



**HMCS Board**

**08 June 2007**

**Report title:** Summary of HMICA Management Letter and HMCS response

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**Purpose of report:**

- To inform members of the findings of the HMICA management letter
- To inform members of the HMCS response to the letters findings

**Recommendation:** Members review the summary of the management letter and the HMCS responses and comment on action proposed and priorities

**Attachments:** None

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## **1. Background/reason for report**

- 1.1 On 16 May, the HM Inspectorate of Court Administration (HMICA) issued their first management letter to HMCS to provide an overview of the issues and themes arising from HMICA's inspection work in HMCS since April 2005.
- 1.2 HMICA is an independent, statutory Inspectorate created by the Courts Act 2003 as amended by the Police and Justice Act 2006. Its 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;
  - discharge any other particular functions which may be specified in connection with the courts listed
  - The management letter reported that HMICA inspection work has highlighted much that is good in HMCS and that the overall 'direction of travel' of the Agency is positive.
- 1.3 The management letter has been considered by the Executive Committee who in turn discussed it with the Chief Inspector before the publication of the final publication.
- 1.4 A copy of the management letter is available to non-executive Board Members on request.
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## 2. Report Summary / Options

- 2.1 The letter, highlighted the key themes from their inspection work as follows:
- 2.2 **Court Staff** - HMICA have noted a number of wider issues which staff have raised during their visits, namely – Pay & Grading, IT arrangements at courts, recognition of pressures at court level, poor working conditions. HMICA noted that HMCS is aware of these issues and is working hard to address them
- 2.3 **Good Practice** – despite good practices at individual courts/areas, there are few formal mechanisms for sharing best practice. HMCS will be using the Guidance Letter process to facilitate the dissemination of best practice.
- 2.4 **Implementation of Policy** – HMCS policies are not consistently implemented in all Areas and further improvements could be made to ensure policies are implemented consistently in all areas. HMICA note that HMCS is aware of this issue and it is being addressed via the Assurance Working Group.
- 2.5 **Estate** – While certain courts are state-of the-art others are not considered fit-for-purpose for today's requirements. HMCS has created a service-wide estates strategy to address the estate requirements. The strategy is approved and will be commenced in the coming year.
- 2.6 **Security** – Security has been a key element of inspection activity. HMICA report that is not clear that the risks posed to, and by, different groups of court users, premises or equipment are being adequately addressed in all areas. Hopefully the new risk management policy should address these issues.
- 2.7 **Provision of Information** – Court information for court users is only available in a limited range of languages and old legacy Court Service/MCC leaflets continue to be used. HMICA noted that a review of information provision is currently underway with HMCS that is to look at the quality and consistency of information across all courts.
- 2.8 **The HMCS Family** – At court level staff often do not understand their role in a regional or national HMCS perspective and that the gap between centre and the frontline has yet to be fully bridged however have noted a positive 'direction of travel' in this area.
- 2.9 **Post Inspection Reviews** – HMICA have been please with the number of recommendation that they have made that have now been met, often ahead of schedule.
- 2.10 **HMCS Engagement with the Inspectorate** – Staff at Area and Regional Level have engaged positively with Inspectors and have implemented recommendation, this has not always been the case at National Level often due to significant time constraints on senior staff. HMICA have noted however improvement in this area via HMCS producing sufficiently detailed action plans for improvement that can be monitored. HMICA are also pleased with the identification of Corporate Governance as the main 'point of contact' with the HMICA .

**3. Conclusion**

3.1 HMCS are working towards implementing all HMICA recommendations and furthering our engagement with HMICA via:

- Reviewing current HMICA/HMCS protocol
- The current developing of a Guidance Letter on working with HMICA
- Reviewing all HMICA reports and recommendations with the aim of creating a centralised repository to ensure completion and coverage across HMCS
- Participating in the HMICA Strategy Review Group with the aim of developing the HMICA strategy (completion expected early December 2007)
- Corporate Governance being appointed the key point of contact which is the first time a single contact point with the HMICA has been in place which should help co-ordinate an effective working relationship