



# annual report

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of Her Majesty's Chief Inspector  
of Court Administration

2006–2007







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of Court Administration

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Laid before Parliament by the Lord High Chancellor pursuant to  
Section 62(4) of the Justices of the Peace Act 1997.

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# Our Ministers 2006–2007

**dca** Department for  
Constitutional Affairs  
Justice, rights and democracy



**Lord Falconer  
of Thoroton**

Secretary of State  
for Constitutional Affairs  
and Lord Chancellor<sup>1</sup>



**The Rt Hon Harriet  
Harman QC MP**

Minister of State for  
Constitutional Affairs

department for  
**education and skills**  
creating opportunity, releasing potential, achieving excellence



**Parmjit Dhanda MP**

Parliamentary Under  
Secretary of State for  
Children, Young People  
and Families

1. From 9 May 2007 the Department for Constitutional Affairs became integrated into the new Ministry of Justice and Lord Falconer's title changed to Lord Chancellor and Secretary of State for Justice. However, this report deals with the period from 1 April 2006 to 31 March 2007 and the title appropriate to that period has been used above.

# Foreword

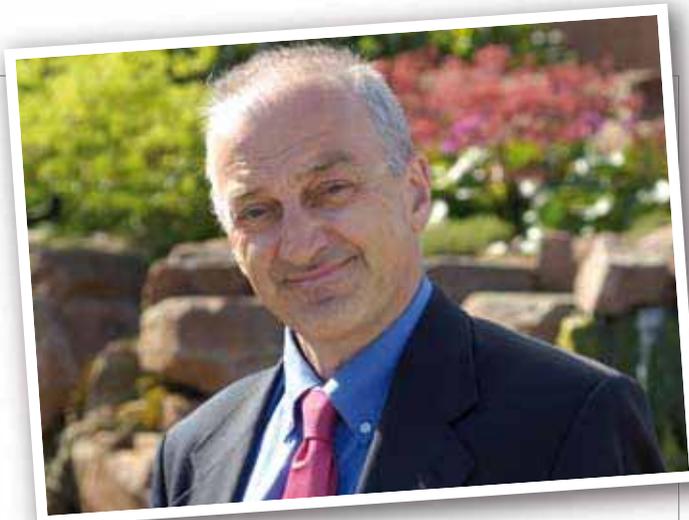
**To the Right Honorable the Lord Falconer,  
Secretary of State for Constitutional Affairs  
and Lord Chancellor.**

This is my second annual report as Chief Inspector of Her Majesty's Inspectorate of Court Administration (HMICA). HMICA is an independent, statutory Inspectorate created by the Courts Act 2003 as amended by the Police and Justice Act 2006. Our duty is to inspect and report on the system that supports the carrying on of the business of the Crown Court, county courts and magistrates' courts and the services provided for those courts. During the reporting year, our remit also continued to include inspecting and reporting on the performance of the Children and Family Court Advisory and Support Service (CAFCASS) functions.

Throughout 2006–2007 we have continued to work closely with our colleagues in Her Majesty's Courts Service (HMCS) and with CAFCASS to achieve real improvements for the end-users of court services.

This has been a year of challenge and change. Our approach to inspection in HMCS saw the Area-focused inspections, which formed the basis of our previous year's activity, give way to a series of national thematic inspections. These have covered a broad range of topics including services provided to Jurors in the Crown Court, the implementation of *Youth Court Good Practice Guide (2001)*, internal communications and family assistance orders. The full spectrum of inspections is summarised in the table below and outlined in the main body of this report.

Following the extension of our remit to inspect the work of the county courts, with the formation of HMCS in 2005, we have developed an inspection framework for assessing the work of the civil courts. This was successfully piloted during the latter part of the year and plans are in place to develop this work further in our programme for 2007–08.



Eddie Bloomfield,  
Chief Inspector, HMICA

We started the year working towards joint inspection reform with plans for the formation of a single inspectorate for Justice, Community Safety and Custody. As the year progressed, it was decided by Ministers in October 2006 that the proposed merger of the criminal justice inspectorates would not proceed. Ministers instead asked the five Criminal Justice Chief Inspectors to develop enhanced joint working arrangements. The expectation is that the benefits of closer joint working can be delivered without the need for legislation. Progress in this regard has already been made with the development of the first joint Business Plan for 2007–08 and a review of the potential for sharing support services. The new joint working arrangements are an exciting opportunity to offer end-to-end inspection of the criminal justice system and significant improvements to all users.

The migration of the CAF/CASS element of our work to the new children's inspectorate: the Office for Standards in Education, Children's Services and Skills, has been completed as planned. We were saddened to say goodbye to our CAF/CASS colleagues on 31 March 2007. However, we will continue to work with them as part of our joint inspection activity. I take this opportunity to wish the team well and express my gratitude for the work they have done whilst part of HMICA.

Finally, I am extremely grateful to be supported by a group of highly dedicated and hard working people without whom the achievements described in this report would not have been possible. It is to their credit that they are not only concerned with driving forward improvements in the organisations we inspect, but also with improving the way we work within HMICA. Looking ahead to the coming year, alongside a full programme of single agency and joint inspection work, we will be undertaking a strategic review. This will examine our own structures and methods of working as we continue to evolve as an organisation, build on opportunities for the future and shape our place within the new Ministry of Justice and the wider criminal justice system.



**Eddie Bloomfield**  
Chief Inspector

# Summary of HMICA inspection activity 2006–07

Inspection	Date	Page
Advisory and Support Service for Family Proceedings in Wales (CAFCASS CYMRU)	April 2006	40
Private Law – Front-line Practice (CAFCASS)	April 2006	36
Assisting Families by Court Order (CAFCASS)	April 2006	38
Implementation of the Youth Court Good Practice Guide (2001)	June 2006	21
Adoption – The New Law (CAFCASS)	July 2006	39
Quality of Service Provided by HMCS for Jurors in the Criminal Courts	August 2006	25
Meeting Defendants' Needs – an Overview of the Quality of Service for Defendants in the Criminal Courts in England and Wales	August 2006	17
Feedback and Complaints	September 2006	23
Promoting Race Equality (CAFCASS)	November 2006	37
Internal Communications within Her Majesty's Courts Service	December 2006	27
Aspects of County Court Administration (Hampshire & Isle of Wight HMCS Area)	March 2007	29
Coroners Service for Northern Ireland	March 2007	30

# Contents

<b>1</b>	Introduction	<b>8</b>
<b>2</b>	Inspecting Her Majesty's Courts Service	<b>14</b>
<b>3</b>	Inspecting the Children and Family Court Advisory and Support Service	<b>33</b>
<b>4</b>	Joint Inspection	<b>43</b>
<b>5</b>	Contact and Advice	<b>47</b>
<b>6</b>	Our Organisation	<b>51</b>
<b>7</b>	Looking Ahead	<b>58</b>

# 1

## Introduction

Our vision: To become a beacon of good inspection practice, working with others to improve the experience of all people who use, or work within, the Courts and CAFCASS and so increase public confidence in the justice system.





## Our remit for 2006–07

HMICA is an independent, statutory Inspectorate created by the Courts Act 2003 as amended by the Police and Justice Act 2006. Our duty is to:

- inspect and report to the Lord Chancellor on the system that supports the carrying on of the business of the courts (the Crown Court, county courts and magistrates courts) and the services provided for those courts
- inspect and report to the Lord Chancellor on the performance of the Children and Family Court Advisory and Support Services (CAFCASS) functions<sup>2</sup>
- discharge any other particular functions which may be specified in connection with the courts listed, of CAFCASS or related functions of any other person.

HMICA is not empowered to inspect persons making judicial decisions or exercising judicial discretion.

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2. From 1 April 2007, HMICA's remit to inspect and report to the Lord Chancellor on the performance of CAFCASS has been transferred to the newly created Office for Standards in Education, Children's Services and Skills, sponsored by the Department for Education and Skills. This annual report refers to the work done by HMICA prior to the transfer of the CAFCASS Inspectors to the new organisation.

## Definition of inspection

HMICA is committed to the definition of inspection in *The Government's Policy on Inspection of Public Services* (2003) which states that inspection is an external review that should:

- be independent of service providers
- provide assurance, to Ministers and the public, about the safe and proper delivery of those services
- contribute to improvement of those services
- report in public
- deliver value for money.

HMICA is also committed to the ten principles of inspection set out in the same policy. These state that public services inspection should:

- 1 pursue the purpose of improvement
- 2 focus on outcomes
- 3 take a user perspective
- 4 be proportionate to risk
- 5 encourage self-assessment by managers
- 6 use impartial evidence, wherever possible
- 7 disclose the criteria used for judgement
- 8 be open about the processes involved
- 9 have regard to value for money, including that of the inspecting body
- 10 continually learn from experience.

HMICA Inspection  
Support Team



## HMICA's contribution towards Public Service Agreement objectives

HMICA's work programme for 2006–07 contributed to the achievement of three of the four DCA Public Service Agreement (PSA) objectives. HMICA does not contribute to Objective 3, which relates to the development of democratic institutions of government that command public confidence. Our programme also contributed to the achievement of DfES's PSA 12. The objectives and targets and HMICA's contribution towards them are set out below.

PSA Objective and Performance Targets	HMICA Contribution
<p><b>Objective 1: To provide criminal, civil, family and administrative justice systems that command public respect and confidence.</b></p> <p>Performance targets:</p> <p><b>1</b> Improve the delivery of justice by increasing the number of crimes for which an offender is brought to justice to 1.25 million by 2007/08. Target contributing to the criminal justice system PSA.</p> <p><b>2</b> Reassure the public, reducing the fear of crime and anti-social behaviour, and building confidence in the criminal justice system without compromising fairness. Target contributing to the criminal justice system PSA.</p> <p><b>3</b> [HMICA does not contribute to achievement of this target which relates to asylum.]</p>	<ul style="list-style-type: none"> <li>• HMICA's programme of inspections, contributed to improved administrative working arrangements and practices in the criminal, civil, family and administrative justice systems.</li> <li>• Joint work undertaken by the Criminal Justice Chief Inspectors Group contributed to the achievement of Performance Target 1.</li> <li>• Joint inspection work also focused on public confidence, contributing to the achievement of Performance Target 2.</li> </ul>

PSA Objective and Performance Targets	HMICA Contribution
<p><b>Objective 2: To ensure that the public, especially the socially excluded and vulnerable, have access to excellent services, which enable them to exercise their rights in law and understand, exercise and fulfil their responsibilities.</b></p> <p>Performance targets:</p> <p><b>4</b> By 2009–10, increase the proportion of care cases being completed in the courts within 40 weeks by 10%.</p> <p><b>5</b> To achieve earlier and more proportionate resolution of legal problems and disputes by:</p> <ul style="list-style-type: none"> <li>• increasing advice and assistance to help people resolve their disputes earlier and more effectively</li> <li>• increasing the opportunities for people involved in court cases to settle their disputes out of court</li> <li>• reducing delays in resolving those disputes that need to be decided by the courts.</li> </ul>	<ul style="list-style-type: none"> <li>• Our programme of inspections in CAFCASS reviewed performance in public law and the avoidance of delay, contributing to the achievement of performance target 4.</li> <li>• Our programme of joint reviews, CAFCASS and joint CAFCASS/ HMCS inspections (such as Adoption) focused on improved outcomes for children.</li> <li>• Our programme included an inspection of Proportionate Dispute Resolution in the civil courts, which contributed to the achievement of performance target 5. Our programme of work in CAFCASS also contributed to this target.</li> </ul>

## Introduction

Inspecting Her Majesty's Courts Service

Inspecting the Children and Family  
Court Advisory and Support Service

Joint Inspection

Contact and Advice

Our Organisation

Looking Ahead

1

2

3

4

5

6

7

### PSA Objective and Performance Targets

**Objective 4: To create a modern, efficient and effective department that has the capacity and capability to deliver excellent public services.**

[In line with the DfES PSA 12: improve life chances for children.]

### HMICA Contribution

- HMICA in its inspections of HMCS and CAFCASS has continued to contribute to improved administrative working arrangements and practices.



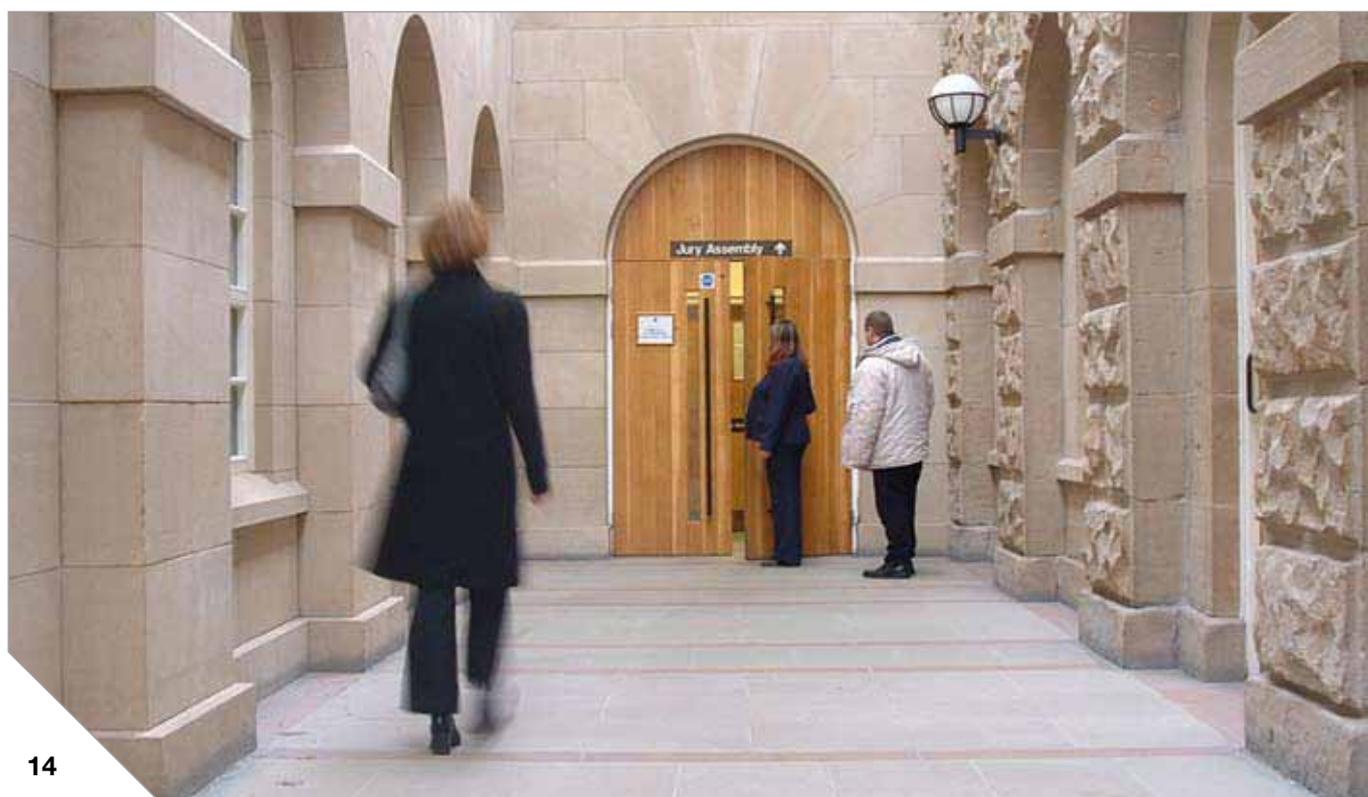
Above and right – HMICA staff at conference



# 2

## Inspecting Her Majesty's Courts Service

Our remit is to inspect the administration of the Crown, county and magistrates' courts but not to 'inspect persons making judicial decisions or exercising any judicial discretion'. We have worked closely with the judiciary to ensure that our work respects their independence whilst contributing to improvements in performance and service provision to court users.



## About Her Majesty's Courts Service<sup>3</sup>

Her Majesty's Courts Service (HMCS) was created in April 2005 to be responsible for the management of the system and the court services in England and Wales. The agency provides support to the judiciary, magistracy and court users to ensure the impartial and efficient operation of the courts.

Over 20,000 staff are employed by HMCS, and they work in close partnership with more than 30,000 professional and lay members of the judiciary. As a key service-delivery arm of the Department for Constitutional Affairs<sup>4</sup>, HMCS plays an important part in implementing the Lord Chancellor and Secretary of State's agenda for a modern justice system. It is required to work collaboratively with other agencies of the criminal justice system, to ensure that it meets the Government's priorities and objectives for the delivery of public services.

The Headquarters is based in London, and the courts administered by the agency are located in 42<sup>5</sup> Areas each headed by an Area Director, who, working to the Regional Director, is responsible for the delivery of services in the Area and ensuring that the agency is focused on its customers and is meeting local needs. Area Directors contribute fully to the Local Criminal Justice Boards located in each Area, the membership of which includes local representatives from the criminal justice system.

The 42 Areas fall within seven regions, each headed by a Regional Director who manages the Area Directors to ensure they deliver a high quality service across the region. As well as ensuring that financial and performance aims are met, the Regional Director has an important role in maintaining relations and working in partnership with the judiciary and working with other agencies to ensure that efficient administration is available to enable the judiciary to deliver justice.

3. This text was sourced from the HMCS Framework document, which can be accessed at [www.hmcourts-service.gov.uk/cms/aboutus](http://www.hmcourts-service.gov.uk/cms/aboutus)

4. From 9 May 2007 all the organisations that made up the Department for Constitutional Affairs (DCA), including Her Majesty's Courts Service (HMCS) and Her Majesty's Inspectorate of Court Administration (HMICA), became part of the new Ministry of Justice (MoJ). Where the Department is mentioned in this report we refer to it as the DCA, as this report refers to the period prior to the Department's reorganisation.

5. With effect from 1 April 2007, HMCS has reorganised itself into 25 Areas within seven regions.

## Objectives for inspecting HMCS

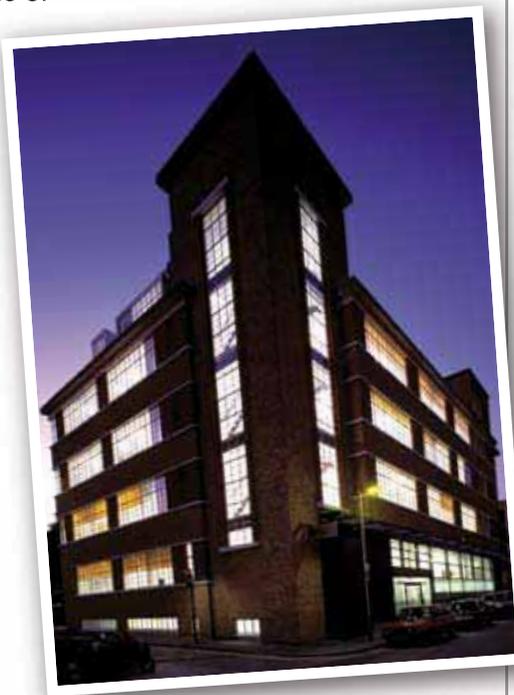
During 2006–07, HMICA focused on the following objectives for its inspection of HMCS:

- To contribute to maintaining and improving performance across the Crown, county and magistrates' courts in England and Wales
- To contribute to maintaining and improving the quality of service provided to, and outcomes for, court users
- To contribute to policy development and provide reports and advice to ministers and senior officials
- To assist in spreading good practice within the criminal justice system.

## Our methodology for inspecting HMCS

Following extensive consultation with our ministers, DCA and HMCS, our work during 2006–07 focused on a number of thematic type inspections. Inspectors, in consultation with HMCS, developed a framework for each inspection by which performance might be judged. In accordance with our principle of openness, the frameworks were made available to the Areas being inspected and they were invited to complete self-assessment of their performance under the framework's criteria. This contributed to the evidence used by inspectors when making their judgements. Each inspection was characterised by a period of on-site activity during which a wide range of staff, service users and members of associated agencies were interviewed and observations of practice took place.

HMICA subsequently used the evidence gathered to make judgements against the framework's criteria and where required, recommendations were made to HMCS to address areas of weakness. These in turn led to HMCS producing action plans that will be monitored as part of our programme of Post-Inspection Reviews (PIRs), where progress against each of the recommendations is evaluated.



A county courthouse

All of our inspection activity has been the subject of quality assurance checks with an experienced member of our inspection team assigned to this role for each inspection. This role is vital in ensuring that the ten principles of inspection, as set out in the *Government's Policy on Inspection of Public Services (2003)* are applied.

The following pages provide an overview of the inspection activity undertaken concerning HMCS during 2006–07. Included are some examples of good practice for each inspection. These are not intended to be exhaustive. Other good practice examples may exist.



Custody area

## Quality of service for defendants

The publication of an overview report in January 2007 marked the end of a 14-month examination of the quality of service for defendants in the criminal courts in England and Wales. This series of inspections was initiated following consultation with key stakeholders, and was part of a wider programme of work looking at the quality of service provided to court users by HMCS.

Ten Area based inspections were carried out between November 2005 and May 2006, with some preliminary findings presented in our Annual Report for 2005–06. Following the Area inspections, we spoke with senior managers, policy makers and stakeholders at a national level and examined the impact of HMCS policies and initiatives on the experiences of defendants in criminal cases. The results from all this activity were drawn together in the overview report, which presented findings from across the Areas and explored issues of national significance.

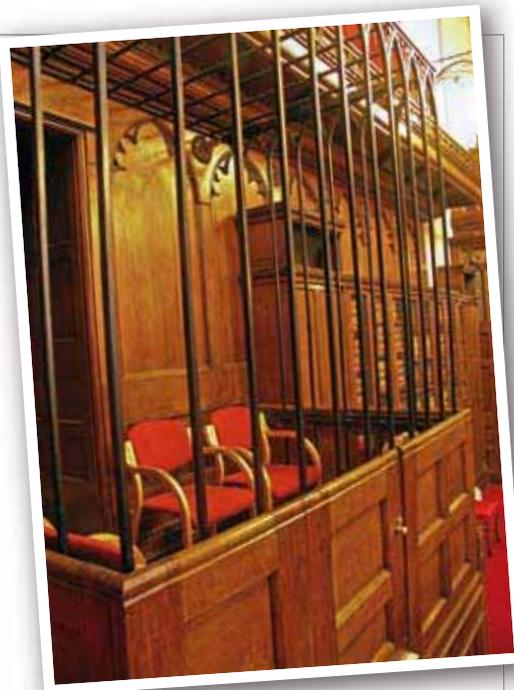
The quality of service HMCS provided to defendants in the ten HMCS Areas ranged from excellent to less than satisfactory. Generally defendants were treated with courtesy and respect by HMCS staff but corporately HMCS paid less attention to the needs of defendants than to those of some other groups of court users.

An organisation-wide commitment to treating defendants fairly and protecting their rights was evident throughout. In particular frontline staff showed impressive commitment to treating defendants well in what could sometimes be difficult and stressful situations.

As was found in our previous examination of victim and witness experiences, there were some excellent modern courthouses across the HMCS estate, which offered high quality facilities to all court users including defendants. In contrast some other courthouses were old and no longer fit for purpose. However, in these HMCS staff worked hard to limit negative outcomes for defendants. In many courthouses the privacy of defendants' conversations with their legal representative could not be guaranteed.

We were very pleased to come across some excellent arrangements for meeting the needs of defendants requiring mental health support. The most effective and comprehensive arrangements not only benefited the defendants requiring support but also enabled the court to make appropriate progress in the case, without avoidable delay.

Many security procedures were found to be inconsistent both within and between the Areas we visited and some risks to defendants had not been effectively identified or managed. Many of these problems were recognised by HMCS, which had brought in a new policy, '*Safe and Secure*', intended to address these shortcomings. Unfortunately the new policy portrayed defendants as a threat to safety and security rather than as a group of court users potentially at risk, in the same way as other groups.



Court dock

Defendants on bail and in custody could wait for a long time on the day for their case to be heard. Courts commonly required all defendants to arrive at the start of the morning or afternoon sessions, which could increase waiting times and also cause congestion in the courthouse. At some courts, defendants without a solicitor had to wait longer than their represented counterparts. We were concerned that reducing waiting times on the day for defendants was not a priority for HMCS, even though it was a source of dissatisfaction amongst this group of court users.

Enabling defendants to participate in the court hearing is key to their understanding and subsequent compliance with the outcome. We concluded that HMCS could do more administratively to help defendants participate more fully in their hearings. In some situations, the administration of oaths and affirmations or an absence of information in other languages

acted as a barrier to effective participation by defendants. In some cases involving the use of prison video links, which overall provide many benefits to defendants, participation was made more difficult by the operation of the equipment by the court.

Within the broader criminal justice reform agenda we found the needs of defendants were a lower priority for HMCS than some other groups of court users. At times key decisions were being made, or policies developed, without specific consideration of the impact of planned changes on defendants.



Court security arch

We made four recommendations to HMCS, covering safety and security, waiting times, participation and leadership. We also made a number of suggestions for further action at a more detailed operational level.

An action plan in response to our recommendations has been agreed and progress in implementing the recommendations will be evaluated over a maximum of 18 months.



## Good practice

- In Wiltshire, defendants (or their representatives) are given a card to complete when arriving at court. They answer a small number of questions about their case and return the card to HMCS staff when they are ready to proceed. Help completing the form is available if needed. This approach helps minimise waiting times for all defendants, including those in custody and those who do not have a solicitor, as cases are called on in the order in which they are ready. HMCS staff are also able to tell defendants about likely waiting times when the card is returned.
- In the West Midlands we found a number of innovative and sensible approaches to managing interpreters. These included a system by which a diary of interpreter bookings is maintained and checked each time a further need for an interpreter is identified. This means that if an interpreter of the same language is already scheduled to be working at the court in the future, the court can choose to hear the new case on the same day, potentially saving money and reducing waiting times.
- At Feltham (SW London) and Solihull (West Midlands) magistrates' courts, ushers wear badges, which identify the number of the court they are working in. This enables defendants and other court users to easily identify the particular usher with whom they need to make contact when they arrive at court; especially in busy courts where waiting areas may be used for several courtrooms.
- In South West London public display screens are used to show a series of slides providing information useful to defendants. At other times the screens show news bulletins and other sources of information. Similarly, at some courthouses in Kent and West Yorkshire televisions are provided in waiting areas. Feedback from defendants indicates they are greatly appreciated during potentially long waits for a case to be heard.
- In Kent, prison video-links are made available for use by other criminal justice professionals when not needed by the court. Probation officers are one of the groups able to make use of this facility, saving valuable travelling time to and from a prison. The time saved can be used to carry out other court related activities such as producing pre-sentence reports or interviewing offenders, with consequent benefits in reduced waiting times for the court and defendants.

## Implementation of the Youth Court Good Practice Guide (2001)

As part of our 2006–07 inspection cycle, we were pleased to be invited by HMCS to conduct a thematic inspection of Youth Courts which could be used to inform a review of the *Youth Court Good Practice Guide (2001)*<sup>6</sup>.

The Good Practice Guide was prepared to assist the Youth Courts in effectively contributing towards a reformed youth justice system. The Guide has in its title 'The Changing Culture of the Youth Court' and we found that, overall, the culture of the Youth Courts has changed over the last five years. Inspectors found that young defendants have become very central to the proceedings and the language and style of the court process has changed to ensure this happens.



Giving feedback

We were impressed with the hard work and dedication shown by everyone involved in the Youth Courts and inspectors saw excellent examples of this from court staff throughout the inspection. We also found areas where this positive work could be enhanced and have made recommendations and suggestions to HMCS in relation to this, for example in the early identification of young people with learning difficulties or disabilities.

An important area of the Good Practice Guide relates to the layout of the Youth Court. Many Areas have adopted an informal or semi-formal layout as suggested in the Guide, however some have retained formal Youth Courtrooms. Interestingly, inspectors found good communication can take place despite the layout of the court and that the key element is the effectiveness of the person communicating.

6. *The Youth Court Good Practice Guide (2001)* can be downloaded at: [www.homeoffice.gov.uk/documents/ythcrt01](http://www.homeoffice.gov.uk/documents/ythcrt01). It was prepared jointly by the Home Office and the then Lord Chancellor's Department (now MoJ) to assist the Youth Courts in effectively contributing towards a reformed youth justice system.

One particular area where the Good Practice Guide had not had a great impact was that of ‘more open court processes’. We found a lack of consensus on the desirability or benefits of more open Youth Courts and have suggested that this section of the guide should be reviewed.

In addition to the elements of the Good Practice Guide, inspectors looked at whether there were effective systems in place to support the Youth Court and provide a safe and secure environment for all court users. A worrying finding was the lack of clarity around responsibility for young people sentenced or remanded to local authority secure accommodation while still on court premises. The resultant uncertainty puts a vulnerable group of young people in danger and we made an urgent recommendation to HMCS in light of this.

### Good practice

- Inspectors saw an excellent example of preparatory information available to young defendants and their parents/carers. HMCS West Mercia have worked with others to produce an informative ‘Youth Justice Pack’ which includes a range of leaflets. Each leaflet has a ‘your questions answered’ section and the whole pack stresses the importance of attending court at the date and time advised. A translation service is also offered.
- Large, clear, moveable function plates in the youth courtroom in Newport, Isle of Wight and Liverpool were supported by clear court layout plans in the waiting area.

At HMICA conference



## Feedback and complaints

In September 2006 HMICA undertook a review of how HMCS deals with feedback and complaints in England and Wales.

When HMCS was established in 2005 it had no single organisational approach to feedback and complaints. As a result, the central HMCS Customer Service Unit developed, through consultation, a process for feedback and complaints along with detailed corporate guidance, performance targets and an electronic recording and measurement system.

Whilst this work represented a lot of progress, at an operational level the procedures and recording mechanisms were not being consistently applied throughout HMCS.

Locally, we found evidence of good visible leadership and management in relation to feedback and complaints. HMCS staff were helpful to court users in advising them how to provide feedback or make a complaint. However, some court users were not able to access the procedure as easily. For example, users in custody areas; those waiting in private witness areas; and those who do not speak English.

Inspectors found that the recording of feedback and complaints was inconsistent and it was clear that much more could be recorded, particularly oral feedback. However, where feedback or complaints were recorded there were lots of good examples where processes had been changed as a result and lessons had been learnt. Unfortunately, some of the good practice identified was not always shared with other HMCS colleagues.



Listening to customers

We made three formal recommendations that ask HMCS to:

- improve access to the feedback and complaint process for all users
- ensure all feedback is recorded appropriately and that the lessons learnt are shared
- provide more clarity in the corporate guidance to handling feedback and complaints, as well as ensuring all staff are appropriately trained.

Since the inspection, HMCS centrally, has responded positively to the recommendations, with an abundance of work already underway to make improvements.



### Good practice

- Central London Civil Justice Centre set a more challenging three-day target to deal with most complaints in order to balance them with those complaints that take longer to deal with.
- In Lancashire feedback/complaint recording log sheets are photocopied on brightly coloured paper and placed on staff desks. This has helped to increase the quantity of recorded feedback and complaints.
- The Court Funds Office send out a short questionnaire two weeks after a complaint has been successfully resolved, asking for feedback on how well they felt their complaint had been dealt with.
- Merseyside and Lancashire undertake 'Mystery Shopper' exercises to check if staff are recording oral complaints consistently.
- In the County Court Bulk Centre every member of staff is part of a 'lessons learnt' process that provides a regular forum for discussing the feedback and complaints received, and to identify what can be done to improve ways of working.

## Quality of service for jurors

Trial by jury has been in use in England and Wales since the 13th century and jurors still play a key role in the criminal justice system. In June 2006, HMICA undertook an inspection of the quality of service for jurors. The inspection, which was the largest ever undertaken by the Inspectorate, sought to establish whether the service provided to jurors by HMCS was adequate and whether legislative changes in 2003 had ensured that the selection of jurors was consistent.

We visited 23 courthouses and gathered the views of over 950 jurors. We were pleased to find that overall, jurors were glad to serve and there was evidence of outstanding efforts made by court staff to make jurors feel at ease about the court experience. This often worked to mitigate dissatisfaction with the standard of some facilities. Jurors also expressed dissatisfaction with lengthy delays and often long periods of inactivity. There was also feeling that the amount of financial compensation provided for loss of earnings was insufficient, leaving many out of pocket.

We made five formal recommendations that ask HMCS to:



Crown Court  
(posed by models)

- ensure rigorous and well-publicised enforcement of the obligation to undertake jury service
- undertake a diversity impact assessment of its current policy and procedures for jury selection and support to ensure that no one is disadvantaged or inappropriately excluded by them
- take measures to improve the safety and security of jurors in all Crown Court Centres in England and Wales
- ensure that jurors receive prompt and appropriate reimbursements for any losses reasonably incurred as a result of jury service by reviewing and improving the current system
- provide strategic leadership to ensure the identification of needs of, and the consistent delivery of services to, the diverse range of jurors.

## Good practice

- At Southwark, non-attendees are sent a standard ‘chase-up’ letter and given a deferred date to attend; there have been occasions where the jurors have been required to appear before the judge to explain why they did not turn up.
- A number of courts (for example Nottingham, the Central Criminal Court, Hereford, Croydon, Truro and Teesside) proactively offer pre-hearing visits to jurors who have identified that they have a special need, so that they can assess the facilities and see whether they can fully participate on a jury.
- At Plymouth jurors who do not bring sufficient ID are permitted to view the information video, etc, but are not permitted to sit until they bring sufficient ID the following day.
- At Croydon staff have made visits to local community and school groups to explain what jurors do and why it is important.



Court information desk

## Internal communications

For any organisation to be successful in achieving its aims, it is vital that internal communications are as effective as possible. Not only does this allow all members of staff to understand what is being asked of them and why, but it also helps them to feel part of the organisation. This engagement will, in turn, bring rewards as staff take pride in the levels of service that they offer, and in their own, and the organisation's performance.

This inspection took place towards the end of 2006. The purpose was to examine whether HMCS communicated with its staff in a direct, open and effective way, taking into account their diverse needs and making sure that they understood messages. We also looked at the communications channels that are used to deliver messages and whether communication is truly 'multi-directional' – that is, that all parts of the business can communicate with each other effectively.

We visited six Areas, three regional offices and four HMCS directorates during the inspection. We found that staff feel that communications have improved over the last year, and there were many examples of good practice, such as meetings being held at different times to suit the needs of staff on reduced hours.

Inspectors were pleased to see that staff across HMCS were thinking about how to improve internal communications and were using innovative methods to bring about this improvement, including the increased use of electronic communication methods, the use of training videos to replace formal training events and utilisation of web-based systems to manage information.

There were still areas that needed to be improved, however. These included ensuring that messages were targeted appropriately; that effective use was made of electronic channels of communication, such as the intranet; that the team briefing system was fully embedded across HMCS and that the Communications Directorate ensured that all communications strategies across the organisation were consistent.

## Good practice

- Several Areas and Regions use their intranet sites to publish the minutes of management meetings – which reduces the use of e-mail attachments and encourages use of the intranet.
- At Stafford Combined Court, 24 hours is allowed after team briefings for staff to raise any issues arising from the meeting before minutes are produced and signed off.
- Courts in Staffordshire, Gwent and North Wales ensure meetings are held at different times to allow staff on reduced hours to attend when possible.
- The Bailiff Manager based at Stoke-on-Trent Combined Court has responsibility for bailiffs at four satellite courts and ensures that they are each visited at least once a fortnight.
- In Lincolnshire, there is a checklist for managers to help them decide what should go on internal notice boards.

Court files



## **Inspecting aspects of the administration of the civil courts – the first pilot inspection of the county courts**

Although since its creation in 2005, HMICA's Inspectors have visited civil courts as part of wider thematic and joint inspections, we had not carried out an inspection of the civil courts in a HMCS Area until January 2007. The aim of this pilot inspection was to look at a limited range of activities in the county courts in one Area to test out the new methodology and to enable Inspectors to learn more about county court processes.

Hampshire & Isle of Wight was chosen as the Area for the pilot inspection, because it is a medium-sized Area and was, at that time, in a relatively steady state. We were particularly pleased that the Area management team welcomed the inspection and was willing to assist in the evaluation of the methodology.

We spoke to professional users of the courts (solicitors, bulk users such as local authorities, and mediators) and to individual customers. We also observed hearings, looked at sample court files, inspected the facilities and interviewed the staff and the judiciary. In order to keep the scope of the inspection manageable, we looked at a limited range of county court functions – quality of service for court users, civil money claims, proportionate dispute resolution (PDR) and leadership in relation to these functions.

HMCS in Hampshire & Isle of Wight had re-structured to unify the management of all court business, civil and criminal. While, as with any major change programme, there were some teething problems, we were encouraged by the benefits that this unified management team was beginning to produce. We were also pleased to find a well-developed performance management culture that was addressing issues around weaker performance at some of the offices. We also saw some impressive customer service, especially from the ushers.

We made two recommendations about improving health, safety and security and to promote PDR, which was only in the very early stages of development in the Area.

## Inspection of the Coroners Service for Northern Ireland

HMICA has no statutory remit to inspect in Northern Ireland (NI), but we were very pleased to accept an invitation, from the Northern Ireland Courts Service, to assess the performance of its Coroners Service during the early part of 2007. Coronial processes in NI had been subject to significant administrative reform in 2006 and we agreed to look at how well the needs of bereaved families were being met since this time. In general terms, we set out to inspect the channels of communication being used, the administrative processes supporting the end-to-end service, and the systems in place to manage and develop the Coroners Service in a proficient, inclusive and responsive way.

This was a new area of work for HMICA and we dedicated significant resources to ensure that we had the knowledge and skills suited to the task. We consulted widely on the framework for the inspection and spoke with people working in NI, amongst them our colleagues in the Criminal Justice Inspectorate for Northern Ireland. One of the most important aspects of this inspection was to gather the views of those who came into contact with the Coroners Service. After training to enhance our empathy and skills in this area, we invited bereaved families and a range of agencies to engage with us and were encouraged by the response.

We were pleased to find that reforms to the Coroners Service for Northern Ireland (CSNI) had led to significant improvements, and the Service was able to demonstrate its commitment to delivering a service that focused on the needs of bereaved families. While some families still experienced unexplained delays, the CSNI was working hard to improve the flow of information and the speed with which cases are resolved.



Royal Courts of Justice,  
Northern Ireland

## Performance management

For operational reasons the thematic inspection of performance management planned for this year, was postponed until early in 2007–08. Detailed planning took place towards the end of 2006–07, for an inspection that will examine *Performance management of Crown, county and magistrates' courts in England and Wales*. The outcome of the inspection will be reported in our annual report for 2007–08.

## HMCS Post-Inspection Reviews (PIRs)

During 2006–07, inspectors visited those Areas inspected as part of the national overview of the *Quality of Services Provided to Victims and Witnesses* reported on in our 2005–06 Annual Report. We found that individual Areas are making good progress in meeting local recommendations with all actions completed in three of the eleven Areas inspected (Northamptonshire, Suffolk and Staffordshire). Higher-level recommendations and actions for HMCS corporately, continue to be implemented and are expected to be finalised during the 2007–08 reporting year.

Similarly, Inspectors have continued with the programme of PIR visits to Areas visited as part of the national overview inspection of the *Quality of Service provided for Defendants in the Criminal Courts*.

The Areas inspected and a summary of progress against PIRs for each are detailed in the table on page 32.

## HMCS PIR Visits 2006–2007

Target maximum of three visits within 18 months of completion.  
 Figures reflect progress at 31 March 2007.

Inspection	Inspected Area	Inspection end date	Number of recommendations made	Number of recommendations signed off as completed	PIR completion due date	Actual completion date (last PIR visit)
Quality of Services Provided to Victims and Witnesses	Humberside	15-Jun-05	3	0 <sup>7</sup>	15-Dec-06	
	Northants	17-Jun-05	4	4	17-Dec-06	5-Oct-06
	Dorset	25-Jul-05	3	3	25-Jan-07	19-Apr-06
	Suffolk	26-Jul-05	2	2	26-Jan-07	22-Oct-06
	Staffordshire	29-Sep-05	2	2	29-Mar-07	27-Oct-06
	Thames Valley	03-Oct-05	3	3	03-Apr-07	17-Jan-07
	Gtr Manchester	11-Nov-05	1	1	11-May-07	01-Feb-07
	Norfolk	14-Nov-05	2	2	14-May-07	
	Victim & Witness Overview	02-Dec-05	6	0	02-Jun-07	
Quality of Service provided to Defendants in the Criminal Courts	Wiltshire	14-Dec-05	2	1	14-Jun-07	
	W Yorkshire	15-Dec-05	3	0	15-Jun-07	
	Cheshire	20-Dec-05	2	2	20-Jun-07	24-Aug-06
	Cumbria	24-Feb-06	2	2	24-Aug-07	21-Aug-06
	West Midlands	24-Feb-06	3	0	24-Aug-07	
	S W London	20-Apr-06	5	0	20-Oct-07	
	Kent	20-Apr-06	4	0	20-Oct-07	
	Durham	08-Jun-06	3	3	08-Dec-07	14-Dec-06
	Derbyshire	09-Jun-06	3	1	09-Dec-07	
	Essex	14-Jun-06	1	0	14-Dec-07	
	Defendants Overview	30-Aug-06	4	0	01-Mar-08	

= Completion due during 2006–07       = Completed ahead of schedule

# 3

Introduction

Inspecting Her Majesty's Courts Service

**Inspecting the Children and Family  
Court Advisory and Support Service**

Joint Inspection

Contact and Advice

Our Organisation

Looking Ahead

1

2

3

4

5

6

7

## Inspecting the Children and Family Court Advisory and Support Service

This year was the last that HMICA inspected the Children and Family Court Advisory and Support Service (CAFCASS). Under the provisions of the Education and Inspections Act 2006, from 1 April 2007, HMICA responsibilities for inspection of CAFCASS transferred to the Office for Standards in Education, Children's Services and Skills.





Putting children first  
in family courts

## Overview of CAFCASS

CAFCASS has had a year of significant development. It has a clear strategic direction in following up its consultations *Every Day Matters* (October 2005) and *Organising for Quality* (December 2006). The full impact of these changes has still to be assessed; inspection will contribute to this evaluation.

CAFCASS was established in 2001 as an executive Non-Departmental Public Body. Its principal function is to safeguard and promote the welfare of children involved in family court proceedings. In addition, court rules set out in greater detail the powers and duties of CAFCASS staff when appointed to cases. CAFCASS is sponsored by the Department for Education and Skills.

CAFCASS delivers its services through local teams of practitioners, support staff and service managers, organised within ten regions (Eastern, East Midlands, Greater London, North East, North West, South East, South, South West, West Midlands and Yorkshire & Humberside). The work of CAFCASS has an immediate and high impact on both children and their families, many of whom have experienced abuse, neglect, domestic violence or family breakdown. Additionally, applications in family proceedings where CAFCASS advises the courts typically come at a critical juncture in the life of children, involving some of the most far-reaching decisions that can be taken about children's lives.

CAFCASS is also a key player in many family law-related developments. The need to improve public confidence in the family justice system is high on the Government's agenda and this has been reflected in important policy initiatives such as the Children and Adoption Bill, which includes significant powers to strengthen both enforcement of contact arrangements and Family Assistance Orders (FAO).



CAFCASS inspection team

## Objectives for inspecting CAFCASS

Powers to inspect CAFCASS were first set out in the Criminal Justice and Court Services Act 2000 (section 17). When in April 2005 MCSI migrated to Her Majesty's Inspectorate of Court Administration (HMICA), its powers "to inspect and report...on the performance of CAFCASS functions" were subsumed into the Courts Act 2003 at section 59. A particular priority in the last year has been to inspect the quality of front-line practice, with the following objectives:

- to contribute to the improved performance of CAFCASS and improved outcomes for children in England and Wales
- to contribute to policy development and provide reports and advice to ministers and senior officials
- to assist in spreading good practice.

The following pages provide an overview of inspections of CAFCASS during 2006–07.

## Private Law – Front-line Practice

The wider policy context for this inspection was the Government's drive to improve public confidence in the family justice system, within which CAFCASS has a role in helping to improve services to children and families. When courts dealing with family proceedings consider contested applications, they turn to CAFCASS for advice to aid their decision-making. CAFCASS 'front-line' practitioners undertake case planning, interviews and assessments, and prepare reports to court based on those assessments.

Inspectors found that, typically, many service users experienced CAFCASS as a courteous, timely and caring service, whilst others perceived a lack of clarity of purpose in interventions and in the basis on which CAFCASS makes assessments, judgements and recommendations. We also found a lack of authoritative guidance on, and tools supportive of, key aspects of the task of reporting to the courts, including planning assessments and interviews, and recording. There was also uncertainty whether CAFCASS practitioners should simply report the family conflicts to the courts or assess them more fully.

We were pleased to see some high quality practice with both adults and children but there was some evidence of unsatisfactory standards. The quality of much practitioner interview work varied, as did the quality of report writing. Inspectors found that reports often gave insufficient attention to allegations of domestic violence, issues around diversity and the need to explore alternative options available to the courts.

We concluded that efforts to implement best practice across CAFCASS had not yet had sufficient impact at the local level. Similarly, new quality assurance mechanisms had not yet made sufficient impact on key aspects of front-line practice. Overall, arrangements for practitioner support and supervision by managers did not command widespread respect and confidence.

As a result of our findings, we were able to make a number of recommendations to help CAFCASS achieve tangible improvements in the quality and consistency of its services to children and families.

## Good practice

- A practitioner explained that children's best interests are the paramount consideration and was keen to demonstrate that this would be achieved in a way that would not put inappropriate responsibility on the child. To the child, he said 'it is not you who makes the decision'.
- There were elements of good practice in reports, including the Welfare Checklist section covering physical, emotional and educational needs. This provided sound indicators for the practitioner's assessment.

## Promoting Race Equality

Two key questions were central to this inspection: how well does CAFCASS comply with the statutory duty to promote race equality as set out in the *Race Relations (Amendment) Act (2000)*; and what, in practical terms, does compliance with the law actually achieve in promoting race equality in CAFCASS?

We found that CAFCASS' generic approach to diversity was too broad to address the specific requirements of the Act and that policy and procedures regarding service user monitoring were not followed systematically.



Providing for diverse faiths

Internally we found that effective action had been taken to improve recruitment of black and minority ethnic (BME) staff although support systems for those BME staff in post were inadequate. There were some worrying examples of racist attitudes and behaviours experienced within CAFCASS and in the wider family justice system.

As CAFCASS was repositioning key aspects of its front-line services and the organisation's direction of travel looked promising, this was a good time to ensure that opportunities were taken to mainstream race equality effectively in all aspects of its work.

### Good practice

Inspectors commend the action taken by the manager and team in Southampton, where effective and proactive steps have been taken to set up a multi-disciplinary working group with statutory and voluntary organisations to improve outcomes for children from minority ethnic communities.

## Assisting Families by Court Order

Family Assistance Orders were introduced by the Children Act 1989 to provide social work support to families experiencing difficulties in reaching agreement over arrangements for their children after separation or divorce. During 2006–07, HMICA carried out a review of FAOs to provide a picture of current practice within CAFCASS prior to changes due to come into force later in 2007 under the Children and Adoption Act 2006.

Examination of data from over one hundred files where an FAO had been made showed that although usage across CAFCASS regions varied widely, no difference was found in the nature of the cases before the court that might explain this variation. We recommended a number of principles that could be used to clarify the future use of FAOs in order to address this area of weakness.

Courthouse  
waiting area





### Good practice

- Adult users very much valued the opportunities provided by CAFCASS to take part in agreeing objectives in the FAO and reviewing progress. In one example of good practice, CAFCASS sent a written plan for each meeting and followed this up with a note of what was agreed and achieved at each meeting.
- There were many examples of good practice where files demonstrated that the information stored was accessible, purposeful, had relevance and did not unnecessarily duplicate information retained elsewhere in CAFCASS.

## Adoption – The New Law

The provisions of the Adoption and Children Act 2002 represent the largest reform in adoption for more than 30 years. This inspection examined how well CAFCASS and HMCS prepared for and implemented the provisions of the Act that came into force at the end of 2005.

There were a number of issues that we identified including:

- a lack of clear standards, guidance and procedures, particularly regarding the role of the Children's Guardian
- undefined practice boundaries – leading to some cases where guardians inappropriately undertook tasks that were the local authority's responsibility
- HMCS staff not being sufficiently prepared for the implementation of the new adoption provisions and as a result being unable to provide a timely, quality service.

Overall, we found that, despite teething problems with the new adoption provisions, and a variety of practice within HMCS and CAFCASS, there was willingness in both agencies to ensure that the two administrative systems worked together effectively.



### Good practice

- In Yorkshire, the consortium of Voluntary Adoption Agencies has arranged for a Service Manager and Guardian from CAFCASS to address them on Asian and Muslim placement issues.
- Court Attendants at the Principal Registry act as receptionists; monitor waiting times; and provide a constant security presence on each floor.

## CAFCASS CYMRU

Under provisions in the Children Act 2004, from April 2005 the service in Wales was devolved to the National Assembly. The Act allows for HMICA to continue inspecting family proceedings functions in Wales at the request of the Assembly and under the terms of a concordat between the Assembly and DCA Ministers (March 2005).

During 2006 we carried out an inspection of CAFCASS CYMRU to assess how well organisational change accompanying CAFCASS devolution had been achieved. The inspection found that, overall, the many challenges have been met well and that service delivery without delay had been maintained.

Inspectors found that the systems in place to provide effective quality assurance and performance management were weak. The child protection policies of the Assembly Government and CAFCASS together provide a secure foundation for good practice but effective reinforcement and implementation were needed.

CAFCASS CYMRU had improved its care of service users and has succeeded in meeting the needs of Welsh-speaking service users and those who live in rural areas. We were particularly pleased to find that imaginative steps had been taken to gain feedback from children and young people and for their views to be heard in developing practice.

We identified areas where improvements were both necessary and urgent. For example, the need:

- to address weaknesses in security that affect both service users and staff
- to review practice around managing interviews where people are either vulnerable or a threat
- to be more effective in gathering information about the race and ethnicity of service users, in order to meet legal obligations under the Race Relations (Amendment) Act (2000).

## Family scoping

At the request of Ministers, a scoping study was undertaken during the year to identify key areas for a possible future inspection, taking views on current issues from the perspectives of court staff, professional court users, the HMCS Headquarters, and other stakeholders. The central focus was the customer experience of the family courts. This subject will be included in the HMICA 2007–08 inspection programme and will be undertaken jointly with the Office for Standards in Education, Children's Services and Skills (the new Ofsted).



A civil court building

## Post-Inspection Reviews

Three PIRs were completed in 2006–07: *Eastern Region*; *First Line Management*; and *Domestic Violence, Safety and Family Proceedings*.

Out of 21 recommendations made in these three reports, seven (33%) were fully implemented and 14 (67%) were partially implemented. When compared to the previous year – where of 23 recommendations, seven (30%) were assessed as satisfactory at PIR and 16 (70%) assessed as generally satisfactory at PIR but requiring more work – overall, the 2006–07 figures show improved performance in implementing recommendations.



Leading discussion  
at HMICA conference

# 4

Introduction

Inspecting Her Majesty's Courts Service

Inspecting the Children and Family  
Court Advisory and Support Service

**Joint Inspection**

Contact and Advice

Our Organisation

Looking Ahead

1

2

3

4

5

6

7

## Joint Inspection

We are committed to co-operation with other inspectorates to promote the improvement of service delivery across the criminal justice system. We are an active participant in, and promoter of, a wide range of cross-cutting inspection activities.



## Joint criminal justice inspection

A key HMICA objective for 2006–07 was to contribute to maintaining and improving performance across the criminal justice system in England and Wales. To achieve this, HMICA has continued to co-operate with colleagues in the other criminal justice inspectorates (HMI Constabulary, HM Crown Prosecution Service Inspectorate, HMI Probation, and HMI Prisons) to undertake a programme of joint inspection of Criminal Justice Areas. This work is commissioned by the Criminal Justice Chief Inspectors Group (CJCIG), which brings together the heads of the five criminal justice inspectorates to address cross-boundary issues affecting the organisations they inspect.

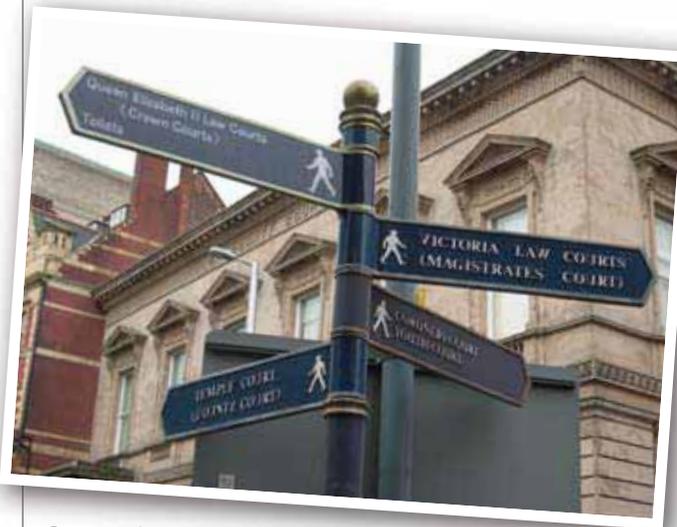
During the early part of the year, considerable progress was made with plans to merge the five criminal justice inspectorates into a single inspectorate for Justice, Community Safety and Custody (as reported in our 2005–06 Annual Report). However, by October 2006, Ministers had decided that this would not proceed. Instead, Chief Inspectors were asked by Ministers to develop enhanced joint working arrangements underpinned by new statutory powers and duties to co-operate under the Police & Justice Act 2006. The five Chief Inspectors agreed with the three responsible Ministers to take forward three strands of work: more and improved joint inspections; a business plan for joint work supported by a common secretariat with the first plan to be produced for 2007–08; and sharing of support services where appropriate so as to provide additional resources for this approach. Progress has already been made with the development of the first joint Business Plan for 2007–08 and a review of the potential for sharing support services.

Scales of Justice



## Joint inspection of Criminal Justice Areas

During 2006–07 HMICA continued to take part in the programme of joint inspections of criminal justice areas. This programme commenced in 2003 and three such area inspections took place in 2006–07 – inspections of the Cleveland, Devon & Cornwall and West Midlands Criminal Justice Areas. HMICA led the West Midlands Area inspection.



Court signage

The Criminal Justice Chief Inspectors' Group<sup>8</sup> decided to maintain the focus of previous Area inspections on increasing public confidence in the criminal justice system, increasing the number of offences brought to justice, and reducing the rate of ineffective trials, but to add an additional element on enforcing community sentences. It was decided that HMI Probation would analyse the findings of the enforcement of community sentences strand across the three Area inspections and publish a short additional report summarising key themes and lessons for all Criminal Justice Areas.

A standard methodology and framework were used in each inspection to allow inspectors to look at the experiences of all users of the criminal justice system and the way in which the various agencies work with each other to promote high quality services to victims, witnesses, defendants and other users.

8. The Criminal Justice Chief Inspectors Group has commissioned a review of the effectiveness of the joint Criminal Justice Area inspections. The review will evaluate the area inspections from the point of view of their value to key stakeholders and the five inspectorates. The review findings will be used to inform the development of future Area-based inspections.

As well as submitting documentation and performance data, each LCJB being inspected completed a self-assessment against the inspection framework criteria. A multi-disciplinary team of inspectors visited the LCJB Area for two weeks and interviewed users of the criminal justice system and key agency staff, as well as observing in courts and completing a case file analysis. The findings of the inspection were communicated to the LCJB shortly after the onsite weeks were completed and a written report published.

## Inspection findings

Inspectors found strengths in all three Areas, although there was no consistency as to where and how strengths were demonstrated. Good practice was demonstrated in the West Midlands in the quality of induction material for Local Criminal Justice Group chairs and in the effectiveness of collaboration between HMCS and the police to improve the entry of data onto the Police National Computer.

Recommendations were made across the three inspections in the following areas to:

- develop more effective LCJB structures to:
  - engage with stakeholders more effectively; focus on performance improvement; and deliver aims and improve accountability
- clarify responsibilities for, and improve the treatment of, victims and witnesses
- improve community penalty enforcement and, particularly, reduce delay
- improve criminal case management through: promoting better case building and case ownership; reducing discharged committals; and effectively delivering national initiatives such as the Persistent Young Offender or Simple Speedy Summary Justice.



Courthouse atrium

Introduction

Inspecting Her Majesty's Courts Service

Inspecting the Children and Family  
Court Advisory and Support Service

Joint Inspection

**Contact and Advice**

Our Organisation

Looking Ahead

1

2

3

4

5

6

7

# 5

## Contact and Advice

Protocols exist between HMICA and the Department for Constitutional Affairs (now the Ministry of Justice), and with HMCS to define how we interact with each other. There are also established lines of contact with CAFCASS and the Department for Education and Skills.



## Communication protocols with HMCS and DCA

This year has been the first full year of working within the protocol with HMCS that identified how the two organisations interact at specific points – such as during the inspection process. It committed both organisations to providing information on a regular basis, both in written form and by personal contact. The face-to-face meetings are reflected in the functional contact section on page 49. Arrangements for linking with the judiciary in respect of inspection are also set out in the protocol.

For the most part, arrangements in HMCS Areas for inspection have worked well, with both HMICA and HMCS clear about actions and timescales that have been agreed. It has proved more testing for HMCS to adhere to the protocol arrangements for thematic inspections, particularly in terms of attendance at feedback meetings and timescales for Action Plans. These aspects are currently under review as part of an agreed process set out in the protocol. During the year, HMICA took action to try to spread good practice more widely (through direct email contact with Area managers) in order to ensure that lessons learned and examples of effective practice reached Area managers more directly.

A similar protocol was agreed with the DCA to cover arrangements for contact between key individuals regarding both inspection and corporate responsibilities, such as development of business plans. The working of this protocol will shortly be reviewed.



At HMICA conference

Royal crest



A separate protocol was agreed with the Internal Audit Division (IAD) of DCA. This protocol ensures that any potential overlaps – either of topic area or geography – are identified at an early stage in order not to overburden Areas and to exploit the potential for joint working. This year, the inspection of the quality of service provided to jurors benefited from IAD involvement in some aspects. Scoping of the Performance Management thematic, planned for early in 2007–08 will build on work undertaken by IAD in 2006–07.

## Functional contacts

The Chief Inspector and the Chief Executive of HMCS met on a one-to-one basis regularly throughout the year. In addition, as part of the HMCS



HMICA Inspectors

protocol, links between staff from HMICA and HMCS with functional responsibility in different areas were established. The links cover a wide span of topics including civil, family and criminal business, aspects of customer service and corporate responsibilities. The contact role has been particularly important in this year of considerable change for HMCS as it moved to a smaller number of Areas and looked to new models of service provision. There have been some challenges in keeping up the valuable network of contacts at a time when many staff have been changing roles. However, the interchange of information has been valuable in maintaining and

strengthening the understanding of roles and purpose of both organisations. More inspectorate staff have been involved in providing inspection evidence to working groups and in widening contact through attending conferences. These contacts continue to be important, not only in cementing relationships at all levels of the organisations, but also in helping to improve services to users by spreading good practice through less formal mechanisms.

## Contact with CAFCASS and the Department for Education and Skills (DfES)

A Memorandum of Understanding defines the relationship between HMICA and the DfES. This provides the framework for co-operation between the two organisations and has worked well throughout the year. We maintained contact with DfES officials, including those with CAFCASS Sponsorship Unit responsibilities, and held quarterly meetings with the minister holding the CAFCASS brief.

Outside the CAFCASS inspection programme, HMICA has continued to have regular contact with senior staff in the organisation. In addition to the regular one-to-one meetings between the Chief Inspector and the Chief Executive of CAFCASS, there are twice-yearly meetings of the inspection team with the CAFCASS management team. We have also contributed to CAFCASS consultation papers when appropriate to do so.



Court files

# 6

## Our Organisation

Organisational changes during 2006–07 have driven the need for a strategic review to ensure that we are able to give best effect to the principles of inspection and that our structure and processes enable us to deliver them efficiently and effectively.



## People and development

The end of the year saw considerable changes to our staff complement. Two of our Directors, Colin Smith (Leeds) and Margaret Pinder (Bristol) retired during the early part of 2007. Then on 1 April 2007, a Director, Arran Poyser, transferred to the Office of Standards in Education, Children's Services and Skills along with three full-time and two standby Inspectors of CAF/CASS.

Replacing Colin and Margaret in the new roles of 'Assistant Chief Inspectors' (ACIs) are David Abbott and Andrew Allan, both of whom bring considerable experience as inspectors of HMCS and CAF/CASS respectively.

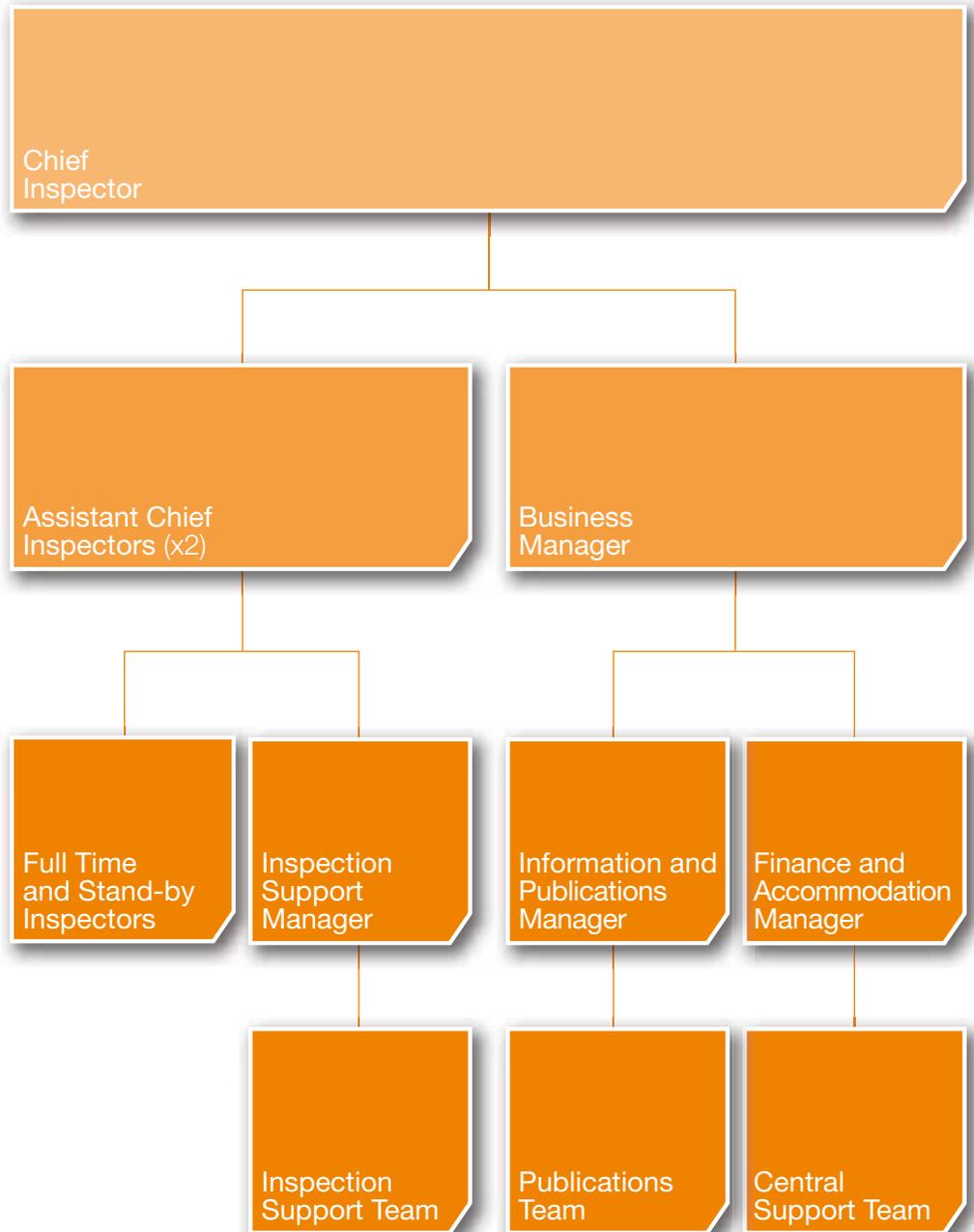
The inspection and support teams comprise 30 staff including a Business Manager; 16 Inspectors (full-time and standby); inspection support, and publications and central administrative teams. The staff are based at three separate locations in London, Bristol and Leeds and there are nine home-based workers.

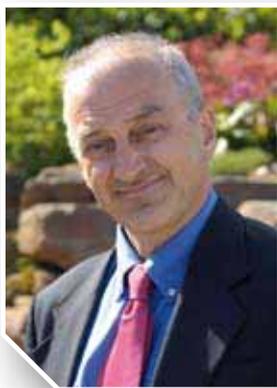
In accordance with the principles of inspection, HMICA is keen to learn continually from experience. To this end, during 2006–07 we established a Business Improvement Group to allow staff to share their experiences and to discuss improved ways of working, including the evaluation of inspection activity. We have also instigated a Strategic Review that will examine all areas of our organisation – its structure and processes, to ensure we have the right people, with the right skills to do the right jobs as we move into the new Ministry of Justice.

HMICA's Finance and Publications Team



## HMICA organisational structure





**Eddie Bloomfield (Chief Inspector)**

Eddie is a career civil servant who was appointed Chief Inspector in June 2005 after four years as Director of Operations at the Official Solicitor and Public Trustee Office. His experience covers a wide range of operational, policy and corporate roles in government. In addition, he was an Inspector with HM Treasury from 1987–91 including two years as Director of Staff Inspection Training for the Civil Service. In 1991–92 he assisted the Republic of Cyprus with the development and implementation of an inspection programme.



**David Abbott (Assistant Chief Inspector)**

Following 15 years working in the voluntary sector, David joined HM Magistrates Courts Service Inspectorate (HM MCSI) as HM Inspector in 1999, transferring to HMICA in April 2005. Following a period as HM Inspector/Change Manager he was appointed as HM Assistant Chief Inspector in January 2007.



**Andrew Allan (Assistant Chief Inspector)**

Andrew joined HM MCSI in 2000 as an HM Inspector after 25 years as a Customs Officer, the latter part of which was focused on change management and business improvement. Within MCSI and, later, HMICA Andrew inspected both the courts and the Children and Family Court Advisory and Support Service (CAFCASS). Following a period as project manager for the transfer of the CAFCASS inspection function to Ofsted, he was appointed as Assistant Chief Inspector in January 2007.



**John Peacock (Business Manager)**

John is a career civil servant who worked for the Lord Chancellor's Department in a variety of posts prior to joining MCSI (now HMICA); most recently as a Senior Auditor with Internal Assurance Division. He has a Post Graduate Diploma in Internal Auditing and Management.



**Arran Poyser (Director, Inspection of CAFCASS)**

Arran's professional background spans both the probation service and local authority social services departments. He joined the Department of Health Social Services Inspectorate in 1985 where he held a range of policy responsibilities including for the Guardian ad litem and Reporting Officer Service. In 2000, Arran Poyser was seconded to the CAFCASS implementation team. In February 2001, he was appointed to HMICA to head the CAFCASS inspection unit.

## The way we work

HMICA's work, including our inspection activity and internal management and administrative processes, is governed by a number of guiding principles. These are regularly evaluated and refined to ensure that our own standards of work reflect what we expect from the bodies that we inspect.

In common with all government departments, HMICA has a responsibility to deliver the UK Sustainability Development Strategy *Securing the Future*. In line with this, during the year, HMICA has developed its Sustainability Policy in consultation with all staff and with the agreement of the Senior Management Team (SMT). Good progress has been made in 2006–07 with the development of effective systems to capture and monitor business mileage for all modes of transport with the dual aim of accurately monitoring and offsetting carbon emissions for 2006–07. We aim to continue to introduce measures to reduce the need for business travel including the use of video-conferencing. The Sustainability Policy and Action Plan was reported on throughout the year and has been subject to review and revision for 2007–08. It has been updated to reflect progress made, incorporate recent government initiatives and to align it with the DCA Sustainable Development Strategy and Action Plan.

Diversity Impact Assessments have been undertaken for all new inspection activity to ensure that the organisations we inspect do not disadvantage any group or individual by their working practices. Similarly, we aim to ensure that our approach to our work is inclusive, for example by providing information and reports in a variety of languages and formats.

In accordance with the principles of the DCA's *Finding a Balance* policy, HMICA is committed to a healthy work/life balance for all its staff and this is taken into account when planning our activities. Our staff are encouraged to take responsibility for their own work/life balance and to provide guidance and support for colleagues that they manage.

## Managing our finances

HMICA's allocated budget is managed in accordance with DCA financial regulations and monthly monitoring reports are considered at each SMT meeting. The budget for 2006–07 was £2.385m. The table below illustrates how the budget was expended.

<b>HMICA budget outturn 2006–07</b>		
<b>Item</b>	<b>Expenditure (£)</b>	<b>% of total expenditure</b>
Paybill	1,854,000	78
Travel and subsistence	261,000	11
Other administrative costs	166,000	7
Printing and reprographics	82,000	4
<b>TOTAL SPEND</b>	<b>2,363,000</b>	<b>100</b>



# 7

## Looking Ahead

Forthcoming inspections include a programme of joint Area and thematic criminal justice inspections; inspections of civil justice including family matters and thematic inspections in HMCS of performance management and diversity.



## HMICA Programme 2007–08

Developing the work programme for 2007–08 has presented HMICA with a number of challenges, with the considerable increase in joint inspection activity.

Contributing to the programmes of joint inspection with the other criminal justice Inspectorates, and with the Office for Standards in Education, Children's Services and Skills (Ofsted) in respect of the family courts, will be a key priority for us and we have committed a considerable amount of our resources to it.

In all our joint activity, we will be focusing on the contribution HMCS makes to the overall justice systems, criminal and civil, and looking at how it works with the other organisations involved to deliver better outcomes for service users.

The joint inspections of the criminal justice system will include a number of Area inspections and some thematic inspections looking at issues such as:

- the flow of information between agencies
- enforcement of court orders
- criminal case management.

We will also be working with Ofsted to look at the experience of families and others who use the family courts. Working with Ofsted will allow us to look at the interaction between the Courts Service and CAFCASS in dealing with Children Act cases.

Our single agency inspection programme in HMCS, will focus on the wider aspects of civil court work and matters such as performance management and compliance with equality legislation, including diversity.

As in previous years, we have shared our intentions with our stakeholders and we are grateful for the comments we have received which have helped us in shaping our plans for the future.

## CAFCASS Programme 2007–08

From April 2007, inspection of CAFCASS forms part of the children's directorate remit. Although no immediate changes are planned to the way CAFCASS is inspected, there are important ongoing developments that will be carried forward. For example, inspections will better reflect how CAFCASS contributes to the *Every child matters*, improving outcomes for children, agenda. CAFCASS performance will increasingly be graded in ways similar to those used for Joint Area Reviews and Annual Performance Assessments. The views of children and parents about their experiences will be given a higher profile. Our programme will include single inspections of CAFCASS and joint inspections with HMICA to bring in the administration of family courts perspective.



Above – Taking notes at conference

Left – Annual Report Editor Deborah Wheeldon

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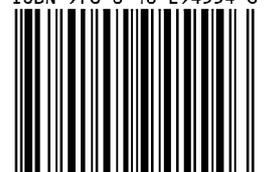
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