



THE JUSTICES' CLERKS' SOCIETY

STRATEGIC PLAN

2005 - 2008

AND

ACTION PLAN 2006 - 2007

"Putting Justice First"

Ref 10.07

January 2007

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PART ONE

Introduction

This document is the Justices' Clerks' Society Strategic Plan for the period 2005 to 2008. It describes the Justices' Clerks' Society ('the Society') and sets out its vision, mission, objectives and goals. It explains the Society's strategy for the period covered by the plan, and outlines its Action Plan and priorities for the twelve month period 2006/7

The Justices' Clerks' Society is committed to improving the quality of justice in Magistrates' Court. When it was founded in 1839, it was the intention "to establish unity of practice to diffuse information and to watch Parliamentary and other proceedings affecting the interests of members". At that time, justices of the peace had become accustomed to sitting in petty sessions as well as quarter sessions and each bench had appointed a Justices' Clerk who was usually, although not always, a solicitor or attorney practising in the area.

Throughout the nineteenth century, members of the Society were active in lobbying the government of the day on proposed legislation and making representations on such reforms as the Adoption of Children Bill. In 1903, the Society was incorporated and has operated since then as a company limited by guarantee. Its membership now comprises Justices' Clerks and legal advisers in England and Wales.

Through the members of its National Council, assisted by its specialist Networks, the Society takes an active part in the development of all aspects of the law relating to the Magistrates' Courts. As well as responding to a vast range of proposals emanating from government departments and other organisations, members of the Society play an active role in numerous bodies in addition to developing their own initiatives and innovations. The Society's overall aim is to contribute to improvements in the administration of justice in England and Wales. The Society's main and most significant function is to act in the public interest.

The Government is pressing ahead with a programme of radical and systematic reform of the criminal and family justice systems. During the period covered by this plan, the arrangements for the administration of all Magistrates' Courts are likely to change: the Government is legislating to unify the administration of civil and criminal courts in one statutory Agency. Pending change, the Society will continue to seek to improve the quality of justice with an eye to the future. Most immediately, the Society will work closely with Her Majesty's Courts Service and the Department of Constitutional Affairs, agreeing common objectives and goals and shared plans of action.

As it takes up another demanding programme of work, the Society welcomes the opportunity to contribute to increasing public confidence in the criminal justice system and to assist in delivering the Government's twin aims for the criminal justice system: to reduce crime and the fear of crime and – of direct relevance to the Society – to dispense justice fairly and efficiently, promoting confidence in the rule of law. The Society's primary contribution to public confidence derives from the effective discharge of its responsibilities and particularly through its efforts to achieve the objectives it has set. The Society's progress in implementing its plans will be described in successive Annual Reports.

The Environment

Criminal justice agencies are operating in a dynamic and fast changing environment. Those proposed changes of direct relevance to the Society are illustrated in diagram one, below. The Government's proposals for unification and structural reform and the planned development of business systems and information technology are most likely to have the most impact on the Society and its members during the life of this plan.

Structural reform

The Government created a single Agency (Her Majesty's Courts Service) responsible for the administration of all civil and criminal courts in April 2005 and the Society worked closely with this new Agency during the lead up to unification.

The unification has raised new uncertainties for all of those employed or otherwise involved in civil and criminal courts administration. The Society continues to seek to alleviate those concerns so far as is possible by the timely provision of information as national plans are developed, and by involving its members and others where possible in the detailed planning and implementation work.

Business Systems and Information Technology Development

The provisions of the Courts Act and other planned changes together provide the opportunity to redesign the business systems traditionally used to manage criminal and civil work. During 2006 - 2007 the Society will participate in developing these new systems. .

Mission – Purpose Statement

The Justices' Clerks' Society exists to improve the quality of justice.

- It aims to provide national cohesion and to harness its members' expertise to develop:
- The legal and administrative framework for Magistrates' Courts
- The science and practice of law
- Good practice
- Effective relationships with others interested in the provision of justice

Values

The Society recognises the following values as influencing its structure, functions and roles:

- Members will share their expertise with others

- Members will learn and develop themselves and their organisation
- Members will address challenges and changes constructively
- Members will be pro-active in shaping the future
- Members will maximise their contributions

The Society's Objects

The Society is a company limited by guarantee. The Memorandum of Association of the Justices' Clerks' Society provides that the objects for which the Society is established are:

1. To promote the science of law and especially law administered by Justices of the Peace in the United Kingdom.
2. To watch the operation of the law and, more especially, of that administered by Justices of the Peace in the United Kingdom.
3. To subscribe, collect and provide funds to be applied for charitable purposes in deserving cases coming to the notice of Justices of the peace or of Justices' Clerks.
4. To watch all proposals for legislation in matters affecting the jurisdiction and administration of justice by Justices of the Peace in England and Wales and to take such steps in regard to the support of, or opposition to, such proposals as may seem expedient.
5. To afford means of communication between Members of the Society, officials, Counsel and others, in regard to questions directly or indirectly affecting the administration of justice, to collect, record and disseminate statistics and information of interest to those engaged in the administration of justice and to Parliament.
6. To purchase or otherwise acquire property for the purposes of the Society, to borrow or raise money and to sell, dispose of, or otherwise deal with, any property for the time being of the Society.
7. To do all such other lawful things as are conducive to the attainment of the above objects.

Strategic Aims and Objectives

Each of the Society's activities can be assigned to one of five areas of activity:

8. **Policy, Strategy and Leadership** – This process includes the professional development of the Society and its members, and the assistance provided to central government.
9. **External Partnerships** – This includes links with other bodies within the justice system.

10. **People Management** – This process concerns the recruitment, training and welfare of the Society's employees.
11. **Managing Communications** – the process by which the Society communicates with members and with government
12. **Managing Resources and Finances** – the management of the Society's budget.

Goals

The Society's plans and goals for each of the five areas of activity are detailed in Part Two of this plan which represents the current year Action Plan.

PART TWO

Policy, Strategy and Leadership

The Society strives to ensure that the role, function and status of Justices' Clerks and Legal Advisers is well established and generally accepted as being the key to the success of the justice system.

The Society's goal is:

1. To develop the Society as a centre of excellence within and for the justice system

The Key Actions are:

- To assist central government to introduce appropriately timed initiatives that do not impact on judicial independence
 - To ensure that enforcement of court orders is conducted efficiently and effectively
 - To assist central government to ensure that relevant legislative sentencing reforms are working well
 - To contribute to the successful use of ICT in the summary justice system
- 2 To gain full recognition of the judicial role of Justices' Clerks and Legal Advisers
 - To gain approval from the JSB of a syllabus for training lawyers in the MCS
 - To ensure that HMCS recognises the Judicial Role
 - To ensure that the Bar/Law Society recognises the Judicial Role
 - To persuade the Judiciary to recognise the Judicial Role and agree the introduction of a "Judicial Officer" oath
 - To promote the Society's responsibility for the professional development of its members
 - To develop the Society to be responsible for and provide guidance in relation to the professional conduct of legal advisers
 - Ensure deadlines for responses and publications are met

External Partnerships

The Society continues to consult with, meet with, and exchange good practice with, a wide range of partner organisations within the criminal justice system. It is assisted in this work by the secretariat.

The Society's goal is:

1. To develop strong relationships with other bodies within the justice system
 - To ensure the Society is regarded as a key Consultee on wide ranging issues by other bodies within the Justice system
 - To review and develop liaison with the Magistrates Association and the professional judiciary and to take opportunities to publish joint advice/guidance where appropriate
 - To agree with the Judicial Studies board arrangements whereby the Society advises on judicial independence aspects of proposed 'guidance' for magistrates' courts from external agencies
 - To agree a memorandum of understanding with the Judicial Studies Board on the future role of the Society in magistrates and legal adviser training, including an agreed position whereby the Society acts as the Boards guarantor of judicial independence in terms of material and delivery of such training
 - To agree a memorandum of understanding with the Magistrates' Association on 'inter alia' future liaison arrangements
 - To agree a memorandum of understanding with the National Bench Chairmen's Forum on 'inter alia' future liaison arrangements

People Management and leadership

The Society is managed through an eighteen strong Council, each of whom is a member of the Society. The posts are not salaried. The Society employs a Chief Executive and 4 assistants.

The Society's goal is:

- 1 To develop the collective professional leadership role of the Society for all lawyers within HMCS
 - To agree a memorandum of understanding on the role of the Society with HMCS which promotes the Society's role as judicial governance structure within the framework of corporate strategy
 - To ensure that the Society has appropriate internal policies
 - To offer development opportunities to Society members

- To provide further access to membership and associate membership of the Society
 - To develop regional structures to ensure proper governance, communication and accountability
 - To review and develop the Society's range of Networks (both nationally and at Branch level) to provide national professional leadership in their distinct areas of responsibility
 - To continue HMCS support for Council members in their work for the Society
 - To develop a lead or co-ordinating Branch role on Council
 - To explore corporate membership of the Society
2. To continue to develop arrangements for engagement with HMCS in terms of commenting on national policy and advice, and in terms of 'signing off' national guidance
- To gain recognition by HMCS of the role of Council members in their strategic and regional/area plans
 - To ensure that Council members have no difficulty in attending meetings and meeting response deadlines
3. To develop the Society's role as the National Legal Forum and as a national voice promoting national consistency and independent legal advice on matters affecting magistrates' courts
- To provide further access to membership and associate membership of the Society
 - To develop regional structures to ensure proper governance, communication and accountability
 - To continue the support for Council members in their work for the Society provided by HMCS
 - To gain recognition by HMCS that the Society as a body should act as the "Head of Service"

Manage Communications

The Society's Communications Strategy is focussed primarily on the achievement of the organisation's objectives and, in particular, enhancing public confidence and improving the quality of justice.

The Society's goal is:

1. To ensure that strategic planning process is a permanent feature of the Society's work

- To continue to develop and monitor the Society's Strategic Plan
 - To develop a meaningful Action Plan based on the agreed Strategic Plan
2. To ensure that key stakeholders are more knowledgeable of the work of the Society, its achievements and the role of the Justices' Clerk and Legal Advisers
 - Engage with key stakeholders in person and by exchange of information
 - Ensure that the society is consulted and is given sufficient time to respond
 3. To ensure members are kept informed of developments and the work of Council
 - Engage information with members of the society
 - Upgrade and continually monitor the Society's website
 - Review the society's communication methods and develop a system of regular updates for members
 - Review the role and format of conference and identify other potential national working meetings which could be hosted by the society

Manage Resources and Finances

The Society is publicly funded and continuation of this funding is only guaranteed by ensuring value for money.

The Society's goal is:

- 1 To develop an efficient and effective Secretariat
 - To establish an annual business planning process relating to the Secretariat
 - To ensure that budgets are prepared in line with the strategic plan
- 2 To continue to provide a cost effective Society
 - To establish an annual business planning process alongside HMCS
 - To ensure that budgets are prepared in line with the strategic plan
 - To constantly review the Societies financial regulations
 - To review/recruit and engage Auditors

- 3 To ensure continuing support for the public funding of the Society
 - To continue the support of the Department for Constitutional Affairs and Her Majesty's Court Service for the Public Funding of the Society
 - Ensure value for money