

annual report

of Her Majesty's Chief Inspector
of Court Administration

2007–2008

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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.

Ordered by the House of Commons to be printed 16 July 2008.

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Our Ministers 2007–2008



Jack Straw

Lord Chancellor
and Secretary of State
for Justice



Maria Eagle

Parliamentary Under
Secretary of State

Foreword

To the Right Honourable Jack Straw, Lord Chancellor and Secretary of State for Justice

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I am pleased to submit my third annual report as Chief Inspector of Her Majesty's Inspectorate of Court Administration (HMICA). This report provides a summary of the activity undertaken by HMICA during 2007–08. The focus of this year's programme has been working alongside others to help the organisations we inspect deliver real improvements for service users and in so doing provide assurance to Ministers and the public about the delivery of those services.

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 by those courts. These courts are administered by HMCS.

HMICA also works closely with colleagues from Her Majesty's Inspectorate of Constabulary (HMIC), Her Majesty's Crown Prosecution Service Inspectorate (HMCPsi), Her Majesty's Inspectorate of Probation (HMI Probation) and Her Majesty's Inspectorate of Prisons (HMI Prisons) to deliver a joint programme of Area and thematic inspections.

2007–08 has been a year of change for HMCS, with the move to being an executive agency of the Ministry of Justice (MoJ), the retirement of its Chief Executive, Sir Ron De Witt and further structural changes.



▲ Eddie Bloomfield,
Chief Inspector, HMICA

HMICA has continued to adapt to these developments, working with HMCS to ensure real improvements for the end users of court services. This year has seen our first inspection of family administration thereby extending HMICA inspection activity to our full remit under the Courts Act 2003. We have worked with colleagues from the Office for Standards in Education, Children's Services and Skills to assess the experience of service users during family court proceedings. A further inspection is included in our programme for 2008–09. We have also completed a major thematic review of Performance Management, which has led to significant changes in HMCS's approach to performance management.

Our partnership working with the other criminal justice inspectorates has been a key area of work for us during 2007–08. Area joint inspections of Dorset and Lancashire have tested out a new methodology following feedback from the previous round of joint inspections in 2005–06.

Work is ongoing to continue the development of the methodology. We have led a joint thematic inspection of enforcement and supported joint inspections of electronic monitoring and the transmission of orders from courts to Probation.

In addition to our planned programme of work for the year, we have undertaken a number of high profile reviews and inspections at the request of Ministers. During May and June, to provide assurance to Ministers and in response to the increasing prison population, HMICA and HMI Prisons carried out an inspection into the practice of holding people overnight in some court cells. In November 2007 a written ministerial statement, provided to Parliament, about practices at Leeds Magistrates' Court, directed HMICA to report on the court resulting and warrant withdrawal procedures in place there. We worked closely on this inspection with colleagues from HMIC, HMCPSI, HMI Probation and the MoJ Internal Audit Division, and our report was published in March 2008. Towards the end of the year, HMICA, in conjunction with colleagues from HMIC, HMCPSI and HMI Prisons undertook a review (the Peart Review) to ascertain the circumstances in which a defendant, wanted on a warrant, was released from custody and so able to commit a serious crime. These reviews were, in my view, illustrative of the enhanced joint working arrangements developed between the justice inspectorates over the last 12 months.

This year, HMICA has also reviewed its internal processes, through our Strategic Review, to ensure that our organisation, methodology and working practices are at the forefront of inspection practice. This work has involved all members of our organisation and is now moving forward through a programme of change to improve our inspection methodology, strategy, structure, knowledge management and the way we evaluate the work we do.

I was re-appointed to the post of Chief Inspector for a further three years with effect from January 2008 and in March 2008 I appointed two Deputy Chief Inspectors (DCIs) to assist me in my duties. HMICA's delivery of such a wide-ranging programme of work this year, including the ability to inspect in response to key issues and changes in the justice system, could not have been achieved without them and the rest of our professional and hard-working staff. I am extremely grateful to them all for their commitment, dedication and flexibility. Together we will deliver our Change Programme over the coming year, to continue improving the way we work for the benefit of the organisations we inspect, their service users and the public.



Eddie Bloomfield
HM Chief Inspector

Summary of HMICA inspection activity 2007–08

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1

Introduction

Our vision:

to create a better justice system through excellence in inspection.



Our remit for 2007–08

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
- prepare an inspection programme and inspection framework, following consultation
- act as a gatekeeper when other bodies propose to inspect HMCS
- co-operate with other inspection bodies, when appropriate to do so, for the efficient and effective discharge of our functions
- prepare a joint inspection programme in conjunction with other Chief Inspectors
- discharge any other particular functions which may be specified in connection with the courts listed or related functions of any other person.

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

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.

Ten principles of inspection

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
- 7 disclose the criteria used for judgement
- 8 be open about the processes involved
- 9 have regard to value for money
- 10 continually learn from experience.



▲ Inspectors meet to discuss a recent inspection

HMICA's contribution towards Public Service Agreement objectives

HMICA's work programme for 2007–08 contributed to the achievement of three of the four MoJ Public Service Agreement (PSA) objectives. We do not contribute to Objective 3 as it relates to the development of democratic institutions of government that command public confidence. The objectives and targets and our contribution towards them are set out below.

PSA objective and performance targets	HMICA contribution
<p>Objective 1: To provide criminal, civil, family and administrative justice systems that command public respect and confidence.</p> <p>Performance targets:</p> <p>1 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>2 Reassure the public, reducing 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>3 [HMICA does not contribute to achievement of this target, which relates to asylum.]</p>	<ul style="list-style-type: none"> • Our programme of inspections contributed to improved administrative working arrangements and practices in the criminal, civil, family and administrative justice systems. • Joint work undertaken by the Criminal Justice Chief Inspectors Group contributed to the achievement of performance target 1. • Joint inspection work focused on public confidence, contributing to the achievement of performance target 2.

PSA objective and performance targets	HMICA contribution
<p>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.</p>	<ul style="list-style-type: none"> • Our inspection in the family courts included reviews of performance in public law and the avoidance of delay, contributing to the achievement of performance target 4.
<p>Performance targets:</p> <p>4 By 2009–10, increase the proportion of care cases being completed in the courts within 40 weeks by 10%.</p> <p>5 To achieve earlier and more proportionate resolution of legal problems and disputes by:</p> <ul style="list-style-type: none"> • increasing advice and assistance to help people resolve their disputes earlier and more effectively • increasing the opportunities for people involved in court cases to settle their disputes out of court • reducing delays in resolving those disputes that need to be decided by the courts. 	<ul style="list-style-type: none"> • Our inspection in the civil courts looked at proportionate and appropriate dispute resolution. Our inspections of both the civil and family courts focused on outcomes for service users. These contributed to performance target 5.

PSA objective and performance targets	HMICA contribution
Objective 4: To create a modern, efficient and effective department that has the capacity and capability to deliver excellent public services.	<ul style="list-style-type: none">• Our inspections of HMCS have contributed to improved administrative working arrangements and practices.



HM Inspectors ▲
Central Support Team staff ►



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Inspecting Her Majesty's Courts Service

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We aim to improve the services delivered to court users and reflect their experience in our published reports. We encourage HMCS to assess its own performance and ensure we take those assessments into account when we inspect. We promote good practice and encourage the elimination of poor practice.





About HMCS

HMCS's goal: 'All citizens according to their differing needs are entitled to access to justice, whether as victims of crime, defendants accused of crimes, consumers in debt, children in need of care, or business people in commercial disputes. Our aim is to ensure that access is provided as quickly as possible and at the lowest cost consistent with open justice and that citizens have greater confidence in, and respect for, the system of justice.'¹

HMCS is an executive agency of the MoJ and is responsible for the management of the system of the court services in England and Wales. Its remit is to deliver justice effectively and efficiently to the public. HMCS provides administration and support for the Court of Appeal, the High Court, the Crown Court, the magistrates' courts, the county courts and the Probate Service.

In April 2007, HMCS restructured from 42 Areas to 25 Areas within seven Regions. Each of the 25 Areas is headed by an Area Director who, working with the Regional Director, is responsible for delivery of court services in their Area. Area Directors are members of the Local Criminal Justice Boards (LCJBs) located in each of the 42 Criminal Justice Areas.

Under the Courts Act 2003, Courts Boards were established to work in partnership with HMCS to achieve effective and efficient administration of the courts. The Courts Boards do not manage or administer the courts themselves, but give advice and make constructive recommendations to foster improvement in the administrative services provided.

HMCS has a key role in delivering three of MoJ's priorities:

- to reduce crime and anti-social behaviour, protecting the rights of the law-abiding citizen and making our communities safer
- to protect the vulnerable, especially children at risk and the socially excluded
- to enable people to resolve their problems better by promoting and delivering faster and more effective dispute resolution.

Objectives for inspecting HMCS

During 2007–08, HMICA focused on the following objectives for our inspection of HMCS:

- to contribute to maintaining and improving performance across the criminal, civil and family 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 HMCS.

Inspection activity during 2007–08 was largely focused on joint inspection as described in Section 3 of this report. In addition, we carried out important work in developing and testing our framework for the inspection of family courts and delivered our thematic inspection of performance management.

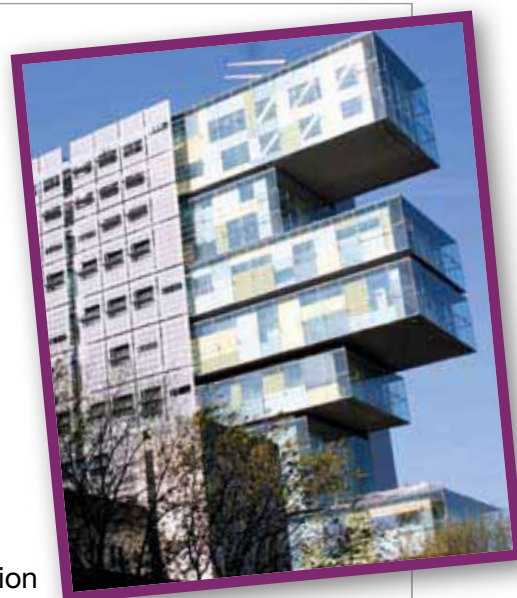
Our methodology for inspecting HMCS

HMICA develops an inspection framework, for each of our inspections, against which performance is judged.

For example:

- the framework for the inspection of aspects of county court administration, which was piloted last year, was used for our civil inspection during 2007–08
- this year we have developed and successfully piloted a new framework to inspect the experience of service users during family proceedings
- the performance management thematic inspection framework focused on services being supported by a coherent approach to managing performance
- as part of the family inspection we sent questionnaires to service users.

Our frameworks are made available to the inspected bodies. They are asked to carry out a self-assessment of their strengths and weaknesses against the framework's criteria.



▲ Manchester Civil Justice Centre

Each inspection involves a period of on-site activity, during which staff, service users and members of associated agencies are interviewed and observations of facilities and practice take place. Self-assessments, questionnaires and on-site activity form part of the evidence used by Inspectors throughout the inspection process and when making judgements.

Recommendations are made to address areas for improvement and good practice, where it exists, is highlighted. Following an inspection, HMCS typically produces an action plan, to take forward our recommendations, which is monitored as part of the Post-Inspection Review (PIR) process.

Inspection activity is subject to quality assurance checks by a member of our Senior Management Team to ensure consistency of standards and that the ten principles of inspection, described in Section 1 of this report, are applied.

The following pages provide an overview of our inspection of HMCS during 2007–08.

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This year we have developed and successfully piloted a new framework to inspect the experience of service users during family proceedings

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Inspection of performance management within Her Majesty's Courts Service

The thematic inspection of performance management arrangements in HMCS looked at whether: 'the delivery of effective, efficient and improving services, which are relevant and appropriate to all court users, is supported and enhanced by a systematic, coherent approach to managing performance.'

We found that HMCS has made real progress and improvements in its structures, processes and culture for performance management. In particular, progress has been made towards the development of effective performance management functions and accountability processes at all levels of HMCS. However, as HMCS recognises, there is some way to go in terms of turning target achievement into consistent improvement of service delivery and improved outcomes for service users.

We made a number of recommendations to assist in this process. We also identified numerous examples of good practice in various parts of HMCS that we visited and encouraged HMCS to ensure that good practice is shared across the organisation as widely as possible.

Our report was well received. HMCS developed a detailed action plan to address our recommendations and took steps to make some immediate improvements, including the setting up of a new performance management board. The implementation of the action plan continues and HMCS staff have commented positively on the benefits that have resulted from this inspection.



Royal coat of arms displayed in a courtroom ▲

Inspection of aspects of county court administration (Lincolnshire, Leicestershire & Rutland and Northamptonshire HMCS Area)

Our second inspection of the county courts was in progress as the reporting year ended. The inspection focused on the following aspects:

- leadership including: strategic and business planning, organisational structures, equality and diversity, and performance management
- proportionate and alternative dispute resolution
- administrative support systems for the efficient and timely handling of money claims
- quality of service for court users, including the treatment of court users and the information they receive, the comfort and accessibility of court buildings, safety and security considerations.

Inspectors visited the Lincolnshire, Leicestershire & Rutland and Northamptonshire Area, in the HMCS Midlands Region. This is its first year of operation as an amalgamated Area and we were interested in the challenges faced and the progress made by this large, diverse Area.

We found that although the Area's leadership was stretched by a range of factors during a challenging first year of operation, county court users in the Area were treated with courtesy by approachable and helpful front-line staff. We made a number of recommendations to help the Area and expect to publish our report in mid 2008.



▲ An entrance to Leicester County Court

Inspection of the experience of service users during family proceedings (Sheffield family courts)

In 2006, we were asked to inspect the work of the family courts by the then Minister of State for Constitutional Affairs. After discussions with staff from HMCS Family Centre Directorate and an initial scoping study, it was concluded that the most productive approach to a family inspection would be for us to carry out a pilot based on the experience of the service user² during family court proceedings. We chose to look at public and private law cases, divorce and adoption at Sheffield Family Proceedings Court and Sheffield Family Hearing Centre.

It was also agreed that the Office for Standards in Education, Children's Services and Skills (Ofsted) would inspect the Children and Family Court Advisory and Support Service (CAFCASS). HMICA and Ofsted inspected simultaneously, with the intention of assessing how effectively the two organisations worked together for the benefit of family court users. Ofsted chose to inspect CAFCASS offices across South Yorkshire³.

Inspectors found that there were examples of the good treatment of service users by court staff and CAFCASS officers, and many service users took the opportunity to put in writing their praise for court staff in a user survey. However, both HMCS and CAFCASS had improvements to make in the provision of information to service users.

The outcomes of this inspection will now inform our methodology for an Area-based family inspection to be carried out during 2008.

HMCS Post-Inspection Reviews (PIRs)

The table opposite summarises PIR visits during 2007–08. We were particularly pleased to sign off the recommendations made in the *Feedback and Complaints* and *Internal Communications* inspections ahead of schedule. Inspectors continue with a programme of PIRs for the remainder of the thematic inspections completed during 2006–07.

² Service users are defined as the parties, children of parties and significant other family/friends in family proceedings.

³ Barnsley, Doncaster & Rotherham.

HMCS Post-Inspection Reviews (PIRs)

HMCS PIR Visits 2007–08

Target: signed off (final visit) within 18 months

Figures reflect progress as at 31 March 2008.

Inspection	Inspected Area	Inspection end date	Number of recommendations made	Number of recommendations signed off as completed	PIR completion due date	Actual completion date (date of last PIR visit)
The quality of service for victims and witnesses	Norfolk	14 Nov 05	2	2	14 May 07	15 May 07
Valuing victims and witnesses – an overview of inspections undertaken during 2005		02 Dec 05	6	5	02 Jun 07	14 Jun 07
Quality of service provided to defendants in criminal courts	Wiltshire	14 Dec 05	2	2	14 Jun 07	04 Jun 07
	West Yorkshire	15 Dec 05	3	0	15 Jun 07	Ongoing
	West Midlands	24 Feb 06	3	2 ⁴	24 Aug 07	21 Jun 07
	South West London	20 Apr 06	5	5	20 Oct 07	17 Dec 07
	Kent	20 Apr 06	4	4	20 Oct 07	11 Sept 07
	Derbyshire	09 Jun 06	3	3	09 Dec 07	14 Aug 07
	Essex	14 Jun 06	1	1	14 Dec 07	20 Nov 06
Meeting defendants' needs – an overview of the quality of service provided for defendants in the criminal courts in England and Wales		30 Aug 06	4	Ongoing	01 Mar 08	Ongoing
Quality of service provided by HMCS for jurors in the criminal courts		15 Aug 06	5	Ongoing	15 Feb 08	Ongoing
Feedback and complaints		10 Oct 06	3	3	10 Apr 08	21 Feb 08
Implementation of the <i>Youth Court Good Practice Guide (2001)</i>		03 Nov 06	5	Ongoing	03 May 08	Ongoing
Inspection of internal communications within Her Majesty's Courts Service		14 Dec 06	4	4	14 Jun 08	19 Feb 08
Aspects of county court administration	Hampshire & Isle of Wight	27 Feb 07	2	Ongoing	27 Aug 08	Ongoing
Coroners Service for Northern Ireland: administrative systems supporting bereaved families		20 Apr 07	7	Ongoing	20 Oct 08	Ongoing

⁴ Some courthouses in West Midlands still presented significant issues during our PIR. However we were reassured by on-going work to address these issues and, on this basis, closed the review

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Joint criminal justice inspections

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HMICA is committed to co-operating with other inspectorates to promote the improvement of service delivery across the justice system. We actively participate in and promote a wide range of cross-cutting inspection activities.



Joint criminal justice inspections

During 2007–08, HMICA focused on the following objectives for our joint inspections:

- to contribute to maintaining and improving performance across the criminal justice system in England and Wales
- to contribute to maintaining and improving the quality of service provided to, and outcomes for, court users
- to assist in spreading good practice within the criminal justice system.

HMICA is committed to maintaining and improving performance across the criminal justice system in England and Wales. We have continued to work with colleagues in the other criminal justice inspectorates – Her Majesty’s Inspectorate of Constabulary (HMIC), Her Majesty’s Crown Prosecution Service Inspectorate (HMCPSI), Her Majesty’s Inspectorate of Probation (HMI Probation) and Her Majesty’s Inspectorate of Prisons (HMI Prisons) – to undertake a programme of joint thematic inspections and joint inspections of Criminal Justice Areas. The 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 we inspect. Our duty to joint inspection, under the Police and Justice Act 2006, is to:

- co-operate with other inspection bodies, when appropriate to do so, for the efficient and effective discharge of our functions
- prepare a joint inspection programme in conjunction with other Chief Inspectors.

◀ The new logo devised to provide a common identity for criminal justice inspections conducted jointly by two or more of the five justice inspectorates

‘Getting orders started’ – A joint inspection assessing the arrangements for starting community orders

HMICA supported HM Inspectorate of Probation in this short, focused inspection. The objective was to check that systems for the courts to communicate pertinent information to the Probation Service, so that they could action sentences, were working effectively.

Inspectors found that generally the system worked well, with HMCS and the Probation Service fulfilling their respective responsibilities for ensuring that results are transmitted accurately. The team also found that community orders started on time, even in some more complex cases, although there were local variations for how this was achieved. It was evident that front-line operational staff often took the initiative to developing solutions in response to identified problems. However, despite this, in a small minority of cases orders were either not started or started without completely correct requirements. Although the percentages involved were small, this was not acceptable in terms of public confidence. To fine tune the current arrangements, Inspectors recommended that:

- HMCS improve the software used in recording court results and ensure that orders are always clear and accurate
- systems for orders directed to Probation offices outside the local court Area be made clearer
- HMCS make certain that the Probation Service receives notification of results on the day that a sentence is passed
- HMCS and the National Offender Management Service (NOMS) establish better communication and improved information-sharing at an Area level.



Transmitting community orders ▲

Report on an inspection visit to West London Magistrates' Court custody suite

During the first half of 2007, the prison population reached such high levels that some of those sentenced or remanded by the courts had to be held overnight, or in some cases over a weekend, in designated court cells.

HMICA together with HMI Prisons decided to carry out an inspection of court cell accommodation and visited one of the most regularly used courts, West London Magistrates' Court, to assess the conditions and the treatment of prisoners held there. The inspection identified very clearly a number of problems inherent in holding prisoners overnight in court cells.

Inspectors found that:

- prisoners had been held in bare cells over a weekend, with no activity, no natural light, unable to smoke and with no exercise facilities
- shower facilities were inadequate, and there was no opportunity to change clothes: any prisoners in mid-trial would have had to reappear in court in the clothes they had slept in
- reception procedures were limited, with the risk that vulnerabilities, risks and medical problems would not be picked up and dealt with. This was exacerbated by the fact that allocation procedures were not robust enough to screen out all those prisoners who were too vulnerable to be held in court cells
- prisoners arrived having travelled the country late into the night and hours after court finished, in cramped cellular vehicles. They then left early the following morning, sometimes to undertake equally long onward journeys.

In spite of the considerable efforts of staff, this inspection identified serious concerns about the safe and decent treatment of prisoners. It underlined the necessity for all the agencies responsible to ensure that systems and procedures are in place to provide the maximum support to prisoners in such a situation.

This inspection would have been the precursor to a programme of visits to all designated court cells, but the decision to authorise early release of some prisoners reduced the prison population and, for a time, eliminated the use of court cells for this purpose.

The inspection was a valuable example of the benefits of inspectorates working together and responding to developing events to provide assurance about key risks for the benefit of Ministers, users of the criminal justice system and the public. Together with HMI Prisons we remain ready to conduct further inspections should court cells need to be used again in this way.

Joint inspections of the Dorset and Lancashire Criminal Justice Areas

During 2007–08, HMICA led the programme of joint inspections of Criminal Justice Areas, in conjunction with HMIC, HMCPSI and HMI Probation.

Following an independent evaluation of the previous Area joint inspections, the CJCIG decided to pilot a new framework and methodology. The focus of the inspections was on the leadership and governance arrangements in the Areas, how they delivered successful justice with particular regard to domestic violence cases, and how they engaged with the community. Pilot inspections were undertaken in Dorset and Lancashire (see below for a summary of the findings from these inspections) following which the framework and methodology were evaluated. As a result, further work is planned to continue the development of framework and methodology for future Area inspections.

For these inspections, the Local Criminal Justice Boards (LCJBs) were asked to provide a self-assessment describing how they were performing against the inspection criteria, along with other relevant documentation. Inspectors then visited the Area, interviewing staff and observing court proceedings.

Summary of findings: Dorset Criminal Justice Area

Inspectors found that:

- Chief Officers had developed a clear vision and strategy for the future of criminal justice in Dorset. There was an increasing robustness in the way the Dorset Criminal Justice Board functioned to ensure that barriers to delivery were removed
- there were a number of recent good examples of collaborative working. However, this commitment was not always replicated at senior levels of management in the agencies. There was a perception among staff that not all agencies were signed up to joint working
- the Dorset Criminal Justice Board had made a clear and firm commitment to the provision of effective services for survivors of domestic violence. They had taken a collaborative approach to the issue with all partners, not just those in criminal justice. Many of these arrangements are still in the early stages of development and some work is needed to ensure consistency across the Area
- the Dorset Criminal Justice Board had a communications strategy in place that enabled good engagement with the community
- the Dorset Criminal Justice Board had developed innovative initiatives to engage with the community, especially with groups at risk of discrimination or exclusion.

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Inspectors found that there were a number of recent good examples of collaborative working

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Summary of findings: Lancashire Criminal Justice Area

Inspectors found that:

- there was a ‘can-do’ attitude in Lancashire, exemplified by Chief Officers, that culminated in consistently good performance across most LCJB targets and provided a catalyst for taking on new initiatives and supporting innovation
- action plans to support the Area’s strategic priorities were not consistent in quality and did not all have the necessary detail to allow for effective monitoring
- there was a commitment to implement Specialist Domestic Violence Courts across Lancashire and there was good work being done by criminal justice agencies to support this, through their membership of the Local Domestic Violence Partnership. The LCJB were supporting this work by providing resources and funding for a temporary project manager
- there was some excellent work being done through public events such as ‘You be the Judge’ and ‘Question Time’ and use of the media to promote the work of criminal justice agencies in Lancashire.
- internal communication needed to be strengthened to better engage staff with the work of the LCJB.

“

There was some excellent work being done through public events

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A report on the resulting and warrant withdrawal procedures used at Leeds Magistrates' Court

In November 2007, HMICA was asked by the Lord Chancellor and Secretary of State for Justice to lead a jointly delivered inspection into the resulting and warrant processes at Leeds Magistrates' Court. We were supported in this inspection by HMIC, HMCPSP, HMI Probation and the MoJ Internal Audit Division.

The inspection dealt with the effectiveness and appropriateness of the current court resulting and inter-agency warrant withdrawal processes at Leeds Magistrates' Court. However, because accurate court records and the proper handling of warrants are at the core of the criminal justice system, we examined not only the current arrangements but also explored key reasons for historic failures in the systems. This was in order to help ensure that current systems do not fail in the same way.

A report was presented to Ministers in February 2008 containing our findings and recommendations for further action. It also provided verification of the number of cases involved, a breakdown of the types of offences and other matters (for example drug treatment and testing orders and breaches of bail) and the impact of this on the Police National Computer (PNC).

Although the report confirmed that historic failures at Leeds Magistrates' Court had been rectified, there remained weaknesses threatening overall effectiveness. We set out, in our recommendations, the steps needed to be taken to rectify these weaknesses and we are continuing to oversee HMCS efforts to regularise all court records.

We were pleased that each of the agencies involved co-operated fully with the inspection; each demonstrated a commitment to improving services in the future and did not dwell on historic failings.

Review of the circumstances in which a defendant, wanted on a warrant, was released from custody and so able to commit a serious crime (Peart Review)

In the latter part of 2007–08 HMICA, HMIC and HMI Prisons, participated in a review led by HMCPSI. This review looked at a case involving a defendant who was released from custody when wanted on an arrest warrant. The review was carried out at the invitation of the criminal justice Ministers. The review was requested because later on the day of his release from custody, the defendant in question stabbed to death a young man on a London bus.

Whilst Inspectors found that no single cause had led to the defendant's release, they identified a number of aspects within the criminal justice system that need to be strengthened to reduce significantly the risk of this happening again. These included a more robust approach to checking proposed bail conditions, more rigorous enforcement of compliance with bail conditions and greater access by the Prison Service to information held on the PNC. The review also emphasised the need for the criminal justice agencies to ensure that they communicate with each other when defendants commit offences across geographical jurisdictions.

The review was undertaken quickly and exemplified the effectiveness of close working relationships between the inspectorates.

Electronic monitoring

HMICA, along with HMIC, participated in the inspection of electronic monitoring that was led by HMI Probation. This inspection was undertaken to see how well sentences involving curfews and Home Detention Curfews (HDC) were being monitored.

The inspection team looked at the processes involved in imposing and implementing curfews and how well they were supervised and enforced. Curfew sentences and HDC can involve the courts, police, prisons, Probation Service, Youth Offending Teams (YOTs) and the electronic monitoring companies. Appropriate and effective communication and leadership are essential for ensuring the smooth and proper handling of the end-to-end curfew process and were key areas of exploration during our inspection.

The inspection involved a five-week fieldwork period, during which Inspectors undertook a number of interviews and scrutinised approximately 900 files from courts, electronic monitoring companies, Probation and YOTs – equating to around 300 cases. Having completed a pilot inspection in Norfolk, the team visited London, North Wales, South Yorkshire, Kent and Durham during January and February 2008.

Inspectors found pockets of good practice, some very knowledgeable and dedicated staff and a general willingness to improve and get things right. The team also identified some significant areas for improvement. The report on the inspection is due for publication by HMI Probation.



◀ Implementing curfews

An inspection of aspects of the enforcement of court orders

A national thematic inspection of the enforcement of court orders involving HMCS, police, Probation Service and Youth Offending Teams (YOTs) took place during January and February 2008. The inspection was led by HMICA working in collaboration with HMIC and HMI Probation. The main objective of the joint inspection was to assess the effectiveness of strategic and operational work to facilitate compliance with obligations to attend Probation/YOT appointments and court hearings. Also, that where there is a breach of a community penalty or failure to appear at court, that warrants are produced and executed efficiently and effectively.

Enforcement had been the subject of much scrutiny in previous inspection reports and in value-for-money reviews by the National Audit Office (NAO). This inspection allowed us to see how things had progressed and where improvements were still needed.

We found that since earlier inspections, enforcement had been given a greater priority by the criminal justice agencies and there had been improvements in performance since 2005. Improvements in the enforcement of community penalties had been supported by the production of inter-agency guidance on dealing with community penalty breaches and the introduction of the Community Penalty Enforcement Tracker (COMET). Joint criminal justice targets introduced in 2005 had provided an impetus for local partnership working, whilst the National Enforcement Service, also launched in 2005, has begun to deliver results in the Areas where it has been piloted.



Court in session (posed by models) ▲

A key finding of the inspection was that there was a general lack of clarity in national guidance provided to local criminal justice agencies. This has led to confusion and disparities in local practices. Inspectors found some overly bureaucratic processes and a number of concerns in relation to the lack of joined-up IT systems, persistent problems with out-of-Area warrants⁵ and processes for dealing with defendants who surrender to the court on warrant. The team saw some good partnership working but also some places where it was less good and had led to inefficiencies in the enforcement process. The full report will be published in the summer of 2008.

“ enforcement had been given a greater priority by the criminal justice agencies and there had been improvements in performance ”

⁵ Out of Area warrants are warrants issued by a court located in an area where the defendant does not reside. These warrants are sent to the defendant's home Area for execution.

4

HMICA Strategic Review and Change Programme

We have reviewed our internal processes through our Strategic Review. This work has involved all members of our organisation and is now moving forward through a programme of change to improve our inspection methodology, strategy, structure, knowledge management and the way we evaluate the work we do.



Overview of our Strategic Review and Change Programme

A Strategic Review was commissioned by the HMICA Senior Management Team (SMT), following a number of significant developments that affected the Inspectorate, including the Government's decision in October 2006 not to merge the five justice inspectorates and the establishment of a largely new SMT during 2006–07.

The aim of the review was to ensure that HMICA as an organisation, our methodology and our working practices were at the forefront of inspection practice. Within this overall aim the review sought to establish how we could best:

- meet our statutory remit
- implement the Government's ten principles of public service inspection
- use our resources efficiently and effectively.

The Strategic Review was carried out between April and October 2007 by existing staff, consulting widely both within HMICA and with the MoJ, HMCS and other stakeholders and agencies. This comprehensive review resulted in a detailed report that identified areas where change and

development was necessary. It also highlighted existing good practice to be retained and built upon. We have now started a Change Programme to implement the recommendations of the review. This will lay the foundation of a more effective inspectorate, better able to satisfy its remit, meet the needs of stakeholders and face current and future challenges. The key areas of work being taken forward are summarised in this section of the Annual Report.

The success of the Strategic Review was dependent on the involvement of all our staff. We were also grateful to the individuals and organisations from beyond the inspectorate, who gave their time and shared their knowledge so generously.



▲ Two of HMICA's Change Programme project managers
◀ James Cross, Acting Assistant Chief Inspector

Strategy and communication

The Strategic Review identified the need to develop a three to five year strategy to ensure that HMICA, its methodology and working practices are at the forefront of inspection practice. The Strategy work stream of our Change Programme has been put into place to address this and other key recommendations of the review, to improve business planning and to better equip HMICA to respond to new areas of work.

Also emerging from the Strategic Review was the need to develop a comprehensive communication strategy for HMICA that will underpin the overall strategy. Action plans for both internal and external communication are being developed to ensure that the way HMICA communicates with our stakeholders, the public, the media and our staff is as effective as possible.

Methodology

The Strategic Review looked at the way in which HMICA, since its creation, had carried out inspections and compared this with other inspectorates, both within and outside the criminal and justice fields.

The review found that the methodology, while sound, was based on the short-term assumption that HMICA would be subsumed into a larger, single justice inspectorate. Following the Government's decision not to proceed with the merger, the review concluded that it was necessary for us to revise our methodology to enable us to deliver a mix of Area and thematic inspections. It was proposed that the methodology should be flexible and in modular format and ensure that inspections in future are proportionate to risk, focus on outcomes for users and fully involve the inspected body to a greater extent than in the past.

The review also confirmed that the existing methodology in its current format was fit for purpose but that improvements could be made. The review recommended that we increase stakeholder engagement and, where possible, lighten the burden of inspection while maintaining rigour and provide the inspected bodies, Ministers and the public, through the setting of standards, with greater assurance. It was also recommended that we improve dissemination of good practice and increase focus on performance and the direction of travel.

By the end of the year work had begun on developing a revised methodology to put in place the recommendations of the review.

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It was proposed that the methodology should be flexible and in modular format and ensure that inspections in future are proportionate to risk, focus on outcomes for users and fully involve the inspected body

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Knowledge management

This work stream has made recommendations on the practices, procedures and facilities needed to enable intelligence and other relevant information on the justice system to be gathered, analysed and stored, so that it can be readily accessed, appropriately used and shared. Also, that information gathering should take account of, and minimise, the impact on inspected bodies of providing information.

A combination of events in recent years has led to a loss of some systems of managing knowledge that existed in the past. The focus on joint inspection, new areas of work, an influx of new Inspectors and the loss of more experienced Inspectors, were all factors that contributed to our knowledge gap. Competing demands also meant some organisational functions, such as meetings with Heads of Departments within HMCS and research had been lost. As our capacity to manage knowledge effectively diminished, a number of factors came into play that made an ability to gain, store and access knowledge efficiently and effectively even more important:

- The extension of our remit has resulted in a need for staff to inspect organisations, topics and functions with which they are unfamiliar
- The justice system has undergone a rapid and extensive programme of change
- The increase of joint work has led to more opportunities to share knowledge and increased the quantity of knowledge available.

The knowledge management work stream seeks to improve our efficiency and effectiveness in managing our knowledge by developing practical systems, organisational structures and mechanisms for knowledge to be created, retrieved, and shared.



Taking a positive approach ▲

People and structures

In order to support planned organisational changes, the Strategic Review identified the need to address:

- staff development procedures
- diversity
- new structures and functions.

The main purpose of the People and Structures work stream is to implement the recommendations made in respect of staff development and diversity (insofar as diversity impacts on internal organisation and staffing structures) and to ensure the benefits and improvements being sought are realised. The work stream will also ensure that our staffing and organisation is best engineered to deliver its services.

Evaluation

HMICA is already committed to an ethos of evaluating what we do. We take care to evaluate each of our inspections from a range of perspectives and invite, and take account of, feedback on the experience of the inspected body. The objective of this aspect of the Change Programme is to help us to embed a culture of practicable, cost-effective approaches to evaluation within our inspection-related work and in our internal management processes and developments.

The evaluation work stream runs alongside other Change Programme projects. It should help us to ensure that the benefits and improvements sought from the Strategic Review, and now the Change Programme, are realised and checked on. Approaches to evaluation will be considered and piloted in parallel with the development of our inspection methodology. We will also take account of, and learn from, our previous experience of evaluating our work, and other relevant organisations' approaches to evaluation.

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Contact and advice

HMICA is committed to developing relationships and effective communication with our stakeholders.



Stakeholders and communication

The relationship between HMICA and HMCS continued to benefit from the existence of a formal protocol that establishes how the two organisations will interact. There is good communication during inspections and, in particular, a greater engagement by HMCS senior managers in inspection feedback presentations. Our work has also continued to benefit from the appointment of liaison judges for individual inspections and discussions with the Senior Presiding Judge for more strategic issues.

There are also good examples of Inspectors providing advice, based on inspection findings, to HMCS on practice or policy – for example, on issues related to recording and disseminating court results accurately. We were happy to provide such advice whilst being mindful of the need to maintain our independence and not to create HMCS policy that we may have to evaluate later. Regular contact is maintained between the Chief Inspector and the HMCS Chief Executive. This was particularly important during the inspection of Leeds Magistrates' Court. In addition, Inspectors maintained regular contact with HMCS senior officials with specific functional responsibilities.

Work has been ongoing throughout the year to enhance the current protocol with HMCS. A new document will record agreed communication methods and standards, whilst also explaining the inspection process to HMCS staff who may have little knowledge of HMICA.

We have benefited from helpful input from HMCS staff to our Strategic Review. It was vital that the direction set by the Review maximised the opportunities to bring about improvements in HMCS service delivery. This was achieved by engaging with senior HMCS officials to ensure that the new direction for both organisations is compatible.

A separate protocol exists between HMICA and the Internal Audit Division (IAD) of the MoJ. This protocol ensures that any potential overlaps – either of topic area or geography – are identified at an early stage in order not to overburden HMCS Areas and to exploit the potential for joint working. This year, the inspection of the issues at Leeds Magistrates' Court benefited from expertise provided by IAD and was an excellent example of the added value of a multi-disciplinary approach to some issues.

First Chief Inspectors' stakeholders conference

The Criminal Justice Chief Inspectors' Group (CJCIG) comprises Her Majesty's Chief Inspectors of Constabulary, the Crown Prosecution Service, Court Administration, Probation and Prisons. The Chief Inspector of HMICA was elected Deputy Chair of the group in May 2007. HMICA has a long history of collaborative working and a legislative framework provided by the Police and Justice Act 2006 now supplements this.

The joint inspection landscape is particularly relevant to addressing issues that cross agency boundaries and affect end users of the services as a whole. The five inspectorates increasingly operate in a joined up way and continue to develop the capacity to inspect end-to-end business, focusing on four high level business processes: community safety; bringing offenders to justice; offender management; and custodial conditions.

The Police and Justice Act 2006 also placed a statutory responsibility on each of the five inspectorates to co-operate together to draw up a joint inspection programme and associated framework. Included within this responsibility is the process of joint consultation with key stakeholders, which was undertaken between November 2007 and January 2008. The culmination of this process was a Key Stakeholder Conference – Criminal Justice Joint Inspection: defining the next two years – which took place in February 2008 and was attended by over 70 delegates.



▲ Chief Inspector
Eddie Bloomfield

The purpose of the conference was firstly, to introduce the joint inspection programme for 2008–09 to a wide range of stakeholders and to seek their views on its impact on their organisation. Secondly it was to extend the consultation process for the 2009–10 joint business plan beyond the statutory requirements placed upon the inspectorates and begin to explore with the conference delegates their ideas for longer term projects, looking particularly at those areas where joint inspection could add particular value.

The conference was built around small workshop discussions with the aim of setting the scene for future inspection activity. Invitations were extended to the strategic heads of inspected organisations and other key stakeholders from community groups.

Delegates at the conference welcomed the approach taken by the Chief Inspectors and the opportunity to express their views. Consultation with a broad base of stakeholders, beyond the statutory requirements, was seen as a way of demonstrating public accountability and giving greater integrity to the joint inspection process.

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The conference was built around small workshop discussions with the aim of setting the scene for future inspection activity

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Our organisation

We will ensure that training and development will be provided to support changes made through our Change Programme to enable our staff to provide a high level of service to both internal and external stakeholders.



People, development and structure

The 2007–08 business year has seen a number of Senior Management Team (SMT) changes, with a new Acting Business Manager and an additional Assistant Chief Inspector working alongside the Chief Inspector and two Deputy Chief Inspectors.

Our Strategic Review of the organisation included looking at our current structure and how it might be improved. Paramount to the effective and successful delivery of our statutory functions and remit is the need to ensure that we have the right people, with the right skills, at the right levels and in the right locations. All our staff have been able to contribute to this work and in the coming months, the recommendations from the Strategic Review will begin to be implemented through our Change Programme.

Currently we have 29 full-time staff (including a small number on secondment from HMCS) and three part-time Inspectors. The full-time staff include the Chief Inspector, Deputy Chief Inspectors, an Assistant Chief Inspector, Business Manager, 11 Inspectors and three support teams. We have three offices located in Bristol, Leeds and London, as well as a growing number of home-working Inspectors.

We undertook our own staff opinion survey in 2007, which highlighted a number of areas for improvement as well as identifying some things we do really well. Our staff have had the opportunity to contribute to an action plan that addresses our shortfalls and ensures that we improve on the things we do well. We will complete a follow-up survey in the coming months to establish whether the actions we have put in place have had a positive impact on the results.

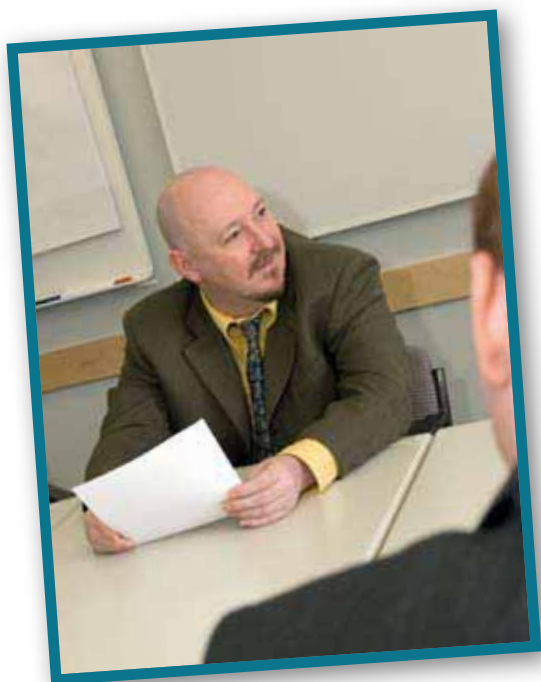


Inspection Support Team ▲

◀ HMICA's Senior Management Team

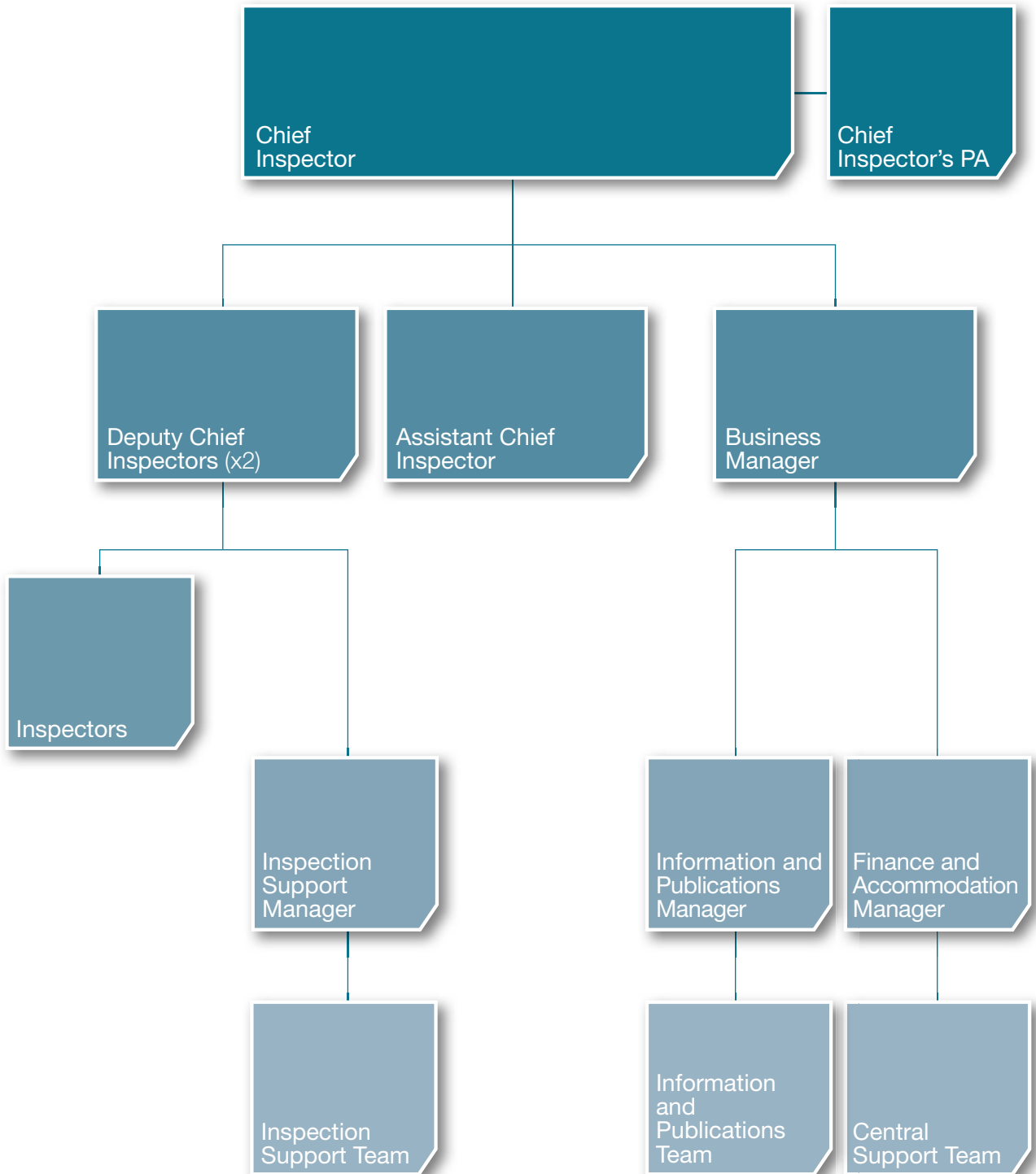
We encourage professional development and provide flexibility to enable studies to be completed. We currently have a number of staff undertaking professional qualifications.

A review of our staff development was part of the Strategic Review's recommendations. The implementation of this review will ensure that, whatever changes are made to our structure in the future, training and development will be provided to support these changes and enable our staff to provide a high level of service to both internal and external stakeholders.



David Abbott, Deputy Chief Inspector ▲
◀ Staff seminar

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. Eddie was re-appointed Chief Inspector for a further three years with effect from January 2008.



David Abbott (Deputy Chief Inspector)

Following 15 years working in the voluntary sector, David joined Her Majesty's Magistrates' Court Service Inspectorate (HM MCSI) as an 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 and Deputy Chief Inspector in March 2008.



Andrew Allan (Deputy Chief Inspector)

Andrew joined HM MCSI in 2000 as HM Inspector after 25 years as a Customs Officer, the latter part of which was focused in change management and business improvement. Within HM MCSI and later HMICA, Andrew inspected both the courts and the Children and Family Court Advisory and Support Service (CAFCASS). Following a period as a project manager for the transfer of the CAFCASS inspection function to the Office for Standards in Education, Children's Services and Skills (Ofsted), he was appointed Assistant Chief Inspector in January 2007 and Deputy Chief Inspector in March 2008.



James Cross (Acting Assistant Chief Inspector)

James joined HMICA in 2005 following postings within HM Inland Revenue, HM Customs & Excise and Local Government. His experience covers corporate leadership, performance improvement, project management and change management. Appointed as an HM Inspector initially, he has been acting as Assistant Chief Inspector since February 2008.



Kika Bowen (Acting Business Manager)

Kika joined HMICA as HM Inspector and is currently covering the post of Business Manager. Her skills and experience include operational and strategic management, which is supported by a Masters in Business Administration, industrial engineering, human resource management and extensive project and change programme management. Since moving to the Inspectorate Kika has also gained a Masters degree in Criminal Justice.

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.

In common with all government departments, HMICA has a responsibility to deliver the UK Sustainability Development Strategy, *Securing the future*. HMICA adopted a Sustainability Policy in 2006–07, which has become part of our way of working.

Promoting diversity was a key focus of the Strategic Review. This led to a number of recommendations that are now being implemented through the HMICA Change Programme. The impact of this will be to ensure that diversity:

- is addressed in a structured way through each of the new corporate policies and procedures that will be created to accompany the new Strategic Plan
- is at the heart of the new inspection methodology and framework of expectations.

In accordance with the principles of the Departmental *Finding a Balance* flexible working 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.



▲ HMICA Central Support and Publications Teams

Managing our finances

HMICA's allocated budget is managed in accordance with the MoJ financial regulations and monthly monitoring reports are considered at our SMT meetings. The budget for 2007-08 was 1.92m. The table below illustrates how the budget was expended.

HMICA budget outturn 2007-08		
Item	Expenditure (£)	% of total expenditure
Paybill	1,357,000	76
Other administrative costs	195,000	11
Travel and subsistence	183,000	10
Design, printing and reprographics	51,000	3
TOTAL SPEND	1,786,000	100

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Looking ahead

Forthcoming inspections include family justice and piloting our new methodology. Our programme will also include joint thematic criminal justice inspections.



Report on the development of the programme of work for 2008–09

HMICA's inspection programme will include joint and single agency inspections within the justice system.

The pilot Area joint inspections carried out towards the end of 2007–08 have been evaluated and it is clear that there is still much work to be done in developing an inspection framework that will result in effective inspection outcomes. There is a need to further refine the methodology, either to significantly expand Area inspection activity or, by preference, to support a more limited, risk-assessed programme of 'triggered' Area inspections, targeted where there are identified concerns. Any targeted approach will need to be underpinned by robust risk assessment against clearly established expectations, which are known to and understood by those inspected. A vital contribution to this risk assessment would need to come from existing performance frameworks. However, in 2008–09 the Office for Criminal Justice Reform will be unable to provide the required baseline assessments as they are implementing a new performance regime for Local Criminal Justice Boards (LCJBs). It also remains uncertain how the overall accountability structure for LCJBs will evolve and, in particular, where and how joint inspection might best be targeted to fit in to that and add value to their own likely performance management regime. For these reasons and following consultation with Ministers and stakeholders, it has been agreed with Ministers that the joint inspection programme in 2008–09 will focus on thematic inspections.

Our inspections of HMCS will cover a wide range of duties including, in particular, a further inspection of the family courts and follow-up work to our special inspection of Leeds Magistrates' Court. Inspections throughout the year will also provide an opportunity for our new inspection methodology and framework to be tested and refined.



▲ Annual Report Editors –
Deborah Wheeldon (L) and Penny Rickards (R)

Printed in the UK for The Stationery Office Limited
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Podemos proporcionarle un resumen de este informe en español si lo solicita a la dirección abajo reseñada.

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