
STATUTORY INSTRUMENTS

2012 No. 2401

**The Public Bodies (Abolition of Her Majesty's
Inspectorate of Courts Administration and
the Public Guardian Board) Order 2012**

Rights of entry and inspection

3.—(1) An inspector exercising functions under article 2(2), (3) or (4) may enter any place of work occupied by persons provided under a contract made by the Lord Chancellor by virtue of section 2(4) of the Courts Act 2003.

(2) An inspector exercising functions under article 2(2), (3) or (4) may inspect and take copies of any records kept by persons provided under such a contract which the inspector considers relevant to the discharge of the inspector's functions.

(3) Paragraph (1) does not entitle an inspector—

- (a) to be present when the Crown Court, a county court or a magistrates' court is hearing proceedings in private; or
- (b) to attend any private deliberations of persons having jurisdiction to hear or determine any proceedings.

(4) The records referred to in paragraph (2) include records kept by means of a computer.

(5) An inspector exercising the power under paragraph (2) to inspect records—

- (a) is entitled to have access to, and inspect and check the operation of, any computer and associated apparatus or material which is or has been in use in connection with the records in question, and

(b) may require—

- (i) the person by whom or on whose behalf the computer is or has been used, or
- (ii) any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material,

to afford the inspector such reasonable assistance as the inspector may require.

(6) The powers conferred by paragraphs (1), (2) and (5) may be exercised at reasonable times only.