



OFFICIAL SOLICITOR'S OFFICE

ANNUAL REPORT

1 April 2000

to 31 March 2001

OFFICIAL SOLICITOR'S OFFICE

ANNUAL REPORT - 1 April 2000 to 31 March 2001

CONTENTS

	Page
1. Foreword.....	2
2. Organisation.....	3
3. Aim and Objectives.....	4
4. Activities.....	4
5. Caseload.....	6
6. Financial Performance.....	7
7. Business Plan and Change Programme	8
8. Noteworthy Cases.....	13
9. Key Performance Indicators for 2001/02.....	15

OFFICIAL SOLICITOR'S OFFICE

ANNUAL REPORT - 1 April 2000 to 31 March 2001

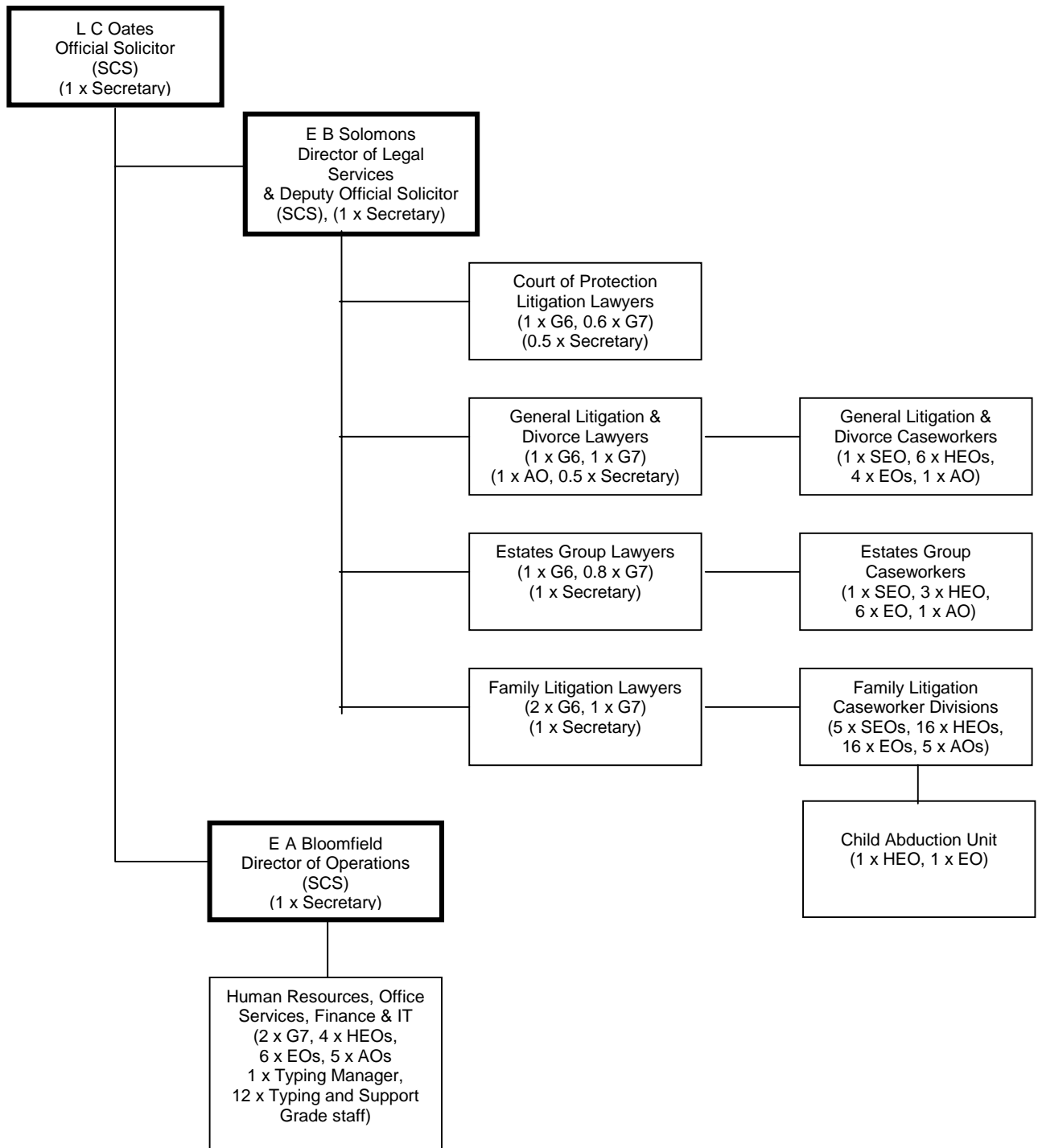
1. FOREWORD BY LAURENCE OATES, THE OFFICIAL SOLICITOR

This is the second annual report of this nature. It is also the last in that from 1 April I have been appointed the Public Trustee in addition to my continuing role as Official Solicitor. I shall in future produce a single annual report covering both Official Solicitor and Public Trustee functions.

This year all the activity in transferring my work and staff in representing children in child welfare cases to the newly created Children and Family Court Advisory and Support Service, and transferring to me the work and staff involved in supporting the Public Trustee's Public Trustee Act 1906 activities, has reached fruition. In amongst all that change, work has continued as before and the office's standards have been maintained. This too has been the year in which the office played its part in the conjoined twins case. That case was exceptional in terms of the interest it aroused and the demands it placed on all involved in unravelling the human and legal issues which were engaged.

I thank all my staff who have been involved either in the change activities or the day to day work of the office (and in most cases both). Without their skills and dedication none of what I report would have been possible. I wish those of my former staff who have joined CAFCASS (whether permanently or temporarily) well. It falls to them to ensure the continuation, and even improvement, of the services they previously provided from within this office. I also welcome those who have joined from the former Public Trust Office. This report describes the office's activities as they were in the year before they have joined it.

2. ORGANISATION



There is one feature of this organisations chart upon which some comment is required. The former Deputy and Assistant Official Solicitor posts (occupied by Jim Baker and Bill McBryde respectively) have been replaced by the new Deputy Official Solicitor and Head of Legal Services (Edward Solomons) and Operations Director posts (Eddie Bloomfield). I welcome both on board. I add my own tribute to the services to the office, spanning a number of different Official Solicitors, provided by both Jim Baker and Bill McBryde, who between them recorded over 60 years working in this office. The loss of their expertise has been an added burden borne by this office since their retirement.

3. AIM AND OBJECTIVES

Our aim is justice for those unable to obtain it without our intervention.

To achieve this aim our strategic objectives are: -

- to protect the best interests and human rights of children and the mentally disabled who are unable to represent themselves in legal processes;
- to enable others to pursue legal processes where without our representation of a party they would not be able to do so; and
- to contribute to a fair, swift and effective system of justice.

We achieve these objectives through our operational objectives which are:-

- to reach timely decisions on whether to intervene in accordance with the applicable directions and criteria;
- to assist the courts in arriving at a just result in accordance with the relevant evidence and applicable law;
- to protect the welfare and best interests of persons without legal capacity for whom we act;
- to intervene in such a way as to remove or lessen unnecessary involvement of the Court in the processes for resolving disputes;
- to secure the best value for the beneficiaries from the administration of estates and trusts;
- in the case of an abducted child, to ensure that the aggrieved parent may, with minimal delay, make application to enforce orders made in the child's home country;
- when called upon to advise the judiciary or brief an amicus, to provide as much assistance and support to the judiciary as we are able within our resources;
- to meet the service standards expected; and
- to improve the current rate of recovery of our operational costs.

We operate efficiently and effectively within available resources, providing best value for the taxpayer.

We value our employees and are committed to ensuring that they are equipped with the knowledge and skills they need to do their jobs well and that they are properly supported, recognised and developed.

We are an equal opportunities employer.

4. ACTIVITIES

Section 90 of the Supreme Court Act 1981 provides for the Official Solicitor to perform duties in relation to the Supreme Court as the Lord Chancellor may from time to time direct. Our activities reflect the directions which have been given.

Our main activities and means by which we seek to obtain justice for those unable to obtain it without our intervention are as follows:-

Family Litigation

My office represents children as their guardians *ad litem* in exceptionally difficult or complex Children Act, wardship or adoption cases in the High or County Courts. We will consent to act often in the most intractable of disputes between parents, relatives or other adults and seek to find a way through to assist the court to achieve a solution which promotes the child's welfare. In the past ten years, more than 18,000 children have been represented by this office. We intervene on behalf of any person (child or adult) in medical-legal cases where that person is incapable of consenting (or refusing consent) to the course of action proposed. We also act in family proceedings as the guardian ad litem of a parent suffering from mental disorder.

In these cases we seek to produce a high quality report which reflects a thorough and careful investigation and analysis of the relevant legal, procedural and welfare issues and provide the necessary legal assistance.

General Litigation

We will consent to act, when there is no-one else suitable or able to act, as the litigation friend of a party who is incapable of conducting proceedings on his or her own behalf. Many cases involve personal injury claims, possession actions or applications in connection with inheritances. Other cases may involve representing an estate of a deceased person, usually in circumstances in which there is need to protect the property of a minor or person under mental incapacity or some person wishes to claim against an estate for which no personal representative is willing to act.

In these cases we seek to assess what can be achieved on behalf of the party in need of our intervention and provide effective legal assistance to that end.

Estates

We administer estates, act as trustee, and act as the guardian of children's estates, when there is no-one else suitable to do so. The total value of such assets at any given time is between £50 and £60 million, spread between more than 1,100 cases. We seek to administer the assets for which we are responsible to secure best value for the beneficiaries in accordance with the terms under which we hold those assets.

Court of Protection

My office also represents persons without mental capacity in proceedings concerning their property and affairs before the Court of Protection. Our role is to represent a patient in a way which protects his or her financial interests and seeks to respect his or her own wishes and feelings, whether actual or in an assumed lucid interval.

Child Abduction Unit

My office runs the Child Abduction Unit in England and Wales as the Central Authority under the Hague Convention on International Child Abduction and European Convention on Recognition of Foreign Orders. Our aim is to ensure that an aggrieved parent may, with minimal delay, make application to enforce orders made in the child's home country, and where the claim is made out secure the return of an abducted child. We must ensure the timely processing of applications in relation to both incoming and outgoing cases.

Liberty of the Subject

Other activities are to review the cases of people committed to prison for contempt of court and act for prisoners applying to a High Court judge for bail.

Assisting the Court

We also assist the Court when requested to do so through investigating the conduct of litigation or briefing counsel to appear as *amicus curiae*.

The Lord Chancellor's Department has amongst its strategic objectives for achieving justice:

- to ensure the availability of cost-effective, quality assured legal services so that, *inter alia*, the use of public funds secures greater social justice and reduces social exclusion; and
- to improve the lives of children and help build and sustain strong families through providing a legal and procedural framework which sustains family relationships and when they do break down to resolve disputes, with the least distress to those affected, especially the most vulnerable.

Our activities contribute to these objectives.

5. CASELOAD

The caseload in 2000-2001 (and comparison with the previous year) was as set out below. This table shows the number of new referrals and new cases accepted, the proportion of acceptances to referrals and our active caseload. As can be seen, whilst there was a small overall annual decline in the new referrals and cases accepted, the number of active cases increased (i.e. overall more active work was carried forward from cases first accepted in previous years than was the case last year).

Number of Cases' by Case Type								
1st April 2000 to 31st March 2001 (<i>previous year in brackets</i>)								
	Referrals		Accepted		Percentage		Active Caseload	
Family Litigation								
Adoption	(96]	106	(73)	66	(76%)	62%	(105)	95
Child Centred	(423]	366	(254)	234	(60%)	64%	(507)	350
Patient	(336]	358	(204)	239	(60%)	67%	(214)	189
Medico Legal	(38]	33	(29)	18	(76%)	55%	(37)	27
Amicus	(38]	16	(35)	15	(92%)	94%	(32)	13
TOTAL	(931]	879	(595)	572	(64%)	65%	(895)	674
General Litigation	(575]	610	(358)	304	(62%)	50%	(883)	1000
Contempt	(306]	266	(306)	263	(100%)	99%	(39)	53
Divorce	(168]	154	(70)	64	(42%)	42%	(337)	375
Bails	(20]	13	(10)	6	(50%)	46%	(3)	3
Child Abduction	(373]	380	(373)	380	(100%)	100%	(249)	290
Court of Protection	(268]	321	(266)	317	(99%)	99%	(206)	311
Deceased Estates & Trusts Administration	(91]	65	(75)	38	(82%)	58%	(531)	558
Conveyancing	(78]	86	(76)	86	(98%)	100%	(235)	293
CICB Awards	(6]	6	(6)	4	(100%)	67%	(469)	394
TOTAL	(2816]	2780	(2135)	2034	(76%)	73%	(3847)	3951

** Number of current live cases is a better guide to the workload in Estates Group than number of cases accepted because many are of long-standing duration.*

6. FINANCIAL PERFORMANCE

Unaudited Income and Expenditure Statement

The Official Solicitor is not required to produce separate audited accounts. However, the Official Solicitor's income and expenditure is an integral part of the Lord Chancellor's Department's Resource Account for 2000-01, which is subject to audit, and the statements below have been prepared on a consistent basis.

	2000-01 £'000	1999-00 £'000
Salaries (includes superannuation and ERNIC)	3,208	3,075
General Administrative Expenditure (including all disbursements)	2,390	2,312
Non Cash Costs ¹	3,204	2,304
Total	8,802	7,691
Cost Recovery (Income)	1,220	1,168
Deficit	(7,582)	(6,523)

¹ Includes depreciation, cost of capital and LCD Overheads (which includes accommodation costs paid centrally)

Segmental Statement

The table below shows total expenditure and income (cost recovery) for the Official Solicitor's Estates and Litigation activities. Litigation includes Family, Civil, Court of Protection and the Child Abduction Unit.

	Estates		Litigation	
	2000-01 £'000	1999-00 £'000	2000-01 £'000	1999-00 £'000
Total Cost of Activity	1,470	1,226	7,333	6,465
Income (Cost Recovery)	490	356	731	812
Deficit	(980)	(870)	(6,602)	(5,653)
% Recovery	33.3%	29.0%	10.0%	12.5%

This is the first year in which I present these figures to reflect the full resource costs of my undertaking. This follows the introduction of resource accounting across Government. Although last year's annual report was not done on this basis, we have in the above table produced the comparable figures. The main increase in costs between the two years relates to our non-cash costs. This has resulted from improved internal attribution of costs for services provided by LCD Headquarters. The outturn in cash terms was a 3.9% increase (not adjusted for inflation), mainly attributable to staff costs.

So far as costs recovery is concerned, the overall amount recovered met the target for which I had budgeted. The continuing fall in cost recovery in litigation arises from the same factors as noted in last year's report, namely the shift in the balance of my family workload into cases in which no costs orders are made in favour of the Official Solicitor. Costs recovery for my estates activities showed an improvement over the previous year's performance. During the course of 2001-2002 we are examining our policies and practices in this area with a view to securing in the longer term full cost recovery for our estate's work with allowable remissions.

7. BUSINESS PLAN AND CHANGE PROGRAMME

The plan for the year had two main components. The first has been to maintain the level and standards of the services the office provides (whether they are staying with me or are transferring to CAF/CASS). The second has been to take forward the changes the office needs to make to face the future and effectively and efficiently discharge its new caseload following the PTO and CAF/CASS changes.

First, this section sets out how we have performed in relation to the ongoing work of the office with reference to the key areas (or indicators) which follow.

Continue to provide a quality service protecting the interests and welfare of our "clients" as measured by the extent to which we secure litigation outcomes in accordance with our recommendations.

This is the main "qualitative" indicator to mark how well we are doing. Excluding Child Abductions and Estates cases, the following **case outcomes** were recorded:

	% cases which were concluded by consent		% of total cases where a decision was reached by the court and our submissions were accepted		% of cases where our submissions were not accepted	
	1/4/99-31/3/00	1/4/00-31/3/01	1/4/99 - 31/3/00	1/4/00 - 31/3/01	1/4/99 - 31/3/00	1/4/00 - 31/3/01
Family Litigation, Medical & Amicus	35.58	36.82	57.89	58.53	6.53	4.65
General Litigation	61.19	64.81	23.88	27.78	14.93	7.41
Divorce	86.36	83.33	9.09	16.67	4.55	0
Court of Protection	75.90	81.37	23.70	18.13	0.40	0.50
OVERALL	52.16	51.90	41.82	44.17	6.02	3.93

This table shows that in over 96% of our litigation (excluding cases in which no definite outcome was recorded - e.g. because of the withdrawal of an application or death of a party) we achieved a result which we believed to be in the best interests of our client. In the remaining just under 4% the courts disagreed with our submissions or recommendations. We are therefore, continuing to maintain a high level of performance in securing outcomes in accordance with our submissions.

As recorded above, the office also performs the administrative function of the central Authority in England and Wales under the Hague Convention on International Child Abduction. Our main performance measure relates to the timeliness of our processes (see under "Throughput Targets" below). As Central Authority we keep the statistics for England and Wales as to the outcomes of cases brought under the Convention, and they were for the financial year as in the next table.

1 April 2000 to 31 March 2001									
Child Abduction Unit - Returns by Outcome									
	Requesting Central Authority		Requested Central Authority		Requesting Central Authority		Requested Central Authority		
	Cases Received prior to 1 st April 2000 and order made 1 st April 2000 to 31 st March 2001				Cases Received 1 st April 2000 to 31 st March 2001 and order made in same period				
Child Returned									
Judicial Return	10	12%	15	31%	29	24%	56	46%	
Voluntary Return	13	15%	1	2%	40	33%	18	15%	
Child NOT Returned									
Judicial Refusal	6	7%	6	12%	6	5%	10	8%	
Access Ordered	8	10%	5	10%	2	1.5%	4	3%	
Access Refused	3	3.5%			1	1%	0	0%	
Access Agreed	6	7%	2	4%	3	2%	2	2%	
Registration Ordered	1	1%	1	2%	1	1%	0	0%	
Registration Refused	0	0%	0	0%	0	0%	0	0%	
Other (Inconclusive)									
Rejected by UK Central Authority	1	1%	0	0%	8	7%	4	3%	
Rejected by Requested Authority	3	3.5%	0	0%	8	7%	0	0%	
Child not traced	5	6%	0	0%	2	1.5%	1	1%	
Child traced to Non-Convention Country	0	0%	4	8%	1	1%	1	1%	
Child traced to Other Convention Country	0	0%	2	4%	2	2%	5	4%	
Application Withdrawn	29	34%	13	27%	18	14%	22	17%	
TOTAL	85	100%	49	100%	121	100%	123	100%	
Cases Pending	29		23		80		56		
GRAND TOTAL	114		72		201		179		

Achieve stated throughput targets

Our targets and performance were as recorded below.

Achievement Against Targets

	Target	Achieved 2000-01	Achieved 1999-00
Family Litigation			
<u>Wardship/Custody/Care</u> Reports filed in time for hearing (I.e. at least 7 days before)	75%	52%	63%
<u>Adoption/Freeing</u> Reports filed within 9 months of receipt of Schedule II report	65%	62%	77%
Child Abductions			
Incoming Cases forwarded to Solicitors within 24 hours	95%	98%	99%
Outgoing cases forwarded to central Authority within 5 Days	95%	93%	96%
General Litigation & Divorce			
<u>General Litigation</u> Enquiries completed within 6 months of appointment / allocation to Section	75%	87%	86%
<u>Divorce</u> Preliminary enquiries completed within 3 months of request to act	70%	81%	73%
Cases ready for trial stage within 9 months of allocation to Section	65%	100%	83%
Administration of Estates			
<u>C.I.C.A/Guardianship of Minors</u> Substantial payments to minor beneficiaries made within 1 month of reaching aged 18	70%	74%	69%
<u>Estates</u> Deposit balances in the Ledger in excess of £1,000 invested within 14 days	95%	65%	71%
Trust accounts completed and referred to Finance within 1 month of due date	65%	56%	71%
Administration accounts completed and referred to Finance within 1 month of completion of administration	75%	50%	71%
Costs Division			
Bills of Costs drafted within 1 month of referral	90%	84%	89%
Costs recovered within 3 months of request for payment	80%	85%	82%
Costs recovered within 9 months of request for payment	90%	95%	95%

In Family Litigation, the main target noticeably missed was to file reports, mainly in Children Act proceedings, at least 7 days in advance of a hearing. There are a number of reasons outside the control of this office why it proved impossible to meet the target, mainly due to the interdependencies in the system which mean that I can only (sensibly) file a report after someone else's or after an expert's report has been obtained. I am not aware of cases having to be adjourned because I have not met the timetable directed in those cases. The main consequence of our failure to meet this target has been that Judges and other parties have needed, and been able, to assimilate the material in my reports in shorter time than the 7 days notice would permit. This is now an issue for CAFCASS.

Management action has been taken to tighten procedures so that estates' targets can be met in the forthcoming year.

Ensure that no complaints from the public need to be upheld

A total of 40 complaints were recorded between 1 April 2000 and 31 March 2001, compared with 43 in the equivalent period last year.

The complaints were classified as shown on the table:-

Abductions	Bias/Incompetence on part of O.S. representative	Costs: Payment/Amount	Disagreement with Court Decisions	Estate/Trust mismanagement	Failure to act promptly/delay/inertia	Other, or complaint unintelligible	Total
0	17	0	3	5	10	5	40

In three instances an apology was given, where there had been delays in handling the case or responding to correspondence (which was largely due to staff illness). One complaint came from a judge disappointed with my decision not to accept his invitation to act in a Children Act case. In no case was a complaint of bias or incompetence by a member of staff upheld.

We responded to 15 cases (37.5%) within the 10 day target period, compared to 64% in the equivalent period last year.

A more vigorous and robust complaints procedure is now in place following a review of the previous system.

Change Programme

In anticipation of the changes ahead, during the course of the year we examined the work, corporate governance, management and organisation of the office and how we might need to adapt to discharge our new caseload. The emerging conclusions from that review have set in train a number of changes and initiatives (some of which are ongoing and still being developed).

The review recognised that the hallmarks of the new office will be that we continue to provide a high quality and responsive service to the members of the public we serve and to discharge our duties to the taxpayer and provide best value. My status as an independent legal officer, both as Official Solicitor and Public Trustee, must be preserved whilst embracing both my duties to the persons I represent and the public more generally, whose taxes contribute to the costs of the office.

We have demonstrated our commitment to the needs of our clients and our determination to achieve the best possible results for them and this provides a strong base on which to build for the future. Some of our existing systems need to be reviewed or more robustly applied, in order to meet our accountabilities to the taxpayer, to which all public sector organisations are properly subject.

The main areas so far covered in implementing the review findings are:

- new senior staff appointments to provide additional senior management strength to lead the processes of change;
- preparations for the changes in workload and combination of the existing Official Solicitor's estates and trust work with the Public Trustee's trust work;
- review of existing systems in all areas of the office's work to ensure they are fit for future purpose (e.g. resource accounting and electronic service delivery) and, where necessary, a redesign of management systems to provide the necessary robust controls and accessible costs data;
- development of a common strategy and the necessary mechanisms for achieving it.

We have identified that for the future we shall need to focus our service improvements in a way which can be shown, through appropriate accreditation, to be matching best practice; we shall as part of this, need to establish the right protocols and methods of working as between our lawyers and non-legal caseworkers; and we shall need a strengthened financial capability.

The Key Performance Indicators against which we shall be assessing our performance in the year 2001/02 are shown at the end of this report in section 10.

8. NOTEWORTHY CASES

An NHS Trust v M: An NHS Trust v H: 7 Permanent Vegetative State cases were heard by the High Court between April 2000 and March 2001, with the Official Solicitor acting as litigation friend of the patient in each case. In October 2000 2 cases were listed together for a hearing on the question of whether the English jurisprudence was compatible with the Human Rights Act 1998, which had come into force on 2 October 2000. The President of the Family Division accepted submissions from counsel on behalf of the Official Solicitor and held that the former English case law was fully compatible with the patients' Convention rights .

Re S: OS acted as amicus in an international adoption case. A young baby had been brought from Texas after the payment of a large sum of money by a British couple who wished to adopt her. The US adoption agency now asked for her return. Counsel for the OS supported the baby's return to her country of origin. We then alerted the US authorities to the need for her welfare to be fully protected on return. A different international adoption case, which generated much more public attention, and in which the OS was also brought in as an amicus, was the "Internet Twins" case involving Mr and Mrs Kilshaw.

A (Conjoined Twins: Surgical Separation): This is the case of "Jodie" and "Mary", the conjoined twins. Jodie could live if separated from Mary, but Mary would die if separated from Jodie. Left conjoined, both would die. The OS represented Mary, the more vulnerable of the two. Both the Judge at first instance and the three Judges in the Court of Appeal ruled against the arguments advanced by the OS in upholding the lawfulness of and requirement upon the doctors to carry out the surgical procedures to effect the separation. The case attracted world-wide media attention because of the mixture of ethical, religious, medical and legal issues involved. It was the first time in any common law jurisdiction the courts had been faced with such a stark dilemma.

Re B (Adoption by Father Alone): The mother of a child born after a brief relationship wished for the baby to be adopted and had no desire for any contact with her. The father applied to adopt, and the mother (and local authority) agreed with this. At first instance the adoption order was made. The OS appealed on behalf of the child arguing that the child's right to a family life with the mother should not be excluded in this way and the order was overturned by the Court of Appeal upon the basis that the permanent exclusion of the mother from family ties by this means was unjustified and disproportionate. A residence order for the father and other relief under the Children Act was granted instead. This case is currently subject to a further appeal to the House of Lords.

Z & Others-v-The UK: The OS brought civil proceedings for compensation for 4 children who had suffered severe psychological damage as a result of social services' failure to take them into care. In the domestic proceedings the claim was struck out, the House of Lords ruling that local authorities were not liable for the way they carried out their statutory duties in respect of children. The OS took the case to Europe where the Commission on Human Rights ruled unanimously that the UK was in breach of its obligations to protect children from inhuman and degrading treatment under Article 3. They also found that there was a breach of Article 6, the right of access to a court. The case was heard by the European Court of Human Rights in June and the Court upheld the finding of breach of Article 3 of the

Convention but ruled that there had been no breach of Article 6 (the issue of whether there was liability under domestic law having been fairly tried). In failing to provide any domestic remedy the UK was, however, in breach of Article 13 of the Convention.

R (ex p. Patrick)-v-Newham LBC: The claimant suffered from physical and mental ill health. She was evicted from her rented home on the ground of neighbour nuisance and then declared to be intentionally homeless by the local authority with the result that they did not have to re-house her. A request for a review of this decision out of time was made after the OS had been appointed to act for her as she was incapable of managing her own affairs. The authority refused to extend the time and said that it had discharged its duty under s.21 of the National Assistance Act 1948 to her by an offer of accommodation provided by a charitable organisation which she had refused. She was living rough. On judicial review it was held that the local authority cannot discharge its duty under s.21 of the 1948 Act by an offer of accommodation the claimant had not understood. A review out of time under s.202 of the Housing Act 1996 should have been entertained as the original decision had been flawed because the authority was unaware of the claimant's mental illness. Mandatory orders were made for an assessment of her needs and the provision of accommodation.

9. INTERIM KEY PERFORMANCE INDICATORS FOR 2001/02

Key Performance Indicator
<p><u>KPI 1</u> Extent to which this office secures litigation outcomes in accordance with its assessment of its clients' best interests.</p>
<p><u>KPI 2</u> Proportion of throughput targets achieved (See attached).</p>
<p><u>KPI 3</u> To ensure that annually 85% and on a three year rolling basis 80% of measured funds¹ perform in line with a model performance based on the Association of Private Client and Investment Managers' (APCIMS) capital indices²; or an acceptable performance is achieved, taking into account the client's overall circumstances, including the income generated.</p> <p><i>[NB. This covers Trusts and Estates administered by the Official Solicitor and Public Trustee in those separate offices]</i></p>
<p><u>KPI 4</u> To develop and implement a business improvement plan, and to commit to achieving a Quality Mark including a plan for implementation</p>
<p><u>KPI 5</u> To demonstrate our commitment to our staff and reaffirm our status as an Investor in People, by ensuring that permanent staff are:</p> <p><u>supported</u> - by raising their perception (as measured through the staff attitude survey) that senior managers are interested in the views and opinions of staff to at least 50% <i>[from 18%]</i> and by ensuring that 75% of any permanent vacancies are filled within three months of provision of a job advertisement by the relevant Divisional/Group manager to HR Division (no baseline available) .</p> <p><u>recognised</u> - by at least 70% of annual and mid-year continuous appraisal reports being completed by managers by the deadline set by PMD each year <i>[from 25%]</i>.</p> <p><u>developed</u> - by at least 80% receiving at least two days training in line with their current personal development activities <i>[no current baseline with which to compare]</i>.</p>

Notes

1. Measured funds are those with a value in excess of £100,000.
2. Performance will be measured against one of three APCIMS Capital Indices, depending on the terms of the trust or circumstances of the client: Growth Portfolio, Balanced Portfolio and Income Portfolio.

KPI 2: Throughput targets	
Administration of Estates (Official Solicitor)	
1	To make substantial payments to minor beneficiaries within one month of their reaching 18 years of age and absolute entitlement at that age - 70%
2	To place on interest-earning deposit surplus client funds in the ledger in excess of £1,000 within 5 working days - 95%
3	To obtain the necessary legal authority for the Official Solicitor to act in a case (e.g. Grant, Order, Trust Deed) within 3 months of the date of the case being allocated to a caseworker - 70%
Trusts (Public Trustee)	
4	% number of machine postings to records and ledgers made within 3 days of receipt - 99%
5	Respond to all letters within 10 working days or acknowledge within 3 days and respond fully within 20 working days - 95%
6	Assign a caseworker within 4 weeks of being informed of the death of a testator or being asked to act, or write within that same period to explain why we are unable to do so - 95%
7	Pay the available income to a beneficiary on or before the due date whenever indirect income arrangements operate - 95%
8	Pay the beneficiary the balance due within 8 weeks of clearing all tax matters and completing any other legal and accounting requirements - 95%
Civil Litigation	
9	Preliminary enquiries completed within 3 months of request to act - 75%
Family Litigation	
10	Preliminary enquiries completed within 3 months of request to act - 75%
11	Cases ready for trial stage within 9 months of allocation to Section – 95%
Child Abduction Unit	
12	Incoming Cases forwarded to Solicitors within 1 working day – 95%
13	Outgoing cases forwarded to central Authority within 5 working days of receipt of the necessary documentation – 95%
Finance (Costs) Division	
14	Bills of Costs drafted within 1 month of referral – 90%
15	Costs recovered within 3 months of request for payment – 80%
16	Costs recovered within 9 months of request – 90%
All Activities	
17	Reply to all complaints within 15 working days - 95%