



Her Majesty's
**Inspectorate
of Probation**

2002/2003 Annual Report

Independent
scrutiny of
the National
Probation
Service



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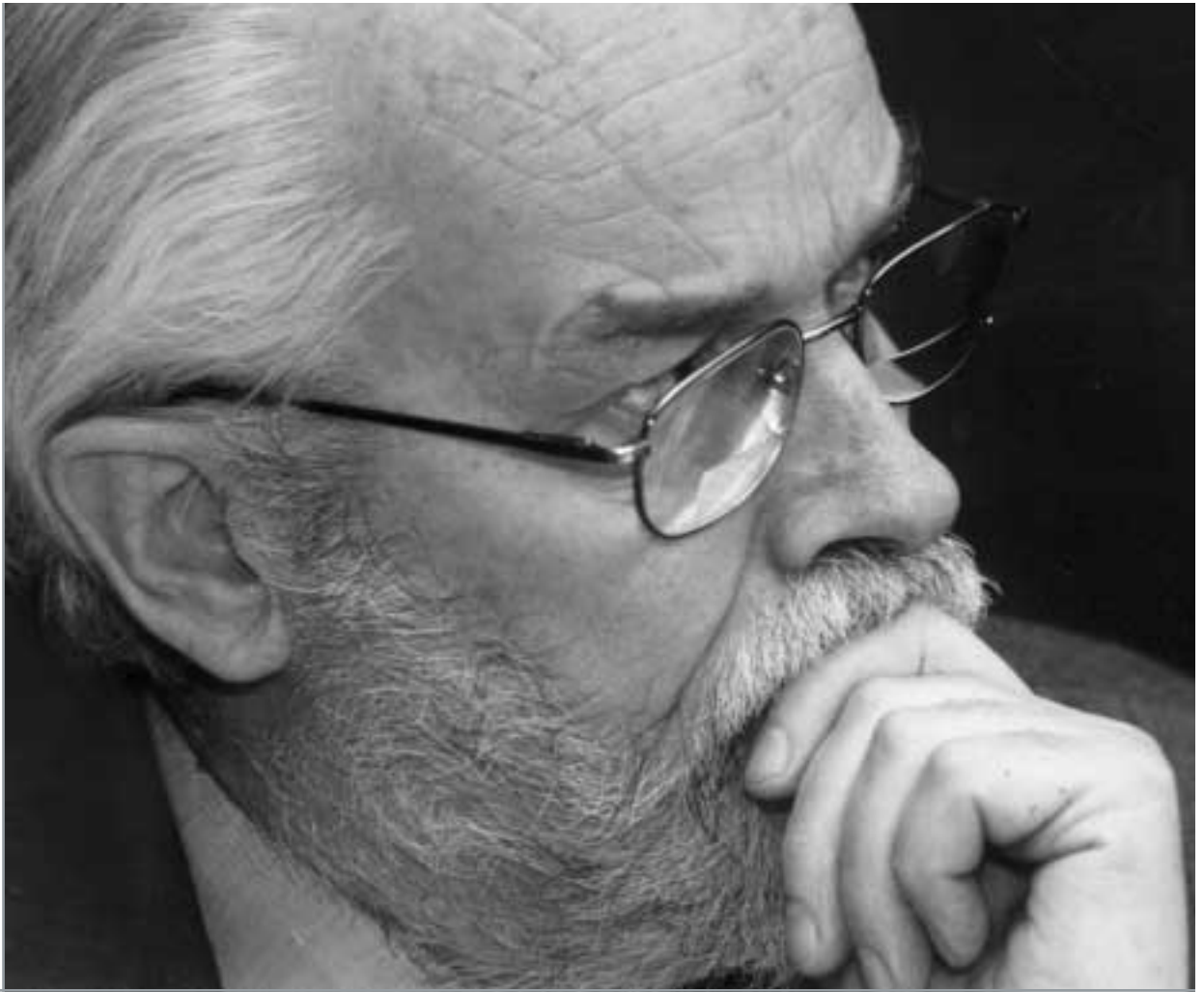
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Foreword

by Professor Rod Morgan, Chief Inspector

1 The close of March 2003 represents the end of a year of transition. The National Probation Service (NPS) is now two years old and bedded down. HM Inspectorate of Probation (HMIP) has developed a new inspection methodology which will provide the foundation for our future, more arms-length role of inspecting rather than measuring performance against national standards and Government objectives. It is time to take stock.

Managing Change

2 The Probation Service was fundamentally restructured in 2001. This was on top of major changes to its staffing, the programmes it delivers and the organisation of other resources crucial to the treatment of offenders for which the Service has responsibility for access. Probation staff have told me that they mostly welcomed these changes and, during the course of our inspections, we concluded that they had been accomplished remarkably smoothly. Further changes are in the legislative pipeline. They relate mostly to the organisation of community and custodial sentences. Our discussions with senior managers suggest that these changes are also generally welcomed. Most Probation staff recognise that a service that is standing still is almost certainly not adjusting to the changing environment in which it operates. Yet they also think that a service beset by flux and uncertainty cannot be expected to deliver its best. During 2002/2003 a new question mark was placed over the

future shape of the NPS: it was mooted that it might be desirable to merge the Probation and Prison Services. Moreover, it was not always clear what level of official support the Service enjoyed. In the course of our inspections we were left in no doubt that this made the year difficult and confusing for many of those working within the Service.

3 During 2002/2003 I contributed, on the basis of the evidence from published Home Office statistics, to oral and written debates about sentencing trends and the NPS workload. I did so because, as will become apparent at various points in this report, it is clear that the Probation Service is not effectively delivering all that is currently expected of it. A fundamental debate is required about whether the Service is concentrating its professional skills and resources on those offenders who, for the purposes of punishment, rehabilitation and public protection, are most in need of its attentions. This is not a question that the NPS is empowered to resolve. It has a duty to provide the services that the courts request of it. But this is a debate to which the NPS, and the unit that inspects it, should and must contribute.

4 Precisely which offenders, guilty of which offences, should be sent to prison, made subject to community penalties supervised by the Probation Service, or dealt with in less intrusive ways (with fines, discharges and so on) is a question not capable of being answered precisely: it depends on the circumstances of the individual case. Nevertheless,

discussion of this difficult issue does a disservice to just and effective penal policy if any sanction falling short of imprisonment is described as 'getting away with it' or 'going soft on crime'. Nor, if such descriptions go unchallenged, are hard-working and committed Probation staff reassured that their efforts are valued by policymakers. In my experience staff believe, because many of the changes they have accepted have been officially grounded on the proposition, that they are delivering an increased number of demanding court orders which, all the evidence suggests, offer the best prospect of reducing reoffending and protecting the public in a cost-effective way. Yet during 2002/2003 statements dismissing the value of community penalties were widely made by, and in the mass media and these statements sometimes did go virtually unchallenged. The lack of response gave rise to widespread consternation in the Service. It is partly in response to this fact that the NPS is now developing a media and public information strategy. This strategy is much needed and, if it is to have any prospect of success, it must be backed with adequate resources and wider official support.

5 During the current session of Parliament no fewer than five Bills have been introduced with some bearing on the work of the Probation Service. One of them, the Criminal Justice Bill, incorporates fundamental changes in the management of short custodial sentences, introducing supervision on release. It is my impression that most Probation staff consider, with the Inspectorate (see our joint report on prisoner resettlement, *Through the Prison Gate*, October 2001), that these changes are necessary to counter the debilitating consequences of short custodial sentences unaccompanied by programmes to reduce offending and without effective resettlement arrangements. But the provisions will greatly add to the work of Probation staff. They are anxious about the funding of the new responsibilities and the framework within which they are to be undertaken. They wonder what the implications will be of the appointment in February 2003 of a Commissioner for Correctional Services and are aware that the Correctional Services Review announced in



Justice For All (Cm 5563, para 6.9), begun within the Home Office and now being undertaken within the Cabinet Office, has reopened the hardy perennial question as to whether there should be a single Correctional Service. There are competing views about the desirability of such a prospect. But it has been made plain to me that the immediate reaction to the reopening of this debate, one conducted as recently as 1998, is one of organisational exhaustion. That it is likely to bring further major disruption. Staff also wonder how amalgamation with the Prison Service will fit with their increasing engagement with: the police for the purposes of public protection; the Health Service, the Skills Councils and local authorities in order to deliver drugs, educational, vocational, and housing services to offenders; and the local government authorities as part of the Crime and Disorder Reduction Partnerships (CDRPs).

Signs of Strain

6 Three concerns are worthy of particular mention.

7 First, are the long-term consequences of sentencing drift touched on above. The *Criminal and Probation Statistics* indicate that over the last decade offenders who would formerly have been fined are today receiving community penalties and, through a similar process of ratcheting up, short custodial sentences have increasingly displaced community penalties. The proportion of offenders supervised by the Probation Service, who are first time or summary offenders, has greatly increased and the proportion convicted of serious indictable offences (burglary, robbery, violence and so on), or who have previously been sentenced to imprisonment, has fallen. Which is to say that the larger Probation Service caseloads of recent years are silting up with lower-risk offenders. Because the NPS produces the court reports, which precede most sentences for serious offences, it exercises greater influence over the demand for its resources than does the Prison Service. Nevertheless, the rise of Probation caseloads can be seen as analogous to prison overcrowding.

8 Secondly, we found during the year that several Probation Areas were unable to deliver in a timely manner all the reports requested of them by the courts or the Parole Board. In summer 2002, following media reports and receipt of a letter expressing concern from the Lord Chief Justice, HMIP undertook a survey of all Areas to establish how serious the problem was and what measures were being taken to prioritise the competing demands being made on the Service. The national picture proved to be a mixed one with a number of Probation Areas reportedly unable to allocate court report requests immediately to staff for preparation was small. But it was apparent that the ratio of pre-sentence and parole reports on convicted offenders had in recent years significantly increased and the introduction of specific sentence reports (SSRs) had to some extent added to the burden rather than, as was hoped, displaced full reports (pre-sentence reports [PSRs]). At the end of the year some Areas were still not delivering significant numbers of court reports as requested, a problem which neither dialogue with sentencers nor workload prioritisation had yet solved. This is of great concern. As the Lord Chief Justice reported one fellow judge as saying: "If the Probation Service cannot deliver the court reports requested of it, how can the judiciary have confidence that it can adequately supervise offenders?" The confidence of sentencers in community sanctions was being undermined.

9 Thirdly, during autumn 2002/2003 the National Executive of the National Association of Probation Officers (NAPO) voted in favour of members taking industrial action over workloads. In January 2003 NAPO members in a few Areas decided that they remained in dispute and withdrew their labour for one day. This dispute was for the most part successfully resolved by Boards and Chief Officers providing more detailed guidance regarding workload prioritisation. But the fact that industrial action was contemplated, yet alone taken, was a straw in the wind that no one could afford to ignore.

10 It is clear that if the Service is to be enabled once again to target its resources on higher risk offenders and, in particular, supervise persistent offenders more intensively – and the Inspectorate considers that the case for the NPS doing both is overwhelming – then it will almost certainly have to shed tasks which do not merit its attention. This means the NPS engaging, both nationally and locally, in discussion with sentencers about

the proper use of Probation resources, in particular, the necessity of court reports and community sentences for less serious offenders at low risk of reoffending. This debate would clearly be assisted if measures were taken to enhance the credibility of fines by improving enforcement. This should be the major priority. But failing the resuscitation of financial penalties, we think consideration might also be given to:

- extending the use of restorative justice initiatives both pre- and post-sentence
- making greater use of stand-alone electronic monitoring orders
- more widely involving non-front line Probation staff in recording the attendance and any changes of details of low or reduced risk offenders subject to community penalties (following an initial period of supervision and other interventions)
- contracting out the supervision of community punishment or the supervision of low risk offenders.

Balancing the NPS Books

11 Last year (*Annual Report 2001/2002*, paras 11–12) I drew attention to the National Probation Directorate (NPD) aspiration that the Service be characterised by ‘Strong Centre: Strong Local’. I emphasised the importance of both sides of the equation. During the course of 2002/2003 the Inspectorate undertook a thematic inspection of the new arrangements for the governance of the NPS, a report we shall be publishing shortly. During that exercise, and at other times, our staff heard the complaint that the Service is becoming overly centralised. Too little operational room for manoeuvre was said by some commentators within the Service being given to the 42 Areas, Chief Officers and Boards. Particular concern was expressed to us about the national contracts for maintaining the estate and providing support services in approved premises. It was suggested to us that these were generating higher Area costs and reduced levels of service.

12 We think it is too early to say how the national contracts for the estate and for hostel support services are working. There were substantial local variations: in leasing and other property arrangements; the size of the maintenance back-log; compliance with Health and

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Safety requirements; and the manner in which costs were previously calculated and allocated. Only time will show what were the early teething problems and the long-term relationship between the standards delivered, the levels of service provided and cost.

13 It is likewise difficult to establish whether sufficient attention is yet being given nationally and locally to developing partnership working with the voluntary sector, other central and local government agencies and with commercial providers. Various voluntary sector providers of services, the Probation Boards Association and others within the Service have suggested to us that both the proportion of the Service's budget invested in partnerships is below the 7% abandoned in 2001 and is falling, and that the number of active volunteers working with the NPS has also declined. There is some evidence to support these contentions, but it is inadequate. Few Probation Services were reportedly spending 7% on formal partnerships prior to 2001 and the few financial data currently available may not fully take account of the new pooled funding arrangements for training and housing offenders or providing drug treatment interventions. It is doubtful that, over time, like is being compared exactly to like. Moreover, as we pointed out in our thematic inspection in 1996:

'It is not ... clear that setting a spending target for any particular methods of achieving service objectives (e.g. through partnerships) increases value for money per se'
(*Probation Services Working in Partnership: Increasing Impact and Value for Money, 1996, para 1.5*)

14 HMIP supports the case, well summarised in the *Treasury Cross Cutting Review of the Role of the Voluntary Sector in Public Service Delivery*, that the voluntary sector has much to contribute by way of services to offenders because of their often multiple needs and their typically socially excluded and hard-to-reach character. We also think that volunteers, particularly ex-offenders, can bring a valuable 'user' perspective to tackling



South Yorkshire Magistrates' Conference

such issues as drug abuse and offenders' family problems. Dialogue with local community groups, as specified by the Race Relations Amendment Act 2000, can also broaden our understanding of the particular needs of minority ethnic offenders. The Inspectorate welcomes the fact, therefore, that the NPD agrees that greater impetus needs to be given to partnership working, is preparing a Strategy Paper on Partnerships with the voluntary sector and plans systematically to map local arrangements. We believe that the NPS would benefit from there being greater diversity and competition in the manner in which services are provided. Furthermore, our new inspection methodology (see Chapter 5) will enable us to consider whether appropriate and proportionate interventions have been delivered to offenders, no matter whether they are delivered within or outside the NPS.

15 To summarise, the Inspectorate thinks it is premature to draw conclusions about these complex issues. We also think that the centralisation/localisation debate is often ill-balanced. Our forthcoming report on the governance of the NPS will say much that is positive about the manner in which the new Probation Boards have tackled their responsibilities and suggest ways in which they might further develop their potential.

16 The initial formation of the NPS inevitably involved the NPD grasping organisational and administrative nettles that needed radical reform. The Service had quickly to reap the benefits accruing from being put on a national footing. Indeed we have argued that more still needs to be done in this regard. Last year, for example, I pointed to the urgent need for a simplified, IT-integrated, national case record (Ibid, para 12). HMIP has also requested that further advice be issued by the NPD about what constitutes high risk of harm cases (ibid, paras 2.30-31: a point reiterated in our report on *Children's Safeguards*, see Chapter 4 below). Further, as a result of our survey on court reports described above, the Inspectorate recommended that the NPD provide additional advice regarding workload prioritisation. In all these instances we judged there to be a powerful case for a stronger centre and remain concerned about the lack of progress with regard to the first two issues.

17 Finally, several of the above policy questions involve a problem which has been of concern to HMIP for several years, but which is now acute. This is the paucity of good information on NPS costs, resource usage and value for money. During the course of our Area inspection programme (see Chapter 2) we have hitherto made broad-brush estimates and have done so in the absence of other data. But we readily acknowledge that our estimates have been approximate and the basis on which they were made is greatly in need of more up-to-date and sophisticated information. The Inspectorate needs these data to assess the efficiency and adequacy of resources of Areas and the NPS as a whole. This will provide us with a better picture regarding the long-term trends in the workload of Probation staff, a matter which has been the subject of considerable controversy during the last year.

18 This task falls primarily to the NPD, though it is agreed that HMIP, along with the Audit Commission and the National Audit Office (NAO), will be involved. The NPD has embarked on this project, alongside more specific work on the Workload Measurement Tool. We think that the more general work on costs and value for money now needs to be pursued with some urgency.

An Inspectorate Calls

19 HMIP is itself responding to fundamental changes. Much of the year was spent reviewing, developing and piloting a new integrated inspection methodology for the NPS which we are about to roll-out. Our approach is described more fully in Chapter 5. It reflects our having handed over functions to the NPD which we previously undertook. The NPD has substantially developed its performance management capacity. Our inspectoral task, having satisfied ourselves that quality assurance and control processes are in place within the NPS and that the performance data are reliable, will be in future to explain why the performance data are patterned as they are. We also need to scrutinise the connections between processes and outcomes. For reasons which are explained more fully in Chapter 5, a slightly different approach to the inspection of Youth Offending Teams (YOTs) will be adopted, a programme which we, together with seven other Inspectorates, will lead with effect from summer 2003.

20 Finally, together with the four other Criminal Justice Inspectorates (for the Police, Crown Prosecution Service (CPS), the Magistrates' Courts and Prisons), the Inspectorate has been rising to the challenge presented by the Government's wish that there should be an enhanced, tough, cross-cutting inspection of all aspects of the criminal justice system (*Justice For All*, para 9.44). Since summer 2002 I have had the honour of chairing the Criminal Justice Chief Inspectors' Group (CJCIG). Within HMIP staff need no persuading that as the so-called criminal justice system develops more *systemic* qualities – overarching plans and targets, congruent administrative boundaries locally, in 2002/2003 the appointment of 42 Criminal Justice Boards, and so on – so the inspection of the criminal justice system must also be better joined up. As we, together with HM Inspectorate of Prisons (HMIPrisons), argued in *Through the Prison Gate* (October 2001), the effective resettlement of prisoners requires a joint NPS/Prison Service strategy, working with the police and other key partners, to address those factors identified in a joint risk-needs assessment and delivered through effective case management at all stages of sentences.

21 The same message can be drawn about almost any aspect of the criminal justice system that one cares to mention. Thus HMIP, the Criminal Justice Inspectorates, working together, must more effectively address criminal justice inter-agency as well intra-agency performance. Under the aegis of the CJCIG we are doing so. Our plans are described in Chapter 1.





The HMIP Year

Overview

1.1 The year was notable for the large amount of development work carried out to establish firm foundations for our new NPS inspection programme and, with seven other Inspectorates, scoping the inspection programme for youth offending teams (YOTs), which we are to lead. Both these major programmes are due to start during summer 2003. HMIP has also completed thematic projects with organisations which audit the NPS: on Drug Treatment and Testing Orders (DTTOs); Governance issues and, with Criminal Justice and other Inspectorates, on Safeguarding Children and the Government's Street Crime Initiative. In addition, we concluded our Performance Inspection Programme (PIP), continued audits and follow-ups of accredited programmes and revisited thematic reports on Race Equality (2000), the Service's IT provisions (2000) and the Langley House Trust's Fresh Start Housing Projects (2001). These commitments we carried on while liaising closely with policymakers and the other regulatory bodies, in particular the four Criminal Justice Inspectorates. The year saw the establishment of two reviews of the Inspectorates and a major reorganisation of the Home Office. All these developments demanded our close attention.

Move to Ashley House

1.2 In January 2003 we moved our London base from the main Home Office building in Queen Anne's Gate to Ashley House, again in Westminster. We are now co-located with HMIPrisons, the Prisons and Probation Ombudsman and the Secretariat for the Independent Monitoring Boards (previously the Prison Boards of Visitors). The move is symbolically important. It emphasises our independence whilst leaving us geographically close to both Ministers and Home Office officials at Queen Anne's Gate and the NPD at Horseferry House. All four of the units at Ashley House are concerned with the accountability of the penal system. Co-location also brings with it the potential for collaboration and more efficient use of our combined resources.

Staffing Matters

1.3 We had significant staffing changes during the year. Four colleagues left our ranks and ten joined them (see Appendix A for details). Our thanks go to those colleagues who have moved on: their contribution was much appreciated. It is gratifying that we are able

“Our team is becoming more diverse. We plan to extend this trend ... we must ensure that our own employment practices and processes promote and model diversity”

to attract such high calibre staff. The downside is that Inspectorate experience makes our members attractive recruits for an expanding Probation Service and the NPD, and for public service further afield.

1.4 HMIP comprises a core of permanent staff to provide continuity and a larger group of staff on secondment. It is vital that there is some turnover so that our team is continually refreshed with recent operational experience and we are grateful to several Probation Areas for seconding their staff to us. It is also important that HMIP has a range of experience of, for example, youth justice and the delivery of services which the NPS may not directly provide but to which it has the responsibility to ensure offenders' access. Our team is becoming more diverse and it is planned to extend this trend. Several of the special policy responsibilities staff members are given is backed up by direct managerial experience of the relevant fields outside the Probation Service.

1.5 The NPD is committed to applying, for self-assessment purposes, the European Excellence Model (EEM) annually in all Areas. It was largely in response to this commitment that we decided during the year to gain greater understanding of the EEM model by providing appropriate training in it for all staff. We also carried out our own full self-assessment, incorporating diversity issues, between June and September. The results and implications of the exercise were considered at our staff conference in October 2002. We achieved a score of 352 but concluded that the process of undertaking the assessment was more important than the result and are not wholly convinced of the usefulness of the scoring system. Though issues are being taken forward arising from the exercise through our business planning system, we have decided not to repeat the exercise in full in 2003/2004. In reaching this decision we have noted (see para 2.23 below) that there is little or no relationship between Probation Area EEM scores and their results on NPD's 'weighted scorecard'.



Race Thematic Follow-up Consultation Event

1.6 Staff development is taken very seriously. During the year we undertook reviews of our recruitment and induction processes, meetings structure and supervision policy. Also considered was our staff appraisal system from a diversity perspective. Time monitoring exercises were introduced for all staff, repeated during the year and we carried out 360-degree appraisals for members of the management teams. Guidance for staff secondments to HMIP was circulated at the end of the year.

1.7 One of the key aims in HMIP's Business Plan for 2002/2003 was 'to actively promote race equality and diversity in the NPS'. We aim to assess the extent to which the NPS promotes diversity issues in relation to employment practice and service delivery. The corollary is that our own employment practices and processes must promote and model diversity.

1.8 Since HMIP published *Towards Race Equality* in June 2000 we have produced an annual action plan which this year detailed how the Inspectorate will comply with the Race Relations Amendment Act 2000. For inspections and audits, diversity issues are integrated in our standards and addressed routinely. We have consulted the NPS Diversity Adviser, Diane Baderin, regarding our work and supported the NPS through participation in CLAN meetings, the Diversity Conference and Leadership Forum for minority ethnic managers. We also monitor regularly the diversity characteristics of people involved in our inspection and audit work, whether HMIP or local area staff. In 2002/2003 overall, 62% of those involved were female, 6% were from a minority ethnic group and 1% had a disability within the terms of the Disability Discrimination Act 1995. We are considering further the appropriate measure of disability to use in our monitoring.

1.9 Following our own diversity skills audit during the year, several training events were run and a number of other initiatives pursued. We also appointed two minority ethnic

inspectors. Working with the four other Criminal Justice Inspectorates, we also agreed a protocol with the Council for Racial Equality which should assist us in our respective roles in ensuring that the Race Relations Amendment Act 2000 is being implemented by all criminal justice organisations.

1.10 Towards the end of the year we were assessed for and achieved the Investors in People award.

Advising, Liaising and Planning

1.11 It is part of HMIP's remit to offer advice to Ministers on the performance of the NPS. This function is fulfilled by Rod Morgan and Frances Flaxington having regular meetings with the Home Secretary and the Minister for Probation and Prisons. Members of the senior management team also have a variety of liaison meetings and dialogues in writing with Home Office and other officials.

1.12 Regular meetings were also held during the year between the HMIP management team and Eithne Wallis and the NPD senior management team. The protocols covering our joint work are in the process of being revised in the light of experience. They continue to provide a framework for the constructive relationship which we seek to maintain with the NPD in meeting our complementary roles to realise Home Office aims for the NPS.

1.13 Representatives from the key audit and inspection bodies for the NPS (HMIP, the NAO, the Audit Commission and the Home Office's Internal Audit Unit) and nominated representatives of the Director General, NPS, participate in a National Probation Inspection and Audit Forum. This was established in June 2001, convened by HMIP, with the following aim:

- to enable improved Ministerial accountability to Parliament by delivering effective, integrated inspection and audit oversight of the performance of the NPS.

1.14 A major focus of the Forum's work over the last year has been the sharing of information and joint planning in order to reduce the likelihood of duplication of effort



and overburdening of the Service. This focus has in turn led to the planning and implementation of the following collaborative projects:

- DTTOs – working jointly with the NAO to look at different aspects of the implementation of this new court order
- Governance of the NPS – along with the Audit Commission jointly building on an initial piece of work undertaken by the Home Office Internal Audit Unit on this subject.

The first of these pieces of work is described in Chapter 4. The latter will be published shortly.

1.15 Members reviewed progress in September 2002 and the value of the Forum was affirmed. A newsletter and contact details were circulated to NPS staff in December 2002. The action points for Forum members included:

- the promotion of Forum work to Ministers, the Home Office and NPS staff
- further coordination and collaboration on specific topics to be built into planning processes
- the formulation of a protocol for work between HMIP and District Auditors, in particular in relation to the roll-out of our new inspection programme
- discussion with the NPD about the development of work on NPS costs and value for money and how approaches to this work can be better coordinated, thereby avoiding duplication by audit and inspection bodies.

1.16 The CJCIG was established in 1999 and has been chaired by Rod Morgan since August 2002. The Group meets every six weeks and is served by a small secretariat. In September 2002 it was decided that all five Inspectorates should simultaneously undertake a pilot Area inspection with the focus being on criminal justice agency interface issues. The pilot will take place in September 2003. It was also decided to build on the experience of undertaking joint thematic inspections by exploring a new approach to produce shorter and more focused reports and includes tracking a group of offenders through the criminal justice system, which is now being taken forward. Therefore a thematic inspection following work through with persistent offenders will be undertaken in autumn 2003.



“... the progressive *systematisation* of the criminal justice system needs to be backed up by a cross-cutting inspection of the system ... we have made demonstrable, collaborative progress in undertaking joint work”

1.17 Considerable time and effort was invested by the CJCIG during the second half of the year contributing and responding to two reviews of Inspectorates. The first, undertaken by the Office for Public Service Reform (OPSR) concerned a wide range of Inspectorates, including the five Criminal Justice Inspectorates. The second was established within the Home Office and Lord Chancellor's Department, and specifically concerned the five Criminal Justice Inspectorates. The principal issue for the former was the role, value and effectiveness of Inspectorates generally, for the latter the more effective inspection of the criminal justice system. That is, as the White Paper, *Justice For All*, put it:

'The more the criminal justice system comes to be managed as one overall system, with consistent measures of performance, the more important it will be that future inspections are conducted and delivered in a cohesive and consistent manner..... A new approach on the criminal justice system will be developed, with the emphasis on tough joint inspections across criminal justice system agencies' (2002, paras 9.43-44).

1.18 Both reviews produced interim reports in February 2003. In the same month the Home Office was subject to a major reorganisation, one component of which – the most significant as far as the NPS and HMIP were concerned – was the creation of a new post, the Commissioner for Correctional Services, to which Martin Narey, formerly Director General of the Prison Service, was appointed. At the same time, responsibility for a Review of Correctional Services, previously being undertaken within the Home Office, was transferred to the Cabinet Office. It is planned that the latter should be completed by September 2003. It follows that at the end of the year it remained unclear what the long-term organisation of the three correctional services – youth justice, probation and prisons – was to be and, by implication, how those services, and the criminal justice system generally, would be regulated, including independently inspected.



Criminal Justice Chief Inspectors' Group

1.19 Within HMIP we have no doubt that the changing structure and development of the criminal justice system must prompt corresponding changes for its inspection. That has been the basis for our transfer to the NPD since its formation in April 2001 of quality assistance and control functions previously undertaken by the Inspectorate. By the same token the progressive *systematisation* of the criminal justice system needs to be backed up by a cross-cutting inspection of the *system*. There are different views as to how best this can be achieved. But it is clear that the Criminal Justice Inspectorates, with our energetic participation, have made demonstrable collaborative progress in undertaking joint work and the best use of the resources of the various audit and inspection bodies in order to reduce the demands on criminal justice agencies and share and highlight good practice.

Making the Work of the NPS and HMIP Better Known

1.20 In his Foreword to our Annual Report 2001/2002 Rod Morgan argued that more positively needed to be done 'to raise the profile of the Probation Service with the public at large and sentencers in particular'. HMIP has a contributory role in this regard. During the year we made strenuous efforts to make better known and understood, on the basis of official data and inspection findings, the work of the NPS to Ministers, Home Office officials, sentencers, partnership organisations and the public at large. HMIP staff contributed to several books and journals, gave a great many presentations to conferences and provided numerous briefings for policymakers. In particular, working jointly with the NPD, five presentations on the delivery of the What Works strategy and Multi-Agency Public Protection Panels (MAPPPs) were made to Judicial Studies Board events, reaching over 400 senior members of the judiciary. Several conferences for lay magistrates were also addressed about sentencing trends and the work of the Probation Service for the courts. In February 2003 three members of staff, including the Chief Inspector, gave evidence to the

House of Commons Home Affairs Committee on the work of the Probation Service (*Hansard reference HC 437-I*). We held several briefings for journalists on HMIP reports and the work of the NPS generally. Though the subsequent media coverage was disappointing, our efforts were rewarded with more coverage than previously.

1.21 During the year we overhauled our website, a task long overdue, not least because of the large and increasing number of hits. The latest quarterly summary showed that during January to March 2003 there were 17,035 separate visits and 7,906 unique visitors, each of whom viewed an average of three pages on the site. The average length of each visit increased from just over eight minutes to around 17 minutes during the period. One quarter revisited the site and half of the total visitors were referred from a search engine.

1.22 Our website review is part of an internal communication strategy that includes the forthcoming appointment of a communications officer who, in the coming year, will assist us to produce more accessible briefings to supplement full inspection reports. We are in the process of reviewing our protocol with the NPD and Home Office press officers to ensure that there is a consistent approach to the publication, promotion and response to our reports and their recommendations.

Our Complaints Procedure and Code of Practice

1.23 We are committed to ensuring that our inspection processes are transparent. We want Areas, Probation Boards, NPD staff and partner organisations to have an opportunity to raise issues and comment at each stage. Our revised Complaints Procedure was published in March 2003 and the Code of Practice is contained in our Business Plan. Both can be accessed from HMIP's website. They emphasise, *inter alia*, the principles of independence, consultation, evidential integrity, the promotion of diversity and equality, timely feedback and collaborative working with other audit and inspection bodies.

1.24 These principles are applied during inspections. Nevertheless, the Complaints Procedure recognises that there may still be occasions when the NPD, Area Managers and Probation

Boards (or any partner organisation involved) may wish to contest the process of the inspection, evidence for the conclusions reached, or complain about the conduct of individuals.

1.25 No complaints on the above issues were made to us during 2002/2003.

Sadness and Joy

1.26 Two contrasting events, both relating to former colleagues, memorably punctuated our year. The first was the death of Sir Graham Smith, former Chief Inspector, on 11 August 2002 and his memorial service in Westminster, attended by family and personal friends and more than 400 HMIP, NPS, Home Office and voluntary organisations colleagues on 27 November 2002. The second was the award to Mary Fielder, HMIP Inspector from 1994/2002, of the OBE in November 2002.

1.27 Graham was arguably the most influential Chief Inspector of Probation in the 66 year history of the office. He championed the What Works agenda that is now a cornerstone of NPS policy, defended the continued existence of the Probation Service when its merger with the Prison Service was proposed in the 1990s and exercised serious influence on policy internationally as well as at home. Graham was a regular speaker at international penal policy conferences and, up to the point of his retirement in May 2001, remained Chairman of a Council of Europe Committee on Community Penalties. He was much loved and is greatly missed.

1.28 When Mary Fielder retired in April 2002, Graham, though seriously ill, came with his wife Jeanne to our Manchester office to speak at our farewell party. He would not have missed the occasion. Both Graham and Mary had life-long careers in the Probation Service at the end of which they were vital HMIP colleagues. While Graham exercised his influence within Whitehall and from public platforms, Mary was universally known within the Probation Service as the fair, wise but unfailing Inspectorate scourge of slack practice. It was an evening with much laughter and a few tears. It was the last time that those named, and we, were together.

*Sir Graham Smith, HMCIP
1992/2001*

*Mary Fielder OBE,
Inspector 1994/2002*





PIP, our Area Inspection Programme and Related Matters

The important findings discussed in this chapter include:

- smaller and more rural Areas tend to be better performers. The reason for this remains unclear
- of the 33 Areas for which comparisons can be made between initial inspection and follow-up, all but two showed at least reasonable evidence of improvement
- follow-up inspections undertaken in the last year suggest that many Areas still need to improve practice in relation to high risk of harm cases
- our work with the NPD on national standards monitoring data calls into question their reliability, particularly in relation to enforcement.

Introduction

2.1 HMIP's principal duty is to undertake regular inspections of the 42 Probation Areas in England and Wales. Since 1999 this responsibility has been met by the PIP. Although the last Area reports in the PIP cycle were published during 2002/2003, the relevant inspections were carried out some months previously and the whole programme was commented on in detail in our *Annual Report 2001/2002* (Chapter 2). It follows that this chapter will only briefly report on the PIP follow-ups undertaken during the year before discussing how the results from PIP relate to other measures of NPS performance. We conclude with a brief account of our ongoing work with the NPD to establish the reliability of national standards and other data.

PIP Follow-ups

2.2 A total of 14 follow-up inspections and six further follow-ups were completed in the year. They were undertaken to assess the extent to which the recommendations in the original PIP reports had been implemented. The last follow-ups will be completed by the end of the autumn of 2003 through inspections of the London Probation Area and the four Probation Areas in Wales. These exercises will overlap with the first phase of our new NPS Area programme, effective supervision inspection (ESI), which has just begun.

2.3 The 20 follow-ups conducted during 2002/2003 addressed an average of about 20 recommendations in each Area. They showed mixed levels of achievement. In six of the Areas (Avon & Somerset, Dorset, Humberside, Wiltshire, South Yorkshire, and West Yorkshire) there was a very positive result, with more than three-quarters of the recommendations assessed as having been at least adequately met with a good impact on performance, and with some progress also being made with the remainder. The six included a number of Areas previously assessed as underperforming. These were particularly commendable outcomes. In seven other Areas progress was more limited.

Several of these were recently amalgamated Areas, which may have contributed to the lack of greater improvement. In one other area (Gloucestershire) less than half the recommendations showed sufficient evidence of progress and this result may lead to our undertaking a further follow-up inspection.


2.4 Given the number of Areas involved, and the varying levels of performance, it is difficult to identify specific findings that are common to all concerned. However, within those limitations, we can identify improved:

- quality and timeliness of PSRs generally
- levels of contact with offenders on orders and licences generally
- enforcement in some Areas
- joint management of community punishment and rehabilitation orders
- setting of specific targets for the contribution of community punishment order work to community safety
- provision of regular, reliable information about the achievement of local and national targets to Boards and senior managers.

2.5 Set against this progress, however, we also highlighted areas for improvement, including:

- better quality supervision plans
- supervision plan reviews that meet the requirements of national standards
- more consistent use of PSR concordance data to monitor practice, most particularly in relation to female and minority ethnic offenders
- arrangements to be made to provide more detailed information from national standards monitoring than the rather basic data currently made available by the NPD.

2.6 It is also difficult to generalise about Areas' performance in relation to the supervision of offenders assessed as being at high risk of causing harm to the public. The best performing Areas had policies in place that ensured offenders were seen as required, non-compliance was properly enforced, there was appropriate management oversight of each case, and effective liaison arrangements existed with other relevant agencies, most



“General improvement in the levels of contact arranged with offenders on orders and licences”

particularly the police. All Areas need to aspire to these key, but basic, requirements. We also take the consistent view as regards contact levels that, even where these are good, Areas should still seek to bring them nearer to 100%, given the assessed dangerousness of the individuals concerned. We can only reiterate our comments from last year's *Annual Report* (para 2.31): 'there remains a need for many Areas to improve their practice in relation to high risk of harm cases and for this to be given urgent priority by both the NPD and the Areas themselves'.

Impact of the PIP Programme

2.7 With the PIP cycle being almost complete, we are now in a position generally to consider original scores with those obtained at follow-up 12-18 months later. The results, in Table 2.1, provide some measure of the initial impact of the inspection in improving performance.

Table 2.1: Original and Follow-up PIP Scores for 34 Probation Areas

Original PIP score:	Follow-up score after 12-18 months				
	E	D	C	B	A
1 Generally performing well	0	0	3	6	0
2 Fairly even balance of strengths and weaknesses	0	2	7	4	0
3 Weaknesses clearly outweigh strengths	0	0	5	7	0

Results are shown for the 34 Areas for which data are available, excluding those for which the follow-up has not yet been completed and also amalgamating Areas, which were not given a score in the main inspection.

Follow-up score

- A = Very good evidence of progress and not generally requiring any further follow-up
- B = Satisfactory evidence of progress and not generally requiring any further follow-up
- C = Some reasonable evidence of progress, though insufficient
- D = Only limited evidence of progress, and insufficient
- E = Only very limited evidence of progress, and insufficient



2.8 The results show that:

- of the 34 Areas where comparisons can be made, all but two exhibited at least some evidence of progress. In over a half progress was satisfactory and no further follow-up was required
- all of the 12 Areas with the poorest performance showed at least reasonable evidence of improvement at follow-up, and in over half progress was satisfactory, requiring no further follow-up
- 15 Areas, although exhibiting some evidence of better results, were nevertheless judged to have made insufficient progress.

2.9 Those areas showing insufficient progress at follow-up have been subject to a further follow-up. This has typically, though not always, shown fuller and more satisfactory improvement.

2.10 A full assessment of the impact of the PIP programme will be carried out in September 2003 when the remaining follow-ups have been completed. The results will be published separately and made available on our website.

Race Equality and Wider Diversity Issues: Still a way to go

2.11 In our *Annual Report 2001/2002* (paras 2.33-37) we reported that roughly one in seven PIP recommendations had made some reference to race equality and wider diversity issues. The extent of progress between main inspection and follow-up on this particularly important aspect of operational policy was considered. Our recommendations included: the use of PSR concordance data broken down by race and gender; developing an appropriate range of work placements for offenders on community punishment orders from diverse backgrounds; more appropriate provision for women or minority ethnic offenders on community rehabilitation orders; and the setting of practice guidelines or

“In only six of the 29 recommendations (relating to race equality and other diversity issues) requiring use of PSR concordance information was progress satisfactory”

targets in relation to ethnic and other minority groups. An analysis of progress for all those Areas which have so far been followed-up in meeting these recommendations is set out in Table 2.2.

Table 2.2: Progress on Diversity-Related PIP Recommendations

PIP Chapter	Follow-up scores				
	Not met and no evidence of progress	Not met and with insufficient evidence of progress	Only partially or not adequately met, but evidence of progress	Adequately met with a good impact on performance	Well met with a significant impact on performance
PSRs (29 recommendations)	1	5	17	4	2
Community rehabilitation orders (11 recommendations)	-	2	3	4	2
Community punishment orders (19 recommendations)	1	3	5	9	1
Pre- and post-release (five recommendations)	2	-	2	1	-
High-risk offenders (No recommendations)	-	-	-	-	-
Value for money and management arrangements (28 recommendations)	-	1	8	16	3
TOTAL (92)	4	11	35	34	8

2.12 We made 92 recommendations overall. Evidence of progress was found but in less than a half (42 of the 92) was this adequate. In particular, in only six of the 29 recommendations requiring use of PSR concordance information was progress satisfactory. There was much better performance in relation to community punishment order-related (ten of 19 with adequate progress) and management/value for money-related (19 of 28) recommendations.

PIP Performance by 'Family' Groupings

2.13 Towards the end of the year we developed, in consultation with the NPD, 'family' groups of Probation Areas with similar characteristics for the purpose of making comparisons between Areas. The families (see Appendix B) are based on the size of Areas in terms of their budgets and population (aged 15-29) density. HMIP shall in future

Table 2.3: PIP Scores by 'Family'

Family	PIP score			Mean PIP Score
	Weaknesses clearly outweigh strengths	Fairly even balance of strengths and weaknesses	Generally performing well	
Small Size, Low Density	1	3	4	1.6
Small Size, Higher Density	1	4	1	2.0
Medium Size, Higher Density	1	2	5	1.5
Large Size, Lower Density	2	0	1	2.3
Large Size, High Density	3	2	0	2.6
Metropolitan Areas and London Probation Area	4	2	0	2.7
TOTAL (92)	12	13	11	2.0

sequence inspections by family group. Preparatory to that exercise we have analysed the results from PIP within this framework. The results for the 36 scored Areas (amalgamated Areas were not scored) are displayed in Table 2.3.

2.14 It should be borne in mind that the inspections generating these results took place over three years, during which the passage of time may have influenced performance. Given that caveat the results indicate that 'small size, low density' and 'medium size, higher density' Areas were performing better than average, and the 'Metropolitans and London' and 'large sized, high density' Areas performing worse. It is particularly noteworthy that:

- the three families covering the smallest sized Areas each contained only one Area that obtained a score in the lowest category
- none of the Areas in the 'Metropolitans and London' and 'large size, high density' groups obtained a score in the highest category.

2.15 These results are in line with the general finding reported in our *Annual Report 2001/2002* (para 2.14) that smaller and more rural areas tend to be better performers. The reasons for this remain unclear and are probably complex. We intend to explore this issue through our new inspection programme (see Chapter 5). However, a full investigation will require the provision by the NPD and the Home Office Research and Statistics Directorate of more sophisticated data on the resources, workloads and other characteristics of Areas.

The Relationship between PIP and Audit Scores: Generally positive

2.16 We have also explored the relationship between the results from PIP and the implementation quality rating (IQR) scores from our separate audits of accredited programmes by Area (see Chapter 3 for a more detailed account). The results, based on a comparison between the initial inspection scores in each case, are displayed in Table 2.4.

“Areas assessed as performing well by PIP tend also to have higher IQR scores for the delivery of accredited programmes”

Table 2.4: PIP and Audit Score

Audit IQR:	PIP score			
	Weaknesses clearly outweigh strengths	Fairly even balance of strengths and weaknesses	Generally performing well	Not scored (Amalgamating area)
70% or more	1	-	1	-
40%–69%	7	10	8	5
Below 40%	-	-	-	2
Average Audit IQR	53%	55%	60%	43%
Range of Audit IQRs	42%–70%	47%–62%	40%–89%	34%–51%

2.17 It should once again be borne in mind that the scores achieved by Areas were generally at different points in time. Of note also is the considerable spread of IQR scores within Areas with the same PIP category. This is particularly the case in the highest PIP category, from 40% (North Wales) to 89% (Teesside). There is, nevertheless, a discernible pattern. The average audit score for Areas in the highest PIP category is higher than for those in the second, which is in turn higher than for the third. Generally speaking, therefore, there is a positive relationship: Areas assessed as performing well by PIP tend also to have higher IQR scores for the delivery of accredited programmes. The NPD is similarly finding that Areas with higher IQR scores do tend to meet their targets better for completions of accredited programmes.

2.18 It is also of note that the average IQR for amalgamating areas (not scored in PIP) was the lowest of the categories.



HMIP and Audit Commission with Northumbria Board members.

The Relationship between the HMIP and NPD Performance Assessments: Broadly in line

2.19 In February 2003 the NPD issued a ranking of all 42 Probation Areas based on a performance 'weighted scorecard'. Its purpose is more effectively to identify local strengths and issues for improvement in order to drive up overall NPS performance and reduce variation between Areas. Worst performing Areas according to this assessment are to be provided with support from the NPD through the intervention of Performance Improvement Action Teams. The 'weighted scorecard' is based on data submitted by Areas in relation to five measures of performance – enforcement, completions of accredited programmes, DTTO commencements, sickness absence and victim contact.

2.20 This approach prompts two important issues. How does the NPD performance ranking accord with the findings from our inspection and audit programmes, to the extent to which this might be expected? Further, given that the NPD currently requires Areas annually to engage in self-assessment using the EEM approach (see para 1.5), what is the relationship between the scores that Areas award themselves and performance according to the 'weighted scorecard'?

2.21 We do not expect there to be a high level of ranking agreement since the NPD and our approaches measure different aspects of performance, at different times. The NPD's 'weighted scorecard' is based on a considerably smaller basket of criteria than our inspection and audit assessments. Moreover, the former is based on data as yet subject to little or no quality controls: their reliability therefore remains untested (see para 2.24).

2.22 Nevertheless, the relationship between the various assessments is of interest and all are displayed in Table 2.5 at the end of this chapter. It is notable that some Areas which,

according to our assessments, have exhibited good performance over time – for example, Derbyshire, Greater Manchester, Merseyside and Teesside – have also come out relatively well on the NPD's weighted scorecard. The reverse – for example, Gloucestershire, London, Staffordshire, Thames Valley and West Midlands – is also the case.

2.23 Particularly striking is the absence of a relationship, a correlation of 0.0014, between the EEM scores and the NPD's weighted scorecard. This fact must call into question the value of annually carrying out what is a relatively time-consuming exercise or, at the very least, placing as much weight as the NPD's *A New Choreography* does (Home Office 2001, paras 9.1 and 9.4) to achieving a particular target score by 2006.

The Reliability of National Standards Monitoring Data: Question marks

2.24 The NPD has now in place arrangements for routinely collecting information from Areas on compliance with national standards and a range of other key performance data. We have a role in ensuring that these data are reliable to provide independent assurance to Ministers, Parliament and the public at large. The Inspectorate also needs to have confidence in the data as the starting point for the organisation of our inspections. We have therefore worked with the NPD over the last 18 months to help establish and improve on the reliability of national standards monitoring. In particular, in spring 2002 Inspectorate staff took part in an NPD quality control exercise in which our role was to validate a process in which a sample of monitoring forms were second read regionally by NPS staff.

2.25 Our report on this exercise (*National Standards Monitoring: Exercise to check on reliability of data*, September 2002) is available on our website. It indicates some doubts about the reliability of the national standards performance data. Discrepancies of substance were found between the assessment of the original reader and the second reader for 20% of the data items relating to arranging contact with offenders, and for 32% of items relating to breach action. The position varied considerably between individual areas.



2.26 Our recommendations included the:

- introduction of a standard national IT-integrated case record (see Foreword)
- establishment of a clear, standard procedure across the NPS for taking breach action, agreed with the courts, and investigation of the need for clearer definitions and procedures on other national standards
- development of IT arrangements to allow for regular 'factual' monitoring of national standards to be carried out directly from operational Probation IT systems in future.

Progress regarding these matters is much needed, though we recognise that the IT dependency of some of the solutions will, of necessity, take some time to implement.

2.27 In September 2002 we also validated the results of the NPD's 'second chance' scheme, whereby Areas' performance on enforcement in newer cases was assessed to enable them to claw back a proportion of the money lost under the cash limit performance link arrangements for 2001/2002. The results of this exercise were generally disappointing. It demonstrated that performance in newer cases was no better than in older. It did, however, again identify the need for a clear standard procedure across the NPS for taking breach action.

“Particularly striking is the absence of a relationship between the EEM scores and the NPD’s weighted scorecard”

Table 2.5: HMIP and NPD Measures of Performance by Area
(Note: the date of publication of the inspection/audit is shown in brackets.)

	PIP score at main inspection	PIP Follow-up score	PIP further Follow-up score (where relevant)	Audit IQR	Audit Follow-up IQR	Ranking on NPD's weighted scorecard	EEM scores from areas' self-assessment and (ranking)
Avon & Somerset ⁽¹⁾	n/a (Oct 01)	B (Jan 03)		51% (Apr 02)		27	215 (30)
Bedfordshire	2 (Mar 00)	C (Apr 01)	B (Nov 01)	54% (Apr 03)		17	255 (18)
Cambridgeshire	2 (Mar 00)	C (Apr 01)	C (Nov 01)			8	320 (2)
Cheshire	3 (Jul 00)	B (Aug 01)		52% (Jun 02)	77% (Oct 02)	35	190 (36)
Cumbria	1 (Jul 00)	B (Jul 01)		55% (Sep 01)	65% (Nov 02)	40	210 (32)
Derbyshire	1 (Sep 00)	B (Nov 01)		59% (Sep 01)	80% (Dec 02)	2	302 (4)
Devon & Cornwall ⁽¹⁾	n/a (Oct 01)	C (Jan 03)		45% (Jul 02)		11	275 (13)
Dorset	2 (Oct 01)	B (Jan 03)		56% (Sep 02)		26	294 (5)
Durham	1 (Oct 99)	B (Apr 03)				1	290 (6)
Dyfed-Powys ⁽¹⁾	n/a (Mar 02)	*		47% (Jan 03)		19	230 (23)
Essex	3 (Mar 00)	C (Apr 01)	B (Mar 02)			14	220 (28)
Gloucestershire	2 (Oct 01)	D (Jan 03)		57% (May 02)		34	275 (13)
Greater Manchester	2 (Jul 00)	B (Sep 01)	NS (Jul 02)	62% (Jun 01)	78% (Nov 02)	15	230 (23)
Gwent	1 (Mar 02)	*		56% (Sep 02)		39	330 (1)
Hampshire	3 (Jun 01)	C (Sep 02)		70% (Mar 02)		31	190 (36)
Hertfordshire	2 (Mar 00)	C (May 01)	B (Jul 02)			29	205 (33)
Humberside	3 (Feb 01)	B (June 02)		51% (Dec 01)	76% (Mar 03)	10	254 (19)
Kent	2 (Jun 01)	C (Sep 02)		53% (Feb 02)		37	225 (26)
Lancashire	2 (Jul 00)	B (Aug 01)		59% (Jul 02)	71% (Oct 02)	25	185 (38)
Leicestershire & Rutland	1 (Sep 00)	C (Jan 02)	C (Mar 03)	62% (Oct 01)	83% (Dec 02)	9	235 (21)
Lincolnshire	2 (Sep 00)	C (Jan 02)		55% (Nov 01)	85% (Jan 03)	5	230 (23)
London	n/a (Feb 02)	*		40%+ (Sep 02)		38	211 (31)

Merseyside	2 (Jul 00)	B (Aug 01)		54% (Jul 01)	80% (Dec 02)	33	234 (22)
Norfolk	2 (Mar 00)	C (Jul 01)	C (Sep 02)			4	205 (33)
North Wales	1 (Mar 02)	*		40% (Nov 02)		28	285 (9)
North Yorkshire	1 (Feb 01)	C (May 02)		60% (Jan 02)		13	270 (16)
Northamptonshire	3 (Mar 00)	C (Sep 01)	B (Jun 02)	49% (Oct 01)	80% (Nov 02)	16	220 (28)
Northumbria	3 (Oct 99)	B (Dec 00)				3	180 (39)
Nottinghamshire	3 (Sep 00)	C (Feb 02)	B (Dec 02)	52% (Nov 01)	66% (Mar 03)	6	282 (12)
South Wales ⁽¹⁾	n/a (Mar 02)	*		42% (Sep 02)		41	290 (6)
South Yorkshire	3 (Feb 01)	B (Jun 02)		49% (Dec 01)	73% (Mar 03)	20	225 (26)
Staffordshire	2 (Aug 99)	D (Jan 01)	C (Nov 01)	47% (Apr 03)		32	285 (9)
Suffolk	3 (Mar 00)	B (May 01)				23	290 (6)
Surrey	2 (Jun 01)	C (Oct 02)	*	55% (Mar 02)		12	170 (41)
Sussex ⁽¹⁾	n/a (Jun 01)	C (Sep 02)		34% (Mar 02)	63% (Dec 02)	21	175 (40)
Teesside	1 (Oct 99)	B (Apr 01)		89% (Feb 03)		22	240 (20)
Thames Valley	n/a (Jun 01)	C (Sep 02)		39% (Mar 02)	70% (Apr 03)	30	150 (42)
Warwickshire	1 (Aug 99)	C (Apr 01)	NS (Jan 02)	66% ⁺ (Feb 03)		7	270 (16)
West Mercia ⁽¹⁾	1 (Aug 99) 3 (Aug 99)	B (Jan 01) B (Dec 00)		67% ⁺ (Feb 03)		24	275 (13)
West Midlands	3 (Aug 99)	C (Dec 00)	B (Aug 01)	42% ⁺ (Mar 03)		42	290 (6)
West Yorkshire	3 (Feb 01)	B (May 02)		58% (Jan 02)		18	285 (9)
Wiltshire	1 (Oct 01)	B (Feb 03)		54% (Jul 02)		36	320 (2)
⁽¹⁾ = Areas amalgamating in April 2001 were not scored at main inspection (hence 'n/a') but were scored at follow-up. However, Hereford & Worcester and Shropshire were inspected prior to amalgamation to West Mercia and so scored separately for main inspection. * = follow-ups have been arranged for these areas, but are not yet complete. + = where several accredited programmes have been audited, an average IQR is shown. NS = further follow-up took place but was not scored.							
PIP score at main inspection:			PIP Follow-up score:				
1=Generally performing well			A = Very good evidence of progress and not generally requiring any further follow-up				
2=Fairly even balance of strengths and weaknesses			B = Satisfactory evidence of progress and not generally requiring any further follow-up				
3=Weaknesses clearly outweigh strengths			C = Some reasonable evidence of progress, though insufficient				
			D = Only limited evidence of progress, and insufficient				
			E = Only very limited evidence of progress, and insufficient				

3



Audits of Accredited Programmes - Emerging Findings

The important findings discussed in this chapter include:

- initial audit scores have generally not improved over the course of the programme. However, for individual areas, follow-up audit scores do generally indicate substantial improvement
- the poorest aspect of the delivery of accredited programmes is case management. It is also the aspect that has improved least
- the weak relationship between overall audit scores and certain aspects of performance. This may suggest that the way in which the delivery of programmes is assessed should be changed
- those Areas that do well in audit tend, though not invariably, to do well in meeting their targets for programme completions also.

Introduction

3.1 Our work on accredited programmes delivered by the Probation Service (or brokered by it – one or two programmes are delivered through partnerships) have been one of the essential building blocks in the initial phase of the NPS's What Works strategy. The audits – which in retrospect we should properly have called inspections – began in June 2001. At the end of the year all 42 Areas had been audited and 19 followed up. Following completion of an audit approximately ten weeks elapse before the report is published. By the close of March 2003 34 full and 13 follow-up audit reports had been published. This means that the audit cycle was substantially complete, though the follow-up programme is still continuing. This is a suitable occasion, therefore, on which to distil the findings and lessons from the exercise overall.

3.2 We have audited accredited programmes on the basis of Performance Standards Manuals agreed with the Correctional Services Accreditation Panel (CSAP) and the NPD. At the time the Inspectorate undertook the task the NPD had no capacity to audit the delivery of accredited programmes. Though aspects of quality assurance are implicit in the concept and process of accreditation (approval of programmes and manuals, training arrangements for tutors, reports on implementation, etc.) little was embedded in the day-to-day management practice of the NPS. No back-up quality control system was in place. It follows that, as far as ensuring the quality of delivery was concerned, a great deal rested on our audit system. That is set now to change. We are transferring to the NPD the system for the video monitoring of accredited programmes. It is planned that the programmes will in future be inspected as an integral part of HMIP's new NPS programme (see Chapter 5) and separate inspections of NPS's QA arrangements.

Methodology and Implementation

3.3 The origins, development and details of our audit methodology were set out in HMIP's Annual Report 2001/2002 (pp 49-54). All the key supporting documents (the Performance Standards Manual, area reports and periodic progress reports) can be



accessed from the website. For present purposes there is no need to repeat those details save for the following key points:

- audits result in a score out of 100, the IQR. This is in turn based on weighted scores relating to four aspects of performance – *committed leadership, programme management, programme delivery and case management*. The scores for each are based on published standards and criteria
- audit standards are grounded on expert judgements as to what aspects of NPS performance will best ensure the effective delivery of, and supportive context for accredited programmes so as to achieve the desired outcome – reduced reoffending. This, the most up-to-date evidence suggests, accredited programmes are capable of doing
- the NPD has stated that it plans to use IQRs as a multiplier for measuring the degree to which Areas have achieved targets for offender completions of accredited programmes. It has also indicated an intention to establish a budgetary cash-link to reward, or otherwise, that achievement
- the Performance Standards Manual, and resulting IQR, is based on assumptions which remain operationally to be tested in a nationally rolled-out form. That is, we cannot yet be confident that the Inspectorate is indeed measuring those aspects of delivery which count in terms of reduced offending. This proposition has still to be demonstrated through the long-term follow-up of offenders who have completed programmes.

3.4 It is important to spell out the above because no claims are made in the findings discussed below that the above assumptions are correct. Indeed some of the data – the weak relationship between *programme delivery* and other aspects of audit discussed in para 3.6, for example – suggest that some of the assumptions may be incorrect. If that proves to be the case it will be necessary to refine the Performance Standards Manual and adjust the manner in which the delivery of programmes is scored accordingly. This is the essence of the What Works or evidence-based practice approach. Probation work is essentially about



changing the circumstances and behaviour of offenders in the context of a penal system which is just and, to the greatest possible extent, protects victims in particular and the public in general. We aim to assist the NPS to review and adjust practice in the light of evidence that what Probation staff do makes a difference to reoffending.

Emerging Findings

3.5 What follows is based on the full and follow-up audit reports published by the end of March 2003. We think it very unlikely that the patterns reported below will not be replicated in the audit reports that remain to be published. Whether the results from follow-ups are replicated is less certain. They are to date relatively few in number and shall be reported on in due course.

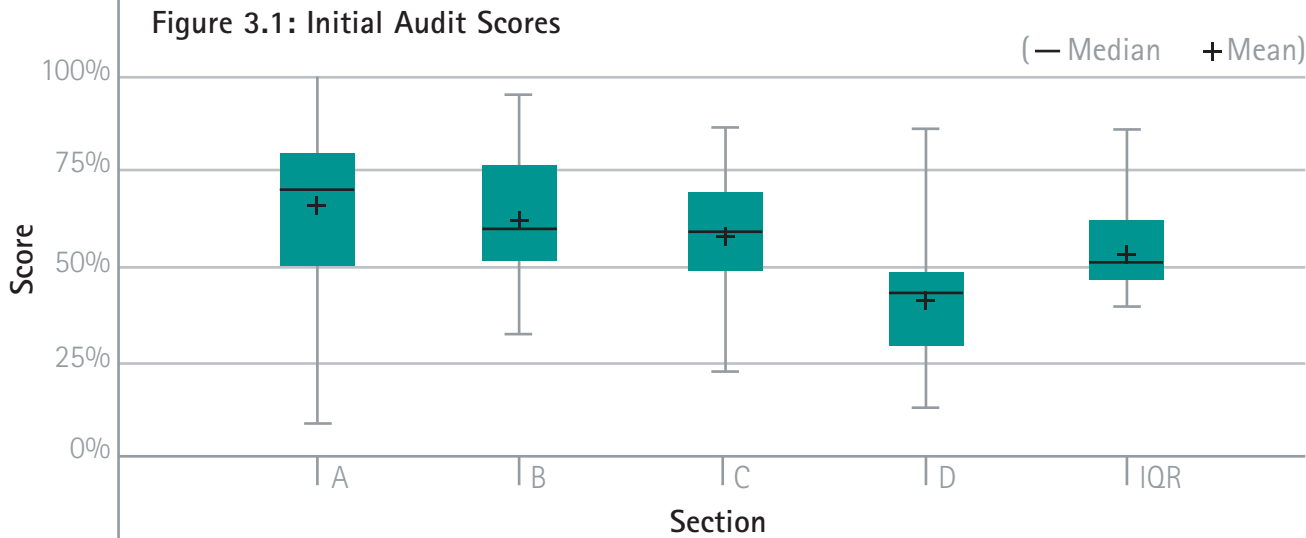
3.6 The straight (rather than weighted) percentages achieved for each of the four aspects of performance measured during audits are displayed in Table 3.1 and Figure 3.1

Table 3.1: Initial Audit Scores

	Median	Mean
A Committed Leadership	70%	65%
B Programme Management Responsibilities	61%	63%
C Quality of Programme Delivery	61%	59%
D Case Management Responsibilities	44%	43%
Overall IQR	56%	58%

3.7 The highest scores have been achieved for *committed leadership* and the lowest for *case management*. This means that most Areas scored relatively well regarding such matters as senior managers demonstrating commitment to accredited programmes and having in place structures and policy statements to support their management. But they scored relatively poorly concerning such aspects of performance as having in place

arrangements effectively to motivate offenders prior to and during participation in programmes, or for liaison between case supervisors and programme tutors. Figure 3.1 shows that three-quarters of Areas achieved scores for case management that were lower than all but the lowest quarter of scores for the other dimensions measured. Or, to put the matter another way, very few Areas achieved marks for *case management* as high as for the other dimensions.



3.8 The correlations for the relationships *between* the different aspects of performance and IQR are displayed in Table 3.2.

Table 3.2: Initial Audit Scores: Correlation between different aspects of performance and overall IQR

A	Committed Leadership	0.715
B	Programme Management Responsibilities	0.781
C	Quality of Programme Delivery	0.441
D	Case Management Responsibilities	0.393

3.9 The lowest correlations are for *programme delivery* and *case management*. This means that, whereas there is a fairly consistent positive relationship between Area scores

for *committed leadership* and *programme management* (the two aspects of performance weighted least) and IQR, there is a relatively weak association between IQR scores and those for *case management* and *programme delivery*. The point is well illustrated by the case of Warwickshire, for example, which for its *Drink-Impaired-Driving programme* achieved an IQR of 69%, a commendable outcome overall, but scores of only 56% and 50% for *programme delivery* and *case management*.

3.10 We have explored this issue further by analysing the scores *between* the four aspects of performance. Whereas *committed leadership* is, not surprisingly, fairly positively associated with *programme management* (a correlation of 0.502) both are weakly associated with effective *programme delivery* and *case management* (0.1 and 0.255. and 0.214 and 0.189, respectively). Furthermore, there is no relationship between the quality of *programme delivery* and *case management* (0.031). These are clearly issues which need to be examined closely by the NPD as it develops its quality assurance and control systems.

3.11 Until now, as explained in Chapter 2 (para 2.13), we have inspected and compared Areas by region. Within our new inspection programme, we shall be doing neither (see para 5.3 and Appendix B). Table 3.3 displays the mean IQR and component scores for the families to be employed in future.

Table 3.3: Audit Scores by 'Family'

Family	Leadership	Programme Management	Quality of Programme Delivery	Case Management	IQR
Mets/London (n=8)	65	56	50	42	52
Large Size/High Density (n=5)	80	59	72	50	53
Large Size/Lower Density (n=7)	40	45	61	33	51
Medium Size/Higher Density (n=8)	55	65	59	42	54
Small Size/High Density (n=5)	80	70	50	44	56
Small Size/Low Density (n=7)	70	57	61	44	55



“those Areas inspected most recently have generally done no better than those Areas inspected earlier”

3.12 The analysis suggests, overall, that the nature of Areas, in terms of size and population density, is not of itself a significant source of difference as far as the delivery and organisation of accredited programmes is concerned. But there are one or two differences that deserve mention. The Metropolitan Areas, contrary to our expectations based on PIP results (see para 2.15), are not those that have performed least well. It is the largest, predominantly rural ones that have been given the lowest mean IQRs and these Areas achieve by far the lowest mean scores for *committed leadership, programme management and case management*, though not, interestingly, for *programme delivery*, on which they score relatively well. These differences are based on small numbers of Areas and they may not prove to be of lasting significance. But they do prompt interesting questions. Why should such Areas do relatively poorly? Is it because they are faced with particular operational difficulties? Do they, for example, have relatively small but geographically and functionally stretched senior management teams? Do their case management support systems suffer because offenders have to take part in accredited programmes at centres distant to those they attend for supervision purposes? These questions should be explored in order to decide whether these Areas need to institute compensating operational arrangements.

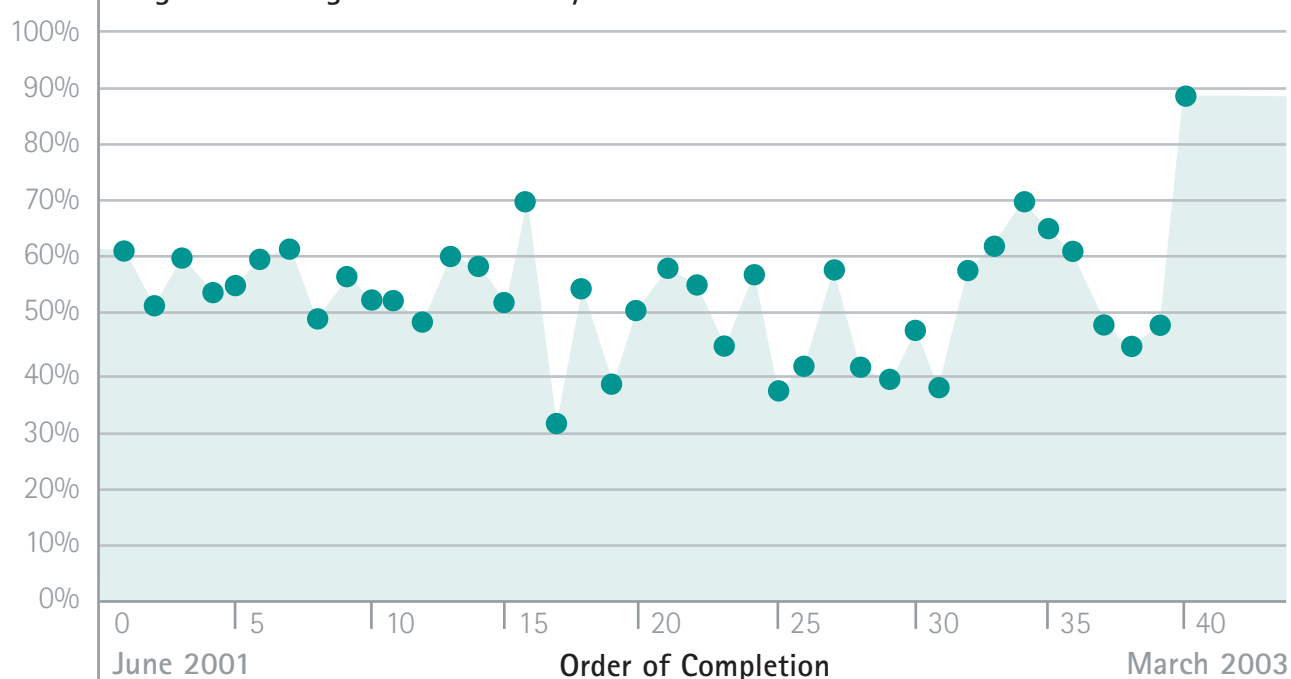
3.13 We turn next to the important question as to whether performance in the delivery of accredited programmes across the country has improved with time. Our working hypothesis has always been that it would. Several factors pointed strongly in that direction:

- the standards for audit have been published, widely distributed and, according to all accounts, are well understood locally
- we have repeatedly been told that our audit reports are much appreciated. They reiterate the standards, are concise, emphasise in succinct form those aspects of delivery that are being done well and those that are not. We have also found that they have been looked at closely by programme managers preparing for audit of their own Areas

- many Areas have undertaken more or less systematic self-assessments in preparation for audit
- there has been considerable liaison and joint work between Areas for the purposes of training and sharing good practice
- regional What Works managers have been appointed to promote all of the above.

3.14 All of these factors suggested to us that Areas audited later in the cycle would be advantaged over those audited earlier. But it has not generally proved to be the case. Figure 3.2 illustrates the weak correlation of 0.33 found when the relationship between time of audit and IQR was examined. With the notable exception of Teesside, which was a pathfinder Area for its *Think First* programme and gained the highest ever IQR of 89%, Areas inspected most recently have generally done no better than those visited earlier.

Figure 3.2: Original Audit IQRs by Date



3.15 This is not to say that individual Areas have not improved with time. Indeed when we look at the results of the 13 follow-up reports so far published, it can be seen that they have. Table 3.4 displays the changes in unweighted percentage points for the four aspects of performance and overall IQRs.

Table 3.4: Percentage Change in Audit Scores at Follow-up

Area	Leadership	Programme Management	Quality of Programme Delivery	Case Management	IQR
Cheshire	30	39	23	0	25
Cumbria	0	20	11	6	10
Derbyshire	50	23	0	22	21
Greater Manchester	10	20	22	23	18
Humberside	60	26	11	11	25
Lancashire	0	40	0	0	12
Leicestershire	20	8	27	39	21
Lincolnshire	30	33	39	11	30
Merseyside	40	27	33	0	26
Northamptonshire	50	27	45	(-6)	31
Nottinghamshire	0	12	28	11	14
South Yorkshire	20	51	25	(-23)	24
Sussex	20	25	56	6	29
Average (revised)	25	27	25	8	22

3.16 The occurrence of several zeros and two negative scores in Table 3.4 shows that there has not been improvement in all four aspects in every Area. Further, all criteria fully met at the time of original inspection were not subject to scrutiny at follow-up: this procedural device lent a positive bias to the exercise which might not be fully endorsed were Areas subject to assessment from scratch. Nevertheless, the overwhelming majority of sub-criterion scores have increased and every Area has returned an improved IQR. The clear trend is one of

“The worrying fact is that there has been least improvement in relation to the aspect of practice which is already weakest – *case management*”

improvement, most significantly in relation to *programme management*, *committed leadership* and *programme delivery*. But a worrying fact is that there has been least improvement in relation to the aspect of practice which is already weakest – *case management* – and two Areas, Northamptonshire and South Yorkshire, performed worse in this regard when followed up. Case management is clearly where effort needs most to be concentrated.

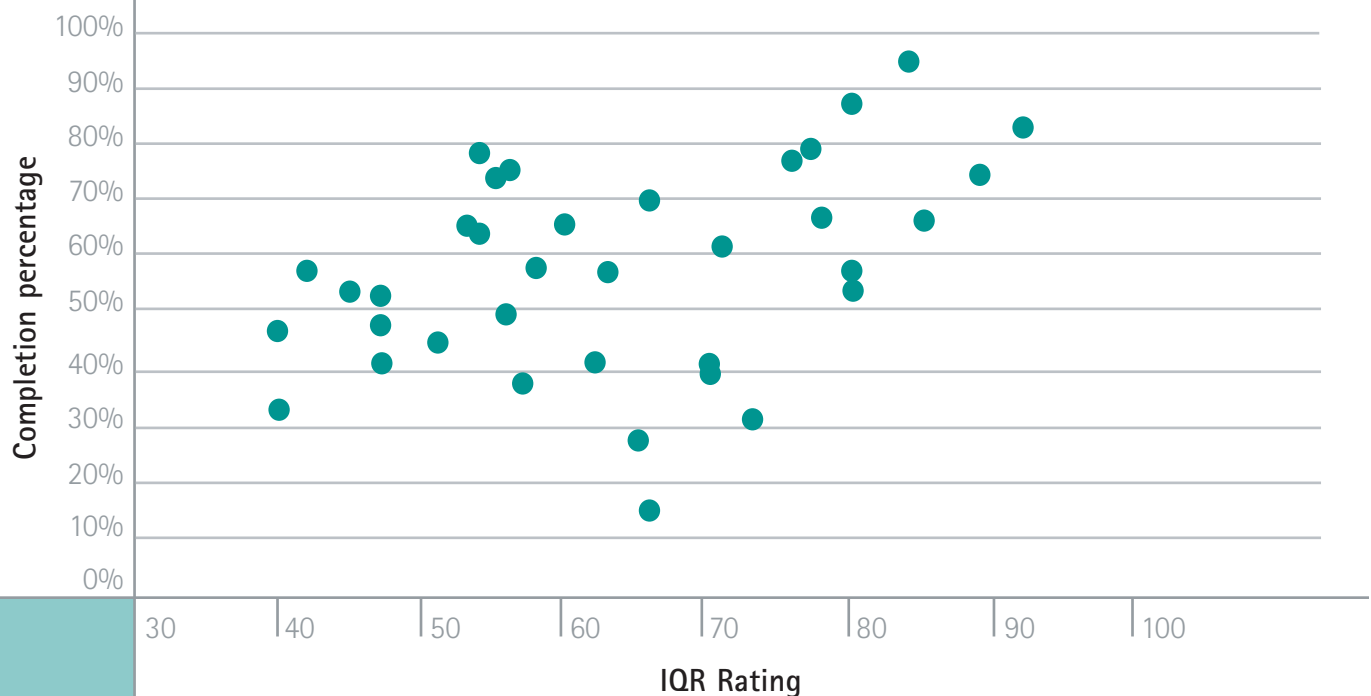
3.17 The juxtaposition between the improvement trend indicated by follow-up, and the absence of a relationship between the timing of original inspections and IQRs, points to a finding meriting closer examination. These data suggest that independent inspection in and of itself acts as a spur to improvement which over the life of this programme internal management performance processes, formal and informal, have generally failed to achieve.

IQRs and Programme Completion Targets: A modestly positive relationship

3.18 For every Probation Area the NPD sets targets for accredited programme completions. This prompts the question as to whether those Areas scoring well in audit tend also to achieve well against their completion targets. The NPD have analysed these data. Figure 3.3 illustrates the relationship and the correlation is 0.41. It is not a strong relationship, but it is a modestly positive one.

Figure 3.3: Area IQRs by Programme Completion Target Achievement

Using follow-up IQR rating where available, 36 areas





3.19 Two caveats should be borne in mind when considering this finding. First, the target completion data, collected by the NPD, are not yet subject to any quality control. Secondly, the IQR scores used in Figure 3.3 are from follow-up audits (where available). As we have pointed out (see para 3.16), audit follow-up scores have a built in positive bias because original items fully met are not subject to reassessment. Not surprisingly, therefore, the correlation between original audit scores and achievement of programme completion targets is at 0.36 somewhat less positive.

Aspects of Performance Displaying Marked Improvement


3.20 In successive audit reports we have repeatedly drawn attention to particular aspects of operational practice which have shown marked improvement. They are:

Committed leadership and supportive management:

- There is evidence of *management structures* involving greater integration, accountability and communication of programme issues within case management and court team structures. Job descriptions and person specifications have become more detailed. Greater clarity had been found in assessments of competence regarding the roles and responsibilities of staff. In some Areas, for example Sussex, improvements found at follow-up resulted from changes in senior management structures better to reflect a service delivery model with What Works at its centre. The brief for accredited programmes was spread more widely across a management team rather than lodging it with one specialist. Such changes tended to increase ownership and effectiveness.

Programme management:

- *Information leaflets* tend now to be more complete, typically containing information about complaints procedures and diversity issues.



“a large number of eggs have been placed in the accredited programmes basket. It has been an expensive strategy ... and the Service needs a more finely grained picture of which aspects of practice produce the desired outcomes and are essential to get right”

- *Preparation and debriefing time for tutors* is now generally made available. There is developing use of pre-prepared material. Staff rotas and programme schedules tend to be more efficient.
- The *supporting skills* necessary to *run programmes* are better provided with an increasingly broad range of training made available for programme delivery staff. More detailed training records are now being kept.
- *Staff supervision and the quality of practice* has improved. Supervision sessions happen more frequently and video monitoring and analysis of delivery skills are becoming important elements in discussions between treatment managers and tutors. Detailed supervision notes are more frequently being completed and linked to appraisal.
- *Implementation of monitoring and evaluation* design practice has improved with much more use being made of local databases to monitor performance and targets. Information is also being disseminated more widely among both managers and practitioners for the purposes of target setting and performance monitoring of both teams and individuals. These processes are better enabling Areas to identify good practice and reduce attrition.

Programme delivery:

- *Group work skills*, have improved, no doubt assisted by encouraging examples of very accurate scoring of performance by treatment managers. This assists tutors to benchmark their practice and focus their attention on aspects of delivery where improvement is needed.
- *Race equality and diversity issues* are better addressed with some Areas (for example, Kent) equipping their tutors to deal with offenders' discriminatory comments and other behaviour.

Case management:

- *Staff liaison between case management and programme delivery staff* has improved. There is more consistent attendance at three-way programme review and other meetings.

Aspects of practice in which improvement is needed

3.21 We have also repeatedly drawn attention to aspects of practice needing improvement:

Programme management:

- Offenders still do not routinely *commence* programmes within the first month of orders and the reasons for delay not always recorded and monitored.
- Further development is needed regarding the *accessibility of group work programmes*. There should be better written policies on placement arrangements and improved support for women and minority ethnic offenders.

Programme delivery:

- There remains great need for improvement regarding effective co-working and handover processes between tutors.

Case management:

- Supervision plans often still do not fully integrate accredited programmes into an overall plan of work. Objectives are generally not SMART and are inconsistently reviewed.
- As far as *supporting the offender through all phases of the programme* is concerned, there remains a need for a generally more proactive role by case managers in terms of contact and the reinforcement of learning and the motivation of offenders.
- The *documentation* concerning pre-programme work and post-programme reports remains poor in that they often continue to be absent or not recorded in case files.
- Regarding *end of programme reviews* the evidence suggests that post-programme reports do not consistently influence supervision plan reviews and that insufficient attention is paid to reintegration issues.

Conclusions

3.22 It is clear then that the context within which accredited programmes are run, and the manner of their delivery, has shown significant signs of improvement during the last two years. But these appear to have been driven by one or more elements – precisely which is not clear – of the process of inspection and follow-up, the assignment of scores, and the prospect of a cash link depending on the results. Other, day-to-day, managerial devices strike us as having been less effective, which suggests that the additional, embedded, quality assurance and quality control systems which the NPD are now planning are necessary to achieve the further improvements which are still needed.

“The Service’s Achilles heels remain ... poor quality supervision plans ... inconsistent targeting ... poor case management support for offenders through programmes ... and attrition”

3.23 The NPS's Achilles heel, or heels, remain:

- Poor quality supervision plans, the lack of SMART objectives derived from risk assessments and either the absence, or poor quality of, supervision plan reviews, which often pay little or no attention to post-programme reports. This issue prompts a question. Are post-programme reports too long, unwieldy and complex to be easily used by case managers? Is that possibly the reason for their failure to be recognised? Is there a case for them rather taking the form of a pithy two to three sides of A4 at most, and reports must for certain purposes continue to be available, might shorter executive summaries also be prepared which case managers should routinely find more accessible?
- *Inconsistent targeting.* There are still significant numbers of offenders being placed on *Think First* and *Enhanced Thinking Skills* with very high OGRS 2 scores (above 74) without additional work being planned. Areas need to check that the middle band of offenders is being referred in sufficient numbers to achieve the national target.
- *Poor case management support for offenders through the programme.* Case managers are generally good at responding to crises, but not so good at reinforcing learning from the programme or of encouraging offenders to use their new-found skills to resolve their everyday practical problems. Is this a failure of recognition? Does it reflect stretched case management resources? Whatever the cause, it is an urgent issue on which managers should focus their attention.
- *Attrition.* The available research and evaluation is insufficiently impacting practice. There must be greater sharing of data and information about What Works. Areas also need to share good practices better.

3.24 In conclusion, it is not yet clear that the factors so far being measured regarding the delivery of accredited programmes are those that are significant for effectively reducing reoffending. This is the issue to which the NPD must now turn its concerted attention. It must do so for two related reasons. First, a large number of eggs have been placed in the accredited programmes basket. It has been an expensive strategy to operationalise and the Service needs a more finely grained picture of which aspects of practice produce the desired outcomes and are essential to get right. Secondly, our audit programme and the Area assessors' video monitoring training programme which has been developed alongside it, is detailed, time-consuming and can be burdensome to staff. If the NPD's future quality assurance and control systems are to be efficient and evidence-based, the Service needs to be certain that those aspects of practice currently being measured need to be. We hope that our new, integrated inspection programme, in which accredited programmes will be considered as just one of many interventions that the Service delivers, will shed additional light on these vital issues.

4



Thematic Reports

Introduction

4.1 We began several thematic inspections on topics of concern not covered in the course of our core programmes. Of these, several could only be sensibly undertaken in collaboration with other Inspectorates or audit bodies. The topics included: Probation work with victims; the new arrangements for the governance of the Probation Service; the Government's Street Crime Initiative; and follow-ups of previous thematic reports on race, information technology and the Langley House Fresh Start Housing Projects. Three further thematic inspections were completed and reports published during the year: on Children's Safeguards (there were three separate reports on this topic); on DTTOs, and the follow-up to our review of the Diploma in Probation Studies (DipPS) published in September 2001. DipPS is soon to be completed, this time focusing on whether the qualification adequately prepares probation officers for practice. The pieces of work cited above will all be published this year.

Safeguards for Children

4.2 The names Maria, Jasmine, Jamie, Jessica, Holly and Victoria all have special meaning for those who work in the criminal justice and social care sectors. They remind us that there is always more we can do to protect our children from those who would seek to harm them. An inspection into the arrangements to safeguard children was commissioned by the Chief Inspectors of Social Services, Police, Prisons, Education, Probation, Crown Prosecution Service, Magistrates' Court Service and the Commission for Health Improvement.

4.3 The inspection aimed to evaluate: the implementation of *Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children*. (Department of Health, Home Office and Department of Education and Employment, 1999) the extent to which local Area Child Protection Committees (ACPCs) have effectively addressed the full range of their duties and responsibilities, and the implementation of multi-agency public protection arrangements (MAPPA) by police and probation services. It was probably the most complex joint inspection undertaken in recent years.

4.4 Three reports were published – a joint report from the eight Inspectorates (*Safeguarding Children: a joint Chief Inspectors' report on arrangements to safeguard*



children', October 2002), a report on protecting children from potentially dangerous offenders from HM Inspectorate of Constabulary (HMIC) and HMIP (*Protecting Children from Potentially Dangerous People: An Inter-Agency Inspection on Children's Safeguards'*, December 2002) and HMIP's report focusing on the role of the Probation Service in relation to child protection (*Safeguarding Children: The National Probation Service Role in the Assessment and Management of Child Protection Issues*, January 2003). The Victoria Climbié Inquiry Report was published not long afterwards (March 2003), and the findings and recommendations from both are to be the subject of a coordinated Government response.

4.5 The principal findings from the reports were:

- *Strategic Focus and Priority* – insufficient attention had been given by individual agencies to child protection policy and strategy. There had also been inadequate joint strategic planning.
- *Definitions and Thresholds* – there was no common framework for describing risk of harm. This meant that in one Probation Area an offender might be described as high risk of harm but in another Area as medium, depending on the assessment tool in use and the thresholds for each category. It is particularly important when working in a multi-agency setting to have a clear understanding of the precise meaning of commonly used terms.
- *Consistent Procedures and Practice* – there was little consistency between MAPPA in different areas. Although Initial Guidance had been issued, it had not been detailed enough to provide a framework for Areas.
- *Working Together* – a significant positive finding was the quality of working relationships between Police and Probation staff. In every Area there were real partnerships between the two agencies, whereas in previous years there had been a culture of suspicion. Improvements were nevertheless needed in wider working relationships, for instance better links between MAPPPs and ACPCs.
- *Learning Lessons* – research and the various enquiry reports provide rich sources of information for practitioners. The NPS was not alone in failing to make good use of



what is available. The inspection looked specifically at Chapter 8, or Part 8, Reviews (so called because Chapter Eight of *Working Together to Safeguard Children* sets out the requirements to review cases where a child dies and abuse or neglect are known or suspected to be a factor) and Serious Incident Reports (completed by Probation Areas where an serious sexual or violent offence has been committed by an offender under their supervision). Although we found in relation to the latter that in most cases little could have been done to prevent the offence, more could have been done to analyse and disseminate the lessons to be learnt.

4.6 It is unfortunately true that there will always be some risk of harm to children despite everyone's best endeavours. Yet the reports arising from the inspection provide some important signposts for the way forward. A further review of arrangements to safeguard children is planned to report in 2005.

Drug Treatment and Testing Orders

4.7 In June 2000, following the Powers of Criminal Courts (Sentencing) Act 2000, the Government announced arrangements for implementing throughout England and Wales a new community sentence, the DTTO. The new order, which was piloted during the preceding two years following the Crime and Disorder Act 1998, gave courts the power to require an offender to undergo treatment as part of a community sentence in cases where there is a clear link between drug abuse and offending. In addition, the offender has to undergo regular drug testing and undertake a high level of supervised activity (15 hours per week minimum). The court regularly reviews the offender's progress.

4.8 Early in 2002 we decided to undertake an inspection with the aim:
To assess the effectiveness of the arrangements established by the NPS for the implementation and management of DTTOs from October 2000, and the initial outcomes achieved.

4.9 Our inspection was based on fieldwork undertaken in May and June 2002 in eight Probation areas, drawn from seven of the nine English regions and one from Wales. At roughly the same time the NAO undertook a separate study of DTTOs, assessing how far the new order was likely to reduce drug use and reoffending. The two exercises were complementary and, in order to minimise duplication and the burden on practitioners, we conducted our fieldwork in parallel. HMIP's report, *A long way in a short time...* was published in February 2003 (see website). The NAO report, *Drug Treatment and Testing Orders – Early Lessons*, will be published in summer 2003.

4.10 The introduction of DTTOs was undertaken in the most difficult circumstances when the then local Probation Services were preparing for their absorption into a National Service, for which there was as yet no national directorate. Local health authorities were shortly to be reorganised into Primary Care Trusts. There was neither a lead policy body nor national project plan for the implementation of the new sentence.

4.11 Yet during the next two years the newly created NPS made considerable progress. DTTOs were launched, mainly on time. Complex partnership and funding arrangements were implemented, and were then revised successfully in response to a change to the arrangements in England. At the time of the inspection the target number of DTTO commencements was close to being met. Further, there was a generally high level of sentencer satisfaction, albeit with reservations, about the manner in which orders were being implemented.

4.12 However, we identified various operational shortcomings. There was extremely uneven performance between Areas against the DTTO National Standard published in February 2001. Though one Area, County Durham, generally performed well against the key elements of the Standard, and two Areas, Dorset and Leicestershire & Rutland, performed moderately well, the five other Areas inspected – Lancashire, London, Suffolk, North Wales and West Midlands – had clearly failed to give sufficiently clear focus to implementation. Moreover, we uncovered substantial difficulties with case management and record keeping which needed to be overcome in order that levels of service delivery could adequately be recorded.

4.13 We concluded that, given the circumstances in which the introduction of the order had taken place, the general progress made had probably been as great as could feasibly have been expected. With a few exceptions we were disappointed by the paucity of evidence being collected by Areas to measure what outcomes DTTOs were achieving. Though the Service had come 'a long way in short time' there was nevertheless still much to do before the NPS could demonstrate that it had implemented DTTOs successfully.

Diploma in Probation Studies

4.14 The Consortia responsible for delivering the DipPS, which is the qualification for probation officers, was subject to its first inspection in 2001 by HMIP and the Criminal Justice National Training Organisation (CJNTO) (*Diploma in Probation Studies Programmes: Inspection Visits 2001*). In April 2002 a paper-based follow-up was reported on by the Standing Panel for the Approval of the DipPS.

4.15 In the original inspection report there was a series of recommendations concerning compliance with the regulatory framework that governs DipPS and regarding continuing programme development. Each Consortium provided follow-up information on their progress and response to individual recommendations.

4.16 The Standing Panel was satisfied that there had been action from the Consortia in respect of all individual programme recommendations. Two referring to the development by the NPS of a national IT strategy and national diversity plan were still being addressed.

4.17 Our overall conclusion was that the Consortia had engaged positively in the process of developing the DipPS programmes in their region. There had also been significant activity to consolidate implementation and maintain high quality and responsive programmes.

4.18 A further inspection has now been completed and the report will be published in August focusing on the extent to which DipPS programmes produce staff who are able to fulfil the role of probation officer at a satisfactory level when they begin their professional practice.



5



Looking Ahead

Introduction

5.1 Much of our time during the past 12 months has been spent preparing for the year ahead. This was because of two important decisions. The first we announced last year (see *Annual Report 2001/2002*, paras 5.7-11). We judged that the creation of the NPD logically pointed to our transfer to them of functions previously performed by us relating to the collection and analysis of national standards performance data, assessments of the reliability of which we now exercise an oversight function (see paras 2.24-27). The corollary of this transfer was the design of a new inspection methodology. A second decision was made by Ministers following representations from us and others. Namely, that the 155 YOTs in England and Wales should be independently inspected, a programme which, because of the multi-agency character of YOTs, would have to involve the collaboration of several Inspectorates. Following consultation between the relevant Inspectorates and Ministers, it was agreed that HMIP should lead the exercise. This necessitated much coordination on our part.

ESI – Our New NPS Inspection Programme

5.2 Last year, having decided that PIP would have to be replaced by a new approach to Area inspection, the Inspectorate undertook a review of the merits and demerits of the programme and published the results (see website; see also *Annual Report 2001/2002*, paras 5.8-9). We then established a working party to devise the new programme. As our ideas settled and the methodology was fleshed out, HMIP engaged in extensive consultation with Ministers, the Service and other stakeholders. This process involved a gratifyingly high level of agreement about the approach which would enable us to assist the Service better to achieve Home Office aims. By spring 2003, therefore, as the PIP programme was nearing its end, we were in a position successfully to pilot the new inspection methodology. We are grateful to the staff of the team offices in Halifax in West Yorkshire, Portsmouth in Hampshire and Newton Aycliffe in County Durham, and to the managers of their respective Areas, for their willingness to assist us in this regard. ESI has now begun its roll-out.

“in future we shall more fully consider accredited programmes alongside other interventions when inspecting the delivery of What Works”

5.3 The key features of ESI will be as follows:

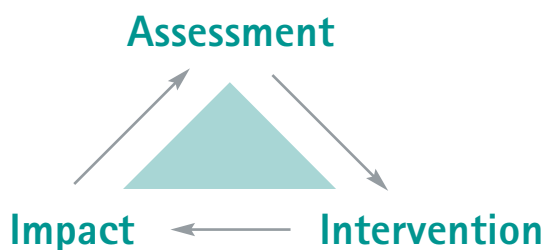
Integrated Inspection

- ESI will integrate what we have previously termed audits of accredited programmes (see Chapter 3) and our core inspection programme (see Chapter 2). Every commentator has agreed with us that this is essential. It will mean that in future we shall consider more fully accredited programmes alongside other interventions when inspecting the delivery of What Works.

Assessment, Intervention and Outcome

- ESI will focus on these three, related, core elements of Probation practice. Is the risk-needs assessment of offenders well grounded? Are the *interventions* which case managers deliver or arrange appropriate (not least in relation to the *diversity* of offenders) and proportionate to the risk-needs assessment? And is the outcome of the interventions gauged and recorded, and adjustments made accordingly to the assessment and supervision plan?

Figure 5.1: The ESI Virtuous Triangle



Informed Interviews

- As in PIP, a sample of case files will be read, with local staff acting as assessors, but now preparatory to *informed* interviews with case managers, offenders and other



relevant persons (programme tutors, partnership providers, etc.). That is, we shall explore in some detail offenders' Probation careers, discussing with the persons most closely involved why particular decisions were or were not taken and what progress, or lack of it, has been made.

Management and Resource Interviews

- Area Board members and senior personnel will be interviewed about aspects of management and their use of resources (organisation, priorities, partnerships, etc.). These interviews will be based on less onerous demands for advance information, supplemented by a desk-top analysis of the performance management data routinely collected from Areas by the NPD considering, in particular, performance against key service delivery agreement (SDA) targets and NPS objectives.

Scores

- All 42 Areas will be inspected by these means according to published ESI criteria, scored so as to produce separate indices of performance in relation to *management, assessment, intervention and outcome*. These four will generate an overall performance score for the Area. The inspection cycle will last approximately three years.

Readable Reports

- Reports will be briefer and more accessible than previously. They will be modelled on our audit of accredited programmes reports and will identify both good practices and areas for improvement and will include findings and recommendations in relation to both the Area and, where appropriate, the region and the NPD.

Comparisons within 'families'

- The performance of Areas will not be compared, as in PIP, within regions nor will inspections be sequenced by region. Together with the NPD we have agreed on the allocation of each of the 42 Areas to one of six families defined according to budget

size and density of population (see Appendix B). Areas within two families will be inspected at any one time. The 14 Areas falling within the 'large size, high density' and 'medium size, higher density' families will be inspected during the first year, with Areas falling within the same region being inspected at about the same time.

Follow-up only when necessary

- There will no longer be, as in PIP, routine follow-up inspections. The cut-off point for ESIs will be the receipt from the NPS (the Area and the NPD) of their response to our published report, an indication as to whether these findings and recommendations are accepted and an Action Plan to manage change. It will then be the responsibility of the Service to ensure that appropriate steps are taken to address any aspects of performance requiring improvement. The only exception to this rule will be our undertaking a focused follow-up if we find some aspect of performance giving rise to serious concern. In which case we shall return to the Area within a short space – likely to be three to six months – to satisfy ourselves that steps have been taken to put the matter right.

Thematic Reports

- In addition to Area reports we shall from time to time publish thematic reports based on aggregate data. The latter will arise in two circumstances. First, in addition to our routine data collection, space will be required in every ESI for the collection of specialised data the nature of which will change depending on current concerns. We have decided, for example, that the first ESIs will involve a focus on Education and Basic Skills (EBS). Secondly, the data collected in any one Area will often be too few to test particular propositions – the treatment of women or minority ethnic offenders, for example. Where this is the case, occasional reports will be published based on analysis of data from several Probation Areas to shed light on this issue.

5.4 We shall be looking at offenders, including high risk of harm cases, who have been under supervision for about nine to ten months. The interventions delivered by the Probation Service and its partners will be examined to check whether they have had any discernible impact on the criminogenic factors (distorted thinking, abuse of drugs, homelessness, displays of anger, debt, lack of basic skills, unemployment, etc.) identified as underlying the offender's criminal behaviour.



5.5 Our focus on *outcomes* requires some elaboration. We will no doubt find instances of good or excellent practice where the intervention of the Probation Service or its partners has led to significant improvements in offenders' circumstances and behaviour and lessened their chances of reoffending, which must be the principal aim of probation work. Examples will be quoted in HMIP's reports. There are bound to be other cases showing no positive result, despite the effort applied. Our observations will therefore need to be based on aggregate data. Despite the difficulties of working with some offenders, we do expect that a Probation Area that is routinely delivering interventions carefully targeted at criminogenic factors identified in risk-needs assessments should demonstrate better rates of offender improvement than those that are not.

5.6 We also believe that the data collected for inspection purposes may be valuable for research and should not be wasted. During the course of ESIs a wealth of data will be collected relating to sizeable samples of offenders. We have agreed with the Home Office Research, Development and Statistics Directorate that these data will be followed up in order to explore better relationships which, during the course of our inspections, can be looked at in only the most short-term manner.

The Joint Inspection of YOTs

5.7 The independent inspection of YOTs has a short history. The present youth justice system in England and Wales was established by the Crime and Disorder Act 1998. There are two key structural components. First, the local authority-based YOTs, of which there are currently 155, most of whose staff are seconded by three key agencies – Social Services, the Police and the NPS. Secondly, the Youth Justice Board (YJB), a non-departmental public body which formulates general youth justice policy.

5.8 Two joint inspectorate pilot inspections of YOTs, led by the Social Services Inspectorate (SSI), were undertaken in winter 2000/2001. For various reasons the initiative was not extended. Not until the close of 2001 did Ministers approve planning for a comprehensive programme, a budget for which was provided at the end of 2002. It follows

“the first ESIs will involve a focus on Education and Basic Skills”

“a Probation Area that is routinely delivering interventions carefully targeted ... should demonstrate better rates of offender improvement than those that are not”

that detailed planning did not begin until early 2003. The programme will involve eight Inspectorates – HMIP, HMIC, the SSIs for England and Wales (SSIW), HMIPrisons, the Offices for Standards in Education in England and Wales (OFSTED and Estyn) and the Commission for Health Improvement (CHI) – and we will lead. The Home Office is the sponsor and budget provider. The programme will begin its roll-out in September 2003. YOT inspection reports will, in the first instance, be addressed to the Minister for Youth Justice in the Home Office and the accountable Chief Executives in the local authorities concerned.

5.9 The purpose of the inspection programme is:

To report to the Secretary of State and, through him, Parliament and the public, on the effectiveness of the YOTs in fulfilling their statutory duties to prevent offending by children and young people, and thereby protect the public, whilst still safeguarding their rights and promoting their welfare.

5.10 We will be assessing the extent to which the YOTs and their partner organisations:

- prevent offending by children and young people through effective supervision
- meet the needs of young people at risk of offending and enable them to lead law-abiding and constructive lives
- meet the required standards and targets set by the YJB.

The programme also aims to promote good practice, identify underperformance and make recommendations to facilitate improvements, evaluate the effective use of resources, highlight race equality and diversity and produce timely reports contributing to improved performance.

5.11 By the end of last year a working party, comprising members of the relevant Inspectorates, had made substantial progress developing a draft set of standards and

“YOT inspections will be carried out in line with the Government’s commitment to proportionate and coordinated inspection in local government”

criteria on which to base the programme. This work, undertaken in consultation with the YJB, is preparatory to extensive consultation with the local authority Chief Executives to whom YOTs are accountable, the chief officers of the principal seconding agencies, YOT managers and staff and their professional and other associations, and the many stakeholders, including partner providers, in the work of the YOTs. Pilot inspections are underway following which agreed standards will be published and the inspection programme rolled out.

5.12 At this stage it is only possible to sketch the broad outlines of the inspection programme as agreed. The key principles and features will be:

- *comprehensiveness* – a programme covering all 155 YOTs over a five to six year period
- *advance notice* – each YOT to receive at least 12 weeks notice of inspection
- *consistency* – inspections to be carried out in line with the Government's commitment to proportionate and coordinated inspection in local government, informed by the Comprehensive Performance Assessment (CPA) results and the Wales Programme for Improvement
- *proportionality* – to risk and size, once the validity and reliability of the performance data routinely returned by all YOTs to the YJB has been established
- *transparency* – the standards, criteria and sources of evidence on which the programme is based to be published
- *grading* – performance scored according to a scale, either numerical or qualitative, based on published inspection standards
- *congruence* – the inspection standards to be linked to Government aims and targets and YJB standards
- *an outcome focus* – concentrating data collection on the manner in which a sample of individual offenders have been assessed and intervened with, and the impact which these interventions have or have not made

- *a user focus* – collecting data from offending juveniles and their parents in order to assess how they have experienced and view involvement with the youth justice system
- *a customer focus* – gathering information from key consumers of YOT services, notably the courts and the local authority CDRPs.

5.13 Several things flow from the above approach which merit attention. First, the fact that the programme is to be in line with the results of the local government CPA in England and the Wales Programme for Improvement, means that YOTs in local authorities assessed as excellent will be inspected only if their Chief Executives wish them to be inspected. We think it likely that such YOTs, when selected, will be volunteered: YOTs and CDRPs were not assessed as part of the English CPA and Wales Programme for Improvement process and hypothesise that Chief Executives in excellent local authorities will be keen to learn how their YOTs are performing so as to enable them to retain their excellent status. But this remains to be seen.

5.14 Secondly, we will wish to form a view as to which managerial and performance issues should be closely examined during what will necessarily be a relatively short period of fieldwork with each YOT – likely to be a week on average – on the basis of advance information. Demands will be limited to the greatest possible extent, asking almost entirely for information which YOT managers should in any case have to hand. This will include:

- the YOT and relevant CDRP plans, key local strategy documents and, through the YJB, quarterly statistics and the YOT self-assessment
- data regarding compliance with national standards and ASSET (the youth justice risk-needs assessment tool for offenders) results, etc. on a range of randomly selected pre-identified cases which can then be followed up during fieldwork.

5.15 We also propose making short pre-inspection visits to YOTs so as to clarify the issues to be concentrated on during fieldwork and to sort out the logistics of interviews and other meetings.

5.16 Thirdly, there are many aspects of our methodology which remain to be decided. These have been the subject of consultation during spring 2003. How, for example, should YOTs be sequenced for inspection – by region, by like-for-like families yet to be



determined, individually or in smaller geographically proximate clusters? We would like somehow to involve YOT staff in either their own or adjacent YOT inspections: but would this be practicable given the intensive operational demands already made on what in many cases is a small staff group? Further consideration is being given to phasing the first cycle of inspections. YOTs remain relatively new structures. They represent the quite radical creation of multi-disciplinary teams serving the courts and criminal justice system on one side and the local authorities with their broader crime preventive remits on the other. If it is neither appropriate nor immediately feasible to cover what is a potentially very broad YOT agenda, on what issues should be initially concentrate?

5.17 Finally, we intend publishing brief reports incorporating the broad findings of the inspection and containing recommendations for improvement. The evidence on which the results are based will be submitted to the relevant Minister, the Chief Executive, chair of the steering group and YOT manager for their information and use. We hope, in this way, to provide user-friendly reports which will be accessible to the public and elected members whilst still being of use to practitioners in informing their practice.

HMIP's Business Plan for 2003/2004

5.18 Our Annual Plan (see website for summary) explains how we will inspect NPS progress against key Home Office, criminal justice and NPS targets. The priorities for 2003/2004 are to:

- implement ESI
- assess the reliability of NPS's performance data
- lead the development and implementation of the joint YOT inspection programme
- contribute to the CJCIG-organised pilot Area inspection and thematic inspections on persistent offenders and public protection
- actively promote race equality and wider diversity issues, specifically by following up our race equality thematic report recommendations
- contribute to the development of a common approach to costing the work of the NPS through collaboration with Probation Inspection and Audit Forum members.



HM Chief Inspector &
HM Deputy Chief Inspector

Rod Morgan
HM Chief Inspector



Frances Flaxington
HM Deputy Chief Inspector



HM Assistant
Chief Inspectors

Liz Calderbank
HM Assistant
Chief Inspector



John Hutchings
HM Assistant
Chief Inspector



Alan MacDonald
HM Assistant
Chief Inspector



Peter Ramell
HM Assistant
Chief Inspector



HM Inspectors

Di Askwith
HM Inspector



Ged Bates
HM Inspector



Mark Boother
HM Inspector



Andrew Bridges
HM Inspector



John Browne
HM Inspector



Rose Burgess
HM Inspector



Inspection Officers

Mary Barnish
Inspection Officer



Roseanne Cameron
Inspection Officer



Peter Carter
Inspection Officer



Christine Fiddes
Inspection Officer



Jackie McAvoy
Inspection Officer



Eileen O'Sullivan
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Inspection Support

Andy Bonny
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Manager –
Inspection Support
Team London



Mary Taylor
Property &
Finance Manager



Pippa Bennet
Inspection
Support Team



Cleve Garraway
Inspection
Support Team



Appendix A

*Nigel Dewitt
HM Inspector*



*Kam Kaur
HM Inspector*



*Phil Lockett
HM Inspector*



*Andy Smith
HM Inspector*



*Jane Webb
HM Inspector*



*Ray Wegrzyn
HM Inspector*



*Kate White
HM Inspector*



*John Shine
Principal Psychologist*



*Jean Hartington
Proof-reader*



*Beverley Folkes
Inspection
Support Team*

*Paul Cockburn
Inspection
Support Team*

*Chris Michael
Senior Personal
Secretary to HM
Chief Inspector*



Appendix B

Families of Areas to be used for Comparison in ESI (see para 5.3)

Metropolitan Probation Areas and London Probation Area

Greater Manchester
London
Merseyside
Northumbria
South Yorkshire
West Midlands
West Yorkshire

'Large Size, High Density' Probation Areas

Essex
Hampshire
Kent
Lancashire
Nottinghamshire
South Wales

'Large Size, Lower Density' Probation Areas

Avon & Somerset
Devon & Cornwall
Humberside
Sussex
Thames Valley
West Mercia

'Medium Size, Higher Density' Probation Areas

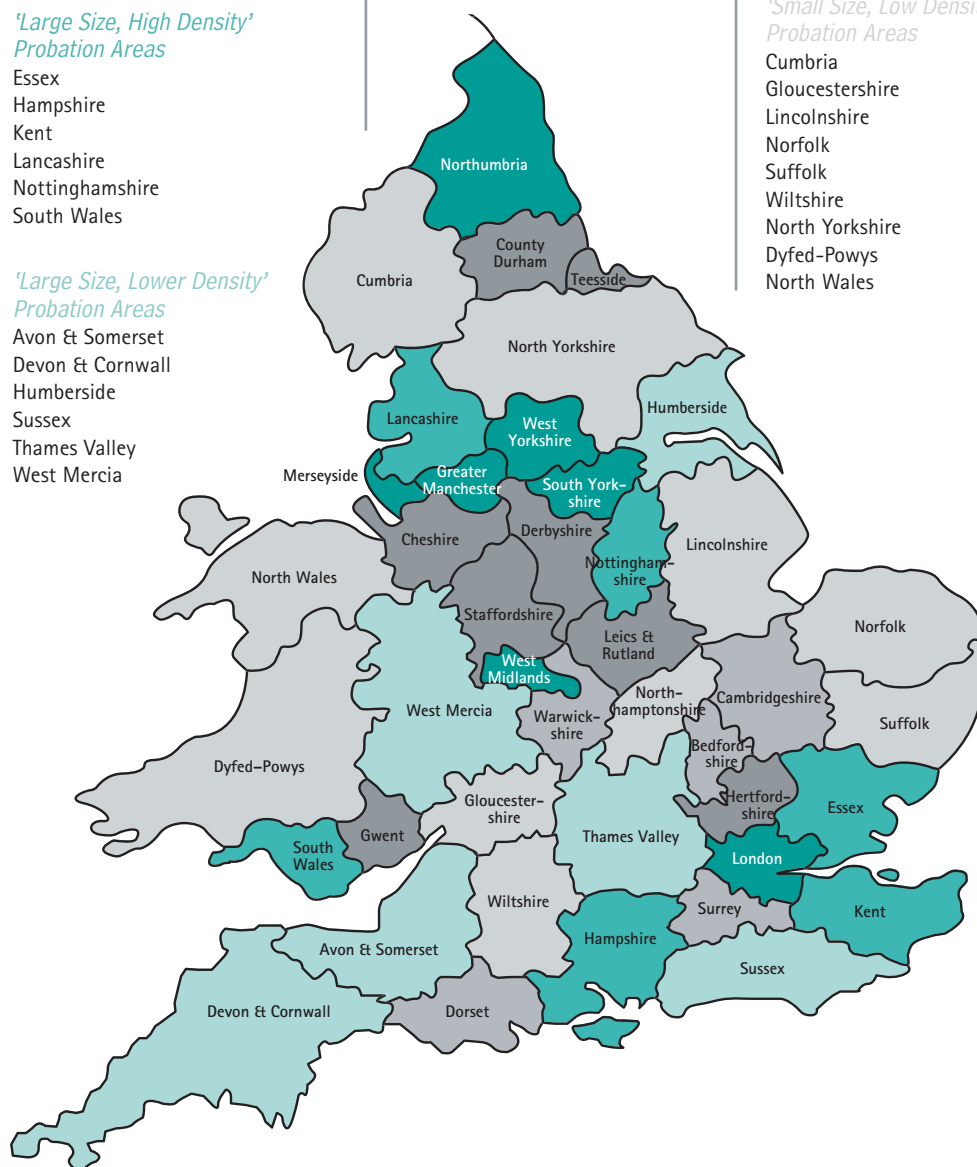
Cheshire
Derbyshire
County Durham
Hertfordshire
Leicestershire & Rutland
Staffordshire
Teesside
Gwent

'Small Size, Higher Density' Probation Areas

Bedfordshire
Cambridgeshire
Dorset
Northamptonshire
Surrey
Warwickshire

'Small Size, Low Density' Probation Areas

Cumbria
Gloucestershire
Lincolnshire
Norfolk
Suffolk
Wiltshire
North Yorkshire
Dyfed-Powys
North Wales



Appendix C

Budget for 2002/2003

Total Expenditure for Year

Staff salaries	£2,073,683
Travel and subsistence	£353,855
Printing	£117,373
Manchester office accommodation	£28,850
Stationery	£30,138
Promotion and development	£59,177
Mobile phones	£11,325
Training	£64,187
Refreshments for inspection planning meetings	£3,359
Postage and freight	£7,424
Total	£2,749,371

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
Home Office
2nd Floor
Ashley House
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London SW1P 2BQ*

Copies of inspection reports may be obtained from:

*Home Office
Directorate Communications Unit
7th Floor West Wing
50 Queen Anne's Gate
London SW1H 9AT
Tel: 020 7273 4599*

Copies are also available on our website at:

<http://www.homeoffice.gov.uk/justice/probation/inspprob>