



**OFFICIAL SOLICITOR and PUBLIC TRUSTEE
OFFICE**

ANNUAL REPORT

**1 April 2001
to 31 March 2002**

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1. **FOREWORD BY LAURENCE OATES, THE OFFICIAL SOLICITOR and PUBLIC TRUSTEE**

I am pleased to present the first Annual Report for the newly combined Official Solicitor and Public Trustee Office. The Office, which undertakes the statutory functions of both the Official Solicitor and the Public Trustee, was established on 1 April 2001 when I was appointed by the Lord Chancellor as Public Trustee in addition to my existing appointment as Official Solicitor. Its work encompasses representing in court the mentally incapacitated and children (other than the subject of child welfare proceedings which is now the responsibility of the Children and Family Court Advisory and Support Service) and administering estates and trusts when there is no-one else suitable or able to do so. This is more fully described in the body of the report.

The first year of this combination has been an interesting and challenging time for us all. I welcome my new colleagues who have transferred from the former Public Trust Office. I thank all working here who have ensured that we have successfully carried on our work whilst carrying forward necessary changes.

I commend this report to all who are interested in any aspect of this work.

LAURENCE OATES

2. INTRODUCTION

The newly combined office was established on 1 April 2001. We undertake the separate statutory functions of the Official Solicitor or Public Trustee.

The Official Solicitor's role in family litigation is undergoing a period of re-definition, following the creation of CAFCASS. There has been a sharp increase in adult family work during 2001-02 compared with the previous year. The trend suggests that there is a greater need for the OS's services for incapacitated adults. Before the split this need was not met. The President of the Family Division expects a pro-active role from us in this area. During the year she issued a Practice Direction on Declaratory Proceedings Concerning "Incapacitated Adults: Medical and Welfare Decisions," which drew attention to our role (President's Direction, 14 December 2001).

Historically, Public Trustee work has declined by 6% year on year. Workload in the last year was broadly unchanged versus the previous year due to an influx of vaccine damage cases. We expect this to be a temporary factor. We have tightened the criteria for acceptance of new cases. When possible and compatible with our cost recovery requirements we will encourage Institutional Funds and larger private trusts to withdraw from the Public Trustee's services, in line with the Lord Chancellor's policy that we exist as a public sector trustee of last resort.

During 2001/02 we developed a performance management framework for the office centred around key performance indicators and throughput targets. These were, in some instances, interim measures, in so far as they represented areas where we were attempting to measure and monitor performance for the first time. We have done further work to develop these and an enhanced framework will be in place for 2002/03. The performance measures will be subject to review, as business processes are re-engineered and the standards of Quality Mark are introduced. We also intend to introduce a more robust planning cycle including regular review points with the Director General, Policy at LCD Headquarters. It is our intention during 2002/03 to examine how the business excellence model and balanced scorecard might inform the future development of the office.

3. AIM AND OBJECTIVES

The Official Solicitor and Public Trustee Office's purpose is to ***Ensure access to justice to those who would otherwise be denied it because of incapacity; and to act as trustee to protect the vulnerable or where there is a social need which cannot be met without our doing so.*** To achieve this we need to focus upon the following organisational and strategic aims:

- high quality and efficient service delivery;
- a clear, workable and supportive fee regime;
- concentration on last resort and court appointed work;
- that we maintain and develop litigation capacity for precedent and important cases; and
- that we raise our profile to ensure vulnerable people can benefit from OSPT services within our available resources and capacity constraints.

The activities of the OSPT support the Lord Chancellor's Department's aim of justice and two of its strategic objectives. These are:-

- *To improve the availability of affordable and good quality legal services*
(By the activities undertaken by Civil Litigation, Family Litigation, Court of Protection and Estates and Trusts);
- *To improve the lives of children and help build and sustain strong families*
(By the activities undertaken by the Child Abduction Unit and within the Civil and Family Litigation Divisions where we act for children or undertake activities which help sustain family life).

4. KEY PERFORMANCE INDICATORS

	Full year - 2001-02			
	Volumes			
	Measured	Achieved	Target	Actual
<u>KPI 1</u> Extent to which this office secures litigation outcomes in accordance with its assessment of its clients' best interests.	276	262		94.9%
<u>KPI 2</u> Proportion of throughput targets achieved (see Annex B)	17	9		
<u>KPI 3</u> <u>1 Year:</u> To ensure that annually 85% of measured funds perform in line with a model performance based on the Association of Private Client and Investment Managers' (APCIMS) capital indices ² ; or an acceptable performance is achieved, taking into account the client's overall circumstances, including the income generated.				
Private Trust Funds	382	333	85.0%	87.2%
	60	59	85.0%	98.3%
Minors Funds	5	4	85.0%	80.0%
Estates Cases (Official Solicitor)	447	396	85.0%	88.6%
Cumulative Achievement				
<u>3 Year:</u> To ensure that on a three year rolling basis 80% of measured funds ¹ perform in line with a model performance based on the Association of Private Client and Investment Managers' (APCIMS) capital indices ² ; or an acceptable performance is achieved, taking into account the client's overall circumstances, including the income generated.				
	348	296	80.0%	85.1%
	26	26	80.0%	100.0%
	0	0	80.0%	
Private Trust Funds	374	322	80.0%	86.1%
Minors Funds				
Estates Cases (Official Solicitor)				
Cumulative Achievement				
<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	77	44	50%	57.1%
	16	11	75.5%	68.8%
<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: <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% [from 18%] 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) . <u>recognised</u> - by at least 70% of annual and mid-year continuous appraisal reports being completed by managers	128 (mid year)	112	70%	87.5%
	156	128	80%	82.1%

by the deadline set by PMD each year [from 25%]. <u>developed</u> - by at least 80% receiving at least two days training in line with their current personal development activities [no current baseline with which to compare].				
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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.

5. **BUSINESS ACTIVITIES**

Civil Litigation Division

The Official Solicitor will consent to act, when there is no-one else suitable or able to act, as the litigation friend of a child or mentally incapacitated person who is a party to civil proceedings. There is a wide range of cases e.g. personal injury claims, possession actions or applications in respect of estates. 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 the OS seeks to assess what can be achieved on behalf of the party in need of our intervention and provides effective legal assistance to that end. Most of this litigation is conducted through external solicitors, but a minority is handled in house.

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.

Caseload *	New cases accepted		Active caseload	
	2001-02		(as at 31 March 2002)	
Civil Litigation	348	(304)	1117	(1000)
Bails/Contempts	271	(269)	107	(56)

Family Litigation Division

The OS represents children and mentally incapacitated adults in family and welfare proceedings (other than representing a child in child welfare proceedings which is now the responsibility of CAFCASS). We can 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 and will also act in family proceedings as the guardian *ad litem* of a parent suffering from mental disorder. The OS will also assist the Court when requested to do so through investigating the conduct of litigation or briefing counsel to appear as advocate to the court. In these cases we will 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. In some cases, external solicitors are instructed, and in others the litigation is handled in house.

The OS may also become involved in divorce case petitions, representing mentally incapacitated adults.

Caseload	New cases accepted		Active caseload	
Children Act (or equivalent)	310	(473) ⁺	424	(539) ⁺
Adoption	88	(66)	94	(95)
Medico Legal	16	(18)	32	(27)
Advocate to the Court	5	(15)	15	(13)
Divorce	107	(67)	422	(375)

* Previous year's figures in brackets.

Child Abduction Unit

The OS runs, on behalf of the Lord Chancellor, 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. The 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 convention based claim is made out, secure the return of an abducted child. An important objective is to ensure the timely processing of applications in relation to both incoming and outgoing cases.

Caseload	New referrals		Active caseload	
	353	(380)	326	(290)

Court of Protection

The office 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 wishes and feelings, whether actual or in an assumed lucid interval. Many of the cases handled involve the making of a statutory will for the patient.

Caseload	New cases accepted		Active caseload	
	420	(317)	491	(311)

Estates and Trusts Administration Group

In functional terms the Estates and Trusts Administration Group is divided broadly into two divisions:

- Estates (Official Solicitor)
- Trusts (Public Trustee) which comprises the following activities:
 - Trust Administration and Accounts;
 - Cashiers, Taxes, Pension and Institutional Funds; and
 - Investment and Securities.

Estates: The OS administers estates and trusts as Administrator/Trustee of Last Resort. The OS is also called upon to manage an estate for someone entitled to a Grant of Administration but who is incapable of applying because of mental illness. He may also act as the administrator of the estate of a deceased person, to facilitate a claim being brought under the Inheritance Act. The OS also acts as Judicial Trustee where there has been a dispute between the trustees, or between the trustees and beneficiaries, about the administration of an estate. In such cases the OS will be appointed by the Court to complete the administration. The OS also manages a number of trust funds for children. These trust funds usually arise from an award from the Criminal Injuries Compensation Board.

Trusts: The PT acts as Executor or Trustee where he has been appointed executor or trustee under a Will or under a new Settlement. The PT may also be asked to administer the estate of an individual who has died intestate. He may be asked to take over an existing trust or settlement, by the existing trustees or by Order of Court. The PT may decline to accept a trust, but not on the ground only of the small value of the trust property. The PT also administers certain pension, friendly society and other institutional funds. In addition, the PT maintains a register of Notices affecting Land (Notices to Quit) under Section 18 of the Law of Property (Miscellaneous Provisions) Act 1994.

⁺ Figure immediately before CAFCASS split.

Caseload	New cases accepted		Active caseload	
Estates	32	(42)	919	(952)
Trusts	39	(29)	1557	(1596)

The Investment Division provides an in-house investment decision-taking and advisory service. Primarily this is to support the PT's Trust Division but it also provides investment comment to the OS's Estates Division. The Division also currently makes investment decisions and provides advice to the Court Funds Office, which is part of the Court Service. This work relates to the investment of Court Awards to Children.

The Official Solicitor and Public Trustee is a member and attends meetings of the Lord Chancellor's Strategic Investment Board and its Working Groups. This Board provides advice to the OSPT as well as to the Public Guardianship Office (PGO) and to the Court Service. We are grateful to the Board for their advice and constructive comment received during this past year.

This has been a difficult year for investors as, unusually, the market fell for the second consecutive year. Against this difficult backdrop investment performance has been satisfactory and here the work of the Division contributes to Key Performance Indicator 3 (see above).

6. CHANGE PROGRAMME

The new combined office inherited two separate programmes of change. The first of these concerned the Public Trustee function and the changes in that area which followed on from the Quinquennial Review of the Public Trust Office and subsequent policy decisions set out by the Lord Chancellor in "Making Changes" (April/December 2000). The second element concerned the changes in management arrangements recommended by an external review of the former Official Solicitor's Office (The Nooney Review). As a result of this review we took action during 2001/02 to strengthen our management arrangements in order to consolidate and help develop our business operations.

At the start of the year we held a Strategic Planning Event for senior staff from across all activities of the office. This event helped us identify our strategic vision and values and adopt a programme management approach to changes across the organisation. Within the overall programme based approach we have identified the following core objectives:-

- Integration of Estates and Trusts business processes into a single unified operational unit;
- Consolidation of our IT service provision and the identification of the requirements to support the modernisation of our service;
- The introduction of quality systems to underpin our business by attaining Quality Mark accreditation from the Legal Services Commission;
- A reinforced focus on client and customer care;
- Opportunities for staff to develop their skills and to be empowered to contribute to the development and delivery of client service.

Over the past twelve months we have achieved the following:

- a detailed process review of our estates and trusts areas with a view to their future integration;
- a process review of the litigation services;
- a gap analysis which has identified the areas which need to be addressed to achieve Quality Mark accreditation across the office;
- a survey of clients in the estates and trusts area to help inform both the delivery of future services and the appropriate organisational model for the functions;
- the transition of our IT services to the LCD ARAMIS service.

We have also identified, through a staff led project and with the assistance of PA Consulting, a new mixed team based way of working in estates and trusts. This approach will enable us to streamline some of our current processes, improve communications and promote a more responsive service to clients. We are now in the process of preparing our implementation plan to take this change forward.

We have been working with colleagues in LCD and HM Treasury on the fees and charging arrangements which will in the future be required. As part of this, the Public Trustee (Liability and Fees) Bill has been introduced in the House of Lords by the Lord Chancellor. If enacted, this will remove the statutory requirement that the PT recovers full costs. We shall remain subject to the general principles governing a public sector body of our nature, that we should recover our costs, but with a level of public subsidy to allow remission of fees where a social subsidy is justified. This change is an important step in enabling us to achieve the policy objective of integrating estates' and trusts' processes.

Investment Programme

The OSPT has continued to make progress in relation to that part of the Investment Programme inherited from the former Public Trust Office which applies to the PT's trustee services. The objective of the Investment Programme is to improve the quality and flexibility of the investment service provided to clients of the LCD and agencies in accordance with the Lord Chancellor's policy statement *Making Changes: The Future of the Public Trust Office* of April 2000. The programme also reflects the Strategic Investment Board's investment strategy.

We are working closely with other LCD offices associated with the Investment Programme (the Public Guardianship Office and the Court Funds Office) and the intention is that investment management should be outsourced through creation of a "bespoke" LCD Index Tracker Fund established specifically for the equity element of clients' portfolios. This will be a long-term process for the OSPT because of various factors related to the trust portfolios, principally CGT constraints, and the migration to the new Fund will be managed during this period by the "in-house" team. We anticipate that the new Fund will be available for investment from 1 April 2003.

It is intended that external investment management, whether on a discretionary or advisory basis, will be available to those trusts where usage of the Index Tracker Fund may be inappropriate or where Co-Trustees or legal consents express a strong preference for other arrangements. For this purpose the OSPT intends to participate in the panel broker tender which will replace the PGO's existing contractual arrangements. The new contract is expected to be effective from 1 April 2003.

The OSPT currently has its own "in-house" custody arrangements with most investments being held in certificated form in the office. We are now exploring options for the future with investments being held in dematerialised form on Crest.

7. EQUALITY AND DIVERSITY

During 2001/02 we set up the Official Solicitor and Public Trustee's Equality and Diversity Advisory Group. With the help and guidance of this group we have produced our own Equality and Diversity Action Plan. The plan sets out 16 goals which our office is committed to achieving as part of our contribution to modernising government. It is a living document which must evolve and develop as we make progress in implementing and encompassing new initiatives, and rise to the new challenges we will face in the future. Our vision, the LCD Equality and Diversity statement, and the broader LCD Action Plan are the basis for us establishing an office which values our diverse workforce, and identifies and serves the needs of our clients and contacts in the work we do. The action plan sets out in practical terms how we will incorporate the principles of equality and diversity into our day to day work and organisation.

During the year two members of the Management Board were accepted as mentors by the Cabinet Office to assist the development of a civil servant from an ethnic minority background and a disabled member of staff respectively. We have also, as part of the Departmental approach to equality and diversity, ensured that all staff have a personal diversity objective in their job plans for the coming year.

8. PEOPLE STRATEGY

The success of both our operational services and our change programme depends on our people. We therefore set a key performance indicator (KPI 5) for the first time which recognised our commitment to their continuing appraisal and development and to effective communications within the office. We also appointed a training co-ordinator to ensure that training needs across the organisation are properly addressed. In this context we are pleased to report that 82% of staff received at least two days training in line with their current personal development activities. We have also placed a fresh emphasis on appraisal, and in particular the timely completion of reports. This was an area where we had not done well in the former OS. We have introduced benchmarking meetings and a real commitment throughout the management structure to complete appraisals on time. As a result our performance improved from 20% completed on time in the last year of the former OS to 88% for the reporting year which ended 31 March 2002.

We have also continued to build on our communication strategy. Monthly team briefings were introduced in the last months of the former OS. They were already in place at the PT and continued for the whole office from April 2001. These have been supplemented by open forums where senior managers meet with staff in small groups to discuss any issues of concern. We also use our internal network to keep staff informed on a regular basis. Much of our change programme work is staff driven and we take every opportunity to use project teams and focus groups whenever possible to inform the work. The success of this communications work has been reflected in the scores we received from the staff attitude survey in 2001. As part of the wider LCD Headquarters and Associated Offices Group, we are due to be reassessed for Investors in People status early in 2003.

9. FINANCIAL PERFORMANCE

Unaudited Income and Expenditure Statement

The office is not required to produce separate audited accounts. However, the office's income and expenditure is an integral part of the Lord Chancellor's Department's Resource Account, which is subject to audit, and a summary of income and expenditure by activity is disclosed in the notes to the account (segmental analysis).

£'000s	Litigation*	Estates	Trust**	Total
Paybill (excluding agency staff)	1,134	559	2,669	4,362
Other administration costs	620	219	1,035	1,874
Total administration costs	1,754	777	3,704	6,235
Depreciation	19	9	46	74
Other non-cash costs	63	92	18	173
Early Departure Costs	62	17	14	93
Accommodation charges	555	257	1,088	1,899
HQ Overheads	351	168	873	1,391
Total non-cash costs	1,049	543	2,039	3,631
Total Full Cost	2,801	1,319	5,747	9,866
Recoveries	(510)	(405)	(3,169)	(4,083)
Net Position	2,291	914	2,578	5,783
% Recovery	18.2%	30.7%	55.1%	41.4%

* Includes Child Abduction Unit

** Includes Pension & Institutional Funds and Minors

This is the first year in which the accounts of the combined office have been prepared in this way. Because of changes which have occurred, direct comparison with the previous year's performance needs explanation. So far as comparable, the income and expenditure for 2000-01 was as follows:

	Litigation	Estates	Trust	Total
Expenditure	7,333	1,470	4,254	13,057
Income	(731)	(490)	(3,355)	(4,576)
Deficit	6,602	980	899	8,481

Litigation costs (and income) are reduced substantially because of the transfer of Children's work to CAFCASS.

The greatest increase in costs is in the Public Trustee trust activity. This was the result of the increased accommodation costs as the activity is now housed in our offices at 81 Chancery Lane as compared to Stewart House; and increased management and central overheads attributed to the work being conducted here. These costs are costs which, by and large, the Lord Chancellor's Department would have borne in any event. By virtue of the trust activity joining the OS, a share of the central overheads is now properly attributable to us.

The combined office met the cost recovery target set.

10. COMPLAINTS

With the integration of the OS and Trust sections a new, more vigorous and robust complaints procedure was introduced at the beginning of 2001 with a dedicated complaints officer to ensure complaints were identified and answered with due timeliness.

A total of 88 complaints were recorded between 1 April 2001 and 31 March 2002. A like for like comparison of the same business areas (both OS and PT) in the previous year showed 79 complaints were received.

The complaints were classified as shown on the table:-

Bias/Incompetence on part of O.S. representative	General Procedures	Fees/ Investments	Disagreement with Court Decision	Failure to act promptly/delay/inertia	Other, or complaint unintelligible	Total
6	10	8	5	58	1	88

We responded to 79 cases (90%) within the 15 day target. This compares favourably with the previous year when 37.5% of cases were responded to within the target time of 10 days. 54% of complaints were found to be justified or partly justified.

The majority of complaints found to be either justified or partly justified related to failure to act promptly/delay/inertia, and this has been caused to a great extent by staffing shortages and lack of experience in some parts of the office. The work being carried out under the Change Programme should address some of these deficiencies.

11. NOTEWORTHY CASES

Case A

Mr. "A" died prematurely leaving four children. The mother of the older two children had been married to him, but by the time of his death they were separated, but not divorced. The mother of the younger two children had been through a ceremony of Hindu marriage to the father, which took place in a restaurant in London. Mr. "A" left his estate largely to his children, with a very small portion to the mother of the younger children. She applied for an enhanced share of the estate under the Inheritance (Provision for Family & Dependants) Act 1975, on the basis that she was his wife. The Official Solicitor represented the interests of her children, whose share would have been reduced if her claim had succeeded. The mother contended that she had, in good faith, entered into what she understood to be a marriage ceremony, and even if it was void the provisions of the 1975 Act applied. After a full hearing, the Judge decided that the ceremony was not a void marriage but was no sort of marriage at all, valid or void, and in any event the mother had not entered into it in good faith, as she knew that he had not divorced his earlier wife. Therefore, the interest of the children was maintained.

Case B

The Public Trustee acts as trustee of some 30 trusts of monies awarded under the Vaccine Damage Payments Act 1979. These awards were initially £10,000 to £40,000, but in August 2000 the Secretary of State announced top up payments to increase the compensation to between £58,000 and £68,000, depending on the circumstances of the case. In most of these cases the victim is incapable of managing his or her affairs and the terms of the trust provide that the Public Trustee may, in his discretion, apply income or capital from the relevant trust for the benefit of the victim as he thinks fit. This helps to ensure that the victim is looked after and that his/her needs are met.

Case C

Several years ago the OS was instrumental in obtaining compensation from the Department of Transport for the benefit of the National Bus Company Pension Schemes. The compensation amounts to approximately £356 million. The OS has been represented on the Board of both the current and former trustee companies since he first became involved in the matter. In the course of this year the Chancery Division has approved the trustee companies' proposals for distributing funds to the pension fund members and significant payments have been made.

Case D

The OS was brought in to represent an 11 year old Earl in a dispute over a 19th Century family photograph album, put up for auction by his mother and valued at between £500,000 - £700,000. There was a dispute over ownership of the album, one possibility being that it belonged to the Earl. An application was made to Court for approval of the sale by the trustees of the 6th Earl's trust and the judge indicated that he could not give approval unless the OS consented on behalf of the Earl. The auction was due to take place two days later and the Earl's mother would incur cancellation charges of £40,000 if the album was withdrawn. As a high quality facsimile of the album was to be made available the OS decided that the sale could go ahead leaving the question of who should receive the proceeds to be resolved later.

Case E

In this personal injury case the OS acted as litigation friend to a claimant who sustained catastrophic injuries in a road traffic accident in 1998. Payments into court of £2 million were rejected and the claimant was awarded damages of approximately £3m at trial.

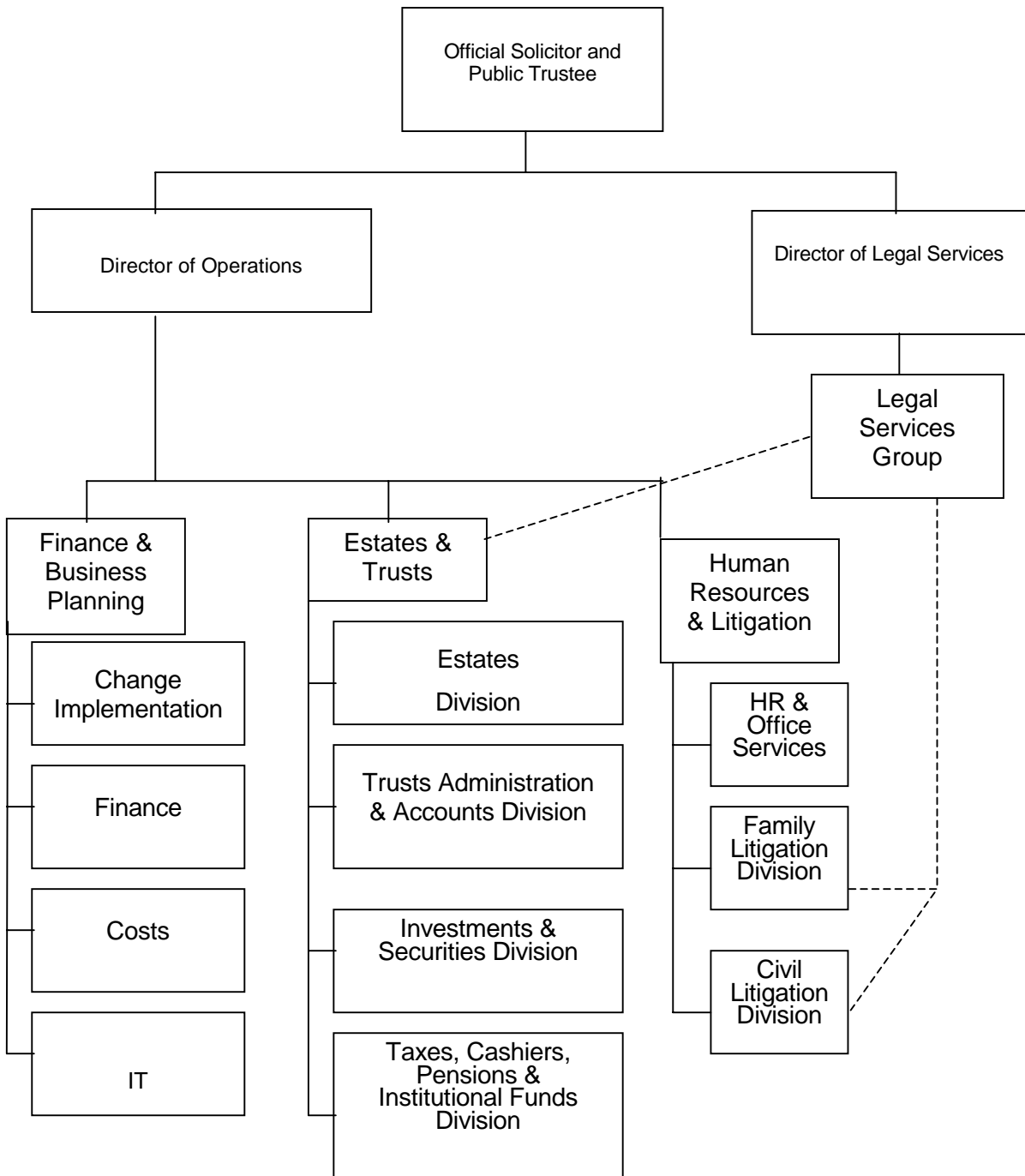
Case F

The OS represented the interests of an adult with learning difficulties who lacked capacity to make decisions. The local authority made him subject to a guardianship order under the Mental Health Act and placed him in a residential home. His mother wished to instruct experts to advise her upon the possibility of challenging the guardianship order, but in order for them to be able to report meaningfully they needed access to the medical records, which the holders refused to disclose by reason of the Data Protection Act and provisions in the Mental Health Act and County Court Rules. The matter proceeded to the Court of Appeal where, by a majority, the Court held that the mother was entitled to access the necessary documents.

Case G

The OS acted as Advocate to the Court in proceedings brought by Ms B for a declaration from the High Court that the NHS Trust that was caring for her was acting unlawfully by continuing to treat her by way of artificial ventilation without her consent. Ms B was a 43 year old woman who suffered a devastating illness which caused her to become tetraplegic. She expressed a wish not to be kept artificially alive by the use of ventilation. The main issue in the case was whether Ms B had capacity to make her own decision about her hospital treatment. The President of the Family Division confirmed that Ms B was competent and re-affirmed that a competent patient's right to refusal to consent to life sustaining treatment must be respected and she granted Ms B the declaration she sought.

12. ORGANISATION



The Management Board Members during the year were: Laurence Oates (Chair), Eddie Bloomfield, Edward Solomons, Mark Shore, David Charles and Liz Humphreys (Non-Executive Member, Family Policy Division, LCD HQ)

Child Abduction Outcomes

Annex A

1 April 2001 to 31 March 2002								
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 2001 and order made 1 st April 2001 to 31 st March 2002				Cases Received 1 st April 2001 to 31 st March 2002 and order made in same period			
Child Returned								
Judicial Return	8	13%	7	15%	12	17%	42	45%
Voluntary Return	10	16%	0	0%	21	29%	16	17%
Child NOT Returned								
Judicial Refusal	4	7%	2	4%	4	6%	10	11%
Access Ordered	3	5%	3	7%	2	3%	2	2%
Access Refused	0	0%	0	0%	0	0%	0	0%
Access Agreed	3	5%	3	7%	3	4%	4	4%
Registration Ordered	4	7%	1	2%	3	4%	2	2%
Registration Refused	0	0%	3	7%	0	0%	0	0%
Other (Inconclusive)								
Rejected by UK Central Authority	0	0%	2	4%	7	10%	4	4%
Rejected by Requested Authority	1	2%	0	0%	2	3%	0	0%
Child not traced	3	5%	1	2%	1	1%	0	0%
Child traced to Non- Convention Country	1	2%	0	0%	1	1%	0	0%
Child traced to Other Convention Country	1	2%	3	7%	1	1%	3	3%
Application Withdrawn	22	36%	20	45%	15	21%	11	12%
TOTAL	60	100%	45	100%	72	100%	94	100%
Cases Pending	31		19		91		59	
GRAND TOTAL	91		64		163		153	

Throughput Targets

	Full year - 2001-02			
	Volumes			
	Measured	Achieved	Target	Actual
Administration of Estates (Official Solicitor)				
1	56	46	70.0%	82.1%
2	703	600	95.0%	85.3%
3	10	0	70.0%	0.0%
To make substantial payments to minor beneficiaries within one month of their reaching 18 years of age and absolute entitlement at that age - 70%	35142	31957	99.0%	99.4%
To place on interest-earning deposit surplus client funds in the ledger in excess of £1,000 within 5 working days - 95%	1924	1875	95.0%	97.5%
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%	15	15	95.0%	100.0%
Trusts (Public Trustee)				
4	1436	1429	95.0%	99.5%
5	108	100	95.0%	92.6%
6	292	253	75.0%	86.6%
7	177	164	75.0%	92.7%
8				

% number of machine postings to records and ledgers made within 3 days of receipt - 99%	159	153	95.0%	96.2%
Respond to all letters within 10 working days or acknowledge within 3 days and respond fully within 20 working days - 95%	168	158	95.0%	94.0%
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%	186	155	95.0%	83.3%
Pay the available income to a beneficiary on or before the due date whenever indirect income arrangements operate - 95%	715	607	90.0%	84.9%
Pay the beneficiary the balance due within 8 weeks of clearing all tax matters and completing any other legal and accounting requirements - 95%	851	650	80.0%	76.4%
	851	806	90.0%	94.7%
Civil Litigation	88	79	95.0%	89.8%
9 Preliminary enquiries completed within 3 months of request to act - 75%				
Family Litigation				
10				
11 Preliminary enquiries completed within 3 months of request to act - 75%				
Cases ready for trial stage within 9 months of allocation to Section – 95%				
Child Abduction Unit				
12				
13 Incoming Cases forwarded to Solicitors within 1 working day – 95%				
Outgoing cases forwarded to central Authority within 5 working days of receipt of the necessary documentation – 95%				

<p>Finance (Costs) Division</p> <p>14</p> <p>15</p> <p>16</p> <p>Bills of Costs drafted within 1 month of referral – 90%</p> <p>Costs recovered within 3 months of request for payment – 80%</p> <p>Costs recovered within 9 months of request – 90%</p> <p>All Activities</p> <p>17 Reply to all complaints within 15 working days - 95%</p>				
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