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PART 4

88

MT.

CONFIDENTIAL FILING

Annual Scrutiny of Departmental
Running Costs (Administrative)

CIVIL SERVICE

PT1: February 1980

PT4: January 1989

Folder "Review of Government Legal Services"

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
13.1.89							
16.1.89							
7.7.89							
23/7/89							

PREM 19/2600

Published Papers

The following published paper(s) enclosed on this file have been removed and destroyed. Copies may be found elsewhere in The National Archives.

Review of Government Legal Services: report by Sir Robert Andrew, HMSO 1989 [ISBN 0 11 4300348]

Signed AWayland Date 14 October 2016

PREM Records Team

CCPU



Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Patrick Mayhew QC MP
Attorney General
Royal Courts of Justice
London
WC2A 2LL

NBM

PC6

2/7

21 July 1989

Dear Attorney General,

ANDREW: GOVERNMENT LEGAL SERVICES

Act

Thank you for your letter of 7 July to Nigel Lawson suggesting postponement by one year of the Treasury Solicitor's move to repayment.

I agree that the system is likely to work much better if customer departments have confidence in both the system itself and the amount of financial provision allocated to them in PES. It is already rather late in the day to be able to ensure the latter if we were to stick to the original date. I understand that a small inter-departmental working party will discuss the technical details so that the delay of a year should help to ensure the success of the new system when it comes into operation. You therefore have my full support.

I am copying this letter to the Prime Minister, the Lord Chancellor, Sir Geoffrey Howe, Tom King, Peter Brooke, the Lord Advocate and Sir Robin Butler.

Yours sincerely,

P. Walker

pp JOHN MAJOR

[Approved by the Chief Secretary and signed in his absence.]



ROYAL COURTS OF JUSTICE

LONDON, WC2A 2LL

NBL
7 July 1989

The Rt Hon Nigel Lawson MP
Chancellor of the Exchequer
HM Treasury
Parliament Street
LONDON S W 1

face
11/7

Dear Nigel:

ANDREW : GOVERNMENT LEGAL SERVICES

Asap P13
PPSC TT
One of the points of detail which we considered when agreeing the Government's response to the recommendations in Sir Robert Andrew's Report was the timetable for introducing a system for charging Departments for the services of the Treasury Solicitor. We agreed that Departments should begin to pay on 1 April 1990.

Officials have been working to meet that timetable and the Treasury Solicitor's Department believe that with the help of their consultants, Peat, Marwick, McLintock, they can be ready to produce bills from that date. However, discussions with client Departments have revealed a great deal of unease about the need to agree PES transfers this year to cover the charges when there is no information available to enable reasonable estimates to be made of the sums involved. This has led to the suggestion that charging be postponed one year (to 1 April 1991), allowing the Treasury Solicitor's Department to use the new system for billing clients to provide Departments with sufficient information about the likely annual cost to enable the PES transfers to be agreed next year on a proper basis.

I think that this makes good sense and unless you or any of our colleagues to whom I am copying this see any objection, I shall authorise the Treasury Solicitor's Department to adopt the later commencement date and to inform Departments accordingly.



I am copying this letter to the Prime Minister, the Lord Chancellor, the Foreign and Commonwealth Secretary, the Secretary of State for Northern Ireland, the Paymaster General, the Lord Advocate and to Sir Robin Butler.

James

Butler

CIVIL SERVICE: Running Costs P14

11 JUL 1989

CONFIDENTIAL



FILE

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be Parliamentary Questions.

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

18 January 1989

Dear Malcolm,

ANDREW: GOVERNMENT LEGAL SERVICES

The Prime Minister has seen the Paymaster General's minute of 17 December and has noted the agreement that has been reached on pay for the different grades of lawyer. She is content with the draft written Answer and with the arrangements you have for publishing the report on Thursday 19 January. Our Parliamentary Section will now be arranging for the Question to be tabled.

I am copying this letter to the Private Secretaries to the Lord Chancellor, the Foreign and Commonwealth Secretary, the Chancellor of the Exchequer, the Secretary of State for Northern Ireland, the Attorney General, the Lord Advocate, and to Sir Robin Butler.

Yours sincerely

Andrew Turnbull

(ANDREW TURNBULL)

Malcolm Buckler, Esq.,
Paymaster General's Office.

CONFIDENTIAL

PRIME MINISTER

ANDREW REPORT: GOVERNMENT LEGAL SERVICES

Attached to the Paymaster General's minute is the text of the Written PQ which you would answer setting out the Government's response. The proposals for handling this are:

- a) your answer would appear at 3.30 pm on Thursday
19 January;
- b) at the same time copies of the Report would be released together with a Treasury press notice;
- c) there will be a press briefing by the Attorney General and the Treasury Solicitor for selected legal correspondents at 3.45 pm;
- d) enquiries on pay and personal questions to be directed to the Treasury Press Office.

Content?

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(ANDREW TURNBULL)

17 January 1989

DCAARS

CONFIDENTIAL



FROM: PAYMASTER GENERAL

DATE: 17 January 1989

PRIME MINISTER

ANDREW REPORT: GOVERNMENT LEGAL SERVICES

In your summing up of the meeting on ^{17/1/89} 20 December 1988 to discuss Sir Robert Andrew's Report you invited the Attorney General and myself to give further consideration to a number of points and to report back to colleagues when we had done so.

2. The most substantial of these points was the Attorney General's proposal that three rather than two spine points should be awarded across the board to Grade 5 lawyers in London. The Attorney General still fears that two spine points will not prove to be sufficient either to retain lawyers at this critical grade or to recruit sufficiently to lower grades. He has, however, in the light of the discussion we have had about the way in which the further selective increases at this level will be operated, agreed not to press this proposal. We have agreed forms of words which are to be incorporated in the message to legal staff from the new Head of the Government Legal Service and in the Guidance to be given to Principal Establishment Officers in Departments.

3. We have also agreed that personal promotion from Grade 7 to Grade 6 should be available for lawyers both in the Crown Prosecution Service and elsewhere on the basis of new criteria recently agreed with Departments.

4. The final point remitted to us concerned the proposed treatment of Grade 2 and 3 lawyers. We have begun consultations about this with the TSRB, and I will report back on the outcome when these are concluded. The draft statement, which I attach for your approval, refers to the need for such consultation and says that we will defer responding to this part of the report until we know the TSRB's views.

CONFIDENTIAL

5. I am copying this minute to the Lord Chancellor, the Foreign and Commonwealth Secretary, the Chancellor of the Exchequer, the Secretary of State for Northern Ireland, the Attorney General, the Lord Advocate and to Sir Robin Butler.

P.B.

PETER BROOKE

To ask the Prime Minister whether Sir Robert Andrew's report of his Review of the Government Legal Services is to be published and if she will make a statement.

DRAFT WRITTEN ANSWER

Last year I asked Sir Robert Andrew to undertake a Review of Government Legal Services and to make recommendations on what legal services the Government needs, how they can be provided most effectively and economically and what changes are needed in the management of legal staff so as to make best use of them. Sir Robert's report is being published today. Copies have been placed in the Library of the House. ~~I~~ I am grateful to Sir Robert Andrew for the work he has put into the report. ~~I~~

2. Sir Robert Andrew concludes that the Government continues to need a wide range of legal services provided to a high standard and that the need for them is likely to go on increasing. He considers it likely that the bulk of these services will continue to be provided within Government, but departments should decide on cost-effectiveness grounds whether to meet their needs in government or outside. He suggests that some of the bodies providing services of a legal nature to the public might usefully become executive agencies and that the relocation of some work out of London should prove cost-effective. The Government accepts these conclusions.

3. The Report proposes some adjustments in organisation to improve the effectiveness of legal services. In the light of

these recommendations, I have decided to make the following changes in England and Wales. Under the ministerial direction of the Attorney General, the Treasury Solicitor will become the Head of the Government Legal Service. As Head of Profession he will advise on the personnel management of lawyers across Departments, and will be supported in this by a new Lawyers' Management Unit. The present Law Officers' Department will be renamed the Legal Secretariat to the Law Officers, and the legal departments for which the Attorney General is the ministerial head (the Treasury Solicitor's Department, the Legal Secretariat to the Law Officers, the Crown Prosecution Service, and the Serious Fraud Office) will be known collectively as the Law Officers' Departments. The Lord Chancellor's Department will take over responsibility for the Statutory Publications Office from the Treasury Solicitor's Department probably in April 1990.

4. The Report makes a number of recommendations aimed at improving the management of lawyers. The Government accepts these recommendations and agrees that greater effort needs to be put into recruitment and that the areas of recruitment should be broadened. It believes that the Government Legal Service as a whole will benefit from more coordinated personnel management and from improved training and career management. The new Lawyers' Management Unit will have a key role in helping the Treasury Solicitor as Head of Profession work with Departments in implementing the report's recommendations.

5. Sir Robert Andrew also makes a number of recommendations to improve the pay of lawyers. The Government welcomes his emphasis

on the need for selectivity in considering special pay treatment for lawyers, which is consistent with the Government's policies on pay. The Report also recognises the Government's comparatively greater difficulties of recruiting and retaining lawyers in London, which have already led to the establishment of special London pay scales for lawyers at grades 6 and 7 from April 1988.

6. Lawyers at grades 2 and 3 form part of the Senior Open Structure, whose pay is decided by the Government on the recommendation of the Top Salaries Review Body. The Government is consulting the TSRB about the recommendations which affect these grades and will respond to this part of the report when it has received the TSRB's views.

7. Subject to consultations with the unions, the Government proposes to respond to the recommendations on the pay of grades below the Senior Open Structure as follows.

8. Around £2,500 a year will be added to the pay of all lawyers in grades 4 and 5 working in London. For grade 5 this will take the form of two points on the pay scale. Staff at grade 4 will receive a £2,500 allowance.

9. In addition, it is proposed that up to three points on the scale should be made available as personal pay points for certain grade 5 lawyers selected on the basis of their skills, experience, marketability and value to the department. Broadly similar treatment will be applied to grade 4.

10. The Government regards it as important that all at grade 5 should be eligible for performance pay. For lawyers (including those in London) without personal pay points, up to four performance points will continue to be available. For those on the highest personal point, it is proposed that two should be available.

11. Lawyers in grades 5 to 7 are covered by the long term pay agreement of July 1988, under which these grades will receive pay increases of 4 per cent from 1 April 1989 and a further review from 1 August 1989 informed by a survey of pay levels in the private sector.

12. The Government does not propose to make personal pay points available at grades 6 and 7. But grade 6 lawyers in London will receive an additional scale point, worth around £1,100.

13. It is proposed to make these changes to pay in response to Sir Robert Andrew's recommendations from 1 April 1989.

16 January 1989

CIVIL SERVICES : Running Costs P14.

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Me Pmm

10 DOWNING STREET

LONDON SW1A 2AA

From the Principal Private Secretary

SIR ROBIN BUTLER

LAWYERS: THE ANDREW REPORT.

The Prime Minister has seen your minute of 13 January and is content with the draft Written Answer attached.

ANDREW TURNBULL

16 January 1989

AT



Prime Minister ①
The outcome on pay is consistent with you meeting it only two pay points in London for G.S.S. rather than three AG wanted.
Para 6 has been inserted to placate T.S.R.B.
Content?

Ref. A089/117

PRIME MINISTER

Yes not

AT 13/1

Lawyers: The Andrew Report

The Paymaster General has succeeded in reaching an agreement with the Attorney General on the outstanding points on lawyers' pay. He will be reporting to you early next week, and the intention is to publish the report and announce the Government's decision next Thursday, 19 January.

--- 2. I attach a copy of the draft Question and Answer which, subject to any last minute amendments, the Paymaster will be submitting to you early next week and copying to other Ministers. I thought that it might be useful for you to see it over the weekend so that I could pass back to the Paymaster any comments which you have before he submits the Answer formally.

R.R.B.

ROBIN BUTLER

13 January 1989

To ask the Prime Minister whether Sir Robert Andrew's report of his Review of the Government Legal Services is to be published and if she will make a statement.

DRAFT WRITTEN ANSWER

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these recommendations, I have decided to make the following changes in England and Wales. Under the ministerial direction of the Attorney General, the Treasury Solicitor will become the Head of the Government Legal Service. As Head of Profession he will advise on the personnel management of lawyers across Departments, and will be supported in this by a new Lawyers' Management Unit. The present Law Officers' Department will be renamed the Legal Secretariat to the Law Officers, and the legal departments for which the Attorney General is the ministerial head (the Treasury Solicitor's Department, the Legal Secretariat to the Law Officers, the Crown Prosecution Service, and the Serious Fraud Office) will be known collectively as the Law Officers' Departments. The Lord Chancellor's Department will take over responsibility for the Statutory Publications Office from the Treasury Solicitor's Department probably in April 1990.

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13 January 1989

PART 3 ends:-

AT to HMT. 20.12.88

PART 4. begins:-

F628 to PM (A089/117) 13.1.89.



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