

## UNITED KINGDOM

### Questionnaire to prepare the Study Session

<b>I. Highlighting of dysfunctions within a court<sup>1</sup></b>
<p>1. Is there an organised system allowing to detect dysfunctions within a court?</p> <p><b>Yes. Through target setting and performance reports any failure in court performance is identified.</b></p>
<p>a. If yes,</p> <p>i. what are the alert mechanisms ?</p> <p><b>a) Performance reports (monthly)</b> <b>b) Customer complaints</b> <b>c) Judicial intervention</b> <b>d) Letters from MPs, inspired by constituents, to the Parliamentary Commissioner for Administration (Ombudsman)</b></p> <p>ii. who has the initiative of alert ?</p> <p><b>A-C: Managers at local, regional and national level.</b> <b>D: Members of Parliament.</b></p> <p>iii. who is the addressee of the alert ?</p> <p><b>A-C: As above</b> <b>D: Parliamentary Commissioner whose responsibility it is to investigate maladministration in Government departments.</b></p>
<p>b. If not, how are the dysfunctions within a court brought to the attention of the competent judicial and administrative authorities ?</p> <p>N/A.</p>

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<sup>1</sup>The questionnaire does not intend to address disciplinary matters

<b>II. Methods of investigation and analysis of dysfunctions</b>
<p>2. Which are the methods used to check these dysfunctions ? (audit, evaluation, on location visit, etc..)</p> <p><b>A-C: Performance reports against targets; Visits by senior management and judiciary.</b></p> <p><b>D: Parliamentary Commissioner will instigate an investigation, requiring the department concerned to prepare a detailed report of the problem.</b></p>
<p>3. Once a dysfunction has been detected, what methods of analysis are used ?</p> <p><b>Performance is measured against targets and statistical reports are compiled by Head Quarters and circulated to all managers.</b></p>
<b>III. The structure in charge of investigating and analysing the dysfunction</b>
<p>4. Is this structure centralised or decentralised (in this case, is it internal or external to the court) ?</p> <p><b>A-C: Decentralised. Performance is the responsibility of regional directors reporting to the Chief Executive. All procedures are internal, with the exception of the National Audit Office which is a Government watchdog investigating specific procedures throughout the year.</b></p> <p><b>D: The Parliamentary Commissioner Administrative function is a centralised structure.</b></p>
<p>5. Under what authority is it placed ?</p> <p><b>A-C: Parliament - Reports are to Parliament.</b></p> <p><b>D: PCA is under Parliamentary authority.</b></p>
<p>2. How is this structure set up ? Who appoints its members ?</p> <p><b>A-C: Internal appointment by open competition.</b></p> <p><b>D: The Parliamentary Commissioner is an independent official appointed by Parliament.</b></p>

<p>3. What is its jurisdiction ?</p> <p><b>A-C: Complete jurisdiction except over judiciary or legislation.</b></p> <p><b>D: The role of the PCA is to investigate maladministration within public departments.</b></p>
<p><b>IV. Follow up given to the analysis in order to remedy the dysfunction</b></p>
<p>4. What form will be adopted for the conclusions of the structure of investigation and analysis ?</p> <p><b>A-C: Internal reports to management. An action plan for improvements to be agreed to ensure that progress is made in rectifying any dysfunction.</b></p> <p><b>D: Parliamentary report.</b></p>
<p>5. Who is the addressee of the conclusions of the structure of investigation and analysis ?</p> <p><b>A-C: As above</b></p> <p><b>D: The department being investigated , the instigating MP and Parliament.</b></p>
<p>6. What means are available for the structure in order to find a remedy to the dysfunction ?</p> <p><b>A-C: Re-allocate resources or allocate additional resources. Manage performance issues of individuals by internal appraisal scheme Performance Service Agreements (PSAs) - achieve targets set by Government</b></p> <p><b>D: Full resources of department being investigated.</b></p>
<p>11. If the investigation structure does not monitor the implementation of the recommendations, which structure is entrusted with their implementation?</p> <p>N/A.</p>

## **V. Efficiency of mechanisms**

7. Is the functioning of this structure evaluated ?

**A-C: Regular management review is undertaken to ensure that infrastructure meets needs of business.**

**D: By reports to Parliament.**

**The Parliamentary Commissioner will monitor for complaints of a similar nature.**

8. What improvements could be made ?

**The system is adequate as there are only isolated incidents of dysfunction or short-term difficulties. A more refined I.T. system for reporting performance would be helpful but would need a significant investment.**