



Press Notice

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Independent inspection of probation and youth offending work

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Getting Orders started

A joint inspection assessing the arrangements for starting Community Orders

A mixed picture of how community penalties are started emerges from a joint HM Inspectorate of Probation and HM Inspectorate of Court Administration report, published today.

The two Inspectorates undertook a short focused inspection earlier this year to check that systems for recording and transmitting court results speedily and accurately to the Probation Service were working effectively. They did this by tracking a sample of 212 cases from a number of courts and probation areas.

Andrew Bridges, Chief Inspector of Probation, who led the inspection alongside Eddie Bloomfield, Chief Inspector of Court Administration, said:

“It is easy to assume that the apparently simple task of the Court passing a sentence and communicating the necessary information to the Probation Service to action that sentence must unfailingly happen without difficulty on every occasion. But, as we learned with the fiasco over foreign prisoners in 2005, it is not always safe to make such assumptions with apparently simple processes: many offenders commit offences, and are subsequently convicted, in areas away from their own locality, or they change address during the course of the Court process, and such complications can present potential pitfalls to an ‘apparently simple process’.

The inspection found that generally the system worked well, with Courts and Probation taking their respective responsibilities for ensuring that results were transmitted accurately. Community Orders started on time even in some of the tricky cases, although there were local variations in how this was achieved. It was evident that front-line operational staff often rightly took the initiative in developing solutions in response to identified problems. However, despite this, in a small minority of cases the Order was either not started at all, or not started with the completely correct requirements. Although the percentages involved were small, this is not acceptable in terms of public confidence. Accordingly we have made recommendations for the fine tuning of current arrangements.”

The report also found:

- The accuracy of orders proved to be an issue in some courts. The implementation of the Criminal Justice Act 2003 appeared to have caused some confusion amongst court staff particularly when a supervision requirement had been imposed. In some orders supervision appeared to have been assumed rather than stipulated. Both agencies reported that this had already been identified as a problem and that improvements had been made following our inspection visit.
- Good back-up systems had been put in place in some areas with the help of courts through the provision of extra information. In some areas the lack of suitable accommodation for probation within the court building made the job of probation staff significantly more difficult.
- The inspection found that systems for the prompt provision of court results and initial management of the community sentence were in place in both courts and probation areas and that most of the time the systems worked satisfactorily. However in four out of 212 cases the order was not started.

The recommendations from the report are as follows:

Recommendations

That Her Majesty's Court Service (HMCS) should ensure that

- the software that produces results can generate suspended sentence orders
- orders are always clear and accurate
- clear systems are established for the dispatch of orders to the relevant outside probation areas
- staff are aware of the courts' responsibility to make certain that probation receive notification of results on the day that sentence is passed

That the National Offender Management Service (NOMS) should ensure that

- probation records are always cross checked with court orders so that sentences are accurately implemented
- examples of good practice in court work are disseminated to probation areas

That HMCS and NOMS should ensure that

- key staff from both agencies at an area level undertake joint initiatives to establish better communication and improved information sharing

Notes to Editors

1. HMCS was created in April 2005, by amalgamating the 42 magistrates' courts' committees of England & Wales and the Court Service. At the time of the inspection the magistrates' and Crown Courts did not have a single system for the transfer of information to probation areas. They were also currently utilising several different computer systems. The systems used by the magistrates' courts included MCS, Equis (legacy systems) and Libra. Libra, the new HMCS computer system, was gradually being rolled out across England and Wales. All of the Crown Courts were using the new Xhibit computer system, an external facing information provision tool, in addition to the existing Crown Court Crest system which tracked case progress.
2. Media enquiries about this report should be made to Ilana Conn press office 0207 210 1473 .The contact in HMI Probation for enquiries about this report is Andrew Bridges Chief Inspector 0207 035 2200. The contact in HMI Court Administration is Eddie Bloomfield, Chief Inspector, 0207 217 4342.
3. The report "*Getting Orders Started*" *A joint inspection assessing the arrangements for starting Community Orders* is available on the HMI Probation website www.inspectorates.justice.gov.uk/hmiprobation. Media copies only are available from the Ministry of Justice press office. The report is also available on HM Inspectorate of Court Administration website www.hmica.gov.uk.