

**THE MAGISTRATES' ASSOCIATION**  
**SENTENCING POLICY AND PRACTICE COMMITTEE**  
**RESPONSE**

**Bail Accommodation and Support Services – Stakeholder Engagement**

**General Comments**

We are pleased to note the suggestion in Para 4.9 that future provision should *focus on support underpinned by accommodation* rather than the reverse as at present. This will be useful especially where defendants are previously unknown to and therefore not in contact with the Probation Service.

There does however need to be clarification regarding who in the court setting makes contact with NOMS to request possible service for a defendant. In the larger courts (Cardiff, Birmingham etc.) there has been for some time a Bail Information Officer but this is not common across England and Wales. Even with such an officer present at court, we need to clarify if it is this officer's responsibility or that of the Justices Clerk's staff to be the first point of contact with NOMS.

**Specific Comments**

Where a service user has dependants with her/him we would assume that a higher charge is to be made for the use of the whole house rather than one bedroom and the communal area – can this be clarified. Also where offenders or defendants have access to private funds or are eligible for housing allowance is this to be means tested?

As sentencers we need to know beforehand the conditions imposed by the contractor and by anyone else if we are to deal with users for any non-compliance issues.

Magistrates need to be re-assured that any contractor can support the service adequately. Statistics relating to each of the refusals for requests would be useful especially if refusals are simply because of a lack of available staff.

If courts can adjust the level of contact it would be useful to know what are the minimum and maximum levels.

We accept the principles in Para 7.5 are vital to the success of BASS but would wish to ensure that any third sector contractor or sub-contractor is actively monitored to ensure that the service is maintained to a set standard.

We would be interested to receive more information and provisional results from the pilot scheme for those subject to *'Intensive alternative to custody' community orders (IAC)*.

On page 3 of the document it is stated *'a number of workshops will be held across the country and details will be circulated shortly'*. The Association would welcome an opportunity to attend one of these events.

**July 2009**