Fund to ensure that the proceeds of crime are used appropriately in line with the Fund’s agreed objectives.

Our Priority Strategic Aims

Aim 4. Improving our culture and managing ourselves more efficiently

We must continue to make efficiency savings in line with the provision made for us by Tynwald in the most recent Budget. To deliver our statutory responsibilities and meet all of the demands placed upon us within our budget will be a challenge, so we must continue to seek out ways to use our resources more efficiently and to make Chambers more sustainable in the long-term.

To ensure we can continue to provide a legal service with well qualified and enthusiastic people who are committed to public service we must use every opportunity to ensure that we become an employer of choice. We must use the information given to us by our teams when we know the results of our next 'Have Your Say' survey.

We must retain good people and seek to introduce a sound career structure, moving towards providing training contracts to ensure a supply of future legal practitioners for Chambers and play our part in doing so for the benefit of the wider local legal community. We must also continue to identify niche areas of law which are likely to be required by our stakeholders and decide how best to resource the provision of legal advice to those areas.

We must make greater efforts to develop our people to meet the changing challenges they will face in the work of Chambers and in their careers as Civil Servants. We must upskill our people and provide appropriate career development opportunities to support their learning so that they can cover a broader range of subjects and so allow the more complex legal work to be undertaken in-house without recourse to external experts.

We will:-

- Objective 4.1** Continue to improve our management information and develop our performance framework to ensure that our service provides value for money.
- Objective 4.2** Establish and use a clear and transparent framework for career progression and job evaluation for legal roles so that the levels of contribution required are clear.
- Objective 4.3** Ensure that our practice management system is further developed and tailored to support more effective and efficient working.
- Objective 4.4** Improve our change management process and our internal communication to ensure our employees are engaged and well informed.

Our Priority Strategic Aims

Objective 4.5 With the aim of further raising standards, undertake a review of the availability and suitability of external legal accreditation systems for our practice.

Aim 5. Improving the quality of advice, trust in our service and our reputation

The Crown Officers and Chambers staff are very aware that they have been the subject of some criticism. Some of this may be justified and some may not be so justified; it is a perception and one we must address. We must be acutely aware of the damage that can be done by providing poor or late advice or failing to manage relationships and we must always seek to improve this position.

We must also routinely report on our performance and communicate appropriately. In short we must continuously improve our processes which support external customers and colleagues across Government.

We will:-

Objective 5.1 Ensure work is undertaken at the right experience level to ensure quality and to re-build a high level of trust in our services.

Objective 5.2 Develop our people to ensure that we have adequate skilled cover and a good system of succession planning in place.

Objective 5.3 Improve ongoing training and development to ensure it meets the needs of our people and is informed by likely future demands on our services.

Objective 5.4 Provide an annual report on performance and publish the document.

Our Priority Strategic Aims

Aim 6. Improving our relationship with our clients and building our relationships within the community

We aim to treat our customers and each other as individuals, with respect, dignity and courtesy.

Whilst still protecting and defending the confidential nature of our legal services on behalf of our customers, we need to become more transparent and publically accountable to demonstrate our responsiveness, the ability to meet the changing demands for our services, the ongoing training of our staff and show how we act in the best interests of the Island and in the interests of the Government, Statutory Boards and other Offices.

We need to demonstrate that we add value to our clients, make a difference by the services we offer and that we take pride in what we do.

We will:-

- Objective 6.1** In consultation with law enforcement agencies, develop, review and publish prosecution policies so that people are made aware of the manner in which criminal offences on the Island will be dealt with and how we will try to bring about attitudinal change.
- Objective 6.2** Improve the information available to our stakeholders about Chambers services.
- Objective 6.3** Ensure that we deliver what is required under the statutory responsibilities of the Attorney General.
- Objective 6.4** Ensure the resilience of the legislation website and increase the amount of information publically accessible in respect of the legislation of the Isle of Man.
- Objective 6.5** Maintain a responsive complaints handling process.

Our Priority Strategic Aims

Aim 7. Supporting Government's Policy of Reform

Mindful of the Government's aim that it be more responsive and provide value for money, we must continue to consider and advise our customers if we identify more economical approaches to service provision including, but not limited, to opportunities for outsourcing where appropriate.

We will:-

- Objective 7.1 Continue to identify ways to reduce expenditure by government departments, boards and offices on external legal advice and representation.
- Objective 7.2 Continue to develop a commercial service offering legal commercial and procurement advice.
- Objective 7.3 Improve our Public Records management by increasing our use of digital working to reduce our storage requirements.
- Objective 7.4 Work with Treasury to support improvements to debt management procedures.
- Objective 7.5 Ensure that Government's procurement policy is implemented to increase local spend where possible.
- Objective 7.6 To update immigration advice and legislation.
- Objective 7.7 Work on a charities project to update charities legislation for the Island.

Contact Us

We welcome feedback on this Business Plan.

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