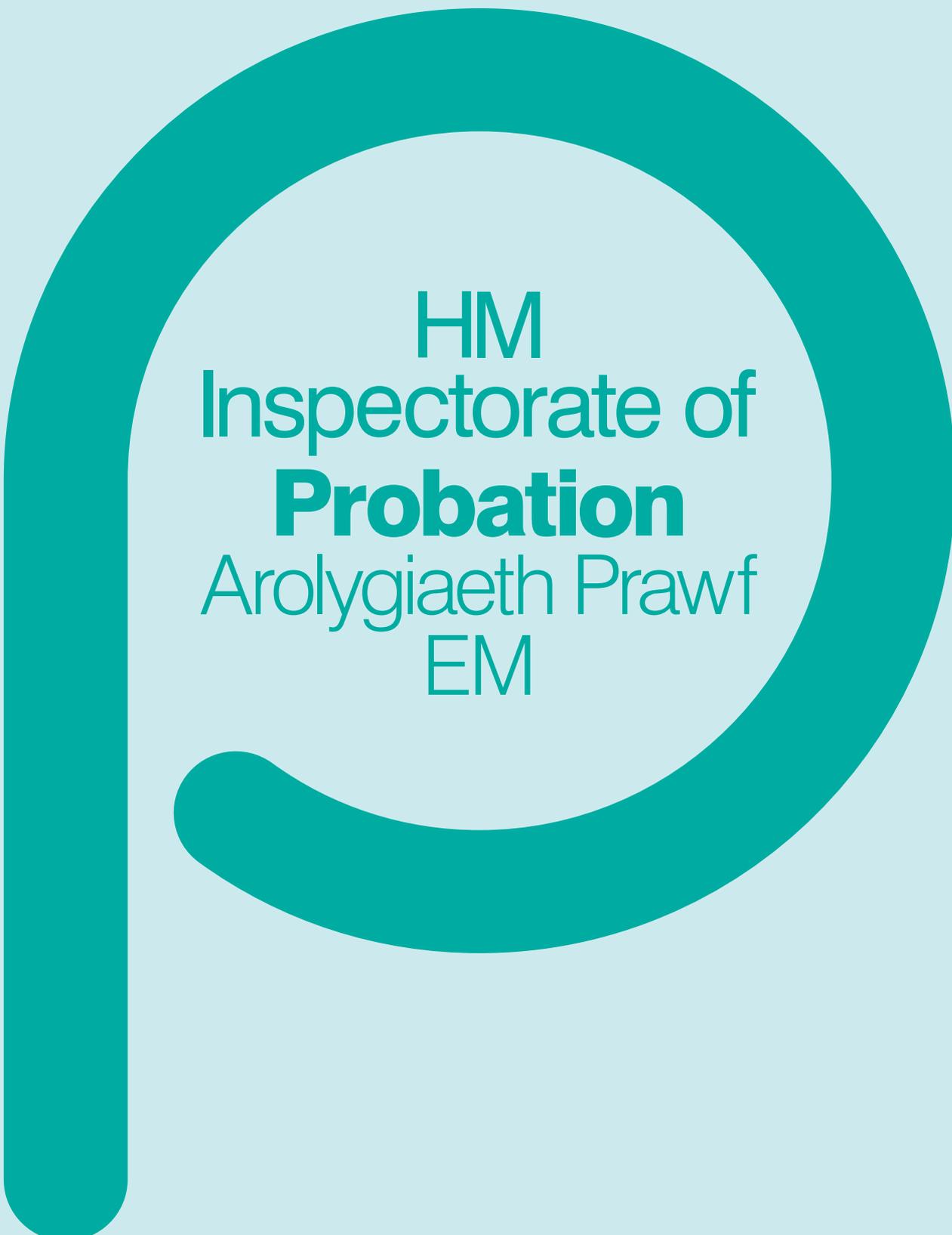


Independent inspection of
probation and youth offending work



HM
Inspectorate of
Probation
Arolygiaeth Prawf
EM

SUMMARY

DURING 2006/2007 HMI PROBATION:

■ carried out inspections of offender management in 13 criminal justice areas under our three year Offender Management Inspection (OMI) programme, which started in May 2006, and completed follow-up inspections from the previous area inspection programme

■ carried out 31 inspections of Youth Offending Teams (YOTs) under the five year joint inspection programme which we lead

■ contributed to 38 inspections under the Supporting People inspection programme led by the Audit Commission

■ on joint thematic inspections, published the reports of inspections which we led on public protection and on community penalty enforcement, and completed fieldwork on an inspection of the take-up by probation areas of community sentences made by courts. We also published, jointly with the Healthcare Commission, a report on health provision in YOTs

■ published the last two of the thematic inspections undertaken as an integrated element of the previous area inspection programme – on Enhanced Community Punishment/Unpaid Work, and on Work with Substance Misusing Offenders. In addition, we published a short inspection of Junior Attendance Centres

■ published the reports of two independent inquiries – a Serious Further Offence case (findings summarised in last year's Annual Report); and an inquiry into the management of offenders in approved premises (hostels) following a Panorama programme in November 2006.

Following the Government's decision not to pursue the merger of the five Criminal Justice Inspectorates, HMI Probation worked closely with the other inspectorates on the development of increased joint inspection work including a Joint Inspection Programme for 2007/2008.

The large majority – about 90% – of HMI Probation's work in 2007/2008 will be within the jointly-owned Joint Inspection Programme.

In his Foreword, Andrew Bridges, the Chief Inspector of Probation, comments on a continuing "Long Squeeze" on the capacity of the National Offender Management Service (NOMS) world to achieve the necessary "Long Haul" of gradual incremental improvement in the management of adult offenders. While this continues there is a risk of an unsafe level of public expectations of what can be achieved through the management of adult offenders.

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HM Chief Inspector

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FOREWORD

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



THE SQUEEZED CAPACITY TO ACHIEVE THE “LONG HAUL”

For the fourth time now I find myself both proud and privileged to be presenting an annual report on behalf of HM Inspectorate of Probation. One of our key aims as an independent Inspectorate is to advise Ministers and the public what it is reasonable to expect probation and youth offending work to achieve, as well as advising how often that achievement is occurring.

At a time when organisational change is becoming virtually a constant, I therefore now offer here our perspective on developments in the inspection world, and more importantly in the world of the work we inspect. With management of adult offenders, an area where we have previously said that a **“Long Haul of gradual incremental improvement”** is required, we see the capacity to achieve this being increasingly squeezed.

Starting, however, with the inspection world, we unexpectedly find this year that we are now planning for the indefinite continuation of HMI Probation as an independent inspectorate. Four years ago we had supported the idea of a single Inspectorate for the Criminal Justice System (CJS) – hence our strong endorsement when the Government proposed such a reform. In 2005 we argued that if anything the proposal was not radical enough. In the end, the provisions in the Police and Justice Act 2006 were dropped at a very late stage, and each of the five CJS Inspectorates is now set to continue independently for the foreseeable future.

However, we have collectively agreed with Ministers that we will work to a Joint Inspection Programme. Such a programme was agreed by Ministers in March 2007 for the year 2007/2008, and we are now working collectively to deliver it. For ourselves, we in HMI Probation had been planning for over three years for joint inspection of *whole CJS processes*. Our Youth Offending Team (YOT) and Offender Management inspection programmes, as well as the Area and Thematic Joint Inspections that we undertake with our Inspectorate colleagues, are all designed on this basis. Hence about 90% of our inspection activity in 2007/2008 will be within the new Joint Inspection Programme.

Moving to the work we inspect, YOT inspection continues to constitute our single biggest piece of inspection activity, nearly a half of all we do, and undertaken with eight colleague inspection bodies in both England and Wales. This work is again the subject of a separate annual report that we will be publishing in September.

I turn now to the management of adult sentenced offenders. Here we have from the beginning warmly welcomed the principle of start-to-end management of each case, and the four purposes of punish, help, change and control, and we have been open-minded but cautious about the potential benefits of contestability. We have also argued that the way to bring about sustainable improvement in service will be through what we have called the “Long Haul of gradual incremental improvement” in performance, year on year, in each of the four purposes.

While it is possible for innovations, including further structural changes, to make a beneficial contribution, this can only be effective if applied with great care and patience. Meanwhile the really sustainable improvements are made by assiduous application to the “Long Haul” year on year.

We still hold to this view, and our inspection findings over the last 12 months show some evidence of this process of sustainable incremental improvement starting to take place. However, we also see a major strategic threat to this progress in the form of an ever increasing squeeze on the *capacity* of the NOMS system to continue to deliver this. By *capacity* we mean not only *resources* in terms of money and people in relation to *increasing demands*, but also the other *tools* with which to do the job such as the *IT infrastructure*.

The ‘business case’ – or hypothesis – for NOMS was a sound one in principle, when it started in 2004: the prison population was steadily increasing, but most people agreed that although the more dangerous offenders should be locked up (and if necessary for longer), there were many other people currently in prison who could be managed more effectively in the community. The idea was that the use of prison sentences was to achieve an overall levelling off, and potentially a decline, and this would enable money to be spent on making management of offenders in the community both more widespread and more effective.

However, we also see a major strategic threat to this progress in the form of an ever increasing squeeze on the capacity of the NOMS system to continue to deliver this.

But this honourable intention has not been achieved in practice: the prison population has continued to increase (even though the overall level of crime is decreasing), and NOMS is having to accommodate this increased 'demand' from finite resources. NOMS has to build 8,000 new prison places now, and will almost certainly have to build several thousand more before too long, at a time when public expenditure has been fixed in real terms for the medium term future. Prison building is expensive of course, and it is almost inevitable that there will now be less money available to spend on offender management.

This is happening at a time when implicit public expectations of what offender management might be able to achieve in practice is continuing to rise to very unrealistic levels. There appears to be a growing assumption that an offender committing a further offence always constitutes a public service failure.

Yet as we have previously said, supervision in the community is not prison in the community, and so an offender who is not locked up does have the opportunity to commit a further offence. Hence, when supervising an offender in the community, it is not possible to eliminate risk to the public, although it is right to expect that staff will have done their job properly. By that we mean that officers should be able to show that they have taken all reasonable action to keep to a minimum each offender's *Risk of Harm* to others.

This work involves the consistent application of assessment, action and regular review of each case, or in plain terms constantly doing the right thing with the right offender in the right way and at the right time. There is of course a cost to this – not an easy one to quantify, but a real cost nonetheless.

On the one hand, it has been clear to us from years of inspection experience that there is no 'direct-line' relationship between quantity of work and quality of work – some officers with high workloads do good quality work, while others with more reasonable workloads may do weaker quality work. On the other hand it is also true that high workloads make it more difficult for practitioners to achieve the high standards of consistent work with each individual case now required of them.

The issue is complex, and hard figures are elusive when they vary according to 'what you count' and from area to area, from office to office, and from time to time. But numbers of cases per offender manager, while they officially average in the mid-thirties for England and Wales as a whole, range in different places and in different circumstances from around 25 to 70, with the higher caseloads often exacerbated by the freezing of posts as some Chiefs have resorted to this approach in 2006/2007 to avoid overspending. The combination over several years of increasing numbers of cases per officer, and increasing expectations about what is required to be achieved with each case, has made *increasing demands* a genuine part of the syndrome of squeezed *capacity*. (By comparison, average numbers of cases per practitioner in YOTs is about 12, and is rarely more than 20.)

Resource management is never a straightforward matter: on an individual level some people can be much more productive with the same amount of time at their disposal as other people, and at a collective level it is true that Probation budgets have increased markedly well above inflation compared with ten years ago. But it is clear to us that when the costs of new work, new requirements and new infrastructure have been taken into account, *resources* have in practice still not kept pace with the *increasing demands*.

Over the past ten years the increasing demands have included new Orders or requirements for drug treatment and testing, for accredited programmes and for managing prolific offenders, extended periods of post-release supervision, increased public protection expectations, enhanced standards of quality for unpaid work and other supervision requirements. Case numbers have also increased by taking in less serious offenders, due in part to pressures to meet national quantitative targets and in part due to the general increasing severity of Court sentencing – a decade earlier many such offenders would have been fined. In addition, a pay deal in 2006 for a layer of managers (excluding Chief Officers) that was agreed nationally must largely be funded locally.

When supervising an offender in the community, it is not possible to eliminate risk to the public, although it is right to expect that staff will have done their job properly.

Now the prospect of Offender Management, a principle almost everyone supports as a principle, risks being proven undeliverable in practice due to the additional *increasing demands* it will introduce. The Government was right to postpone the introduction of 'Custody plus' (statutory supervision after release of those serving shorter sentences) because of the capacity problem, but even so demands are continuing to increase faster than resources. This exacerbates the problem of public expectations rising faster than the capacity to satisfy them.

The final point on this theme is infrastructure. There are at least two areas of significant increased expenditure in recent years: information technology (IT) and on NOMS HQ itself. Paying for both is necessary to make it possible to achieve a system of joined up management of offenders across England and Wales – but whether the amount being paid is proportionate to the benefit is open to question while the benefits are not yet being fully realised.

As we have said previously, C-NOMIS (the electronic system for managing each case from start to end of sentence) is essential to achieve effective offender management. However, development of C-NOMIS seems to be taking considerable time. It is now just starting to be rolled out across the country in its initial form, but it will still not be sufficiently established to enable its true purpose of enabling offender managers to manage cases effectively for several years. In the meantime staff will be aiming to achieve the increasing demands required of them with each case (including those made by this Inspectorate) without one of the key tools needed for the job.

Our overall point here is not a proposal to pour extra resources unthinkingly into the problem but to highlight the contrast, which has developed slowly over a long period of time, between rising expectations and a squeezed capacity to meet them – the squeeze is a 'Long Squeeze'. As an organisation with a track record of taking a hard line on the issue of improving quality within existing resources or less, this Inspectorate is able to recognise when efficiency savings year-on-year reach their reasonable limits when demands are still increasing.

This summary covers the salient points within a very complex picture indeed, which shape our view that there is a continuing 'Long Squeeze' on the capacity of the NOMS world to achieve the necessary 'Long Haul'. While this continues there is a risk of an unsafe level of public expectations of what can be achieved. On our part we will continue to support all feasible measures to achieve the 'Long Haul' of steady improvement of quality of offender management, and we will help to drive it with our inspections.

On the wider horizon the new Joint Inspection Programme means that we will be more involved than ever in examining work across the Criminal Justice System as a whole. Although we are continuing as an independent inspectorate – now in the new Ministry of Justice rather than the Home Office – we look forward to making our contribution jointly with other inspectorates to help improve a wider range of public services.

Andrew Bridges
HM Chief Inspector of Probation
July 2007

.... there is a continuing 'Long Squeeze' on the capacity of the NOMS world to achieve the necessary 'Long Haul'. While this continues there is a risk of an unsafe level of public expectations of what can be achieved.

CUTTINGS AND COMMENTS

“One needs to be really clear about what can be achieved with offenders in the community, and a great deal can be done to Punish, Help, Change and Control them according to the need of the individual case. But certainly one has to be realistic about that, and anytime you want swiftness in the Criminal Justice System you know you are dealing with a trade off with fairness and effectiveness ...”

Andrew Bridges on World at One, BBC Radio Four, 4 April 2007,
speaking about the joint inspectorate report on Enforcement of community penalties

“We have called this report *Not Locked Up, but Subject to Rules*, to emphasise the point that supervision in the community is not prison in the community, nor can it be ...”

Andrew Bridges on BBC Breakfast, 27 March 2007,
speaking about the inquiry into Approved Premises in Bristol following the *Panorama* broadcast of Nov 06

“An inquiry by Chief Inspector of Probation Andrew Bridges found shocking flaws in the supervision of [K] ... Mr Bridges’ report said “The management of this case was poor.” ... The report said cost-cutting in the Avon & Somerset area risked reducing probation staffing to ‘unsafe levels’. However, it ruled that there was nothing to suggest that two [earlier] murders committed by freed offenders could have been foreseen by probation officers.”

The Sun, 27 March 2007

“Those under probation are not locked up, and the service will never be able to give a cast iron guarantee on public safety. Like football referees, probation officers have a responsibility to show the red card when they see bad behaviour, but they cannot be blamed for every instance of it. With individual officers in parts of the country responsible for as many high risk offenders as there are hours in the week, there is a limit to the surveillance that can be targeted on each one ...”

The Guardian leader, 8 November 2006

“Then there’s the question ‘Is there something that any public servant could reasonably have been expected to do that might have made that less likely to happen?’ That’s a fair question, and those are the questions we answer when we do Serious Further Offence reviews ...”

Andrew Bridges Interview in Criminal Justice Matters, Winter 2006/7

“Chief Inspector of Probation dedicates CBE to colleagues ...

... Dedicating his CBE to his colleagues, he said: “It’s a privilege to experience this recognition for the work of the service and for those who inspect the service on the public’s behalf.”

Mr Bridges admits probation officers are facing challenges, particularly over the treatment of offenders.

He said: “The probation service has been facing a lot of criticism, partly because some public expectations are running ahead of what it is possible to achieve. My job is to criticise only when it is falling short of what it should be achieving and not when it fails to achieve the impossible.””

The Reading Chronicle, 4 January 2007

1

**THE HMI PROBATION
YEAR**

Overview

1.1

During the year 2006/2007 we made good progress, to schedule, with our three regular inspection programmes:

- we completed 13 inspections under the new Offender Management Inspection (OMI) programme, under which we are leading the inspection of offender management in all 42 Criminal Justice Areas over a three year period from mid-2006 (more information is in Chapter 2). We also completed the remaining follow-up inspections to be carried out under the Effective Supervision Inspection (ESI) programme, the previous area inspection programme
- the joint inspection, with eight other Inspectorates or regulatory bodies, of Youth Offending Teams (YOTs), under which we are leading the inspection of all 157 YOTs over a five year period from autumn 2003. (More information is in Chapter 3 and the separate annual report on the YOT inspection programme to be published in September 2007.) In the last year we completed fieldwork on 31 YOT inspections and three follow-up inspections, and developed the inspection methodology for Phase 4 of the inspection programme
- our contribution to the Supporting People (SP) inspection programme, led by the Audit Commission, of each relevant local authority in England (more information is in Chapter 6). We contributed to a total of 38 inspections in 2006/2007.

Each of these regular programmes are joint inspections. The OMI and YOT programmes both address one of the core 'whole processes' in the Criminal Justice System (CJS) – Offender Management.

1.2

We published the reports of joint thematic inspections which we led on public protection, and on community penalty enforcement in three criminal justice areas (the latter published in early April 2007). We also led a joint inspection on the take-up by probation areas of community sentences made by courts, due to report in summer 2007. We published, jointly with the Healthcare Commission, a report on health provision in YOTs.

1.3

We published as planned the last two of the thematic inspections undertaken as an integrated element within the ESI Programme – on Enhanced Community Punishment/Unpaid Work, and on Work with Substance Misusing Offenders. In addition, we published a short inspection of Junior Attendance Centres.

1.4

We also published the reports of two independent inquiries – one of a Serious Further Offence case – Anthony Rice (findings summarised in last year's Annual Report) – and one of an inquiry into the management of offenders in approved premises (hostels) following a Panorama programme in November 2006. (More information on these inquiries is in Chapter 7.)

1.5

The following table summarises the number of inspections carried out (i.e. the fieldwork completed), and the number of inspection reports published, in 2006/2007. (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.

	Inspections ⁽¹⁾ carried out	Inspection reports ⁽¹⁾ published
Inspections by HMI Probation as a single Inspectorate	6	15
Joint inspections between HMI Probation and other inspectorates	90	92

⁽¹⁾including follow-up reports where relevant

Developments on CJS Inspection Arrangements

1.6

During the first part of the year HMI Probation worked with the other 5 Criminal Justice Inspectorates – HM Inspectorate of Probation, HM Inspectorate of Prisons (HMI Prisons), HM Inspectorate of Constabulary (HMIC), HM Inspectorate of Court Administration (HMICA) and HM Crown Prosecution Service Inspectorate (HMCPSI) on the plans for merging the five inspectorates into a new single Inspectorate covering criminal justice issues. HMI Probation strongly supported the establishment of a new single Inspectorate and had earlier published – in March 2005 – the principles¹ we believed should underline the new establishment of the new Inspectorate.

1.7

In October 2006 it was, however, decided, in the context of the passage of the Police and Justice Bill, not to proceed with the merger. Instead the Chief Inspectors of the five Inspectorates agreed with CJS Ministers to work together more closely on joint inspection.

¹ *Inspecting the Criminal Justice System: Starting from First Principles*: see HMI Probation website.

In particular the Chief Inspectors agreed to:

- produce a business plan for joint inspection work from priorities indicated by Ministers, with the first such plan produced for 2007/2008
- share services and back office support as far as possible and review the use of resources generally to identify efficiency gains which could be redeployed to enhance the joint working.

Since October 2006 HMI Probation has therefore worked with the other Criminal Justice Inspectorates on these arrangements. We have contributed strongly to the plans for the Joint Inspection Programme for 2007/2008. We have also taken the lead in work across the inspectorates to investigate the scope for sharing support and infrastructure services.

Departmental changes: creation of Ministry of Justice

1.8

At the end of March 2007 the Government announced major changes to the responsibility of the Home Office and the creation of the new Ministry of Justice (MoJ) from 9 May 2007.

As a result, HMI Probation, along with HMI Prisons and NOMS HQ have now moved to the MoJ. At the time of preparation of this report specific arrangements for the move were still under consideration. In essence, however, our core role – of independent inspection of probation and youth offending work – remains unchanged, although we now report to a different Minister.

Staffing

1.9

We had a considerable number of staffing changes during the year, with 11 staff joining and 14 leaving. This number partly reflected the turnover of staff seconded to HMI Probation for a defined period by probation areas and by other inspectorates, and partly some changes within our support service group.

1.10

We developed further our Panel of Associate Inspectors (previously known as Fee Paid Inspectors). These people, recruited to the same rigorous standards as our salaried inspection staff, work for HMI Probation on a sessional basis alongside our salaried staff. During 2006/2007, we recruited two Welsh speaking Associate Inspectors in order to meet our obligations under the Welsh Language Act 1993.

Since October 2006 HMI Probation has therefore worked with the other Criminal Justice Inspectorates on these arrangements. We have contributed strongly to the plans for the Joint Inspection Programme for 2007/2008.

In essence.....our core role – of independent inspection of probation and youth offending work – remains unchanged, although we now report to a different Minister.

1.11

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 and other organisations seconding their staff to us, and we are very grateful for their continuing willingness to do so.

1.12

Our staff group at 31 March 2007 – including the Panel of Associate Inspectors – is shown in Appendix C.

Honours**1.13**

During the course of 2006/2007 John Hutchings received the OBE on his retirement as Assistant Chief Inspector, and Andrew Bridges received the CBE in the New Year Honours list. Both appreciated this recognition of their work and contribution to improvements in the Criminal Justice System.

Diversity**1.14**

We are fully committed to diversity in all aspects of our work, including within our own employment practices and organisational processes. We will continue to make sure that we keep our own house in order in terms of how we organise ourselves and treat others, and monitor how we do this. In this connection we routinely monitor the diversity characteristics of HMI Probation staff. The information below shows that, in 2006/2007, of the HMI Probation staff group in total*:

- 53% were female
- 9% were from a minority ethnic group
- 2% considered that they had a disability within the meaning of the Disability Discrimination Act 2005
- 8% were lesbian, gay or bisexual
- 21% were aged under 35, and 60% were aged 45 or over

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

1.15

We also 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 offenders and young people are being treated proportionately at each step in the processes we inspect, irrespective of their diversity characteristics. During the year we analysed reports from the completed ESI, and Phase 3 YOT inspections, to identify examples of innovative and creative practice on diversity. We have placed these analyses on our website.

1.16

During the year, HMI Probation has taken several initiatives to ensure that it has a diverse workforce. One of these has been a shadowing scheme for black and minority ethnic National Probation Service (NPS) and YOT staff, as a positive action measure taken under sections 37 and 38 of the Race Relations (Amendment) Act 2000. The aim 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. Under the shadowing scheme, 12 black and minority ethnic staff who meet the core competencies for relevant inspection posts have received a briefing day with inspectors and practice assessors, and a day on inspection fieldwork shadowing an inspector. The scheme – which attracted a considerable level of interest – was run between July and October 2006, and was repeated in 2007 in the early part of the year.

1.17

We have considered the requirements of the Welsh Language Act 1993 on HMI Probation. As well as recruiting two Welsh speaking Associate Inspectors (as paragraph 1.10 above) we have established a Welsh language page on our website on Welsh language matters. We have also drawn up a Welsh language scheme for approval by the Welsh Language Board. We placed the draft on our website on the Welsh language page, and invited any comments, advertising this in newspapers which circulate in Wales.

1.18

As part of our continuing work on the development of diversity issues, we have produced our first Single Equalities Scheme, detailing our objectives intended to address race, disability and gender equality within our own organisation and with the work of those we inspect. This has also been placed on our website.

Quality Assurance Strategy

1.19

HMI Probation recognises that an independent Inspectorate needs to offer assurance that the work it does is carried out to the highest standards, to ensure that inspected bodies are scrutinised fairly and inspection findings reached through a consistent and transparent process. Building on work in recent years we produced during 2006/2007 a comprehensive Quality Assurance Strategy aimed at ensuring consistency of judgements about the work we inspect and the consistency and reliability of our internal processes. The strategy is being applied to each of our inspection programmes.

As part of our continuing work on the development of diversity issues, we have produced our first Single Equalities Scheme, detailing our objectives intended to address race, disability and gender equality within our own organisation and with the work of those we inspect.

Statement of Purpose and Code of Practice

1.20

We consider it important to have a clear and publicly available Statement of Purpose and Code of Practice, and these are available on our website. The documents were updated during the course of the year. The Statement and Code as at March 2007 are at Appendix A, although changes will be made to reflect our move to the Ministry of Justice.

Complaints Procedure

1.21

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 contest some aspect of the inspection or to register a complaint.

1.22

Two formal complaints – one from a probation area, one from a YOT – were received during 2006/2007, although one was subsequently withdrawn. For both of these, the Chief Inspector instituted appropriate arrangements for investigation under the Complaints Procedure. On a few other occasions certain concerns were expressed by probation area or YOT representatives during the inspection process. We took these expressions of concern seriously by responding constructively, and – in consultation with those involved – sought to learn appropriately from them.

Criminal Records Bureau Checks

1.23

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, and we make arrangements for this. We adhere to the CRB Code of Practice in the way we do this. Our approach is in line with the expectation that we would have in inspecting a YOT.

Advising and Liaising

1.24

HMI Probation's managers have continued to offer advice to Ministers on the performance of the NPS and YOTs, and to liaise with a wide range of Home Office officials at all levels on probation and youth offending matters. Regular meetings were also held during the year both with the National Probation Directorate (NPD) and with NOMS HQ as the latter developed.

1.25

We continue to convene the National Probation Inspection and Audit Forum. The aim of the group – which comprises the Audit Commission, the National Audit Office, the Home Office Audit and Assurance Unit and NOMS HQ as well as HMI Probation – is to share information and undertake joint planning in order to avoid duplication of work, and to help minimise the impact of inspection activity on the NPS. With this aim in mind, we maintain a comprehensive database of inspection and audit work in hand by Forum members.

In a similar way we liaise closely with Ofsted and the other inspectorates involved, on our contribution through the YOT inspection programme to local inspection of children's services.

1.26

During the year, we continued our involvement in international activity to promote effective probation work. Alan MacDonald, Sandra Fieldhouse and Sally Lester each worked as short-term experts on EU 'twinning' projects to establish a probation service in Turkey (including training on work on substance misuse and on *Risk of Harm* issues), and Nigel Scarff worked on a similar project to train probation inspectors in Romania. We also continued our participation and involvement with the European Probation Conference (the CEP). We helped organise a CEP Seminar in Lisbon on 'Standards in Probation: Developing, implementing and evaluating' in September 2006, at which Andrew Bridges spoke.

1.27

During the course of 2006/2007, Andrew Bridges visited 16 probation areas in order to meet staff and discuss current issues. By May 2007 he had completed visits to all 42 areas since his appointment as Chief Inspector.

...we produced during 2006/2007 a comprehensive Quality Assurance Strategy aimed at ensuring consistency of judgements about the work we inspect and the consistency and reliability of our internal processes. The strategy is being applied to each of our inspection programmes.

External Communications

1.28

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. We also keep under review the need for improvements in the format of our reports, to ensure that they are concise and clearly presented. Our general aim – particularly given our role of inspecting on behalf of Ministers and the public – is to ensure that the way we present in our external communications is clear and straightforward. Partly in this connection we have also introduced a new logo for the organisation – the previous logo ran the risk, among other things, of confusion between ourselves and HMI Prisons. We are introducing the new logo for the first time in this Annual Report.

Dedication of Conference Suite to Sir Graham Smith

1.29

In last year's Annual Report we welcomed the plans to dedicate the conference suite in the new Home Office building in 2 Marsham Street to Sir Graham Smith, our former Chief Inspector who died in 2002. The dedication was subsequently made, including the installation of signage and a plaque. We believe this will be a fitting memorial to Graham's significant contribution to the work of the probation service.

Planning Inspection Work and Use of Resources

1.30

We produced our Plan for 2006/2007 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 2007 we would have completed our schedule of inspections, including a number of Joint CJS inspections, 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.

1.31

In order to monitor clearly how our resources are used to achieve our plans we create a 'budget' of deployable 'inspection hours'. For 2006/2007 this totalled 41,000 hours, and at the start of the year we allocated hours to each of the inspection programmes and set these out in the Plan and in last year's Annual Report as shown opposite.

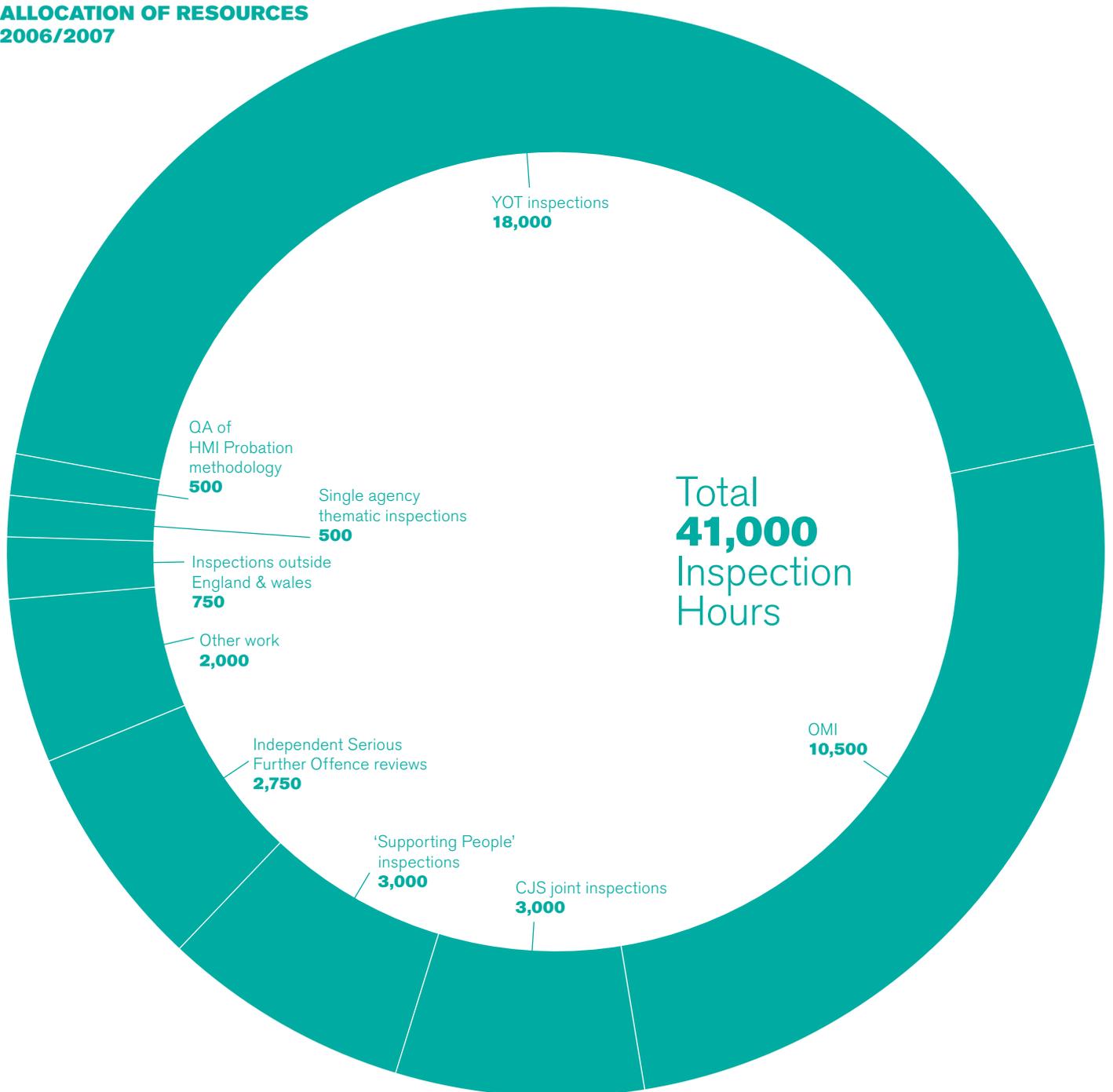
In reviewing the position at the end of the year, we conclude that we have certainly met our plans for inspections for the year, within the planned allocation of 'inspection hours'.

1.32

We are pleased to have carried out successfully our planned work for 2006/2007, and to have contributed fully to plans for future joint inspection work.

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**ALLOCATION OF RESOURCES
2006/2007**



2

INSPECTION OF PROBATION WORK

Overview

2.1

2006/2007 marked the beginning of a three-year cycle of the Offender Management Inspection (OMI) during which we shall inspect offender management in each criminal justice area throughout England & Wales. In this first year we carried out 13 inspections as follows, including those of two metropolitan areas: Cheshire, Lancashire, Greater Manchester. Cumbria, Merseyside, Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Suffolk, Northamptonshire and Lincolnshire. Running in parallel with OMI in the first half of the year was the end of our programme of follow-up inspections under our previous programme: the Effective Supervision Inspection (ESI). ESI findings are briefly explored at the end of this chapter.

Implementation of OMI

2.2

From the outset we aimed to look at the whole of the offender journey, including times when the offender was imprisoned. This emphasis gave us an immediate challenge. Phase 1 of the NOMS Offender Management Model (covering offenders in the community) had been rolled out from April 2005 and so we were able to inspect this from implementation in May 2006 by looking at two samples of cases – those sentenced to community orders and those released on licence.

However, Phase 2 of the roll-out – offender management for certain categories of offender serving a custodial sentence – began only in November 2006. As we needed to have a period of about six months' supervision to inspect it was therefore not possible to include scrutiny of those serving custodial sentences in OMI during 2006/2007. However, we shall be adding the third OMI case sample – serving prisoners – into our remit from July 2007.

2.3

For OMI we reverted to arrangements whereby we inspect in a sequence which matched probation regions. This enabled us to run two regional events – one at the beginning and one at the end of each region – to give information about the inspection process and to explore findings and share good practice afterwards.

The Nature of OMI

2.4

OMI built on the successful format of ESI, with many similarities between the two programmes. However, some key differences have also been designed into OMI. It has a wide "reach", inspecting offender management in its totality rather than just the work of the probation area concerned. Most probation Chief Officers and Boards have recognised the importance of this shift towards a holistic view of work with offenders and some of our OMI recommendations required probation areas to respond in harness with other criminal justice agencies or with NOMS (or, during 2006/2007, the National Probation Directorate (NPD)) centrally.

Our focus on front-line delivery to offenders and other service users has been a strong one, as it was on ESI. There have, however, been some new priorities:

- A higher profile to *Risk of Harm* work as a distinct work stream – this shows itself concretely in the awarding of a separate percentage score relating to the quality of this work (known as the "*Risk of Harm Thread*") (See also Chapter 7)
- In order to capture the start-to-end nature of offender management a greater focus on pre-sentence activity, e.g. the role of probation in advising sentencers
- An increased look at service users' perspectives. We have used questionnaires and both group and individual interviews to capture the views of offenders, victims and sentencers
- The inclusion of key support staff in our inspection methodology – we interview a representative group of case administrators about their contribution to offender management
- The exclusion of fewer cases from our sample. We therefore now scrutinise work not looked at before, including very short periods of supervision, the experience of those going into early breach, and cases transferred between probation areas

OMI has ...a higher profile to *Risk of Harm* work as a distinct work stream – this shows itself concretely in the awarding of a separate percentage score relating to the quality of this work (known as the "*Risk of Harm Thread*")

The Delivery of OMI

2.5

An OMI takes place within the space of one week. We gather evidence to inform our inspection under four key headings: assessment and sentence planning; implementation of interventions; achievement and monitoring of outcomes; leadership and strategic planning. In total during 2006/2007 we carried out detailed assessments of 1,383 cases by reading case files and interviewing offender managers; this was the central plank of our methodology. We also interviewed managers, partners, staff and service users. For each inspection we trained probation area staff to work alongside us as Area Assessors. This group of staff represented an important part of our inspection resource and they gave very positive feedback about their experience. Some areas have gone on to make active use of these staff to bring a benchmarked approach to ongoing self-assessment or performance improvement work in their localities.

2.6

We have consistently applied HMI Probation's Quality Assurance Strategy (see Chapter 1) to the OMI programme. Work to check quality of engagement with those inspected and consistency of judgments has included: live observations of interviews; checking of assessments made; written feedback from those inspected.

Working with other inspectorates **2.7**

As indicated in Chapter 1, OMI is a joint inspection led by HMI Probation. HMI Prisons has been working alongside us as we have begun to explore the implementation of offender management in the custodial setting. During 2006/2007, each time we inspected in a probation area we visited at least one prison establishment and included in our reports a brief description of progress there. In 2007/2008 there will be a change in methodology. Not only will we begin to inspect case work in prison, but we shall also play a part in HMI Prisons' inspection schedule, gathering evidence about systems and processes by sharing in a number of prison inspections.

2.8

We have also been pleased to have with us on OMI colleagues from the Adult Learning Inspectorate (ALI). In the East of England and East Midlands regions we piloted arrangements for ALI colleagues to explore learning and skills provisions under the same main headings as OMI: assessment; interventions; outcomes; leadership. This has added considerable value to the process and we have incorporated their key findings into our OMI reports. In 2007/2008 ALI (which became part of Ofsted from 1 April 2007) hopes to publish its own reports into learning and skills for offenders in the community.

OMI findings

2.9

Table A shows the scores for each area inspected in 2006/2007 in relation to the three practice sections of OMI: assessment, interventions and outcomes. It also shows each *Risk of Harm Thread* score.

.... OMI is a joint inspection led by HMI Probation. HMI Prisons have been working alongside us as we have begun to explore the implementation of offender management in the custodial setting.

TABLE A: OMI RESULTS 2006/2007

	Assessment and sentence planning	Implementation of Interventions	Achievement and monitoring of outcomes	Risk of Harm Threat
North West Region				
Cheshire	71%	70%	65%	65%
Lancashire	65%	67%	54%	62%
Greater Manchester	72%	77%	70%	72%
Cumbria	75%	74%	66%	76%
Merseyside	71%	67%	62%	64%
East of England Region				
Bedfordshire	64%	62%	53%	64%
Cambridgeshire	63%	58%	49%	56%
Essex	72%	60%	56%	61%
Hertfordshire	67%	61%	54%	65%
Norfolk	72%	69%	56%	70%
Suffolk	67%	64%	54%	60%
East Midlands (part)				
Northamptonshire	73%	68%	59%	66%
Lincolnshire	75%	72%	64%	73%

Beneath these figures are the following findings:

Assessment and Sentence Planning

In general areas performed well in relation to preparation for sentence, e.g the quality of pre-sentence reports was good. Assessments of likelihood of reoffending and of offender engagement were typically carried out to a satisfactory standard, whereas assessment of *Risk of Harm* needed improvement. Although *Risk of Harm* assessments were being done, and were usually timely, the content was not comprehensive enough and key issues were sometimes not considered with sufficient care. Sentence planning, a key pillar of good offender management, was often not adequate and this led to shortcomings later in the offender management process.

Implementation of Interventions

The probation service's incremental improvement on enforcement practice has been born out in the positive OMI results in relation to monitoring attendance and compliance. This has been encouraging.

There has also been a generally positive picture in relation to the monitoring of restrictive interventions, and victim contact work was delivered to a good standard. More attention was needed in delivering victim awareness work to offenders. Again, there needed to be greater attention to the broad ongoing task of protecting the public particularly by reviewing *Risk of Harm* regularly and thoroughly. Sentence plans which were not sufficiently structured and tailored to the individual offender made it difficult for interventions to be sequenced and delivered in a systematic way. There was a mixed scene in relation to how diversity issues were handled and there was a need to make the delivery of constructive interventions more reliable.

Achievement and Monitoring of Outcomes

We were pleased to find generally increasing numbers of scored OASys assessments. However, overall this was the poorest performing section of the inspection. The problems with sentence planning made it difficult at a later stage to evidence the achievement of offender progress.

2.10

Table B shows our assessment of areas against the OMI criteria for leadership and management.

Beneath these descriptors are the following findings:

Leadership and strategic planning

We saw a great deal of evidence of diligent planning and business risk management processes. There was strong leadership and some areas had done well in handling the potential tensions of combining the achievement of centrally-set targets with the challenge of delivering high quality services across the board. Most areas had made good progress in implementing the staffing structures required for the delivery of offender management. The deployment of resources and workforce planning represented challenges to probation areas which often had increased workloads to service with limited means. Despite this, many of them acquitted themselves well against our criteria. There was variable performance in relation to review and evaluation, with some missed opportunities for a more robust focus on outcomes.

There has also been a generally positive picture in relation to the monitoring of restrictive interventions, and victim contact work was delivered to a good standard. More attention was needed in delivering victim awareness work to offenders. Again, there needed to be greater attention to the broad ongoing task of protecting the public particularly by reviewing *Risk of Harm* regularly and thoroughly.

Sentence planning, a key pillar of good offender management, was often not adequate and this led to shortcomings later in the offender management process.

TABLE B: OMI RESULTS 2006/2007

	Leadership and planning	Performance against national and regional targets	Resource deployment	Workforce planning and development	Review and evaluation	Commissioning of services
North West Region						
Cheshire	Well met	Well met	Well met	Satisfactorily met	Well met	Satisfactorily met
Lancashire	Well met	Satisfactorily met	Well met	Partly met	Well met	Satisfactorily met
Greater Manchester	Well met	Well met	Satisfactorily met	Partly met	Satisfactorily met	Satisfactorily met
Cumbria	Well met	Well met	Satisfactorily met	Satisfactorily met	Partly met	Satisfactorily met
Merseyside	Well met	Satisfactorily met	Well met	Satisfactorily met	Satisfactorily met	Well met
East of England Region						
Bedfordshire	Well met	Well met	Well met	Satisfactorily met	Satisfactorily met	Partly met
Cambridgeshire	Partly met	Satisfactorily met	Partly met	Partly met	Well met	Satisfactorily met
Essex	Well met	Well met	Satisfactorily met	Satisfactorily met	Partly met	Partly met
Hertfordshire	Satisfactorily met	Partly met	Partly met	Partly met	Not met	Partly met
Norfolk	Satisfactorily met	Satisfactorily met	Satisfactorily met	Partly met	Partly met	Satisfactorily met
Suffolk	Well met	Satisfactorily met	Satisfactorily met	Satisfactorily met	Satisfactorily met	Satisfactorily met
East Midlands (part)						
Northamptonshire	Satisfactorily met	Well met	Satisfactorily met	Satisfactorily met	Partly met	Well met
Lincolnshire	Well met	Well met	Well met	Satisfactorily met	Partly met	Satisfactorily met

How OMI was received by those inspected

2.11

Great care was taken to make the engagement between the inspectorate and those inspected a positive one. For the most part the feedback we received from staff, managers or partners interviewed as part of the inspection, which is outlined in Table C below, was very favourable. Where there were criticisms voiced or where problems arose, these were addressed thoroughly and promptly wherever possible.

Developments following an OM inspection

2.12

Following the publication of their OMI report, areas were required to produce an Improvement Plan outlining how each of the recommendations would be addressed. A progress report on the Improvement Plan would then be submitted by areas to Ministers 12 months later.

2.13

Integral to the design of OMI was the limiting of re-inspection work to those areas where we had very significant concerns about the standard of *Risk of Harm* work. One such area – Cambridgeshire – was identified in 2006/2007 and will be re-inspected in January 2008, using the *Risk of Harm* Inspection Module (see Chapter 7).

The Effective Supervision Inspection (ESI)

2.14

Some of the areas which required a follow-up under ESI received an early OMI instead. However, we carried out follow-up ESIs in the following probation areas during the first half of 2006/2007: South Yorkshire, London, West Mercia, and Warwickshire. In all cases the area's work showed some signs of improvement.

2.15

It is planned to publish an Inspection Findings, summarising aggregate results from ESI for all areas as a reference report, in summer 2007.

The Year Ahead

2.16

During 2007/2008, we will inspect 13 areas under the OMI programme, including London. Along with the re-inspection noted above, and other related work, there will be a total of 17 inspections under OMI during the year.

Great care was taken to make the engagement between the inspectorate and those inspected a positive one. For the most part the feedback we received from staff, managers or partners interviewed as part of the inspection.....was very favourable.

TABLE C: FEEDBACK FROM THOSE INTERVIEWED IN OMI
(percentages of respondents)

	Yes Definitely	Reasonably	Not Really/ Not At All
Were the discussions with you undertaken in a professional, impartial and courteous manner?	96%	4%	0%
(Offender managers only) If you received individual feedback from HMI Probation about your work, was this helpful?	79%	19%	1%
In your opinion did the inspection pay sufficient attention to race equality and wider diversity issues?	80%	18%	2%

3

**YOUTH OFFENDING
TEAM INSPECTION
PROGRAMME**

3.1

As before, we will be publishing a separate annual report for the Youth Offending Team (YOT) inspection jointly with our partner inspectorates, for launch in September 2007. However in view of the importance of the YOT inspection programme for HMI Probation, it is appropriate to give a summary account of this aspect of our work in this, our main report.

3.2

As detailed in last year's report, YOT inspections (led by HMI Probation) were aligned in Phase 3 with the Joint Area Reviews (JARs) of Children's Services (led by Ofsted) and the Corporate Assessments (CAs) of local authority services (led by the Audit Commission). Our experience suggests that this has continued to raise the profile of YOT work within their local area, in particular the provision of health and education services to children and young people who offend. Whilst there are logistical issues for us in maintaining this link, we are committed to its continuation and have worked to make our input more focused.

3.3

The YOT inspections (YOTI) span both the criminal justice and the children's services agendas, and we ensure that they embrace both components. The CA (through community safety) and the JAR (through the Every Child Matters five outcomes) inspect both these areas, hence their relevance to YOT inspections.

3.4

Our methodology, in Phase 4 from March 2007, has continued to be fine tuned, both in response to the changes in the external environment, and as a result of our own learning. We still focus on the work done with the 'service users', and to this end have increased our case sample and become more systematic in our contact with those who come into contact with the YOT: children and young people, parents/carers and victims.

3.5

In Wales we have continued to work with the relevant Welsh Inspectorates, in particular developing stronger links with Health Inspectorate Wales, who will participate in YOT inspections in Wales during 2007/2008. This will replace the (English) Healthcare Commission who have kindly undertaken this role to date. As indicated in Chapter 1, we have appointed two Welsh speaking Associate Inspectors during the year and can now ensure, with the existing Welsh speaker from the Care and Social Services Inspectorate Wales, that there is always a Welsh speaking inspector at Welsh YOT inspections.

3.6

As always through YOTI, particular attention is paid to both the safeguarding of children and young people, and to the protection of the public through the assessment and management of those relatively few children and young people considered to pose a *Risk of Harm* to the public. In Phase 4, more detailed inspection of these aspects in relation to prevention work have been introduced.

3.7

To demonstrate our view of the importance of integrated health services accessible to those children and young people in contact with the YOT, we published, jointly with the Healthcare Commission, a thematic report based on our inspection findings on health provision in YOTs called '*Let's talk about it*'. This highlighted that children and young people who offend have more healthcare needs than the non-offending population and yet provision for healthcare for them, whilst having improved, is inadequate. The report made a number of recommendations for Primary Care Trusts, Child and Adolescent Mental Health Services, Drug Action Teams, YOT Management Boards, YOT Managers and the Department of Health and Youth Justice Board in relation to how improvements could be made.

The Year Ahead

3.8

In 2007/2008 we will lead 39 inspections of YOTs in England and Wales, including two re-inspections. The welcome move by Ofsted not to charge for their inspectors means that we can now resource, albeit modestly, brief information for the JAR where YOTs were inspected prior to the start of the JAR programme.

3.9

In 2007/2008, YOT inspections will represent nearly a half of HMI Probation's workload, and demonstrate a clear example of inspectorates working jointly to achieve the Government's ten principles for public service inspection.

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4

JOINT THEMATIC INSPECTIONS

Overview

4.1

We published the report of a joint inspection which we led on public protection. We worked with the other Criminal Justice Inspectorates on the joint inspection of criminal case management in three criminal justice areas: within this, we led an inspection on community penalty enforcement, and published the report on this element in early April 2007. We led a joint inspection of the take-up by probation areas of community sentences made by courts, due to report in July 2007. We also published, jointly with the Healthcare Commission, a thematic report on health provision in Youth Offending Teams (YOTs) (see Chapter 3).

Putting Risk of Harm in Context: An Inspection Promoting Public Protection

4.2

The findings of this inspection, published in September 2006, are set out in Chapter 7.

Joint Criminal Justice Area Inspections

4.3

The Criminal Justice Inspectorates carried out joint inspections of three criminal justice areas – Cleveland, Devon & Cornwall and West Midlands – in 2006/2007. The number of these inspections was somewhat less than in 2005/2006 reflecting uncertainty about the future shape of joint area inspections, combined with a review of the inspection methodology.

4.4

As before, a key focus of these joint inspections in 2006/2007 was on the 'front-end' of the criminal justice process from arrest to passing of sentence, ie criminal case management. HMI Probation participated in these three joint area inspections which were led by other Criminal Justice Inspectorates. However, the three inspections in 2006/2007 included additionally an inspection of the enforcement of community penalties, a key element of offender management, which HMI Probation led.

4.5

The area reports for Cleveland and Devon & Cornwall were published in early 2007 and the report for the West Midlands is due to be published in the summer of 2007.

4.6

HMI Probation published a summary of the results of the inspection of enforcement of community penalties in early April 2007, and this is described below.

A Summary of Findings on the Enforcement of Community Penalties from three Joint Area Inspections

4.7

Ensuring that offenders comply with the requirements of their community penalties is a high priority – failure to achieve this reduces public confidence in the criminal justice system (CJS). Enforcing community penalties

swiftly and effectively has therefore become a key performance issue for all the agencies involved in it. It is one of the Prime Minister's top priorities for the CJS as a whole. However, early results from the two key quantitative targets have not been encouraging in terms of swift completion of the enforcement process.

4.8

The inspection examined a sample of 184 adult and youth cases in the three areas, and tracked them from start to end through the enforcement process. This enabled us to identify why and where delays occur. From the results a complex picture emerges. Different factors apply in different cases in different combinations, although the largest single factor in causing delays to the process was simply the offender failing to attend their scheduled court hearing. We also identified a detailed issue in the way one area was 'counting' withdrawn cases, so that it was sometimes giving misleading performance results. This was subsequently rectified.

4.9

The inspection concluded that addressing each of the many reasons for delay would make a small but important difference to improving the speed of the enforcement process, but that there was no single panacea. What is required is steady incremental improvement, with attention to detail, and this path to improvement should be diligently followed by probation, YOTs, courts, police and others, working together.

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4.10

The recommendations were:

The Community Penalty Enforcement Group should ensure that:

- the new counting rules, with regard to the withdrawal of cases following an acceptable reason for absence, are adhered to
- it monitors the number of cases that are withdrawn and analyses the reasons for these withdrawals
- consideration is given to the inclusion of information on *Comet* that would allow data to be gathered on key characteristics of those in breach.

Local Criminal Justice Boards should ensure that:

- local data are analysed to enable detailed troubleshooting of the reasons for delay
- local performance improvement plans are developed.

The Youth Justice Board should ensure that:

- the role of the regional manager, as a link between the LCJB and the YOTs within areas, is considered
- YOTs improve the consistency with which they record whether absences are acceptable or unacceptable.

Probation areas should ensure that:

- greater effort is made to promote compliance with community penalties
- cases are not withdrawn from the prosecution process where there is a *prima facie* case of breach, simply because the file is not ready.

Take-up by probation areas of community orders made by courts 4.11

The aim of the inspection was to ascertain:

- whether community sentences made by courts are always, promptly, passed to the relevant probation area and actioned by the latter;
- if they are not, the reasons for this.

The underlying intention was to check whether this part of the criminal justice process – which it might be assumed always works automatically – does always do so.

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4.12

The inspection was led by HMI Probation with participation from HM Inspectorate of Court Administration (HMICA). The core of the methodology was to examine random samples of community sentences on adult offenders made by several courts, and track these through from the point of 'passing of the sentence by the court' to the point at which an offender manager was allocated to the case by the relevant probation area and the case was recorded on the area case database. In total 193 cases were examined, of which 22 were 'out of area'.

4.13

Fieldwork for the inspection took place in early 2007. Visits were made to courts and probation areas:

The **Crown Court** at Newcastle, Leicester, Cardiff and Reading

Magistrates' Courts at Gateshead, Scarborough, Chester, Wellingborough, Bristol, East Berkshire, Woking and Stratford

Probation areas: Northumbria, North Yorkshire, Cheshire, Leicestershire & Rutland, Northamptonshire, South Wales, Avon & Somerset, Thames Valley, Surrey and London

The report is due to be published in summer 2007.

The Year Ahead

4.14

During the latter part of 2006/2007 we have worked with the other Criminal Justice Inspectorates on the preparation of the Joint Inspection Programme for 2007/2008 (see Chapter 1). On joint thematic inspections, the provisional plans are that in 2007/2008:

- we will lead inspections of approved premises, electronic monitoring, indeterminate sentences (with HMI Prisons leading the first phase) and a scoping study of an inspection of Mentally Disordered Offenders
- we will also participate in joint thematic inspections led by other Inspectorates on enforcement, domestic violence and the safeguarding of children, and in further joint area inspections of the criminal justice process from arrest to passing of sentence.

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5

**THEMATIC
INSPECTIONS**

Overview 5.1

We published the last two of the thematic inspections undertaken as an integrated element of the Effective Supervision Inspection (ESI) programme – on Enhanced Community Punishment/Unpaid Work, and on Work with Substance Misusing Offenders. In addition, we published a short inspection of Junior Attendance Centres.

Working to Make Amends – An inspection of the delivery of Enhanced Community Punishment/ Unpaid Work (ECP/UPW) by the National Probation Service 5.2

The aim of the inspection was to determine the extent to which the National Probation Service (NPS) had successfully contributed to the reduction in crime through the management of a satisfactory UPW scheme.

5.3

The report was published in May 2006. The results were summarised in last year's Annual Report. **The recommendations were that:**

The National Probation Directorate should ensure that:

- clarification is issued about procedures and associated training required in the management of UPW
- the national ECP/UPW performance target is revised to reflect the National Standard requirement that areas offer offenders at least six hours work per week
- further consideration is given to staff roles within UPW to prepare for end-to-end management of offenders
- consistent attention is given to health and safety in the delivery of UPW by all probation areas
- consultation is undertaken within areas and with the Youth Justice Board about the management of 16 and 17 year olds undertaking UPW in order to safeguard their welfare
- guidance is issued about the purpose, timing and content of supervision plans and reviews
- further thought is given to simple outcome measures to demonstrate the effectiveness of UPW
- the time credited for offenders who are stood down from work should be one hour.

Probation Boards should ensure that:

- sufficient staff are in place for UPW to be delivered that meets the requirements of the National Standard
- diversity and partnership strategies are reviewed, including meeting the area's responsibilities under the Race Relations and Crime and Disorder legislation
- courts are kept fully informed about any shortfall in the area's ability to manage sentences
- local performance monitoring includes information about the satisfactory completion of assessment of *Risk of Harm* to others
- no offender is allocated to work without a *Risk of Harm* assessment being completed
- proper use is made of risk and criminogenic needs analysis in allocating offenders to work
- national standards performance data including figures on stand-downs are reported to them on a regular basis
- systems are in place that encourage and enable communication between supervisors and case managers
- training for UPW staff should include *Risk of Harm* issues
- evaluation of work on outcomes is published and shared with managers and staff so that lessons can be learned.

The aim of the inspection was to determine the extent to which the National Probation Service had successfully contributed to the reduction in crime through the management of a satisfactory Unpaid Work scheme.

Probation Boards should ensure that.... sufficient staff are in place for Unpaid Work to be delivered that meets the requirements of the National Standard.

'Half Full and Half Empty' – An inspection of the National Probation Service's substance misuse work with offenders

5.4

The aim of the inspection was to inspect the effectiveness of arrangements (formal and informal) which facilitate the access to, and engagement with treatment (at all tiers) for offenders with substance misuse problems. Although the link between substance misuse and offending is complex, there is little doubt that there is a strong association between the two. The contribution of the National Probation Service towards reducing offending by substance misusing offenders, in partnership with others, is therefore very important. The seven areas visited were Avon & Somerset, Cambridgeshire, Devon & Cornwall, Dorset, Surrey, Sussex and Thames Valley.

5.5

The report was published in July 2006. The main finding was that while there had been a large and very welcome improvement in the availability of treatment for drug misusing offenders, there continued to be a scarcity of treatment for alcohol misusers.

5.6

More specifically, the key findings were:

NOMS findings

■ Alcohol treatment was scarce in the areas inspected, although senior managers were aware of the level of need as indicated by assessments using OASys.

■ In contrast, the provision of treatment for offenders with drug misuse problems was generally readily available.

■ The establishment of Drug Testing and Treatment Orders (DTTOs) had been accompanied by the setting of a target for starting new orders. The subsequent addition of a target for completing orders had assisted areas in focusing on outcome measures. This framework had been successfully applied to Drug Rehabilitation Requirements (DRRs). However, no such targets existed or were planned for Alcohol Treatment Requirements (ATRs) and, as a consequence, areas were unlikely to prioritise their development.

■ Areas reported that the delivery of DRRs had been hampered by an array of complex guidance concerning the introduction of the Criminal Justice Act 2003 and the offender management model. In particular, it had been a key implementation difficulty for areas to reconcile the tensions between offence seriousness, offender management tier and treatment intensity. This had resulted in inconsistency of delivery between areas.

■ The acceptance of drug testing as a useful tool in the treatment of substance misusing offenders was found to be widespread. Due to a lack of resources, the potential for the extensive use of this tool had yet to be realised.

■ The inspection found that some areas struggled to make available sufficient numbers of appropriate accredited programmes to address substance misuse. Also, where they were included as a requirement of a community order, they often did not start within the time limit set by the national standard.

■ Some areas were unable to identify a small sample of Prolific and other Priority Offender (PPO) cases for inspection purposes. This highlighted difficulties at an area level with management information systems. It also suggested that there were serious problems with the quality of data used to calculate the cash-linked performance measure on assessments of PPOs. There were no National Probation Directorate targets concerning interventions or outcomes for PPOs, leading to a lack of focus on these stages.

The main finding was that while there had been a large and very welcome improvement in the availability of treatment for drug misusing offenders, there continued to be a scarcity of treatment for alcohol misusers.

Area findings

- There were few cases with ATRs in the areas inspected.
- The ability of probation areas to ensure that Drug and Alcohol Action Teams (DAATs) provided the necessary range of drug treatment services varied considerably and was largely determined by pre-existing treatment provision. Surprisingly, there was not a strong correlation between the quality of area management and appropriate treatment availability.
- The quality of the assessments of the substance misuse sections of OASys was inconsistent. Where there was evidence of a substance misuse problem, as defined by the type of sentence or interventions planned, this was not always indicated in the assessment. This hampered the usefulness of any aggregated data to inform practice and service delivery.
- Some areas had insufficient systems for gathering and using outcome data to inform the improvement of service provision.
- Areas had interpreted the implementation of the offender management model in a variety of ways. Some feared that the expertise of specialist staff working with substance misusers would be diluted. Guidance issued during the inspection fieldwork clarified that areas were not required to abandon their specialist teams. Instead, these could operate as substance misuse teams rather than DTTO/DRR teams.

■ Where areas had established co-located multi-disciplinary PPO teams, there was an increased potential for more effective work with offenders.

■ Whilst there were significant opportunities for probation areas to work with the Drug Intervention Programme (DIP), the inspection found that in practice these were rarely used to their full potential.

5.7 The report contained the following recommendations:

NOMS should ensure that:

- more alcohol treatment services are made available in order to meet the identified level of need
- simplified guidance on DRRs is issued to help staff reconcile the tensions between offence seriousness, the offender management tier and treatment intensity
- consideration is given to the practical implications of managing community orders that contain a DRR without a supervision requirement
- consideration is given to whether more newly released offenders might benefit from a drug testing condition in their licence
- training is rolled out to enable all areas to deliver the required number of accredited programmes for substance misusing offenders within national standards timescales
- PPO data are quality assured, and consideration is given to the introduction of targets for interventions and outcomes.

Probation Boards should ensure that:

- their area develops substance misuse strategies that maximise the opportunities for working with local alcohol treatment providers, and consolidate and improve existing arrangements with DAATs
- designated senior managers contribute regularly to strategic DAAT meetings, subsequent joint commissioning groups and any local strategic forum concerning the provision of alcohol services
- OASys assessments of substance misuse are quality assured, and the results are aggregated to enable the area to use the data to help plan future provision of services
- outcome data are collected and used to inform service delivery
- areas have fully considered the potential gains of establishing or maintaining co-located multi-disciplinary teams for the offender management of PPOs
- areas review their working relationships regarding the operational arrangements for their local DIP, to ensure that the full potential gains of working towards shared objectives are realised.

Inspection of Junior Attendance Centres

5.8

HMI Probation were asked by the Home Office's Youth Justice and Children Unit to undertake a short thematic inspection to identify the extent to which Attendance Centres had become integrated into the wider youth justice system.

5.9

The report was produced, and placed on our website, in January 2007.

Key findings were:

Strengths:

All centres visited and the majority of respondents to the questionnaires (including YOT managers) had:

- made some progress in integration during recent years
- developed a range of relevant programmes
- reached agreements with local Youth Offending Teams (YOTs) to accommodate children and young people on other order types.

The majority of officers in charge:

- demonstrated great commitment to their work and to the children and young people attending their centre, as did their instructors
- worked more than the hours for which they were paid in order to ensure the smooth running of the Attendance Centre
- ran their centre in accordance with the national standard
- found the Attendance Centre inspection regime and recent developments in the Youth Justice and Children Unit helpful.

Areas for Improvement:

- There was inconsistency of access, programme content and style of delivery, criteria for accepting other order types, level of engagement with YOTs.
- The employment status of instructors was unclear.
- YOT managers were concerned about taking on responsibility for the centres and their staff whilst employment issues and funding details were not clarified.

5.10

The report contained the following recommendations:

The Youth Justice and Children Unit should:

- agree with the Youth Justice Board and issue guidance covering the basis on which young people under YOT supervision could be managed at Attendance Centres
- work with the Youth Justice Board to commission the development of a core set of programmes suitable to be delivered by Attendance Centres and which complement those delivered by YOTs
- in partnership with the Youth Justice Board, develop a core training package for officers in charge and instructors covering basic child protection procedures, programme delivery, diversity and health and safety
- in consultation with the Youth Justice Board, develop and implement a consistent national recruitment process
- issue clarification of the rules about payment to officers in charge when engaged in the enforcement of orders

HMI Probation were asked by the Home Office's Youth Justice and Children Unit to undertake a short thematic inspection to identify the extent to which Attendance Centres had become integrated into the wider youth justice system.

- determine a clear basis for funding any transfer of authority from the Home Office to the local authorities which could be published quickly in the event of the legislation going forward

- clarify the employment status of instructors and the implications of any employment transfer.

Officers in charge should:

- engage with courts and YOT managers to ensure robust systems of notification about new Attendance Centre orders

- seek regular invitations to relevant YOT meetings and training events for themselves and their instructors

- maintain regular contact with the case manager of any attendee being supervised by the YOT so that they are fully aware of any developments or matters of concern

- report back to Youth Justice and Children Unit on the implementation of any inspection recommendations within three months of receiving the report.

YOT Managers should:

- ensure that their staff are aware of the work of the Attendance Centre and the potential benefits it offers for young people

- seek the involvement of officers in charge in relevant meetings and training events

- ensure that when a young person under the supervision of the YOT is sent to the Attendance Centre, any information about *Risk of Harm* to others or vulnerability is fully shared with the officer in charge.

**The Year Ahead
5.11**

In line with the changing focus of our work and the increasing emphasis on joint inspection work as described in this report, we will not be doing any new 'standalone' thematic inspection work in 2007/2008.

6

**SUPPORTING
PEOPLE
INSPECTIONS**

Overview

6.1

'Supporting People' is a centrally funded Government programme aimed at delivering support services to help vulnerable people to live independently. The programme is commissioned locally by a key partnership between local administering authorities (LAAs), probation and health. The Supporting People programme is delivered by a range of providers across the statutory, voluntary, and independent sector.

Key Principles underpinning the Supporting People programme

Prevention – Stopping problems before they become a crisis.

Independence – Helping people to maintain/regain their lifestyle.

Inclusion – Supporting people in hard to reach groups.

Individual Focus – Services designed and modelled around the person.

Local – Locally decided and locally delivered.

6.2

The Supporting People (SP) inspection programme is a national five-year inspection programme led by the Audit Commission (Housing Inspectorate), partnered by HMI Probation and the Commission for Social Care Inspection (CSCI). Inspections started in September 2003, with all LAAs in England being subject to inspection at various points during the five year inspection cycle.

6.3

In these inspections we examine how probation areas contribute to the local partnership to ensure that the needs of victims and offenders are addressed, including children and young people subject to Youth Offending Team (YOT) supervision, that appropriate support services and accommodation are made available and that the promotion of social inclusion, managing and assessing offenders' *Risk of Harm* (to themselves and others) and community safety remains paramount.

6.4

In 2006/2007 we contributed to 38 inspections under the SP inspection programme.

6.5

In 2005 the Audit Commission examined how Supporting People was panning out. Its subsequent report (published in October 2005) found several positive outcomes for those helped by the programme. But it also found central government and LAAs had work to do. While services had improved under SP, it still lacked a long-term financial commitment and a financial framework to underpin minimum standards; and delivery on the ground was not consistently good.

Inspection findings

6.6

Reports are published on each inspection by the Audit Commission (also available on our website) and in addition we write to Chief Officers of probation areas to highlight the main 'probation' issues arising out of local Supporting People inspections.

In these inspections we examine how probation areas contribute to the local partnership to ensure that the needs of victims and offenders are addressed, including children and young people subject to YOT supervision, that appropriate support services and accommodation are made available and that the promotion of social inclusion, managing and assessing offenders' *Risk of Harm* (to themselves and others) and community safety remains paramount.

6.7 **Characteristics of well-performing probation areas:**

- Probation representatives well engaged with both the Commissioning Body and the Core Strategy group, ensuring the appropriate level of representation and attendance at both.
- Increased awareness by senior managers and other probation staff of the contribution the Supporting People programme can make to helping offenders re-establish themselves in the community after periods in custody and contributing to reduction of reoffending.
- Innovative approaches to joint commissioning.

- Good links between probation and NOMS strategic and business plans and the Supporting People five year strategy and annual work plans.

- Strategic plans (including accommodation strategies) clearly identify Supporting People as a key delivery partner in ensuring that offenders have appropriate accommodation and floating support services.

- Appropriate links have been made between the Multi-Agency Public Protection Arrangements (MAPPA), housing and the Supporting People team.

- Good liaison arrangements between probation and the local YOT ensuring that children and young people's accommodation and support needs are addressed by Supporting People, especially in Commissioning Body meetings.

6.8 **Characteristics of less well-performing probation areas:**

- Problems in securing regular attendance, by appropriately senior staff, at Commissioning Body meetings (an issue arising in a minority of probation areas). In some probation areas this is recognised as being very problematic given the number of administering local authorities that senior managers have to cover. However, inconsistent attendance reduces the chances of probation influencing key issues such as tackling social exclusion.

- There continues to be a lack of robust needs data on offenders to inform Supporting People strategies and plans.

- Too little attention from Commissioning Bodies scrutinising performance data in relation to the delivery of the programme to offenders.

■ Under-developed links between Supporting People providers and MAPPA and a lack of information exchange protocols. This has been an issue with special inquiries we have undertaken such as the case of Anthony Rice (see Chapter 7).

■ Failure to consult local YOTs about the accommodation and support needs of children and young people under their supervision.

■ Lack of evidence of effective cross-authority, regional and sub-regional working to share best practice and seek opportunities for joint commissioning.

The Year Ahead

6.9

As the Supporting People programme continues local authorities and their partners continue to face significant challenges. There is a need to listen to and take account of service user perspectives and to ensure that diversity issues are fully considered when planning Supporting People services. Probation representatives on Commissioning Bodies and Core Strategy groups need to continue, with their partners, to tackle the social exclusion agenda and to seek to improve outcomes for the offenders they supervise.

6.10

The financial year 2007/2008 will see the last full round of Supporting People inspections in their current form, although the programme of inspections will continue until 2009/2010 to incorporate a number of follow-up inspections.

6.11

We will contribute to a further 34 SP inspections in 2007/2008.

The financial year 2007/2008 will see the last full round of Supporting People inspections in their current form although the programme of inspections will continue until 2009/2010 to incorporate a number of follow up inspections..... We will contribute to a further 34 SP inspections in 2007/2008.

7

INSPECTING ASSESSMENT AND MANAGEMENT OF OFFENDERS' RISK OF HARM

Overview

7.1

In our inspection of probation areas and Youth Offending Teams (YOTs) we have continued to give priority to work focusing on protection of the public. *Risk of Harm* work, as carried out by offender managers and YOT practitioners, and increasingly by police and prison staff, comprises a series of important tasks and processes, each of which has to be done on time and each of which has to be done well. Together these elements must combine coherently over time to give a momentum to the safe management of offenders. We are strongly of the view that *Risk of Harm* cannot be eliminated completely, but we expect managers and practitioners to work diligently to ensure that all reasonable steps are taken to keep to a minimum offenders' *Risk of Harm* to others. Our work examines the timeliness and quality of each of these vital links in the chain of good *Risk of Harm* work, and also makes overall judgements about whether there has been continuity throughout an offender's history.

In 2006/2007 we have applied these judgements within our core inspection programmes – (YOT and Offender Management Inspections – see Chapters 2 and 3), a joint thematic inspection (*Putting Risk of Harm in Context*), an inquiry into the management of hostel residents in Avon & Somerset (*Not Locked up but Subject to Rules*), and in a number of other pieces of work.

Inspecting the quality of Risk of Harm work

7.2

We have worked hard to ensure that our judgements about *Risk of Harm* work are well informed and consistently applied. It is usually not difficult to assess the *timeliness* of this work – a key task was either completed on time or it was not – but assessing *quality* requires careful attention and a common understanding about what good practice looks like. The Chief Inspector has represented us on the NOMS Risk of Harm Improvement Board in order to promote a shared understanding about these less tangible, qualitative issues. We have also expressed our concern that changes made by NOMS in an effort to standardise *Risk of Harm* classifications could work against comprehensive *Risk of Harm* assessments on all offenders.

We have shared our thinking with the Youth Justice Board, for example, commenting on their *Risk of Harm* template during its drafting stages.

The Risk of Harm Inspection Module

7.3

As part of our focus on the quality of *Risk of Harm* work, we have developed – under the auspices of OMI – a methodology which enables us to hone in solely on *Risk of Harm* work. We designed the *Risk of Harm* Inspection Module (RoHIM) to equip us to return to an area when OMI has thrown up serious concerns and to deliver a focused inspection looking entirely at *Risk of Harm* assessment and management. RoHIM produces a percentage score which represents the proportion of work inspected which is considered satisfactory. This is known as the *Risk of Harm Thread* score and offers a direct comparison with initial OMI performance. We are grateful to South Wales for assisting us in piloting RoHIM.

We are strongly of the view that *Risk of Harm* cannot be eliminated completely but we expect managers and practitioners to work diligently to ensure that all reasonable steps are taken to keep to a minimum offenders' *Risk of Harm* to others.

We designed the *Risk of Harm* Inspection Module (RoHIM) to equip us to return to an area when OMI has thrown up serious concerns and to deliver a focussed inspection looking entirely at *Risk of Harm* assessment and management.

7.4

RoHIM always had potential not only as a reinspection tool, but also as a self-assessment tool, as a means for probation staff to examine their own practice with a view to improving their *Risk of Harm* work outside of the formal inspection context; it has already been used in this way. Latterly, NOMS has recognised a third potential use, valuing the fact that RoHIM produces a clear quantitative score in relation to the quality of this work. We have therefore agreed that in 2007/2008 we shall be assisting NOMS initially to secure a RoHIM score for each probation area as a performance measure, and in that context will carry out an additional 11 *Risk of Harm* Probation Area Assessments by end-June 2008, beyond those which we will be doing as part of the OMI. We shall also be advising about an ongoing self-assessment RoHIM process managed by NOMS.

Putting *Risk of Harm* in Context: An Inspection Promoting Public Protection

7.5

HMI Probation led on this inspection and was assisted by HMI Prisons and (HMI Constabulary.) Whilst the fieldwork for the inspection was carried out in the autumn of 2005, it did not prove possible to publish the report until September 2006. One of the factors influencing this was the fact that the context into which inspectorate information about public protection was passing was undergoing a change. Public interest and media coverage about the risks posed by offenders being managed in the community was increasing. Our three Serious Further Offence Reviews carried out in 2005/2006 – into the cases of Peter Williams, Damien Hanson & Elliott White, and Anthony Rice – had received a great deal of attention when we published them*. It has been important patiently and repeatedly to reiterate our firm belief that it is not possible to eliminate *Risk of Harm*. Our task in this thematic inspection was to explore whether three criminal justice agencies were working well enough together to keep that risk to a minimum.

**Reports were published in September 2005, February 2006 and May 2006 respectively. Summaries of each report are set out in Chapter 8 of last year's Annual Report.*

7.6

By visiting a number of prisons and probation areas, and by scrutinising police, prison and probation files, we saw that considerable progress had been made in dealing with offenders from whom the public should be protected. The aim was to take a snapshot of the progress being made towards more coordinated working by police, prisons and probation staff. In a joint foreword the three Chief Inspectors wrote:

The police, prison and probation services each have a responsibility to take all reasonable action to protect the public, but no single agency has the capacity to deliver effective public protection on its own.

“This report is being published at a time of heightened public concern and rising expectations about public protection generally.

The police, prison and probation services each have a responsibility to take all reasonable action to protect the public, but no single agency has the capacity to deliver effective public protection on its own. This recognition has led to the development of Multi-Agency Public Protection Arrangements and the designation of the three services as Responsible Authorities. While there is now a much more determined partnership approach to the management of offenders, the challenge of greater collaborative working should not be underestimated.

Tackling the complexities of Risk of Harm effectively requires not only coordinated policy, but also coordinated practice. In our report, we have tried to clarify what we think could be reasonably expected from probation, prisons and the police and their partners in the Multi-Agency Public Protection Arrangements. In essence, this amounts to the identification and assessment of individual offenders, and taking all reasonable action to keep to a minimum their Risk of Harm to the public. We then assessed how far this was being achieved in practice at the time of the inspection.

There can be no doubt that this is difficult and challenging work for organisations that see both the worst of human behaviour and the ability of people to change and develop their potential. In general, our findings reveal many encouraging examples of effective work, but there was a clear need for improvement in about one-third of the case work we looked at last year. The challenge for everyone involved is to do the job well enough often enough, and we hope that this report will make a useful contribution to further progress towards that end.”

7.7

Symbolic of the need for these three key bodies to work together was our decision to address all ten of our **recommendations to police, probation and prisons together:**

The prison, probation and police services should ensure that:

- good public protection principles take high priority for the police, prisons and probation services and are reflected in clear standards and targets for each agency; recent progress is recognised and built upon by sharing good practice nationally
- there is a more consistent understanding and use of MAPPA, including common definitions shared by all agencies, better recording of caseloads, streamlined processes, shared targets and co-location of staff where feasible

In general, our findings reveal many encouraging examples of effective work, but there was a clear need for improvement in about one-third of the case work we looked at last year. The challenge for everyone involved is to do the job well enough often enough, and we hope that this report will make a useful contribution to further progress towards that end.

■ high quality OASys *Risk of Harm* assessments are completed and used in every case as a key ingredient in effective offender management at all stages of the criminal justice process, and are given a higher profile in prisons

■ thorough sentence planning begins early in sentences and includes outcome-focused objectives, *Risk of Harm* management issues, and involves prison and probation staff as well as the offender

■ there is effective work during custody to prepare offenders for release, maximising continuity of offender management, demonstrating a commitment to diversity and sustainability and including improved links with approved premises and other accommodation, as well as better arrangements for deportation

■ victim awareness work is given a higher priority, particularly in the prison setting, with greater use of victim impact statements, better recording in custody and the community and greater police involvement in monitoring licence conditions concerning victims

■ information sharing and good recording form the bedrock of effective offender management at all stages of a sentence, including regular reviews of *Risk of Harm*, improved management of MAPPA and better communication with approved premises staff. Progress is made in the development and use of a common case record format

■ arrangements are made to share good MAPPA practice across England and Wales as a contribution to greater consistency, and regular local multi-agency audits of MAPPA in practice should be carried out in all areas

■ resources are well managed, facilitating adequate staff training on *Risk of Harm*; information is available on the costs of various interventions, giving greater prominence to value for money; there is a review of the funding arrangements for MAPPA, including the contribution from HMPS

■ the strategic commitment of senior staff in prisons and the police to good public protection practice is encouraged and reinforced, and prison governors should ensure that *Risk of Harm* assessments are properly managed and that their senior managers are appropriately involved in these.

When we published our report in March 2007 we hope we were able to comment helpfully on why hostels could not be seen as “prison in the community”. Our title was carefully chosen: *Not Locked Up but Subject to Rules* summarises the reality of the level of restrictions.

Not Locked up but Subject to Rules 7.8

In November 2006 the BBC broadcast an edition of *Panorama* in which the key allegation was that the probation service claimed to supervise and monitor offenders to keep the public safe but that it was failing to do so. The Home Secretary asked us to inquire into the specific allegations made in the programme, and to make any recommendations necessary to improve arrangements for the management of dangerous and other offenders. It was clear that the territory in which we found ourselves here was familiar and in essence differed little from the general arena of our more routine *Risk of Harm* work: what is it the public can reasonably expect to be achieved with offenders in the community? When we published our report in March 2007 we hope we were able to comment helpfully on why hostels could not be seen as "prison in the community". Our title was carefully chosen: *Not Locked Up but Subject to Rules* summarises the reality of the level of restrictions upon hostel residents. In this context we found that the hostels in Avon & Somerset were generally well managed, as were most of the individual cases we examined.

We found one specific case to have been managed poorly over a long period of time. The report concluded:

"Panorama did accurately and vividly illustrate the difficult nature of some of the offenders that probation and other staff routinely have to deal with. This is especially the case in hostel settings. The programme showed how challenging it can be for staff to do ... difficult work ... and we do not criticise staff for failing to achieve the impossible. On the other hand, during this report we found one poorly managed and worrying case, and we have criticised the work of the individuals concerned for not doing all that they could and should have done, and we have also raised issues about the implications for managing such cases in the future. But in the main we have found staff to be working hard and conscientiously and to good effect, and 'achieving what is possible'."

Other Risk of Harm work 7.9

Within the range of the work we have undertaken in 2006/2007 in relation to *Risk of Harm*, sit a number of much smaller pieces of work where we have been able to support or advise. In many ways such work is symptomatic of the testing challenges of getting this important work done well enough often enough. For example, we undertook a short-term exercise with a probation area keen to benchmark its *Risk of Harm* classifications consistently and accurately; we worked alongside NOMS to develop a process which will quality assure their Serious Further Offence review process. Often we have been working on those small, specific and vital links in the chain which together make up high quality public protection. For example, we have been pleased that a number of organisations and individuals within them at all levels have chosen to engage with us as we have tried to share our perspective and to promote improvement.

The Year Ahead 7.10

We will continue with our assessments of the quality of *Risk of Harm* work in both the OM and YOT inspection programmes. We will also carry out the 11 additional *Risk of Harm* Probation Area assessments by end-June 2008 as agreed with NOMS. We will also carry out any ad hoc inquiries on Serious Further Offence cases where requested by Ministers.

.....during this report we found one poorly managed and worrying case, and we have criticised the work of the individuals concerned for not doing all that they could and should have done, and we have also raised issues about the implications for managing such cases in the future. But in the main we have found staff to be working hard and conscientiously and to good effect, and 'achieving what is possible'.

8

LOOKING AHEAD

Our General Approach

8.1

Our underlying general approach for 2007/2008 will continue to be to:

- provide, by means of our inspection criteria, a clear and consistent definition of what good quality management of offenders and young people looks like
- measure, fairly and accurately, the performance of each probation area or other employing body and Youth Offending Team (YOT) or Youth Offending Service (YOS) in achieving this, and
- engage effectively with these organisations so as to maximise the likelihood of them 'coming with us' down the path of pursuing steady continuous improvement in the quality of their management of offenders and young people. We aim that they will 'buy (into)' improvement.

We will be implementing this approach increasingly in the context of joint inspections, both with other Criminal Justice Inspectorates, and with other inspectorates in relation to youth offending work.

8.2

Our approach to the improvement of services is fully in line with the Government's ten principles of inspection in the public sector, which place expectations on inspection providers and on the departments sponsoring them. We continue to attach great importance to these principles: they are set out in Appendix B, along with a statement as to how in specific terms we meet each of them.

8.3

More details on our approach are given in our Plan for 2007/2008 *Joint Inspection to Sell Improvement*, available on our website.

Work Programme for 2007/2008

8.4

More specifically, our inspection work programme for 2007/2008 will be to carry out on time and to a good standard the planned schedule indicated in earlier chapters:

- 17 inspections under OMI
- 39 YOT inspections, jointly with the other inspectorates

- contributing to 34 Supporting People joint inspections

- participating in the joint thematic and area inspection programme for 2007/2008, leading on some and contributing to others, including contributing to the planned third joint review of children's safeguards

- completing the joint inspection of take-up of community orders

- carrying out 11 Risk of Harm Probation Area assessments by end-June 2008

- carrying out independent reviews of Serious Further Offence cases as requested

- probably, contributing further to some inspection work in Northern Ireland, and to a YOT inspection in the Isle of Man.

We will also continue to contribute actively to the development of future joint inspection arrangements including the sharing of support and infrastructure services where possible.

Allocation of Resources in 2007/2008

8.5

We have created a 'budget' of 44,000 deployable 'inspection hours' for 2007/2008, and have allocated them as shown opposite. Accordingly, the YOT inspection programme will take 49% (nearly half) of our deployable hours, and the OMI programme a further 25%. We have allocated 11% to joint thematic inspections.

8.6

Overall, 90% of HMI Probation's work in 2007/2008 will fall in the jointly-owned Joint Inspection Programme.

HMI Probation costs

8.7

Our projected cost per inspection hour per person for 2007/2008 will be £85 (less than the corresponding figure of £87 for 2006/2007). These figures do not include all the costs we incur but, even allowing between 5% and 10% for that, our cost figure would still be well below £100 per inspection hour. We believe this demonstrates our commitment to ensuring that we represent good value for money.

Summary

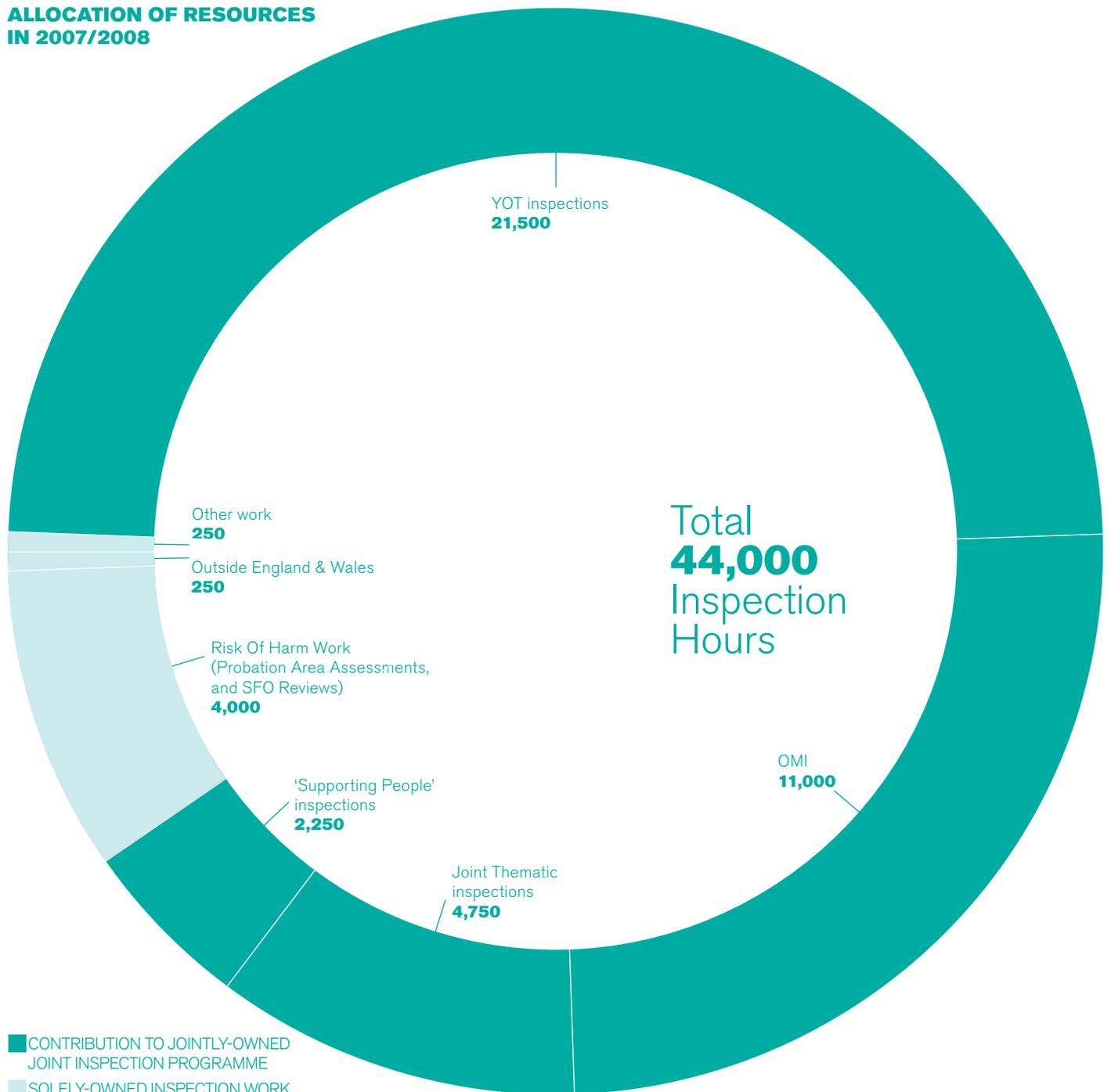
8.8

By the end of March 2008, we will have completed our schedule of inspections, including the new Joint Inspection Programme, on time, to budget and to a good standard. In doing so, we will have both maintained and developed our continuing long term contribution to improving effective work with offenders and young people.

Overall, 90% of HMI Probation's work in 2007/2008 will fall in the jointly-owned Joint Inspection Programme.

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**ALLOCATION OF RESOURCES
IN 2007/2008**



APPENDIX A

**HM INSPECTORATE OF PROBATION:
STATEMENT OF PURPOSE AND
CODE OF PRACTICE
(AS AT MARCH 2007)**

Statement of Purpose

HM Inspectorate of Probation is an independent Inspectorate, funded by the Home Office and reporting directly to the Home Secretary. Our purpose is to:

- report to the Home Secretary 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 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 we inspect
- contribute to the overall effectiveness of the Criminal Justice System, particularly through joint work with other inspectorates.

Our annual Plan sets out our work for the year. It is agreed between the Home Secretary and HM Chief Inspector and is published on our website.

Home Office Objectives:

HMI Probation contributes to the achievement of the overall Home Office objective of protecting the public, and particularly to the achievement of Home Office objective 5: "Managing offenders to protect the public and to reduce reoffending".

We also contribute to the achievement of objective 2 (cutting crime, particularly violent and drug-related crime) and of objective 4 (rebalancing the criminal justice system in favour of the law-abiding majority and the victim), and to other relevant CJS and Children's Services objectives.

HMI Probation Code of Practice

While carrying out our work we aim in particular to follow the Government's ten principles of inspection in the public sector, namely that inspection should:

- have the purpose of improving the service inspected
- focus on outcomes
- have a user perspective
- be proportionate to risk
- encourage rigorous self-assessment by the managers of the service inspected
- use impartial evidence

- disclose the criteria used to form judgements
- show openness about inspection processes
- have regard to value for money
- continually learn from experience.

To achieve our purposes and meet these principles, we aim to:

- work in an honest, professional, fair and polite way
- report and publish inspection findings and recommendations for improvement in good time and to a good standard
- promote race equality and wider attention to diversity in all aspects of our work, including within our own employment practices and organisational processes
- minimise the amount of extra work arising for Probation Areas or Youth Offending Teams 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. In addition, through a Probation Inspection and Audit Forum, we work closely with the Audit Commission, the National Audit Office and the Home Office Audit and Assurance Unit.

APPENDIX B

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

HMI Probation 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, and 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 inspection methodology for both Offender Management Inspection (OMI) and Youth Offending Team (YOT) inspections 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/carers.

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 do not support 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 are conducting reinspections only where an employing body falls significantly short of the required criteria. In the OMI programme we are focusing reinspections solely on *Risk of Harm* work. In the case of YOTs, the programme of interviews with managers and staff is tailored to the issues identified from our analysis of the cases examined during the first fieldwork week.

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.*

We do this partly by asking managers to submit evidence in advance of the inspection, to demonstrate that they have met the required criteria. Furthermore, the criteria and guidance published on our website enable any practitioner or manager to assess his or her own practice at any time. Finally, in a long-planned development, we aim to make our *Risk of Harm* inspection module available for self-assessment purposes by the end of 2007/2008.

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 decision-making 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. We have responded to questions, concerns and two 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 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 analyses both the benefits and the costs of an illustrative inspection, including the costs to the inspected body. We not only undertake joint inspections with other Criminal Justice Inspectorates, but we also coordinate our other work to avoid, for example, rapidly successive visits by ourselves and another scrutiny body whenever possible. We cooperate closely with Ofsted and the Audit Commission because of our YOT inspection work, and we also maintain a databank for the Probation Inspection and Audit Forum to coordinate with Audit bodies 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. We also take feedback at regional events, and have received corporate feedback on our probation inspections as a whole, collected by the Probation Boards' Association. 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 2007**

HM Chief Inspector

Andrew Bridges

HM Assistant Chief Inspectors

Liz Calderbank
Julie Fox
Alan MacDonald
Peter Ramell
Kate White

HM Inspectors

Jane Attwood
Steve Blackburn (1)
Helen Boocock
Mark Boother
Rose Burgess
Helen Cash (2)
Ben Clark
Lisa Cox
Sandra Fieldhouse
Krystyna Findley
Jude Holland
Sally Lester
Karen McKeown (3)
Ian Menary
Joy Neary
Dan Parks (3)
Nigel Scarff
Joseph Simpson
Andy Smith
Glen Suttinwood (1)
Ray Wegrzyn
Steve Woodgate

(1) Seconded from HMIC

(2) On loan to DCLG

(3) Seconded from CSCI
(Ofsted, since April 2007)

Practice Assessors

Pam Hill
Stephen Hubbard
Chris Mills
Nicola Molloy
Ushma Sharma
Paula Williams

Support Services Programme Manager

Andy Bonny

Information Team

Kevin Ball (Manager)
Oliver Kenton
Daniel O'Connell

Inspection Support Team

Lynn Carroll (Manager)
Pippa Bennett (Team Leader)
Kate Hurn
Anita McGuckin
Maura O'Brien
Alex Pentecost

Resources & Communications Team

Zach Rathore (Manager)
Debbie Hood
Saima Ejaz
Mark Brown
Charles Luis (Manager)
Ann Hurren
Beverley Folkes
Paul Cockburn

Associate Proofreaders

Jean Hartington
Rachel Dwyer

Associate Inspectors

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

APPENDIX D

**REPORTS OF INSPECTIONS OF
NATIONAL PROBATION SERVICE
AND YOUTH OFFENDING TEAM
WORK PUBLISHED IN 2006/2007**

Effective Supervision Inspection (ESI) Reports	Date Published
Avon & Somerset	April 2006
Thames Valley	May 2006
Devon & Cornwall	June 2006
Dorset	June 2006

ESI Follow-Up Reports	Date Published
West Yorkshire	April 2006
South Yorkshire	July 2006
West Mercia	August 2006
London	October 2006
Warwickshire	January 2007

Other Area Inspection Follow-Up Reports	Date Published
Isle of Man	June 2006

Offender Management Inspection (OMI) Reports	Date Published
Cheshire	August 2006
Lancashire	August 2006
Cumbria	August 2006
Greater Manchester	September 2006
Bedfordshire	November 2006
Merseyside	December 2006
Essex	February 2007
Hertfordshire	February 2007
Norfolk	March 2007

Youth Offending Team Inspection (YOTI) Reports	Date Published
Northamptonshire	May 2006
Hounslow	May 2006
Windsor & Maidenhead	May 2006
Newport	May 2006
Blackpool	May 2006
Trafford	June 2006
Dudley	July 2006
Brent	July 2006
North Somerset	July 2006
Caerphilly & Blaenau Gwent	August 2006
Newham	August 2006
Manchester	August 2006
Gateshead	August 2006
Wakefield	September 2006
Haringey	September 2006
Rotherham	September 2006
Peterborough	October 2006
Barnet	October 2006
Flintshire	October 2006
Brighton & Hove	October 2006
Swindon	November 2006
Wigan	December 2006
Plymouth	December 2006
North Yorkshire	December 2006
Barnsley	January 2007

Youth Offending Team Inspection (YOTI) Reports	Date Published
Kingston-Upon-Thames	January 2007
Powys	January 2007
Redbridge	January 2007
Kensington & Chelsea	January 2007
Cheshire	January 2007
Bexley	January 2007
Birmingham	January 2007
Lincolnshire	March 2007
Newcastle	March 2007
Bromley	March 2007
Ceredigion	March 2007
Hartlepool	March 2007
Harrow	March 2007

YOTI Follow Up Reports	Date Published
Sandwell	August 2006
Hackney	September 2006

Supporting People Inspection Reports	Date Published
Cheshire County Council	April 2006
Bolton Metropolitan Borough Council	May 2006
Gateshead Metropolitan Borough Council	May 2006
London Borough of Redbridge	May 2006

	Date Published
Bedfordshire County Council	June 2006
London Borough of Lewisham	June 2006
Sheffield City Council	June 2006
London Borough of Waltham Forest	July 2006
North Yorkshire County Council	July 2006
Plymouth City Council	July 2006
Warwickshire County Council	July 2006
Barnsley Metropolitan Borough Council	August 2006
London Borough of Havering	August 2006
Birmingham City Council	September 2006
Cornwall County Council	September 2006
Essex County Council	September 2006
Royal Borough of Windsor & Maidenhead	September 2006
Medway Council	October 2006
Durham County Council	October 2006
Slough Borough Council	October 2006
Trafford Metropolitan Borough Council	October 2006
Hertfordshire County Council	November 2006
London Borough of Barking & Dagenham	November 2006

Supporting People Inspection Reports	Date Published
London Borough of Southwark	November 2006
South Gloucestershire Council	November 2006
Cumbria County Council	December 2006
London Borough of Merton	December 2006
West Sussex County Council	December 2006
Wolverhampton City Council	December 2006
Warrington Borough Council	January 2007
London Borough of Haringey	February 2007
Northumberland County Council	February 2007
Hampshire County Council	February 2007
Bournemouth Borough Council	March 2007
Kirklees Metropolitan Council	March 2007
Stockton-on-Tees Borough Council	March 2007

Independent Inquiries	Date Published
An Independent Review of a Serious Further Offence case: Anthony Rice	May 2006
“Not Locked Up But Subject To Rules”: The Report of the Inquiry carried out by HMI Probation for the Home Secretary into Managing Offenders in Approved Premises (Hostels), following the Panorama programme broadcast on 8 November 2006	March 2007

Thematic Inspections: Reports of Inspections by HMI Probation as a single inspectorate	Date Published
“Working to Make Amends”: An Inspection of the Delivery of Enhanced Community Punishment and Unpaid Work by the National Probation Service (<i>with accompanying Inspection Findings 1/06</i>)	May 2006
“Half Full and Half Empty”: An Inspection of the National Probation Service’s Substance Misuse Work with Offenders (<i>with accompanying Inspection Findings 2/06</i>)	July 2006
The Report of the Thematic Inspection of Junior Attendance Centres	January 2007

Joint Thematic Inspection Reports	Date Published
Putting Risk of Harm in Context: An Inspection promoting Public Protection (<i>with accompanying Inspection Findings 3/06</i>)	September 2006
“Let’s Talk About It”: A Review of Healthcare in the Community for Young People who Offend	November 2006

Joint Area Inspection Reports	Date Published
Joint Inspection Report of the Northumbria Criminal Justice Area	May 2006
Joint Inspection Report of the Manchester Criminal Justice Area	June 2006
Joint Inspection Report of the Avon & Somerset Criminal Justice Area	July 2006
Joint Inspection Report of the Cleveland Criminal Justice Area	January 2007
Joint Inspection Report of the Devon & Cornwall Criminal Justice Area	February 2007

APPENDIX E

**HMI PROBATION BUDGET
FOR 2006/2007**

Total budget
for Year (£)

Staff salaries	2,833,000
Travel and subsistence	415,000
Manchester office accommodation	125,000
Training	45,000
Printing, promotion and development	47,000
Stationery and postage	38,000
IT and telecommunications	76,000
Refreshments/hospitality	6,000
Total expenditure	3,585,000
Income	(195,000)
Net expenditure budget	3,390,000

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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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.
H Hawlfraint y Goron

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