

HM Inspectorate of Probation Annual Report 2008-09

Independent inspection of
adult & youth offending work

July 2009

SUMMARY

DURING 2008-09 HMI PROBATION:

- completed to schedule the Offender Management Inspection (OMI) programme, under which we have inspected offender management in all 42 criminal justice areas over a three-year period from mid-2006. During 2008-09 we completed 15 inspections under OMI and produced five reports with HMI Prisons on offender management in prisons. We also worked on plans for the successor programme (OMI 2) which will start in September 2009
- also completed to schedule the joint inspection of Youth Offending Teams (YOTs) under which we have led the inspection of the 157 YOTs over a five-year period from autumn 2003. We also made plans for the successor inspection programme – Inspection of Youth Offending (IYO) – which started in April 2009
- on joint thematic inspections, published a joint report led by HMI Probation on electronically monitored curfews. We also led a further four joint thematic inspections under the Criminal Justice Joint Inspection Programme – on Prolific and other Priority Offenders, Indeterminate Sentences for Public Protection, Mentally Disordered Offenders and Sex Offenders, all of which will be published in 2009. We contributed to a number of other joint thematic reports, including the third review of safeguarding children and young people led by Ofsted
- published in June 2008 the report of an inquiry into the management of *Risk of Harm* in London as a follow-up to the Chester-Nash case from 2005.

The large majority – over 90% – of HMI Probation's work in 2008-09 has been within the jointly-owned Criminal Justice Joint Inspection Programme.

The core of our inspection work continues to be the assessment of the quality and effectiveness of adult and youth offending work in a representative sample of particular cases of individuals who offend. We judge how often work was done sufficiently well with each individual in a representative sample of cases. We also consider that inspection should be proportionate and focused on key aspects of work where direct inspection makes assessments that cannot readily be made by other means. We have followed this approach in the plans for our new inspection programmes of adult and youth offending work.

We continue to give high priority in our inspections to the related issues of *Public Protection* (keeping to a minimum each offender's *Risk of Harm to others*) and *Safeguarding* (keeping to a minimum the risks to individuals who are at risk of harm from others or themselves).

In his Foreword, Andrew Bridges, the Chief Inspector of Probation comments on the role of independent inspection in providing assurance to Ministers and the public. An inspection regime establishes whether or not a public service is being delivered effectively. The existence of the system of inspection therefore provides *Assurance* to Ministers and the public – even though the findings on any individual occasion may not necessarily be experienced as 'reassuring' at all. *Assurance* is the benefit that arises for the public from knowing that a particular regime of independent inspection exists. Inspection work also provides the additional benefit of improvement as and when public services respond to inspection reports. Both of these benefits are especially important in respect of *Public Protection* and *Safeguarding* work, which is not readily measured by any means other than by inspection.

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HM Chief Inspector of Probation

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FOREWORD

**BY ANDREW BRIDGES
HM CHIEF INSPECTOR
OF PROBATION**



WHAT DOES INSPECTION 'ASSURE'?

I am once again proud to introduce our Annual Report, summarising our year's work. HMI Probation independently inspects work done with both adults and young people who have offended (or might do), whoever is undertaking such work aimed at making further offending less likely. We measure how often that work is done well enough.

We also advise Ministers and the public what it is reasonable to expect from this work. We believe that it is very important to have high expectations of our public services, but not to set impossible expectations. Therefore, criticising practitioners for "failing to achieve the impossible" is not what we do. But in that case, what assurance can our inspections offer instead to Ministers and the public?

An independent inspection regime establishes whether or not a public service is being delivered effectively. The existence of the system of inspection therefore provides *Assurance* to Ministers and the public – even though the findings on any individual occasion may not necessarily be experienced as 'reassuring' at all! *Assurance* is the benefit that arises for the public from knowing that a particular regime of independent inspection exists. Furthermore, in accordance with established Government policy on inspection, as and when public services respond to our reports our inspection work also provides the additional benefit of *improvement*.

Both of these benefits are especially important with *Public Protection* and *Safeguarding* work, which we have made integral to our core inspection practice, because they are work that is not readily measured by any means other than by inspection. Accordingly they are key examples of where and how inspection uniquely *adds value*. The two subjects can be seen as being largely the same type of work in many respects, but

approached from the opposite direction: with *Safeguarding* the focus is on current and potential *victims* (individuals who are at risk of harm from others or themselves); with *Public Protection* the focus is on current and potential *offenders* (individuals who are at *Risk of Harm to others*). Hence for this Inspectorate there is an underlying approach that applies broadly for both.

- It continues to be necessary to emphasise that 'risk to the public' can never be eliminated, but the public are entitled to expect the authorities to do their job properly.
- 'Doing one's job properly' means 'doing all that one reasonably could' – with Public Protection this is "taking all reasonable action to keep to a minimum each offender's *Risk of Harm to others*".
- When this Inspectorate reviews an individual case (e.g. Hanson and White, or Anthony Rice), we report on whether the authorities 'did all they reasonably could' in that particular case – this is a qualitative judgement, and is a judgement of *reasonableness*, not of perfection.
- When we inspect a sample of cases (40 – 250+) we report on *how often* the relevant authorities 'did all they reasonably could' in that sample of cases. To put it another way, if and when a Serious Further Offence or other catastrophe should occur in a particular area – and it can happen anywhere – our inspection finding indicates the likelihood that the authorities there would be able to demonstrate that they had done 'all they reasonably could'.

In other words, we don't criticise a service for 'failing to achieve the impossible', but instead we judge how often a service has done *what it was possible to achieve*.

We are an independent Inspectorate, but we operate as part of a broader 'team' of public servants aiming to help improve public services in the Criminal Justice System and beyond. Our inspection regime provides a measure of *Assurance* to the public and also helps to promote the 'Long Haul' of continuous incremental *Improvement* over time.

Andrew Bridges
HM Chief Inspector of Probation
July 2009

An earnest request to Probation and Youth Offending managers: Please don't inflict 'mock inspection interviews' on your staff!

Thankfully only a few are making the misguided mistake of preparing for inspection in this way – but please don't! For it's not anyone's 'interview performance' we're assessing, but the *quality of work done* with each case.

Best way to prepare instead? Ensure that good quality work has been done in the first place, and that it has been adequately recorded. Also, don't extend any 'tidying up' of casefiles prior to inspection to misrepresenting *what has been done or when it was done*. Our inspections require minimum extra work to prepare for the inspection visit itself, so if you are using consultants please use them for something more useful than 'preparing staff for their inspection interviews'!

"[what would improve the inspection process would be]... less paranoia from management beforehand in the two months or so leading up to the inspection which was, in my opinion, a massive over-reaction from management." (A practitioner)

1

**THE HMI PROBATION
YEAR**

Overview

1.1

During the year 2008-09 we carried through all our planned inspection work successfully to schedule, in the process completing the two main longer term regular inspection programmes:

■ we completed the Offender Management Inspection (OMI) programme, under which we have inspected offender management in all 42 criminal justice areas over a three-year period from mid-2006. During 2008-09 we completed 15 inspections under OMI. We also worked on plans for the successor programme (OMI 2) which will start in September 2009. (More information on the above is on Chapter 2.)

■ we also completed the joint inspection, with eight other Inspectorates or regulatory bodies, of Youth Offending Teams (YOTs) under which we have led the inspection of 157 YOTs over a five-year period from autumn 2003. (More information is in Chapter 3.) During 2008-09 we completed fieldwork on the remaining 20 YOT inspections and 3 reinspections. We also made plans for the successor inspection programme – Inspection of Youth Offending (YO) - which started in April 2009. On the ending of the YOT Inspection programme we published an *End of Programme* report drawing together main findings from the inspection. We also published a joint report with the Healthcare Commission on health issues – based on aggregate findings from the YOT Inspection programme – in February 2009 and will be publishing similar reports on the aggregate findings on other topics.

1.2

We made a substantial contribution to joint thematic inspection work with other Criminal Justice and other Inspectorates. We published (in October 2008) a joint thematic report led by HMI Probation on electronically monitored curfews. During the year we led a further four joint thematic inspections under the Criminal Justice Joint Inspection Programme – on Prolific and other Priority Offenders, Indeterminate Sentences for Public Protection, Mentally Disordered Offenders and Sex Offenders. We also contributed to a number of other joint thematic reports, including the third review of safeguarding children and young people led by Ofsted.

1.3

We published the report of an inquiry into the management of *Risk of Harm* in London as a follow-up to the Chester-Nash case from 2005. And in March 2009 we started work on a series of special case inspections in London arising from the Sonnex case. We also continued to provide advice to both the National Offender Management Service (NOMS) Agency and the Youth Justice Board (YJB) on the development of Public Protection and Safeguarding work.

1.4

The following table summarises the number of inspections carried out (i.e. the fieldwork completed) and the number of inspection reports published in 2008-09. (There is inevitably some time lag between the date of fieldwork and the date of publication.)

Details of reports published are shown in Appendix D.

1.5

The following chapters set out in more detail our inspection work on each of the programmes referred to above. This chapter describes some main developments on our inspection work in general and the context in which we operate, including our joint work with other Inspectorates. It also refers to our role in providing advice and liaising with interested organisations. It then gives a brief account of some developments in the way we organise ourselves in order to carry out our business.

	Inspections ⁽¹⁾ carried out	Inspection reports ⁽¹⁾ published
Inspections by HMI Probation as a single Inspectorate	5	1
Joint inspections between HMI Probation and other Inspectorates	72	82

⁽¹⁾ including reinspections where relevant

Core basis of inspection

1.6

The core of our inspection work continues to be the assessment of the quality and effectiveness of adult and youth offending work in a representative sample of particular cases of individuals who offend. We judge how often work was done sufficiently well with each individual in a representative sample of cases.

1.7

We also consider that inspection should be proportionate and focused on key aspects of work where direct inspection makes assessments that cannot readily be made by other means.

Joint Inspection of the Criminal Justice System

1.8

Following the decision in October 2006 to develop an annual Joint Inspection Plan, HMI Probation has played a leading part in work between the Criminal Justice Inspectorates on the plans for the Joint Inspection Programme for 2008-09 which was produced in June 2008, and similarly on those for the joint inspection programme for 2009-10 which were being finalised at the time this report was being prepared. Overall over 90% of our inspection work in 2008-09 has been within the jointly-owned Joint Inspection Programme. We have also continued to take the lead in work across the Inspectorates to share internal support and infrastructure services where feasible.

1.9

In relation to the joint CJS inspection arrangements, we continue to work with the Advisory Board of independent members who advise Criminal Justice Chief Inspectors on joint inspection issues. The Board comprises Professor Rod Morgan, Professor Steven Shute and Dr Silvia Casale.

Comprehensive Area Assessment

1.10

HMI Probation is a full partner in the Comprehensive Area Assessment (CAA) of local areas led by the Audit Commission, which has started in 2009. During 2008-09 we worked with the Audit Commission and other partner Inspectorates and with the Department for Communities and Local Government (CLG) on the development of plans for the CAA. We plan to contribute to each assessment our key inspection Findings as they become available, especially those from the new youth offending inspections. We also plan to relay performance information from the YJB and NOMS Agency, together with our commentary.

The core of our inspection work continues to be the assessment of the quality and effectiveness of adult and youth offending work in a representative sample of particular cases of individuals who offend.

Overall over 90% of our inspection work in 2008-09 has been within the jointly-owned Joint Inspection Programme.

Planning for new inspection programmes

1.11

During the year we made plans for our new inspection programmes of youth offending (which started in April 2009) and offender management (planned to start in September). We took care to test out the methodology carefully. In our planning for the new inspections we reflected our view that inspection should be proportionate and focused on key aspects of work where direct inspection makes assessments which cannot readily be made by other means. Reflecting this, the youth offending inspections will focus in every locality mainly on the key issues of *Risk of Harm to others* and Safeguarding of children. The Secretaries of State for Justice and Children, and the relevant Cabinet Committee, have endorsed this approach.

Communication of our inspection results

1.12

We aim to ensure that our inspection results are clear and readily accessible. We do this partly through regular maintenance of our website and continuing improvements to its structure, making a number of further improvements during 2008-09. We also keep under review the need for clarity in the format of our reports to ensure that they are as concise and clearly presented as possible. We have worked to this principle in our plans for the new inspection programmes – both youth offending and offender management – starting in 2009-10.

Departmental arrangements

1.13

Since May 2007 HMI Probation has been located in and is hosted by the Ministry of Justice (MoJ). Following some reorganisational changes in MoJ HMI Probation has during 2008-09 been located, for organisational purposes, within the Criminal Justice Group in MoJ. In essence our core role – of independent inspection of adult and youth offending work – remains unchanged.

1.14

Work is on hand with MoJ to produce a framework document setting out the relationship between HMI Probation and MoJ, and on protocols relating to the delivery of specific services provided by MoJ. During 2008-09 work continued in MoJ for the move of a number of specific internal infrastructure services from the Home Office to the MoJ. While on some of these arrangements have run smoothly, on others there have been some difficulties, at least initially.

Inspection should be proportionate and focused on key aspects of work where direct inspection makes assessments which cannot readily be made by other means.

Advising and Liaising

1.15

While our main purpose is independent inspection, we also have a significant role in providing advice. HMI Probation's managers have continued to offer advice to Ministers on the effectiveness of adult and youth offending work, and to liaise with a wide range of people in the NOMS Agency and the YJB at all levels on these matters. Among other things we have provided advice to both the NOMS Agency and the YJB on the key issue of work to minimise *Risk of Harm* to the public (see paras 5.4 & 5.5).

1.16

We have also agreed with the NOMS Agency that some of our key results from the OMI programme would be incorporated into the Integrated Probation Performance Framework (IPPF) – the main performance mechanism for probation areas used by the NOMS Agency – in order to produce a comprehensive picture of performance across probation areas. We have also discussed some possible further developments of this use of information for the future, and have contributed to considerations about changes to the content of the Framework for future years.

1.17

During 2008-09 we continued to convene the national Probation Inspection and Audit Forum. The aim of the group – which has comprised the Audit Commission, the National Audit Office, the MoJ Internal Audit Division (now Audit and Corporate Assurance) and NOMS HQ as well as HMI Probation – has been to share information and undertake joint planning in order to avoid duplication of work, and to help minimise the impact of inspection and audit activity on probation boards. It has now been decided that for the future it will be appropriate to merge the Forum with a similar group which has been considering prisons work, to form the NOMS Audit and

Inspection Group. This group will have a similar remit but will cover both prisons and probation work.

1.18

In a similar way, we have liaised closely with Ofsted and the other Inspectorates involved, including those in Wales, on our contribution through the YOT inspection programme to local inspection of children's services; and we have continued to work closely with the Audit Commission and others on the development of the CAA (as para 1.10 above).

1.19

During the year, we continued our involvement in international activity to promote effective probation work. Sandra Fieldhouse and Sally Lester both visited Bulgaria to assist in the development of the probation service, and Sally Lester also made a similar visit to Croatia, as did Steve Woodgate and Alan MacDonald who visited both Romania and Turkey. We also maintained our links with, and continued support for, the European Probation Conference (the CEP). Andrew Bridges spoke at a CEP event in Glasgow in April 2008.

1.20

During the course of 2008-09, Andrew Bridges visited a number of locations in order to meet staff and discuss current issues. By mid-2007 he had completed visits to all 42 probation areas since his appointment as Chief Inspector, with several receiving more than one visit by April 2009.

Statement of Purpose and Code of Practice

1.21

Turning to some aspects of the way we organise ourselves, we consider it important to have a clear and publicly available Statement of Purpose and Code of Practice. These are at Appendix A, and are also available on our website.

Complaints Procedure

1.22

We remain firmly committed to ensuring that our inspection processes are carried out with integrity in a professional, fair and polite way, in line with our Code of Practice. However, our Complaints Procedure (also available on the website) recognises that there may still be occasions where an organisation or individual involved in an inspection wishes to register a complaint. The Chief Inspector responded in person to the one letter of complaint received during the year, after a YOT inspection. Although there was disagreement with our inspection findings, we had not behaved unreasonably.

Quality Assurance Strategy 1.23

As an independent Inspectorate, we need to offer assurance that the work we do is carried out to the highest standard, that the work we inspect is scrutinised fairly and that we reach our judgements and findings through consistent and transparent processes. Our comprehensive Quality Assurance Strategy provides the structure for us to scrutinise our arrangements and processes, aiming to ensure that we provide consistent judgements and reliability both across and, where appropriate, between our inspection programmes.

1.24

The strategy includes ten elements, covering each of the main aspects of our work:

- diversity
- selection of case samples
- questionnaires to service users
- training of area assessors
- assessment of cases
- group interviews and meetings
- data analysis
- report writing
- report editing
- report production.

These are applied across each of our main inspection programmes.

During 2008-09, we have made considerable progress in achieving the tasks we set out to do, but we are not complacent. There is always room for improvement and whilst some tasks are now embedded in our processes, others require greater fine tuning and development. We will continue with this work to ensure the highest quality of our inspection processes.

Staffing 1.25

We had a considerable number of staffing changes during the year, with six staff joining and 17 leaving. This relatively high turnover, and the overall reduction in staff numbers, mainly reflected a running down of the number of our Practice Assessor and other seconded staff following the ending of the YOT Inspection programme, and also use of temporary staff consequent on delays in recruitment of support service staff. A recruitment exercise to second Practice Assessors to HMI Probation from probation areas or YOTs was held in the latter part of the year, with a view to the staff joining us in mid-2009 to take part in the new IYO and OMI 2 inspection programmes.

1.26

We continue to maintain and develop our panel of Associate Inspectors. These people, recruited to the same rigorous standards as our salaried inspection staff, work for HMI Probation on a sessional, fee-paid basis alongside our salaried staff.

1.27

HMI Probation is already diverse both in skills and background, and we are committed to maintaining and extending this. This has been helped by probation areas, YOTs and other organisations seconding their staff to us, and we are very grateful for their continuing willingness to do so.

1.28

Our staff group at 31 March 2009 – including also the panel of fee-paid Associate Inspectors – is shown in Appendix C.

Diversity

1.29

We aim to integrate the best principles of diversity into our inspection practice, as well as into the management of our own staff. We developed a Single Equalities Scheme 2007-10, which sets as an overarching objective: *Working to remove improper discrimination in the Criminal Justice System*. We produce and implement a separate annual plan to support this Scheme. These and other key documents are on our website.

1.30

We see it as very important to examine diversity issues in our main inspection programmes. We have built into each of our main programmes key criteria to identify whether or not individuals who offend are being treated proportionately at each step in the processes we inspect, with no difference by their diversity characteristics. We have previously published, and will publish again in due course, reports collating findings from a set of inspections to show how well work has been undertaken with specific groups of individuals, i.e. by race, gender, age-group, etc. for comparison purposes.

1.31

We also aim to integrate the best principles of diversity within HMI Probation, in terms of how we organise ourselves and treat others, and to monitor how we do this. In this connection we routinely monitor the diversity characteristics of HMI Probation staff. This information shows that, at end-2008, of the HMI Probation staff group in total*:

- 44% were female
- 7% were from a minority ethnic group
- 7% considered that they had a disability within the meaning of the Disability Discrimination Act 2005
- 4% were lesbian, gay or bisexual
- 21% were aged under 35, and 68% were aged 45 or over.

* These proportions exclude respondents who preferred not to answer in respect of a particular characteristic.

1.32

In the first part of 2008 we ran again the shadowing scheme for black and minority ethnic probation and YOT staff. The aim of the scheme – a positive action measure taken under sections 37 and 38 of the Race Relations (Amendment) Act 2000 – has been to promote equality of opportunity by informing and encouraging potential applicants from black and minority ethnic groups to apply for posts in HMI Probation where they have been previously under-represented, although the shadowing scheme is kept separate from the recruitment process. The scheme – which previously also ran in both 2006 and 2007 – has been well received. We are reviewing our experience in running the scheme, and the case for doing so again in future years.

1.33

We continue to work to our Welsh Language Scheme, which has been approved by the Welsh Language Board. In this connection we maintain a Welsh language page on our website on Welsh language matters, and we have ensured that our Associate Inspector panel includes two Welsh speakers.

1.34

We also carry out diversity impact assessments for the main processes in our regular inspection programmes.

Criminal Records Bureau checks

1.35

Our staff involved on YOT inspections may well have direct contact with children and young people, or at least with records containing personal details on them. For this reason, it is important that all our staff involved – support service staff as well as inspection staff – have an enhanced Criminal Records Bureau (CRB) check. We also consider that the check should relate to contact with vulnerable adults as well as with children. We make arrangements for this accordingly, adhering to the CRB Code of Practice in the way we do this. Our approach is in line with the expectation that we have when inspecting a YOT. For the future we will be making the appropriate arrangements to reflect the introduction of checks organised by the Independent Safeguarding Authority.

Planning Inspection Work and Use of Resources

1.36

We produced our Plan for 2008-09 at the start of the year, setting out both our underlying approach and our specific plans for inspections. (We made this available on our website.) In summary the Plan said that by the end of March 2009 we would have completed our schedule of inspections, including the Joint Inspection Programme, on time, to budget and to a good standard. In doing so, we would have both maintained and developed our continuing long-term contribution to improving effective work with offenders and young people.

1.37

In order to monitor clearly how our resources are used to achieve our plans we create a 'budget' of deployable 'inspection hours' and monitor the use of these hours during the year. For 2008-09 our planned deployment was of 39,000 'inspection hours'. Over 90% of our inspection work has been within the jointly-owned Joint Inspection Programme.

1.38

In reviewing the position at the end of the year, we are pleased to report that we have carried out successfully our planned work for 2008-09, including contributing fully to the Joint Inspection Programme.

2

ADULT OFFENDING WORK: THE OFFENDER MANAGEMENT INSPECTION PROGRAMME

Overview

2.1

2008-09 has been the final year of a three-year cycle for the Offender Management Inspection (OMI) programme, with the last event taking place in March. Continuing to look broadly at the management of offenders by a number of agencies working in conjunction with probation areas, we carried out 15 inspections in the following criminal justice areas: South Wales, North Wales, Dyfed-Powys, West Midlands, Gwent, West Mercia, Staffordshire, Warwickshire, North Yorkshire, West Yorkshire, Humberside, South Yorkshire, Teesside, Northumbria and County Durham.

Development

2.2

We were able to start inspecting cases within the scope of Phase III of the National Offender Management Service (NOMS) Offender Management Model starting with the Yorkshire & Humberside Region in December 2008. Phase III of the Offender Management Model was an important development and significant challenge to both probation areas and prison establishments in expanding the provision to a further group of offenders, with the aim of providing a seamless service during the custodial period and one which promotes community reintegration on release.

Delivery of OMI

2.3

We have continued to gather evidence to inform our OMI findings under four key headings: assessment and sentence planning; implementation of interventions; achievement and monitoring of outcomes; leadership and strategic planning. We have placed a particular focus on the quality of work to assess and manage *Risk of Harm to others* and have continued to award a separate score for this 'thread'. The emphasis of our methodology has remained the detailed assessment of cases – we scrutinised 1854 cases in 2008-09 by reading file records and interviewing offender managers and offender supervisors. We have delivered improved training to Area Assessors – those probation area staff who work with us for the duration of their inspection – and expanded support and quality assurance arrangements. Their satisfaction levels in relation to working with us have remained high and we continued to encourage areas to use their skills in post-inspection improvement activity.

Working with other Inspectorates

2.4

OMI has been a joint inspection programme, led by HMI Probation. Ofsted has played an important part on each of our inspections during the year and we have incorporated their findings on offender learning and skills into our reports. Our close work with HMI Prisons has grown in 2008-09 as described below.

Prison OMI

2.5

A full programme of Prison OMI has entailed working together with HMI Prisons and joining certain of their prison inspections to assess the work being done under Phases II and III of the NOMS Offender Management Model. In 2008-09 we have scrutinised offender management arrangements in 17 custodial establishments mainly within the geographical boundaries of the probation regions inspected – i.e. West Midlands, Yorkshire & Humberside and the North-East. HMPs Long Lartin, Brinsford, Dovegate, Askham Grange, Stoke Heath, Featherstone, Hull, New Hall, Wakefield, Wealstun (Open/Closed), Everthorpe, Castington, Kirklevington Grange, and Holme House were inspected as well as two London establishments, HMPs Brixton and Wormwood Scrubs, and HMP Parc in Wales.

We have placed a particular focus on the quality of work to assess and manage *Risk of Harm to others* and have continued to award a separate score for this 'thread'.

Important general themes emerged in the five jointly published Prison OMI reports:

- Offender Management Units had been established in all prisons inspected, but these were sometimes isolated and staff were deployed frequently to other operational duties
- sentence planning was generally given a high priority, though OASys was not well used to integrate all available assessments and plans, nor did it assume a central role in the management of interventions
- contact levels between offender managers and prisoners were often insufficient, and video links or telephone conference facilities were underused or not available

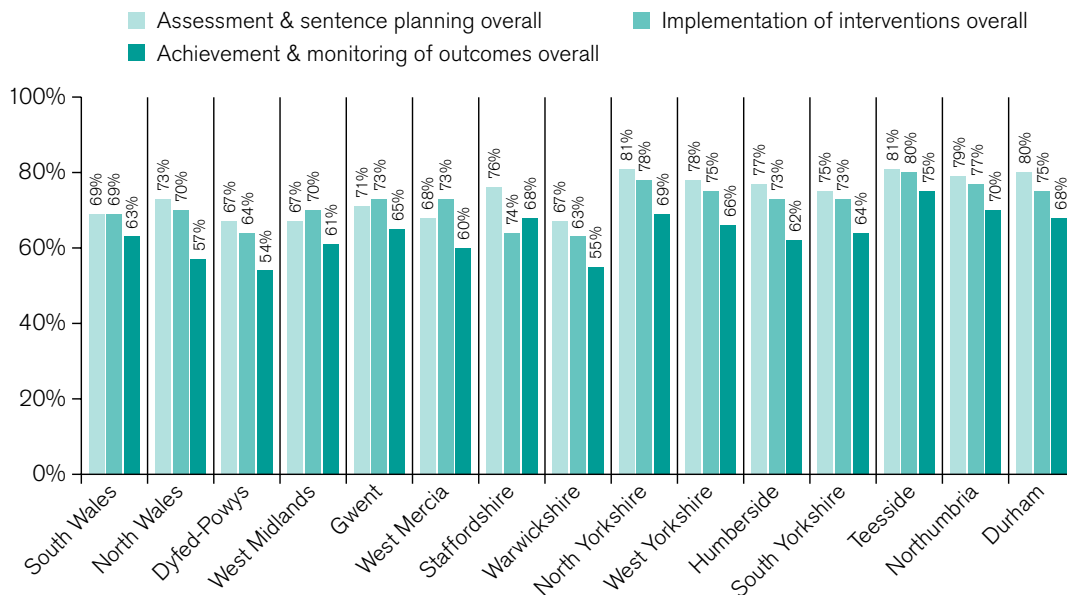
- the provision of interventions to meet offence related needs was affected by capacity and prison population pressures
- diversity impact assessments on the implementation of the Offender Management Model had not been routinely completed
- a high priority was given to protecting the public from *Risk of Harm*, but greater attention to victim safety and victim awareness was required.

OMI Findings 2.6

The graph below shows the scores for each of the OMIs in 2008-09 in relation to the three practice sections of OMI: assessment; interventions; and outcomes. The scores represent the proportion of work inspected which had been done well enough.

There was considerable variation in the scores between individual areas and within the three regions. Themes coming through from these results are generally similar to those of OMIs in preceding years, with higher quality work evident at the first assessment stage than in planning, delivery of interventions (although the gap was narrower) or progress achieved over the course of supervision. These were some of the key findings:

Offender Management Inspections 2008-09: Scores for practice sections



Note: Some caution should be exercised in making comparisons between areas since the scores are based on samples of cases.

Assessment and Sentence Planning

- The quality of pre-sentence reports was generally good and sentencers were satisfied with them.
- Assessments of the *Risk of Harm to others* and plans to address this were usually timely. However, we continued to find that both aspects of practice required further improvement in quality.
- Assessments (in OASys) of offender need and likelihood of reoffending were generally well completed though some aspects of offender diversity were not addressed sufficiently.
- A significant proportion of sentence plans did not accurately reflect assessments or properly set out the scope and detail of subsequent supervision.

Implementation of Interventions

- Too often, contact with offenders did not relate to the sentence plan.
- We saw good communication between the practitioners involved in delivering interventions, but this was significantly less so for cases in the custodial phase.
- Attention to victim safety and victim awareness needed to be promoted.
- Generally, constructive interventions (*'help'* and *'change'*) were delivered appropriately, but we noted capacity issues in relation to accredited programmes and inconsistent follow-through of skills for life assessments.
- Specific restrictive interventions (*'control'*) were usually managed efficiently and approved premises were used effectively.
- The responsibilities of offenders to comply with supervision were covered at an early stage and offender attendance was well managed. We saw an increased focus on compliance, with a variety of innovative methods used to achieve this. Enforcement and breach continued to be dealt with appropriately in most cases.

Achievement and Monitoring of Outcomes

- Most offenders had not been reconvicted or cautioned during the period of supervision which we scrutinised (typically six to 12 months).
- As in the previous year, there was limited evidence of behavioural or attitudinal change on the part of offenders and the level of victim awareness was low.
- There were demonstrable benefits to the community in many cases especially through the completion of unpaid work.
- Offender progress was less than it could have been – this linked back to the quality of sentence planning and the lack of focus in implementation.
- As in earlier years, the consolidation of learning and new skills was an important area for improvement. However, we saw good work in ensuring that offenders were linked with relevant community resources.

A significant proportion of sentence plans did not accurately reflect assessments or properly set out the scope and detail of subsequent supervision.

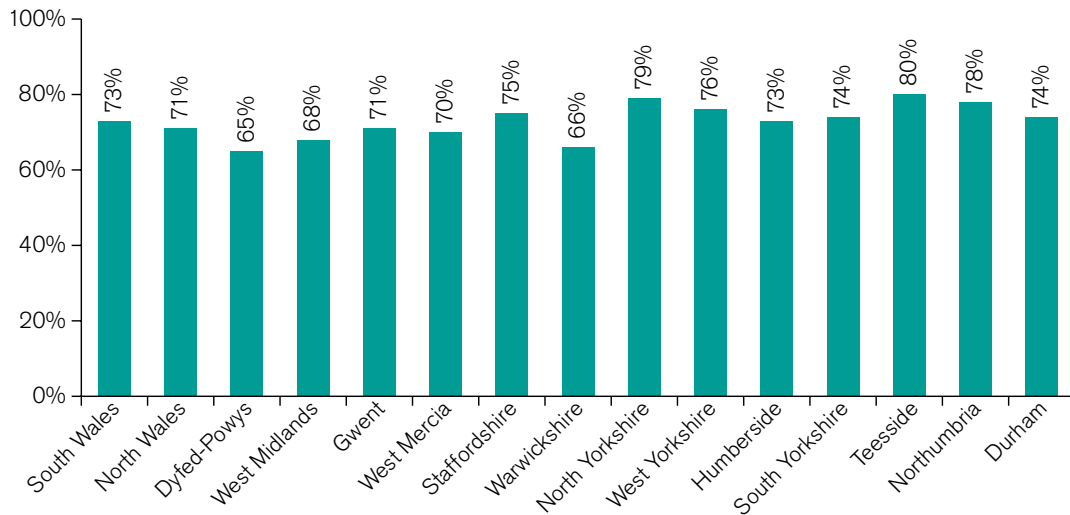
We saw an increased focus on compliance, with a variety of innovative methods used to achieve this.

2.7

By grouping together our case-by-case judgments about *Risk of Harm* work, we have been able to give a score in the OMI which reflects the quality of the work done in probation areas to protect the public from harm. The score represents how often this area of work was done well enough. Overall, the average score across all OMIs since the start of the programme in May 2006 was 69%, with a considerable range across individual areas, from 56% to 85%. The scores for the area inspections in 2008-09 are shown in the following graph:

In this year, probation areas achieved scores of between 65% and 80% for this important and difficult area of work. Overall the quality of work continued to rise – this showed a sustained effort by staff and managers in working with a range of partners to keep to a minimum each offender's *Risk of Harm to others*. Within this general trend, and in order to show that all reasonable actions had been taken, improvements were needed in the specific areas of planning to manage the *Risk of Harm*, paying attention to changes and the involvement of managers in cases that warranted it.

Offender Management Inspections 2008-09: Risk of Harm scores



Note: Some caution should be exercised in making comparisons between areas since the scores are based on samples of cases.

How OMI was received by those whose work was inspected **2.8**

In line with our quality assurance arrangements (see paras 1.23 & 1.24), and our aim of fostering a positive engagement with those whose work we inspect, we invited feedback from probation staff, managers and partners interviewed as part of OMIs in 2008-09. The results - based on 1,313 responses – are shown in the following chart and are positive:

Comments from those whose work was inspected include:

“very empowering interview – treated me as a professional”

“very open and easy discussion, but well managed and to the point”

“attention to race equality / wider diversity issues was thorough”

“the helpful manner in which the interview was conducted helped to see the interview as a learning exercise rather than being ‘scrutinised’”

Supporting People Inspections **2.9**

We have completed our commitment to working jointly with the Audit Commission on the Supporting People inspection programme. In 2008-09 we assessed this work in Wolverhampton, Southend, Northumberland, Bradford, North-East Lincolnshire, Walsall, Shropshire, Rochdale, Lincolnshire, Hertfordshire and Sefton.

The Year Ahead **2.10**

In advance of September 2009 we have been developing our successor programme, OMI 2, and at the time of preparing this report have reached the pilot stage for both the community and prison components. Our approach has been to build on the current programme; inspection criteria have a greater focus on outcomes and we have retained the core elements of the inspection methodology. Ofsted and HM Inspectorate of Constabulary (HMIC) have been involved in the development and piloting stages. Our work with HMI Prisons will also enter a new phase as we start to inspect cases in prison establishments, some of which are in scope of the offender management model, and some which are not.

2.11

OMI 2 will start in September 2009 and we plan to carry out eight inspections in the latter part of 2009-10.

Feedback from staff, managers and partners who took part in OMI



3

**YOUTH OFFENDING WORK:
AREA INSPECTION PROGRAMME**

Overview

3.1

The Youth Offending Team (YOT) Inspection programme started in 2003 and was completed in December 2008. An *End of Programme Report* was published in March 2009, and was launched in Manchester's Bridgewater Hall. The report focused on progress and outstanding issues that had emerged during the five years of the inspection programme.

3.2

We have used data from the programme to produce a number of reports, including *'Actions Speak Louder'*, a joint Healthcare Commission and HMI Probation publication, a similar document from Ofsted and HMI Probation looking at education, training and employment, a number of good practice briefings and a specific report on performance in Wales.

3.3

Throughout 2008, the English YOT inspections continued to be aligned to Joint Area Reviews (JARs), led by Ofsted and the Corporate Assessments of local authority services led by the Audit Commission. The JAR focused on Looked After Children, those with learning difficulties and disabilities and Safeguarding, along with specific enquiries about particular authorities. By the end of the process, YOT contributions to the JAR were more targeted and both our inspectors and those leading the JARs were more aware of the best way for us to contribute to the bigger picture.

3.4

The alignment with JARs gave the YOTs in England greater prominence within the local authority. On occasions too, our findings have impacted on the JAR gradings reflecting unsatisfactory practice in the YOT, mostly in relation to Safeguarding issues or the interface with wider children's services.

Delivery of YOT Inspections

3.5

Inspections during Phase 4 related to five areas of work:

- Work in the Courts
- Work with children and young people in the community
- Work with children and young people subject to custodial sentences
- Victims and Restorative Justice
- Management and Leadership.

However, in response to requests from YOTs, prevention work was scored separately from work with those who had offended, as was work with parents/ carers and consultation/ outcomes. This gave each YOT eight sections, using the JAR gradings of:

- 4 Excellent
- 3 Good
- 2 Adequate
- 1 Inadequate.

There was no overall grading for the service as we judged this detracted from the detail of the report and the areas that needed to be addressed for each aspect of service delivery.

3.6

What we found was mixed performance across those inspected during 2008. There were pockets of good and excellent practice, but we did not find any YOT that excelled across all areas. No youth offending service therefore can afford to be complacent, and there is much to learn from each other.

3.7

In prevention work, we were pleased to see clear referrals linked to the criteria of the scheme and Onset assessments being used proactively and with a keen eye to diversity issues. However, intervention plans were not prepared in all cases and, where they were, three-quarters did not contain outcome oriented objectives or clear exit strategies when the involvement of the YOT ceased. With an injection of resources into this area of work, we have seen improvements over time, but there remain issues concerning the vulnerability of this group of children and young people coupled with poor provision for their healthcare needs.

3.8

Our next area of examination was work in the courts. Whilst relationships between courts and YOTs were often seen positively by both parties, the results of these relationships are seen in the effectiveness (or not) of the outcomes for both children and young people and the community. Sometimes trust in the YOT was lacking and this was seen through the outcome of court

There were pockets of good and excellent practice, but we did not find any YOT that excelled across all areas.

appearances where remands and sentences to custody (all other issues being equal) were high. Pre-sentence reports, whilst objective and free from discriminatory language and stereotypes, were often too long and descriptive rather than being analytical. Authors did not always differentiate between *Risk of Harm to others* and Likelihood of Reoffending.

3.9

Work with children and young people in the community included our judgements about Asset completion, intervention plans and an assessment of the outcomes achieved. Whilst we found more timely assessments and plans and reviews, which were more sensitive to diversity issues than previously, the quality of Asset assessments, including the child or young person's own assessment of their behaviour, were judged to be not sufficient in a third of cases. To our surprise too, only half the cases had timely and purposeful home visits carried out and repeated as necessary. Interventions did not sufficiently address *Risk of Harm to others*, and in only half the cases was there middle or higher management involvement where it was needed. Intervention plans sufficiently addressed Safeguarding in only half the cases inspected.

3.10

We have seen improvements in healthcare provision, particularly in addressing substance misuse, but this still varied considerably across different YOTs. Mental health provision for 16 and 17 year olds was poor, and there was little evaluation of health interventions. Children and young people in contact with the YOT often had issues to overcome, in particular participating in behaviour which created a risk of harm to themselves. They also faced a potential risk of harm from others, including known adults such as parents/ carers. There was insufficient attention paid to this area of work by YOTs, including a lack of safe and suitable accommodation.

3.11

Education, training and employment was an area where the local authority target on those Not in Education, Employment or Training, had impacted positively on the development of a range of alternative resources available for this group of children and young people, although there was still much to do, especially for those over statutory school leaving age.

3.12

There were some imaginative examples of work with parents/ carers, including self-help and parenting mentors, but there was still a lack of universal screening and training for generic case managers.

3.13

For those children and young people in custody, we found YOT staff working hard to attend training plan meetings, but poor communication and linkages between health and education across the community-custody divide. *Risk of Harm to others*, Safeguarding and diversity issues were not well addressed and, although referrals to offending behaviour groups in custody took place, the delivery of the programmed work rarely did.

3.14

Work with victims and restorative justice was an element with considerable variation between areas – some having a comprehensive restorative justice strategy, but others with nothing and in particular a lack of attention to victim safety. In some YOTs there was little consideration of how best to engage victims and, where they were involved, case managers were often not aware of what was taking place.

3.15

Our experience to date, particularly with those areas facing reinspection, is that whilst the existence of a strong and able YOT manager can make a big difference to the quality of the operational work undertaken, the absence of suitable strategic governance can also have a large impact. Without this an effective YOT manager will not be challenged or held accountable and will struggle to develop their service. Our assessment of management and leadership was that there was greater and welcome integration of YOTs within the local authority strategic structures (in both crime and children's services), but that some of these were not yet well developed, such as the Multi-Agency Public Protection Arrangements.

3.16

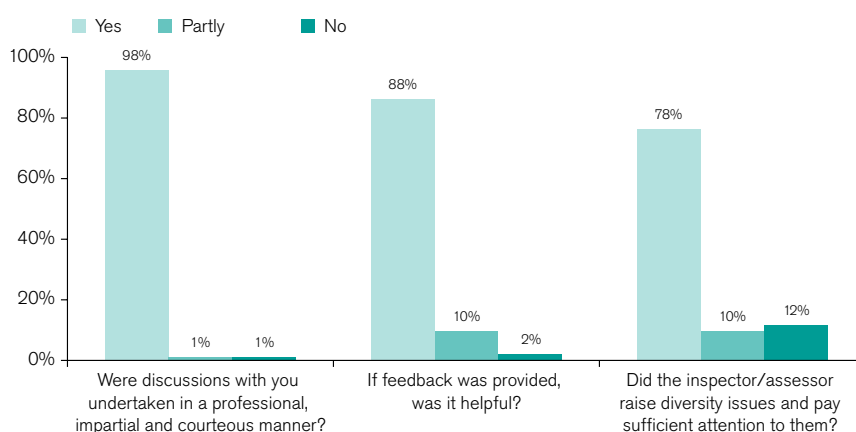
Part of our inspection involved consulting service users, including children and young people, parents/ carers and victims. Most were complimentary about the YOT, but some children and young people in custody felt that their case manager could have done more to help them during their incarceration.

How the YOT Inspections were received by those whose work was inspected

3.17

In line with our quality assurance arrangements (see paras 1.23 & 1.24), and our aim of fostering a positive engagement with those whose work we inspect, we invited feedback from YOT staff, managers and partners interviewed as part of YOT inspections in 2008-09. The results – based on 2,750 responses – are shown in the chart opposite and are positive:

Feedback from YOT staff, managers and partners who took part in YOTI



Comments from those whose work was inspected include:

"a very positive experience"

"very professional people carrying out their duties in a very professional manner"

"extremely well conducted in a non threatening way – enabled a good dialogue on evidence and outcomes"

"the process was informative, effective and useful".

Youth Justice Board 3.18

We have continued to work closely with the Youth Justice Board (YJB) on matters of joint interest. Whilst there remain some issues of difference, we have worked hard, whilst retaining our independence, to ensure that we do not give conflicting messages to those working in the youth justice field. Under the successor inspection programme (see next para) there will be greater interlinking between the monitoring by the YJB and the recommendations from inspections, with improvement plans

incorporated into the YJB's Youth Justice Planning Framework. As the Core Case Inspections (see below) will be undertaken on a regional or Wales basis, this will enable both organisations to communicate regionally, as well as nationally, in future.

Development and the Year Ahead 3.19

During the latter half of 2008 and the first quarter of 2009, we have developed a successor programme looking at the quality of youth offending work entitled 'Inspection of Youth Offending (IYO)'. This programme – which is led by HMI Probation – started in April 2009 and has two main elements:

i) Core Case Inspection (CCI) – a three-year rolling programme of inspection examining the individual delivery of services to children and young people who have offended and are subject to supervision by the YOT. The new, more focused, programme replicates some of our existing methodology and provides a 'reality check' of performance on the ground. The key aspects we will inspect are Safeguarding, Public Protection (*Risk of Harm to others*) and Likelihood of Reoffending. We will continue to retain our

focus on inspecting cases to discern how often work is carried out to a sufficiently high standard. With Comprehensive Area Assessment in mind, for YOTs who serve more than one local administering authority, we will increase our sample of cases so that we can comment specifically on the work in each constituent area.

In a separate development, although one that we have already used in our adult programme, we are training regional assessors to work with HMI Probation inspectors on CCIs. These are experienced practitioners from a YOT who are 'loaned' to us for two training days and then work with us on a week of inspection. Regional assessors will not inspect the work of their own YOT but the work of another team in the same region. Inspection fieldwork will be predominantly undertaken by HMI Probation staff, although there will still be involvement of other Inspectorates such as Ofsted and the Care Quality Commission (CQC). It is anticipated that Ofsted and the CQC will report their findings on a regional basis. Findings from the CCI will contribute to the Audit Commission led Comprehensive Area Assessment programme (see para 1.10).

ii) Thematic inspections – the 2009-10 plans include four inspections covering gangs, prevention work, alcohol misuse and offending, and court work and reports. Each thematic will take about 12 months from start to finish including preparation time, a pilot inspection, fieldwork and writing the report. They are multi-Inspectorate activities with the inspection relating to gangs being led by HMI Prisons, prevention by HMI Constabulary, alcohol misuse and offending by the CQC, and court work and reports by HMI Probation. Fieldwork will take place in three main periods – between April and July, in the autumn and spring 2010, with seven areas normally being covered by each inspection.

4

JOINT THEMATIC INSPECTIONS

Overview

4.1

We have been strongly involved in a wide range of thematic inspections during 2008-09, working closely with our colleagues in the other Criminal Justice Inspectorates. All these inspections formed part of the Joint Inspection Business Plan 2008-09.

4.2

We have published as lead inspectorate one joint thematic report this year, *A Complicated Business*, an inspection undertaken with HM Inspectorate of Court Administration (HMICA) and HM Inspectorate of Constabulary (HMIC) about electronically monitored curfews. In addition, we have led four other joint thematic inspections, all of which are now close to completion at the time this annual report was prepared, and will be published in 2009. These inspections cover the following aspects of the Criminal Justice System: Indeterminate Prison Sentences; Mentally Disordered Offenders; Sex Offenders; and Priority and other Prolific Offenders (PPOs). We have also contributed to a scoping document on the disproportional representation of Muslims within the CJS.

4.3

A Complicated Business - A joint inspection of electronically monitored curfew requirements, orders and licences.

The inspection was undertaken jointly by HMI Probation, HMICA and HMIC. Its purpose was to assess the effectiveness of electronic monitoring in the management of offenders in the community and it therefore focused on young people and adults for whom electronic monitoring forms either a requirement of their court sentence or a condition of their licence following release from custody.

4.4

During the course of fieldwork, we examined 286 cases. We also visited five probation areas and five Youth Offending Teams (YOTs) in County Durham, Kent, London, North Wales and South Yorkshire as well as the two companies, G4S and Serco, contracted to deliver electronic monitoring.

4.5

We found electronically monitored curfews to be a valuable sentencing option for courts and a useful mechanism for early release from custody in appropriate cases. We felt that curfews could make a powerful contribution to the effective supervision of sentenced offenders if integrated better into mainstream practice, and regarded the failure to do so as a *'missed opportunity'*.

4.6

We were particularly concerned at the enforcement policy for court-sentenced curfews which we found to be significantly different both from the way in which other community requirements were enforced and from what the courts and public might reasonably expect. We therefore advocated a major re-think about the enforcement of curfew cases, with the adoption of what might be dubbed a 'Smart' approach to compliance and enforcement practice. This would be located in the context of best offender management practice as a whole and, in common with other forms of community supervision, would work to tighter and transparent boundaries, but with more discretion in appropriate individual cases.

We found electronically monitored curfews to be a valuable sentencing option for courts and a useful mechanism for early release from custody in appropriate cases.

Curfews could make a powerful contribution to the effective supervision of sentenced offenders if integrated better into mainstream practice.

4.7

The report was published in October 2008 and included the following recommendations to improve performance:

The Ministry of Justice and the National Offender Management Service Agency should:

- review and revise their offender management strategy by:
 - ensuring that the electronically monitored curfew is fully integrated into offender management practice
 - developing a ‘Smart’ approach to compliance and enforcement, working to tighter and transparent boundaries, but with more discretion in appropriate individual cases
- reviewing specifically the role of the offender/ case manager in the enforcement of Home Detention Curfew cases.

The National Offender Management Service Agency and the Youth Justice Board should:

- provide guidance to staff to ensure effective offender management by the integration of curfews into the sentence or intervention planning process.

Probation areas and Youth Offending Services/ Teams should:

- integrate the electronically monitored curfew into their management of each applicable case by ensuring that:
 - relevant information about the offender’s vulnerability or *Risk of Harm to others* is passed to the electronic monitoring company at the earliest opportunity

- the Multi-Agency Public Protection Arrangements/ Prolific and other Priority Offender status is always clearly communicated to the electronic monitoring companies
- offender/ case managers develop best practice in managing the compliance and enforcement element of each individual case, including when applicable, routinely informing the electronic monitoring companies of their decisions regarding enforcement, and record their reasoning, on those rare occasions when they decide against following the given advice on enforcement.

HM Courts Service should:

- improve communication of key information about each case to the relevant electronic monitoring company by:
 - providing a set of clear, easy to use national forms, supported by clear instructions for their use and by training. Their application should be mandatory and monitored
 - ensuring that greater oversight is exercised over court administrative procedures so that the orders issued by the court office accurately reflect the sentence passed by magistrates and judges.

The electronic monitoring companies should:

- ensure clearer communication to offender/ case managers on breach, including a simple summary on all cases
- review their procedures to protect and safeguard their staff in the light of the findings of this report.

The Association of Chief Police Officers should:

- consider changing the Police National Computer operating procedures to include a flag or warning signal on the front page of an offender’s record to show that the individual is subject to an electronically monitored community order.

Prolific and Other Priority Offenders 4.8

This inspection focused on the *Catch and Convict* and *Rehabilitate and Resettle* strands of the Prolific and Other Priority Offender strategy; it sought to consider the individual criminal justice agencies’ contributions to the programme against the “National Premium Service” and assess their effectiveness. The inspection was led by HMI Probation, with support from HMICA, HM Inspectorate of Crown Prosecution Service (HMCPSP), HMI Prisons and HMIIC.

4.9

The inspection methodology was based on a scoping study undertaken in 2007-08 and developed during the spring and summer of 2008-09. Fieldwork was undertaken between September-November 2008 in Camden, Cumbria, Norwich, Plymouth, Sandwell and Swansea.

4.10

Findings from the fieldwork are currently being collated and the report is expected to be published in the summer of 2009. Initial findings suggest that the report will identify the need to locate the work undertaken with Prolific and Other Priority Offenders more firmly in the developing Offender Management Model; it will comment favourably on the functioning of the Prolific and Other Priority Offenders schemes in the community, but highlight concerns about the operation of the National Premium Service, particularly in prisons.

Inspection of Indeterminate Sentences for Public Protection

4.11

This inspection has been run over two phases. The first phase was led by HMI Prisons with support from HMI Probation and published in September 2008; it focused on the pathways into custody for cases receiving an indeterminate sentence for public protection and the management of these offenders in custody.

4.12

The second phase of the inspection was led by HMI Probation, with HMI Prisons' involvement. It examined the work undertaken by probation areas to assess the impact of indeterminate sentences for public protection and the effectiveness of arrangements made for individual offenders' safe release and management in the community.

4.13

The fieldwork for the inspection was carried out between October 2008 and January 2009 in Avon & Somerset, Leicestershire & Rutland, Merseyside, South Wales, Suffolk and Sussex.

4.14

Findings from the fieldwork are currently being collated and the report is expected to be published in the summer of 2009.

Inspection of offenders with mental health conditions

4.15

This inspection was led by HMI Probation with support from HMICA, HMIC and HMCPSI. Its purpose was to assess the quality and effectiveness of information exchange between criminal justice agencies during the period from arrest/ detention to sentence when dealing with offenders with a mental health condition. The inspection was looking to find whether these offenders received appropriate treatment and support both within and outside the CJS.

4.16

During the course of the fieldwork for the inspection, which took place between December 2008 and February 2009, we visited the following areas: Dyfed-Powys (Aberystwyth and Carmarthen), Greater Manchester (Bolton), London (Camberwell), West Mercia (Hereford), Warwickshire (Nuneaton and Leamington Spa), and Wiltshire (Swindon).

4.17

Findings from the fieldwork are currently being collated and the report is expected to be published in the summer of 2009.

Inspection of work with sex offenders

4.18

This inspection builds on the findings of our previous inspection undertaken in 2005. As in 2005 it was led by HMI Probation with support from HMIC and focused on offenders with a current conviction for a sexual offence and who were subject to probation supervision through a community order, licence or parole. The purpose of the inspection was to assess the effectiveness of the management of sex offenders in the community.

4.19

Fieldwork for the inspection took place during February and March 2009 during which time we visited Hertfordshire, Lancashire, London, North Wales, Staffordshire and West Yorkshire.

4.20

Findings from the fieldwork are currently being collated and the report is expected to be published in the summer of 2009.

The Year Ahead

4.21

In addition to finalising our current thematic joint inspections, we will continue to work with our colleague Criminal Justice Inspectorates during the forthcoming year. We will participate in thematic inspections led by other Inspectorates on information exchange and crime and disorder reduction partnerships, when triggered through the Corporate Area Assessment. We are also working with colleagues in HMI Prisons to consider the position of women in the CJS.

4.22

The Joint Inspection Plan 2009-10, which will contain details of the Criminal Justice Joint Inspection Programme was being finalised at the time this report was prepared.

5

PUBLIC PROTECTION AND SAFEGUARDING

Overview

5.1

The inspection of Public Protection work has remained a high priority through to the end of both core inspection programmes (offender management and youth offending). By looking at the quality and timeliness of all the individual tasks which go to make up good Public Protection work, we assessed whether staff were doing all that they reasonably could to keep to a minimum each individual's *Risk of Harm* to the public. This has also been emphasised in the joint thematic programme and special inquiry work as outlined below.

Risk of Harm Area Assessments

5.2

Early in 2008-09 we assessed *Risk of Harm* work in five probation areas - South Yorkshire, Humberside, Teesside, Northumbria and County Durham – in advance of their full OMI. This completed work carried out at the request of the NOMS Agency in order that an assessment of *Risk of Harm* work in the last two years was available for all 42 criminal justice areas by June 2008. We did not publish reports from these exercises but provided each area with summary feedback.

Risk of Harm score

5.3

The *Risk of Harm* score from OMIs and from these additional *Risk of Harm* Area Assessments was used in the NOMS Performance Framework as an indicator of the quality of *Risk of Harm* work (see para 1.16).

Work with NOMS and the Youth Justice Board

5.4

In our work with NOMS, there has been a continuing focus on developing a shared understanding about what makes for good *Risk of Harm* practice. This has included taking part in NOMS' Quality Assurance Reviews of Serious Further Offences. However, our offer to assist NOMS with the development of a self-assessment regime for Public Protection work now needs to be taken forward.

5.5

We have, similarly, continued to discuss *Risk of Harm* issues with the YJB. Among other things we contributed to the YJB's Scaled Approach developments in order to agree, in most cases, joint terminology. As with NOMS, we aim to help the YJB with the development of a self-assessment regime for Public Protection work in YOTs.

Risk of Harm Inquiries

5.6

Following the completion of a NOMS special case review in November 2006 into the London Multi-Agency Public Protection Arrangements (MAPPA) management of the Gary Chester-Nash case from 2005, the NOMS Public Protection Unit requested independent assurance from HMI Probation that improvements had been made in the way cases similar to that of Gary Chester-Nash were being managed in London Probation. It was not part of our remit to pursue the recommendations of, or for other agencies in this inquiry. Instead we looked at the extent to which the actions that emanated from the special case review were embedded in the management of MAPPA offenders in London and to identify any issues that required further action by the MAPPA or constituent agencies.

We published our report on this work *On the Right Road: An Inquiry into Developments in the Multi-Agency Management of Risk of Harm in London*, in July 2008. Because of the size and scale of the area, London faced unique challenges in managing consistently the MAPPA cases across 32 local authority boroughs and the pace at which new practices could be implemented. Nonetheless, we found evidence of some good work with these challenging cases, but were concerned that the general level of *Risk of Harm* work across the breadth of the caseload in London was not yet meeting the required standard sufficiently often. Overall, there were signs that the area was travelling in the right direction.

5.7

However, in March 2009 we started work on a series of special case inspections in various locations in London, at the request of the Justice Secretary because of concerns arising from the NOMS review of the case of Dano Sonnex. We have published an interim report with the results of the first of the special case inspections, in June 2009, recording disappointing findings. We will publish the full report on all four special case inspections in the autumn of 2009.

Safeguarding

5.8

Following the catastrophe of the Baby Peter case, public and professional concern about Safeguarding has been heightened. This Inspectorate has a unique contribution to make through assessing front line probation and youth offending work, as outlined in the Foreword of this report.

Our new Inspection of Youth Offending (IYO) programme concentrates on where inspection most 'adds value', and compared with its predecessor programme we have accordingly refocused IYO principally on Public Protection and Safeguarding. Furthermore that focus is not merely on the arrangements for doing the work, but is on the work done with a sample of specific cases. We are awarding a score to indicate how often this work has met the high quality we are looking for.

5.9

As before, we also contributed to the third joint Chief Inspectors' report on arrangements to safeguard children.

The Year Ahead

5.10

In addition to the focus we give to Public Protection and Safeguarding in our revised core inspection programmes, we also aim to work with NOMS and the YJB to help them develop suitable self-assessment regimes.

The inspection of Public Protection work has remained a high priority through to the end of both core inspection programmes (offender management and youth offending).

6

LOOKING AHEAD

Our General Approach

6.1

Our underlying general approach for 2009-10 will continue to be the assessment of the quality and effectiveness of adult and youth offending work in a representative sample of particular cases. We will continue to judge how often work was done sufficiently well with each individual in a representative sample of cases.

6.2

We will aim to implement this approach across all our inspections, both those solely-owned and those jointly owned with other Inspectorates.

6.3

We consider that this approach supports the principles in the Government's vision of public services "*Excellence and Fairness*" published in 2008 while recognising that these principles need specific application in the context of the Criminal Justice System (CJS).

6.4

We also continue to support the Government's ten Principles for Inspection (2003), though we continue to apply them with particular care in the specific CJS context. These are set out in Appendix B along with the statement as to how in specific terms we meet them.

6.5

More generally, we intend that our work should lead to and result in:

assurance to Ministers and the public

that a regime of independent inspection is in place to establish whether or not adult and youth offending work is being delivered effectively

improvement in the quality and effectiveness of the work we inspect.

By measuring accurately, openly and fairly against transparent inspection criteria and engaging constructively with the people whose work we are inspecting we aim to serve as a catalyst for improvement

focused inspection that is effective and lean and focuses

on a role that no-one else can provide – i.e. has 'unique added value'. We aim to do enough, but only 'just enough' inspection in order to achieve the two benefits above. Our role can be expanded if Ministers wish, for example if we are asked to take on regulatory duties with the new Probation Trusts. However, neither such possible new roles, nor the prospective major cuts in public expenditure, should reduce our core inspection activity below the current minimum critical mass if those benefits are to be sustained.

We will continue to judge how often work was done sufficiently well with each individual in a representative sample of cases.

Work programme for 2009-10 **6.6**

More specifically our inspection work programme for 2009-10 has the following main elements (described in more detail in earlier chapters):

Inspecting adult offending work

- 8 inspections under the Offender Management Inspection (OMI 2) programme, starting in September 2009. We will also inspect offender management arrangements in 14 prison establishments, with HMI Prisons.
- Completion of the current joint thematic inspections led by HMI Probation ('Phase 2' of Indeterminate Prison Sentences, Prolific and other Priority Offenders, Mentally Disordered Offenders and of Sex Offenders), and support to the work of other CJS Inspectorates on the joint Plan for 2009-10.

Inspecting Youth Offending (IYO) work

- Undertaking 53 IYO core case inspections
- Coordinating and contributing to the joint thematic inspections on national youth offending issues – youth group crime (gangs), prevention work, alcohol misuse, and court work.
- Contributing as a full partner to the Comprehensive Area Assessment (CAA) arrangements.

Public Protection (minimising Risk of Harm to others) and Safeguarding (minimising Risk of Harm to self from others)

- Undertaking any specific reviews or inquiries requested by Ministers or others.
- Helping to develop systematic regimes of properly benchmarked self-assessment coupled with independent inspection for both adult and youth offending work.

Allocation of Resources in the future

6.7

We have created a 'budget' of 39,000 deployable 'inspection hours' for a 'full effect' inspection year, and have allocated them as shown below.

Accordingly, in a 'full effect' inspection year, work on IYO will take 38% of our deployable hours, and the OMI 2 programme a further 36%.

6.8

Overall, 90% of HMI Probation's inspection work will fall in the jointly-owned Joint Inspection Programme.

HMI Probation costs

6.9

Our projected cost per inspection hour per person for a 'full effect' inspection year will be £102.

Summary

6.10

By the end of March 2010, we will have completed our schedule of inspections, including our contribution to the Joint Inspection Programme, on time, to budget and to a good standard. In carrying out this work, we will have both provided assurance to Ministers and the public and contributed to the longer-term improvement in the quality and effectiveness of work with offenders and young people.

Contribution to jointly-owned Joint Inspection Programme

Adult offending – OMI 2	14,000
Adult offending – joint thematic	5,000
Youth offending – IYO: CCI & joint thematic	15,000

Solely-owned inspection work

<i>Risk of Harm</i> work (including work with NOMS and YJB, and Serious Further Offence reviews)	2,000
Outside England & Wales	1,000

Other work (mainly programme development) 2,000

Total **39,000**

By the end of March 2010, we will have completed our schedule of inspections, including our contribution to the Joint Inspection Programme, on time, to budget and to a good standard.

APPENDIX A

**HM INSPECTORATE OF PROBATION:
STATEMENT OF PURPOSE AND
CODE OF PRACTICE**

Statement of purpose

HMI Probation is an independent Inspectorate, funded by the Ministry of Justice and reporting directly to the Secretary of State. Our purpose is to:

- report to the Secretary of State on the effectiveness of work with individual offenders, children and young people aimed at reducing reoffending and protecting the public, whoever undertakes this work under the auspices of the National Offender Management Service or the Youth Justice Board
- report on the effectiveness of the arrangements for this work, working with other Inspectorates as necessary
- contribute to improved performance by the organisations whose work we inspect
- contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners
- promote actively race equality and wider diversity issues, especially in the organisations whose work we inspect
- contribute to the overall effectiveness of the Criminal Justice System, particularly through joint work with other Inspectorates.

Code of Practice

HMI Probation aims to achieve its purpose and to meet the Government's principles for inspection in the public sector by:

- working in an honest, professional, fair and polite way
- reporting and publishing inspection findings and recommendations for improvement in good time and to a good standard
- promoting race equality and wider attention to diversity in all aspects of our work, including within our own employment practices and organisational processes
- for the organisations whose work we are inspecting, keeping to a minimum the amount of extra work arising as a result of the inspection process.

While carrying out our work we are mindful of Ministerial priorities and the Strategic Plan for the Criminal Justice System. We work closely with other Criminal Justice Inspectorates through the Criminal Justice Chief Inspectors' Group, and also with Inspectorates involved with work with young people.

APPENDIX B

**GOVERNMENT'S POLICY ON
INSPECTION IN THE PUBLIC SERVICE:
(2003)**

We took note of the Government's ten principles of inspection, published in *Inspecting for Improvement* in July 2003. These place certain broad expectations on inspection providers and on the departments sponsoring them. As indicated we have also built them into our Code of Practice. We give account of our approach to implementing these ten principles as below:

1. The purpose of improvement. *There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.*

We aim to achieve this, not only by measuring fairly against open criteria, but also by our commitment to behaviour that 'maximises the likelihood' that respondents will come with us on the path to continually improving their performance.

2. A focus on outcomes, *which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.*

Our mainstream inspection methodology focuses on what has been delivered to the offender or young person (primarily in terms of Quality of Assessment and planning, Interventions and initial Outcomes).

3. A user perspective. *Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.*

A significant element within our methodology is to interview and listen to the perspective of the offender or young person, and of victims and parents. The user perspective is an important element in CJS inspection, but it does not necessarily provide on its own the basis for an inspection finding (e.g. an offender might particularly dislike something done to him or her by a Probation or YOT practitioner, but it might have been precisely the right thing for that officer to have done).

4. Proportionate to risk. *Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.*

We have never supported the idea of offering 'inspection holidays' as a way of implementing this principle, but we strongly support the idea of varying intensity of inspection according to identified need. Hence we focus inspection on where inspection methodology specifically adds value – accordingly we maintain rolling inspection programmes that focus in particular on public protection and safeguarding work - and we conduct re-inspections only where an employing body falls significantly short of the required criteria in such critical areas.

5. *Inspectors should encourage rigorous **self-assessment** by managers. Inspectors should challenge the outcomes of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.*

The criteria and guidance published on our website enable any practitioner or manager to assess his or her own practice at any time. Furthermore, in a long-planned development, we aim to work with NOMS to promote within the Agency a regime combining self-assessment with independent inspection and benchmarking.

6. *Inspectors should use **impartial evidence**. Evidence, whether quantitative or qualitative, should be validated and credible.*

Evidence has to consist of more than hearsay, and our Guidance provides a framework for making judgements to enable similar evidence to be interpreted consistently, even by different inspection staff in different locations.

7. *Inspectors should disclose the **criteria** they use to form judgements.*

Our inspection criteria are published on our website.

8. *Inspectors should be **open** about their processes, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.*

Our behaviour is such that we are able to explain at the time the reasoning for the scores we have awarded, and respond to questions to that effect. Thus we have responded to questions, concerns and to the formal complaints that have been put to us in the last year. We also take the initiative, through our Quality Assurance strategy, in actively reviewing aspects of our methodology, so that we can be as confident as possible that our judgements are both fair and accurate.

9. Inspection should have regard to *value for money*, their own included:

- *Inspection looks to see that there are arrangements in place to deliver the service efficiently and effectively.*
- *Inspection itself should be able to demonstrate it delivers benefits commensurate with its cost, including the cost to those inspected.*
- *Inspectorates should ensure that they have the capacity to work together on cross-cutting issues, in the interests of greater cost effectiveness and reducing the burden on those inspected.*

We assess whether the interventions with each offender are proportionate both to cost and to the offender's individual need. We recognise that our methodology is (necessarily) labour intensive, and in March 2005 we published a case study that analysed both the benefits and the costs of an illustrative inspection, including the costs to the inspected body. We continue to measure costs using the methods described there. We not only undertake joint inspections with other CJ inspectorates, but we also co-ordinate our other work to avoid, for example, rapidly successive visits by ourselves and another scrutiny body whenever possible. For these purposes we co-operate closely with Ofsted and the Audit Commission because of our youth offending inspection work, and also with other Audit bodies when planning our visits to Probation Areas.

10. Inspectors should *continually learn* from experience, in order to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve and by sharing best practice with other inspectors.

We seek feedback on our individual interviews with the staff of inspected bodies, which we use to review and renew both our corporate and individual skills and methods, and we also take feedback at regional events. By these and other means we monitor our own impact on our inspected bodies, and keep our own practice under regular review, both as part of our normal programme, but also in joint work with other inspectorates.

APPENDIX C

**HMI PROBATION STAFF
AS AT 31 MARCH 2009**

HM Chief Inspector

Andrew Bridges

HM Assistant Chief Inspectors

Liz Calderbank
Krystyna Findley⁽¹⁾
Julie Fox
Alan MacDonald
Peter Ramell

⁽¹⁾on temporary basis, covering a secondment

HM Inspectors

Jane Attwood
Helen Boocock
Mark Boother
Rose Burgess
Sandra Fieldhouse
Jude Kelman
Sally Lester
Lisa McDowell
Yvonne McGuckian
Ian Menary
Joy Neary
Tony Rolley
Nigel Scarff
Joseph Simpson
Andy Smith
Les Smith
Ray Wegrzyn
Steve Woodgate

Practice Assessors

Sarah Ashworth
Stephen Hubbard

Support Services Programme Manager

Andy Bonny

Information Team

Kevin Ball (Manager)
Oliver Kenton
Pete Clegg

Services Delivery Manager

Lynn Carroll

Inspection Support Team

Robert Turner (Manager)
Zoe Bailey
Pippa Bennett
Catherine Calton
Andrew Doyle
Christopher Reeves
Rebecca Fletcher

Resources and Communications Team

Alex Pentecost
(Publications Manager)
Charles Luis (Finance Manager)
Deborah Hewitt
Ann Hurren
Nick Channell
Paul Cockburn

Associate Proofreaders (fee paid)

Kirk Davies
Rachel Dwyer
Jean Hartington

Associate Inspectors (fee paid)

Malcolm Bryant
Sheila Booth
Melva Burton
Paddy Doyle
Sue Fox
Martyn Griffiths
Keith Humphreys
Martin Jolly
John Llewellyn-Thomas
Iolo Madoc-Jones
Sarah Mainwaring
Vivienne O'Neale
Eileen O'Sullivan
Ian Simpkins
Dorothy Smith
Rory Worthington

APPENDIX D

**REPORTS OF INSPECTIONS OF
PROBATION AND
YOUTH OFFENDING
WORK PUBLISHED IN 2008–09**

Offender Management Inspection reports:	Date Published
Cambridgeshire reinspection	April 2008
Surrey	April 2008
Gloucestershire	April 2008
Wiltshire	May 2008
London	June 2008
South Wales	July 2008
North Wales	September 2008
Dyfed-Powys	September 2008
West Midlands	September 2008
Gwent	October 2008
West Mercia	November 2008
Staffordshire	December 2008
Warwickshire	January 2009
North Yorkshire	February 2009
West Yorkshire	February 2009
Humberside	March 2009

Prison Offender Management Inspection reports:	Date Published
South-East of England	April 2008
South-West of England	June 2008
London	September 2008
Wales	December 2008
West of Midlands	February 2009

Youth Offending Team Inspection reports:	Date Published		
Stockton on Tees	April 2008	North East Lincolnshire reinspection	September 2008
Camden	May 2008	East Riding of Yorkshire	October 2008
Wandsworth	May 2008	Norfolk	October 2008
Vale of Glamorgan	May 2008	Tameside	October 2008
Leeds	May 2008	Dorset	October 2008
Bromley reinspection	May 2008	Sutton	October 2008
Kent	May 2008	Warwickshire	December 2008
Leicester City	May 2008	Essex	December 2008
Bradford and District	May 2008	Oldham	December 2008
Bury	May 2008	Reading	December 2008
Blackpool reinspection	June 2008	Blackburn with Darwen	January 2009
Solihull	June 2008	Wokingham	January 2009
South Tees	July 2008	South Tyneside	January 2009
Darlington	July 2008	Swansea	February 2009
Southwark	July 2008	Carmarthenshire	March 2009
Surrey	July 2008	Monmouthshire and Torfaen	March 2009
Croydon	July 2008	Joint Inspection of Youth Offending Teams – End of Programme Report 2003-08	March 2009
Shropshire & Telford/Wrekin	July 2008		
Gwynedd & Ynys Mon	August 2008		
Bath & North East Somerset	August 2008		
Cornwall & the Isles of Scilly	August 2008		
Nottinghamshire	August 2008		
South Gloucestershire	September 2008		
Waltham Forest	September 2008		

Supporting People Inspection reports:	Date Published
Suffolk County Council	May 2008
Staffordshire County Council	May 2008
North East Lincolnshire Council	June 2008
Rochdale Metropolitan Borough	June 2008
Dorset County Council	June 2008
London Borough of Redbridge	June 2008
London Borough of Wandsworth	July 2008
Derbyshire County Council	July 2008
Council of the Isles of Scilly	July 2008
Wolverhampton Borough Council reinspection	August 2008
Shropshire County Council	October 2008
Hertfordshire County Council reinspection	November 2008
Southend on Sea Borough Council reinspection	December 2008

Risk of Harm Inquiries:	Date Published
<i>On the Right Road: An Inquiry into developments in the multi-agency management of Risk of Harm in London</i>	July 2008

Joint Thematic Inspection Reports:	Date Published
Aspects of the Enforcement of Court Orders	July 2008
Safeguarding Children: The third joint Chief Inspectors' report on arrangements to safeguard children	July 2008
<i>A Complicated Business: A joint inspection of electronically monitored curfew requirements, orders and licences</i>	October 2008
Criminal Justice Joint Inspection: <i>The indeterminate sentence for public protection (Phase I)</i>	October 2008
<i>Actions Speak Louder: A second review of healthcare in the community for young people who offend</i>	February 2009

Joint Area Inspection Reports:	Date Published
Joint Inspection Report on Dorset Criminal Justice Area	May 2008
Joint Inspection Report on Lancashire Criminal Justice Area	July 2008

APPENDIX E

**HMI PROBATION BUDGET
FOR 2008–09**

	Total budget for Year (£)
Staff Salaries	2,763,000
Fee paid staff	173,000
Travel and subsistence	540,000
Manchester office accommodation	134,000
Training	54,000
Promotion and development	45,000
Printing, stationery and postage	55,000
IT and telecommunications	151,500
Refreshments and hospitality	9,500
Total expenditure	3,925,000
Income	150,000
Net expenditure budget	3,775,000

Anyone who wishes to comment on an inspection, a report or any other matters affecting the Inspectorate, should write to:

HM Chief Inspector of Probation

2nd Floor, Ashley House
2 Monck Street, London SW1P 2BQ

Copies of all inspection reports are available on the HMI Probation website at

<http://inspectrates.justice.gov.uk/hmiprobation/>

A Welsh language version of this Annual Report is also available from this website.

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Print ISBN 978-1-84099-296-0

Produced on behalf of HM Inspectorate of Probation. July 2009

Dylai unrhyw un sydd am wneud sylwadau am arolygiad, adroddiad neu unrhyw fater arall sy'n effeithio ar yr Arolygiaeth, ysgrifennu at:

HM Chief Inspector of Probation

2nd Floor, Ashley House
2 Monck Street, London SW1P 2BQ

Mae copïau o bob adroddiad arolygu ar gael ar wefan Arolygiaeth Prawf EM yn

<http://inspectrates.justice.gov.uk/hmiprobation/>

Mae fersiwn Gymraeg o'r Adroddiad Blynyddol hwn argael o'r wefan hon hefyd.

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Print ISBN 978-1-84099-296-0