

SCHEDULE 1

Article 2(6)

Amendments consequential etc on the abolition of Her Majesty's Inspectorate of Court Administration

Prison Act 1952

1. The Prison Act 1952(1) is amended as follows.
2. In section 5A, after subsection (5B), insert—
 - “(5C) The Chief Inspector shall also inspect or arrange for the inspection of—
 - (a) areas of the Crown Court, county courts and magistrates' courts where prisoners are detained in custody; and
 - (b) any vehicle used to transport prisoners in custody to and from the Crown Court, county courts or magistrates' courts,and shall report to the Secretary of State on them.”
3. In Schedule A1 (further provision about Her Majesty's Chief Inspector of Prisons)—
 - (a) paragraph 2(2)(d) is repealed;
 - (b) paragraph 4(d) is repealed;
 - (c) paragraph 5(3)(d) is repealed;
 - (d) after paragraph 6, insert—

“Joint inspection of courts

7.—(1) The Chief Inspector may inspect any aspect of the Crown Court or magistrates' courts in relation to their criminal jurisdiction which could have been inspected by Her Majesty's Inspectorate of Court Administration immediately before its abolition.

(2) Sub-paragraph (1) applies only if the inspection includes matters other than any aspect of the Crown Court or magistrates' courts.

(3) The power of the Chief Inspector under this paragraph is in addition to the power under paragraph 5 to act jointly with another public authority.”

Police Act 1996

4. The Police Act 1996(2) is amended as follows.
5. In Schedule 4A (further provision about Her Majesty's Inspectors of Constabulary)—
 - (a) paragraph 2(2)(d) is repealed;
 - (b) paragraph 4(d) is repealed;
 - (c) paragraph 5(3)(d) is repealed;
 - (d) after paragraph 7, insert—

(1) [1952 c.52](#). Section 5A was inserted by the Criminal Justice Act [1982 \(c.48\)](#) and has been amended by the Immigration, Asylum and Nationality Act [2006 \(c.33\)](#) and the Police and Justice Act [2006 \(c.48\)](#). Schedule A1 was inserted by the Police and Justice Act 2006 and has been amended by the Local Government and Public Involvement in Health Act [2007 \(c.28\)](#), the Health and Social Care Act [2008 \(c.14\)](#), the [Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), and the [Health and Social Care Act 2008 \(Consequential Amendments No 2\) Order 2010 \(S.I. 2010/813\)](#).

(2) [1996 c.16](#). Schedule 4A was inserted by the Police and Justice Act 2006 and has been amended by the Local Government and Public Involvement in Health Act 2007, the Health and Social Care Act 2008, the Police Reform and Social Responsibility Act [2011 \(c.13\)](#) (not yet in force), and the [Offender Management Act 2007 \(Consequential Amendments\) Order 2008](#).

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“Joint inspection of courts

8.—(1) The inspectors of constabulary may inspect any aspect of the Crown Court or magistrates’ courts in relation to their criminal jurisdiction which could have been inspected by Her Majesty’s Inspectorate of Court Administration immediately before its abolition.

(2) Sub-paragraph (1) applies only if the inspection includes matters other than any aspect of the Crown Court or magistrates’ courts.

(3) The power of the inspectors of constabulary under this paragraph is in addition to the power under paragraph 5 to act jointly with another public authority.”

Audit Commission Act 1998

6. The Audit Commission Act 1998(3) is amended as follows.

7. In Part 1 of Schedule 2A (interaction with other authorities)—

- (a) paragraph 1(1)(e) is repealed;
- (b) paragraph 1(2)(c) and the preceding “and” are repealed.

Crown Prosecution Service Inspectorate Act 2000

8. The Crown Prosecution Service Inspectorate Act 2000(4) is amended as follows.

9. In the Schedule (further provision about Her Majesty’s Chief Inspector of the Crown Prosecution Service)—

- (a) paragraph 2(2)(d) is repealed;
- (b) paragraph 4(d) is repealed;
- (c) paragraph 5(3)(d) is repealed;
- (d) after paragraph 8, insert—

“Joint inspection of courts

9.—(1) The Chief Inspector may inspect any aspect of the Crown Court or magistrates’ courts in relation to their criminal jurisdiction which could have been inspected by Her Majesty’s Inspectorate of Court Administration immediately before its abolition.

(2) Sub-paragraph (1) applies only if the inspection includes matters other than any aspect of the Crown Court or magistrates’ courts.

(3) The power of the Chief Inspector under this paragraph is in addition to the power under paragraph 5 to act jointly with another public authority.”

(3) 1998 c.18. Schedule 2A was inserted by the Local Government and Public Involvement in Health Act 2007 and has been amended by the Health and Social Care Act 2008, the Housing and Regeneration Act 2008 (c.17), the Offender Management Act 2007 (Consequential Amendments) Order 2008, and the [Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I 2010/844\)](#).

(4) 2000 c.10. The Schedule was inserted by the Police and Justice Act 2006 and has been amended by the Local Government and Public Involvement in Health Act 2007, the Health and Social Care Act 2008, and the Offender Management Act 2007 (Consequential Amendments) Order 2008.

Criminal Justice and Court Services Act 2000

10. The Criminal Justice and Court Services Act 2000(5) is amended as follows.

11. In Schedule 1A (further provision about the inspectorate)—

- (a) paragraph 2(2)(d) is repealed;
- (b) paragraph 4(d) is repealed;
- (c) paragraph 5(3)(d) is repealed;
- (d) after paragraph 6, insert—

“Joint inspection of courts

7.—(1) The inspectorate may inspect any aspect of the Crown Court or magistrates’ courts in relation to their criminal jurisdiction which could have been inspected by Her Majesty’s Inspectorate of Court Administration immediately before its abolition.

(2) Sub-paragraph (1) applies only if the inspection includes matters other than any aspect of the Crown Court or magistrates’ courts.

(3) The power of the inspectorate under this paragraph is in addition to the power under paragraph 5 to act jointly with another public authority.”

Courts Act 2003

12. The Courts Act 2003(6) is amended as follows.

13. Part 5 (inspectors of court administration) is repealed.

14. Schedule 3A (further provision about the Inspectors of Court Administration) is repealed.

15. In Schedule 9 (transitional provisions and savings), paragraph 14 is repealed.

Public Audit (Wales) Act 2004

16. The Public Audit (Wales) Act 2004(7) is amended as follows.

17. In section 67A (assistance by Auditor General to inspectorates), subsection (1)(e) and the preceding “and” are repealed.

Children Act 2004

18. The Children Act 2004(8) is amended as follows.

19. In section 20 (joint area reviews), subsection (4)(h) is repealed.

(5) [2000 c.43](#). Schedule 1A was inserted by the Police and Justice Act 2006 and has been amended by the Local Government and Public Involvement in Health Act 2007 and the Health and Social Care Act 2008.

(6) Part 5 comprises sections 58-61A of the Courts Act 2003; sections 58-61 have been amended by the Education and Inspections Act 2006 and section 59 has also been amended by the [Transfer of Functions \(Children, Young People and Families\) Order 2005 \(S.I 2005/252\)](#). Section 61A and Schedule 3A were inserted by the Police and Justice Act 2006; schedule 3A has also been amended by the Local Government and Public Involvement in Health Act 2007, the Health and Social Care Act 2008, the Coroners and Justice Act 2009 ([c.25](#)) and the Offender Management Act 2007 (Consequential Amendments) Order 2008.

(7) [2004 c.23](#). Section 67A was inserted by the Police and Justice Act 2006 and has been amended by the Offender Management Act 2007 (Consequential Amendments) Order 2008.

(8) [2004 c.31](#). Section 20 has been amended by the Education and Inspections Act 2006, the Local Government and Public Involvement in Health Act 2007, the Health and Social Care Act 2008, the Offender Management Act 2007 (Consequential Amendments) Order 2008, and the [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I 2010/1158\)](#).

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Education and Inspections Act 2006

20. The Education and Inspections Act 2006(9) is amended as follows.

21. Section 156 (removal of HMICA’s duty to inspect performance of Assembly’s functions relating to family proceedings) is repealed.

22. In Schedule 13 (interaction with other authorities)—

- (a) paragraph 1(2)(e) is repealed;
- (b) paragraph 1(3)(e) is repealed.

23. In Schedule 14 (minor and consequential amendments relating to Part 8), paragraphs 77 to 81 are repealed.

24. In Schedule 15 (transitional provisions and savings relating to Part 8)—

- (a) paragraph 4(1)(a) is repealed;
- (b) in paragraph 9, the entry for “court administration inspector” is repealed.

Police and Justice Act 2006

25. The Police and Justice Act 2006(10) is amended as follows.

26. Section 32 (Her Majesty’s Inspectorate of Court Administration) is repealed.

Local Government and Public Involvement in Health Act 2007

27. The Local Government and Public Involvement in Health Act 2007(11) is amended as follows.

28. In Schedule 9, paragraph 1(2)(u) is repealed.

29. In Schedule 11 (schedule to be inserted in Audit Commission Act 1998), in the Schedule to be inserted—

- (a) paragraph 1(1)(e) is repealed;
- (b) paragraph 1(2)(c) and the preceding “and” are repealed.

Health and Social Care Act 2008

30. The Health and Social Care Act 2008(12) is amended as follows.

31. In Part 1 of Schedule 4 (interaction with other authorities)—

- (a) paragraph 1(2)(e) is repealed;
- (b) paragraph 1(3)(e) is repealed.

32. In Part 3 of Schedule 5 (further amendments relating to Part 1), paragraph 75 is repealed.

Coroners and Justice Act 2009

33. The Coroners and Justice Act 2009(13) is amended as follows.

(9) 2006 c.40. Schedule 13 has been amended by the Local Government and Public Involvement in Health Act 2007, the Health and Social Care Act 2008, and the Offender Management Act 2007 (Consequential Amendments) Order 2008.

(10) 2006 c.48.

(11) 2007 c.28. Paragraph 1 of Schedule 9 has been amended by the [Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I 2010/866\)](#).

(12) 2008 c.14.

(13) 2009 c.25.

34. Section 39 (inspection of coroner system) is repealed.

35. In Part 1 of Schedule 21 (minor and consequential amendments), paragraph 46 is repealed.

Public Bodies Act 2011

36. The Public Bodies Act 2011 is amended as follows.

37. In Schedule 1 (power to abolish: bodies and offices), the entry “Her Majesty’s Inspectorate of Court Administration.” is repealed.

Children Act 2004 (Joint Area Reviews) Regulations 2005

38. The Children Act 2004 (Joint Area Reviews) Regulations 2005(14) are amended as follows.

39. Paragraph 9 of the Schedule is revoked.

Education and Inspections Act 2006 (Consequential Amendments) Regulations 2007

40. The Education and Inspections Act 2006 (Consequential Amendments) Regulations 2007(15) are amended as follows.

41. Regulation 15(g) is revoked.

Her Majesty’s Inspectorate of Court Administration (Specified Organisations) Order 2007

42. The Her Majesty’s Inspectorate of Court Administration (Specified Organisations) Order 2007(16) is revoked.

Offender Management Act 2007 (Consequential Amendments) Order 2008

43. The Offender Management Act 2007 (Consequential Amendments) Order 2008(17) is amended as follows.

44. In Part 2 of Schedule 1 (amendments of Acts)—

(a) paragraph 26(2)(f) is revoked;

(b) paragraph 27(2)(e) is revoked.

SCHEDULE 2

Article 4(2)

Amendments consequential etc on the abolition of the Public Guardian Board

Mental Capacity Act 2005

1. The Mental Capacity Act 2005 is amended as follows.

2. Section 59 (Public Guardian Board) is repealed.

(14) S.I 2005/1973. Paragraph 9 of the Schedule has been amended by the [Education and Inspections Act 2006 \(Consequential Amendments\) Regulations 2007 \(S.I 2007/603\)](#).

(15) S.I 2007/603.

(16) S.I 2007/1176.

(17) S.I 2008/912.

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Public Bodies Act 2011

3. The Public Bodies Act 2011 is amended as follows.
4. In Schedule 1 (power to abolish: bodies and offices), the entry “Public Guardian Board.” is repealed.

Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006

5. The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006(18) is amended as follows.
6. In Schedule 1 (transfer, modification and abolition of functions of the Lord Chancellor – primary legislation), paragraph 36 is revoked.

Public Guardian Board Regulations 2007

7. The Public Guardian Board Regulations 2007(19) are revoked.

(18) [S.I 2006/1016](#).

(19) [S.I 2007/1770](#).