

ISLE OF MAN ATTORNEY GENERAL'S CHAMBERS

» Business Plan 2016 to 2019

August, 2016



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Attorney General's Chambers Business Plan



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FOREWORD

I took up the position of Her Majesty's Acting Attorney General in March 2013, believing that it might be for up to one year. I am very honoured to be entrusted with the office of the Acting Attorney General by Her Majesty the Queen. It has transpired that the reason for my appointment could not be resolved as swiftly as everyone had originally hoped and so I remain in temporary post. Since my appointment 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 three years ago. We are more customer 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%.

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 organise ourselves in better ways, make better use of technology, improve our turnaround times and make 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 now feel able to confidently publish this Business Plan as the first step towards improved strategic planning so that all are able to better measure our performance going forward.

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
HM Acting Attorney General

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Attorney General's Chambers Business Plan



INTRODUCTION & PURPOSE

This Business Plan is designed to help focus our team efforts on the further change and reform that needs to be achieved both within Chambers and externally in the way we deal with our 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 targets 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 & WHAT WE DO

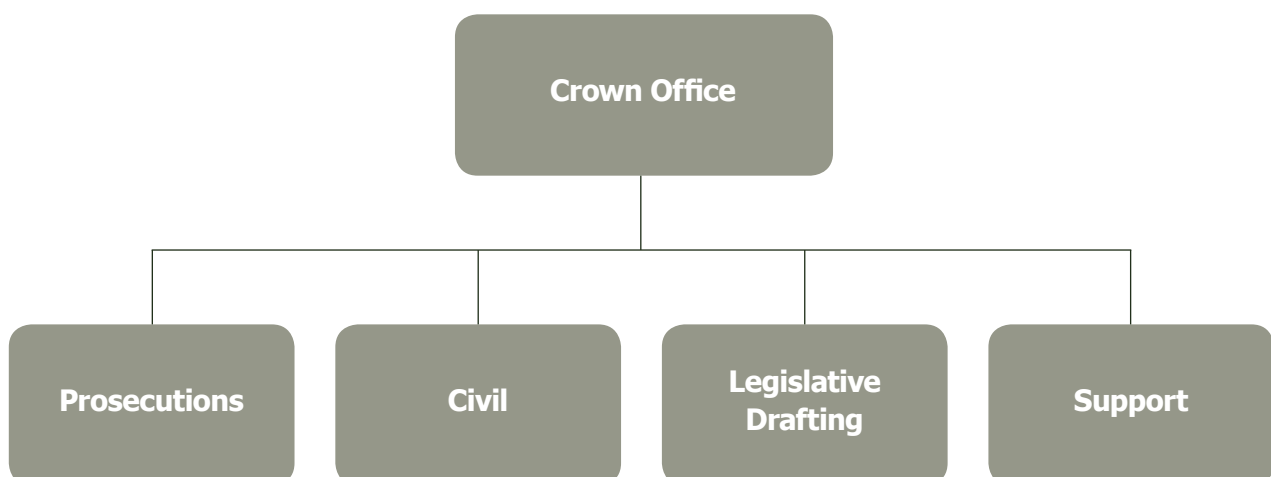
The Attorney General's Chambers is the office which supports the roles of two Crown Officers; Her Majesty's Acting Attorney General (AAG) and Her Majesty's Solicitor General (SG). This office, which is in effect their legal Chambers, is staffed by Civil Servants, many of whom are qualified lawyers. Staff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

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 AAG or SG are free from any interference. A good example of this is whether the statutory 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 five distinct teams as shown: -



At 1st August, 2016, Chambers' two Crown Officers were supported by a team of 48 people, organised as follows:



WHO WE ARE & WHAT WE DO

- The **Acting 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 **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.
 - The **Prosecutions Division** 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. It provides pre-charge advice to the prosecution authorities and offers around the clock support to its stakeholders.
 - The **Civil Division** deals 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, property, childcare and family matters. It also deals with the Attorney General's oversight of Charity matters.
 - The **Drafting Division** deals with the drafting on behalf of Government of all primary legislation and reviewing secondary legislation.
 - The **Support Division** is headed up by the Practice Manager who, together with the Courts Process Manager and the Personal Assistant to the Crown Officers, ensures that the Legal Officers in the Divisions receive timely administrative support.
- The Crown Officers and their 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 in criminal cases and deter criminals and 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.



WHO WE ARE & WHAT WE DO

- 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

We have identified the following issues which 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 offshore 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.

The Isle of Man Government has published its Anti-money Laundering and Countering Terrorist Financing Strategy which is intended to be a dynamic, living document which accurately reflects and addresses identified money laundering and terrorist financing risks for the Isle of Man and evidences progress to combat those risks. Within the Strategy there are ten Goals; three identify Chambers as the lead agency and we will be required to take action across Government and report progress towards such goals to the Cabinet Office and Council of Ministers.

Goal 1 requires us to ensure that we provide timely and effective international co-operation. We will continue to play our part internationally by ensuring we give sufficient priority to our international requests for assistance in criminal cases. We anticipate a rising level and increased complexity of requests as well as a need to ensure we ourselves make requests of other countries to inform Isle of Man investigations.

Goal 6 requires us to ensure that we promote measures to increase asset forfeiture and recovery, including Civil recovery. This will require us to think differently about our role as prosecutors to ensure that we consider using Civil procedures in the fight against crime.

The Isle of Man Government has recently established a dedicated Financial Intelligence Unit (FIU) which will better meet the expectations of the international community. The Attorney General Chairs the Board of the separate and independent FIU which Chambers will support in any way possible to ensure that it becomes recognised as a highly effective organisation in Island's fight against crime.

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



OUR PRIORITY STRATEGIC AIMS

We will:-

Objective 1.1 Provide timely and effective international co-operation.

Objective 1.2 Where appropriate, make requests to other countries to inform local investigations in suspected criminal cases.

Objective 1.3 Use every opportunity, including civil procedures, to ensure nobody can enjoy, or benefit from, the proceeds of crime.

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 our prosecution team to ensure they are appropriately resourced and have the flexible skills required for the future to prosecute a range of case types.



OUR PRIORITY STRATEGIC AIMS

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

Our stakeholders need a growing 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.

The Council of Ministers has prepared a plan called 'Agenda for Change' which can be used as a guide to help prioritise Chambers' services. Agenda for Change is summarised in the following extract:-

"The Council of Ministers is committed to ensuring that the Isle of Man remains economically competitive and protects its reputation as being a well-respected international business centre.

It is imperative that the Island's financial and economic position is sustainable in the long-term, whilst ensuring publicly funded services are efficient and resources are targeted more effectively.

To do so the Government intends to deliver the following strategic imperatives:

- **Grow and further diversify the economy**
 - to ensure our economy is resilient to external pressures
 - to provide good quality job opportunities

- **Protect the vulnerable**

- to protect those people at risk of harm
- to ensure that reforms take account of vulnerable person's needs

- **Re-balance its budget**

- to ensure Government operates within its means
- to provide investment to priority issues which are sustainable in the long-term"

Agenda for Change supports the strategic imperatives by providing a framework for reforms that are necessary to ensure the long-term sustainability of the Isle of Man. Chambers will continue to support and encourage opportunities to help Government achieve its Agenda for Change.

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 Agenda for Change or, following the General Election, other subsequent priorities identified by the Government.



OUR PRIORITY STRATEGIC AIMS

Aim 3. Implementing the Criminal Justice Strategy

The Criminal Justice Strategy supports the National Outcome "We will live in an Island that is safe". 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.



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 in the recent 'Have Your Say' survey. We achieved 100% response rate and we must now act upon it.

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 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. Inevitably 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 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 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.
- 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.



OUR PRIORITY STRATEGIC AIMS

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 customers 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 customers, 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 the AGC 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 available in respect of the legislation of the Isle of Man.



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** Work with the Department of Infrastructure to reduce the costs of our accommodation.
- Objective 7.4** Improve our Public Records management by increasing our use of digital working to reduce our storage requirements.



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