



Her Majesty's  
**Inspectorate  
of Probation**

2004/2005 Annual Report

Independent  
inspection of  
the National  
Probation  
Service  
and Youth  
Offending  
Teams





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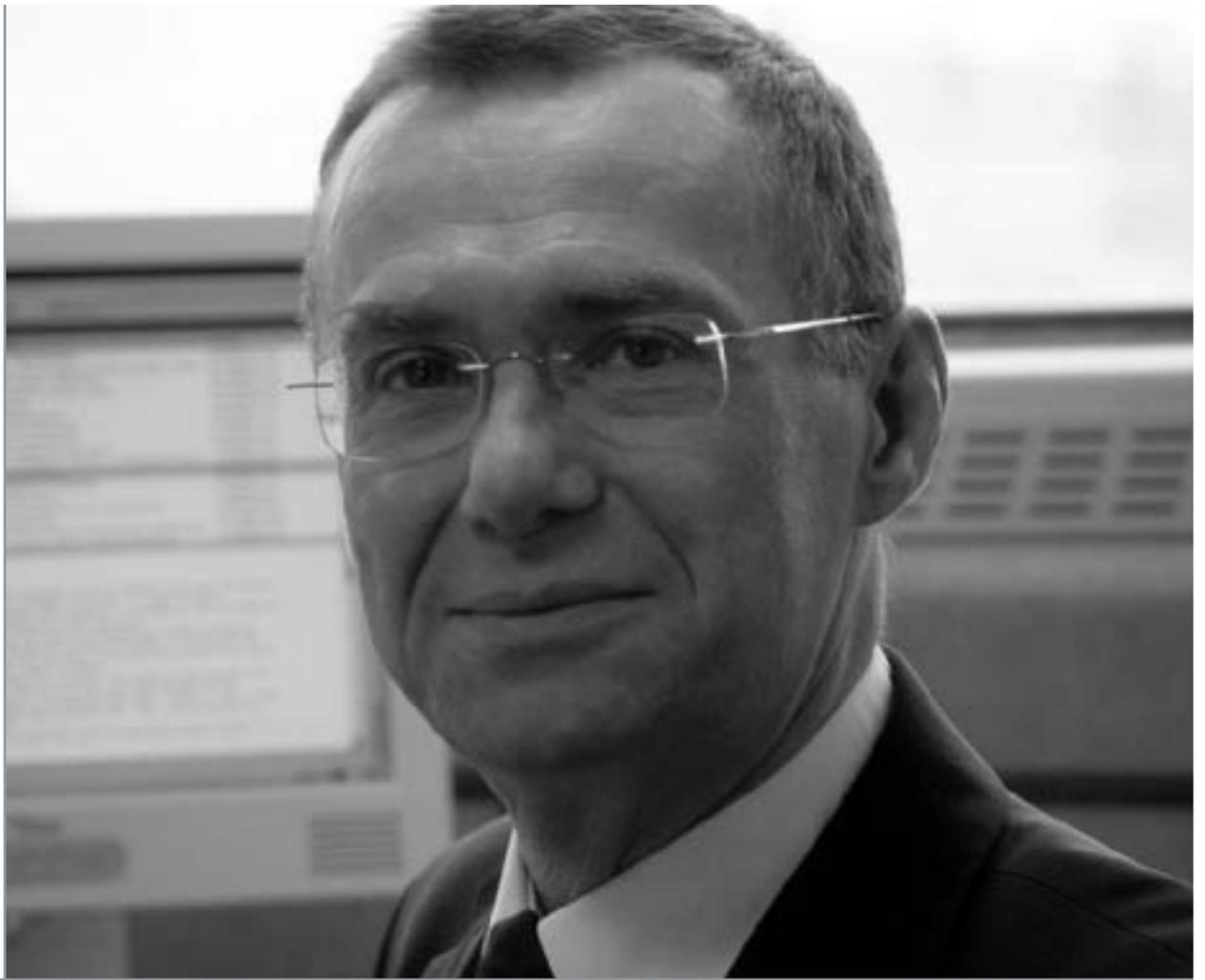
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## SUMMARY

1. During 2004/2005 HMI Probation:
  - completed 15 inspections of probation areas under our three year Effective Supervision Inspection programme
  - completed 25 inspections of Youth Offending Teams under the five year joint inspection programme which we lead
  - contributed to 39 inspections under the Supporting People inspection programme led by the Audit Commission
  - completed and published thematic inspection reports on probation service work on domestic violence, racially motivated offenders, the movement of offender cases between areas, and the Diploma in Probation Studies; and completed a further thematic inspection on offender accommodation
  - led a joint inspection on sex offenders, and also worked with other inspectorates on joint inspections of criminal case management in the Surrey and North Yorkshire criminal justice areas, of the enforcement of community penalties, and of children's safeguards.
2. Most probation areas are broadly achieving the quality of work with offenders that we would expect to find. However there is a recurring need for improvement in the assessment and management of offenders' risk of causing harm.
3. HMI Probation is working, in close association with HMI Prisons, on plans to inspect the management of offenders from the start to the end of their custodial or community sentences under the auspices of the National Offender Management Service (NOMS). A new inspection programme is due to start in May 2006.
4. HMI Probation's average cost per inspection hour is well below £100, reflecting our commitment to giving good value for money.
5. In his Foreword, Andrew Bridges, the Chief Inspector of Probation welcomes the Government's intention of a single criminal justice inspectorate but indicates that it should focus not on specific agencies but on whole criminal justice processes such as criminal case management and offender management. He also indicates the importance to NOMS of the role of the offender manager in engaging with the offender to achieve the purposes of the sentence, and that this role should be central to the design of NOMS.
6. Overall, Andrew Bridges describes the task of improving the effectiveness of the Criminal Justice System (CJS) as requiring a 'long haul' of year-on-year steady incremental improvement in each element of the whole processes. He also describes the unique contribution which independent inspection makes towards improving the CJS.



# Foreword

by Andrew Bridges, HM Chief Inspector of Probation

## **THE LONG HAUL:**

### **IMPROVING EFFECTIVENESS IN THE CRIMINAL JUSTICE SYSTEM**

1. I am very proud indeed to present this annual report on the work of HM Inspectorate of Probation (HMI Probation) on behalf of everyone who has worked so hard throughout the year towards achieving our stated aim of "Helping to Improve Effectiveness in the Criminal Justice System (CJS)"<sup>1</sup>. In this Foreword we are taking the theme of the 'long haul', to describe both the task of improving the CJS and the unique contribution that independent inspection makes to the task.

#### *Our rapidly changing world*

2. It is becoming a truism to observe that we are operating in a rapidly changing world, yet there is no alternative to starting this Foreword with that truism. A number of major changes are taking place in the several worlds in which we operate, and we have to start by outlining here those current and prospective changes as best we can at this stage, and to offer our perspective on them. Since HMI Probation has taken a strong position in both adapting to and initiating change, we seek to persuade others that our positive long-term perspective on the future is the right course to adopt. This also in turn provides the context for our view of how the National Probation Service is currently doing.

3. A year ago my predecessor Rod Morgan was, rightly, welcoming the prospect of a merger between this Inspectorate and HMI Prisons, although both he and I saw this as a 'second best' to our preferred option of merging all five Criminal Justice inspectorates. A year later we in HMI Probation find ourselves in the position where the previously planned bi-lateral merger is now off, and instead we now expect a path towards the five-way merger after all. This requires legislation, and we therefore expect this not before 2007. Accordingly, our planning assumption for this Inspectorate is that we are now very likely to continue to exist in our present form for another two years. (To that end, my appointment as Chief Inspector has been extended to March 2007.)

4. During those coming two years, our own rapidly changing world has three major elements to it, within each of which exist some difficult and often complicated factors. We therefore aim to set our work of the last year into this context, and also indicate the approach we are taking to contribute towards an effective CJS.

5. The three major elements to this rapidly changing world are:

- The establishment of NOMS (National Offender Management Service), and the prospective inspection of offender management
- Inspecting Youth Offending Teams (and Services) – YOTs and YOSs – in the future context of Joint Area Reviews (JARs)

<sup>1</sup> For more on our aims, please refer to our Plan for 2005/2006 on our website: [www.homeoffice.gov.uk/justice/probation/inspprob](http://www.homeoffice.gov.uk/justice/probation/inspprob)

“We are taking the theme of the ‘long haul’, to describe both the task of improving the CJS and the unique contribution that independent inspection makes to the task.”

- The prospect of a single Inspectorate for the CJS, in the context of wider reforms to public service inspection arrangements.

We therefore now offer our perspective on these three elements, and on other matters related to our work.

### *The establishment of NOMS*

6. NOMS was formally created in June 2004, and the aim is that during the coming few years it will embrace the work currently undertaken by both HM Prison Service (HMPS) and the National Probation Service (NPS). It constitutes a visionary attempt to make a long-term improvement to the effectiveness of the CJS, and for that reason will clearly require new inspection arrangements.
7. We see the vision of *offender management* as a powerfully positive one. Sentenced offenders, whether serving a custodial or a community sentence (or increasingly a mixture of both), should be managed from the beginning to the end of their sentence in a coherent and organised manner. The person in charge of their case, the offender manager, should engage with the offender as an individual, and through an individually tailored programme of work ensure not only that the offender is properly punished, but also that the offender becomes less likely to reoffend and poses a minimum possible risk of harm to the public. At its best, this vision is entirely consistent with a strong tradition within the probation service, especially for those of us who were at one time involved with what we used to call ‘through and after-care’, which involved working in partnership with Prison Service staff to engage effectively with sentenced offenders.
8. However, there are some particular problems with NOMS. One of these is that the concepts of *offender management* and *contestability* have been introduced at the same time, and included in the preparation for the latter has been the need to introduce a divide

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within the organisation between commissioning and providing. In the eyes of many critics, one idea (*offender management*) has been mistakenly identified as the cause of the other (*contestability*), a misunderstanding that needs to be dispelled.

9. Another is implementation. High aspiration also brings with it high risk of failure, and many of the anxieties and doubts about what NOMS might bring are understandable, because its vision is hugely ambitious. If implemented badly, it would be possible for *offender management* to be bureaucratic, impersonal, under-resourced, and a series of fragmented sub-contracting exercises – hence the challenge for all concerned is to implement it *well*. This will require a 'long haul' approach.

#### *Contestability*

10. Although the word is often mocked as an inelegant neologism in some quarters, the concept of contestability is both clear and of potential genuine benefit to public services – again if implemented well. Exposing a public service to competition from private providers can certainly improve value for money (i.e. bring more quality as well as less cost) for the taxpayer, whether or not there is actually a change of provider.

11. There are two popular misconceptions about this agenda in relation to NOMS. The first is that the 'real' drive is towards *privatisation* as an end in itself. But this is not the case provided that the focus remains in practice on getting best value for the money spent on public services. The second misconception is that in some way the *contestability* agenda has been created as a result of the establishment of NOMS, and is being driven by the NOMS concept. Instead it is important to understand that *offender management* and *contestability* have arrived in the probation world at the same time, but neither is the 'cause' of the other. If it were otherwise, the two would stand or fall together, but this is patently not the case. The drive to expose public services to competition emanates directly from the Cabinet Office, and the drive to apply it to the probation world would continue even in the unlikely event of the whole NOMS concept being dropped.

12. In our view the concept of *contestability*, as it should be applied, is the right one – and what is needed now, again, is to implement it well. It should not be applied as a way of gaining a few short-term hits, but instead it should be designed in as part of a long-term strategy to ensure that all providers, whether public or private, contribute to the 'long haul' of improving the effectiveness of the CJS as a whole.

*'Offender Management' – a term with two meanings*

13. A terminology problem that currently has the tendency to trip up discussions of planning is that *offender management* can have two meanings. In some discussions we need the term *offender management* to cover everything which comes under the auspices of NOMS. Under this definition all the services and interventions that are undertaken both directly and indirectly with the offender during the course of his or her sentence count as being *offender management* because they happened as part of that experience of undergoing a managed sentence. At other times we need *offender management* to mean the work undertaken specifically by offender managers, being a role described in the Offender Management Model Version 1, issued in January 2005. This OM Model usefully distinguishes this role from such other roles as *offender supervisor*, *case administration* and of course those who implement other *interventions*.

14. We understand the reluctance to allow technical terminology to proliferate, but we note that it often proves helpful in the long term to create terms with clear distinctions. In relation to this matter, we have already indicated elsewhere (in our Plan for 2005/2006) that we might find it helpful to start referring to the narrower version of *offender management* (i.e. what Offender Managers do) as being 'offender managing'.

15. Even when the role of the offender manager has been clearly established in theory, it will also need establishing in practice – and both jobs are 'long haul' tasks. Currently, a large proportion of probation staff who occupy the 'case manager / offender manager' role experience themselves as being the poor relation or even the dogsbody of the NPS compared with their colleagues who operate apparently more glamorous specialist roles in the Service. Within the future new Service it will be crucial that being an offender manager will instead be identified as being the most highly skilled and most prestigious practitioner

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job, the centre around which the other specialist practitioners revolve, including those in custodial institutions.

16. The heart of positive and effective *offender management* is when the offender manager effectively engages with the offender as an individual in order to achieve the purposes of the sentence. The OM Model refers to this as *core correctional practice*; while for our part we put these engagement skills at the heart of both our current and future inspection methodology, a point we return to further below. But again it should be noted that these skills are central to the 'long haul' – while focusing and managing improvement in *core correctional practice* is a long haul task in itself. Before returning to that point we offer other observations about what might aid successful implementation of NOMS.

#### *Strategy before Structure*

17. The big advantage offered to NOMS by the change of approach and timescale announced in July 2004 was that it became possible to put strategy before structure, i.e. to design what the new service was to deliver before getting locked into designing its organisational structure. However, the drive towards *contestability*, together with the natural instinct to demonstrate decisive planning, threatens to put structure ahead of strategy again. This tendency is ironically compounded by some of the self-proclaimed opponents of NOMS, virtually goading the new organisation into deciding structural arrangements at too early a stage. In our view the OM Model needs to take its place at the *centre* of designing what the new service is for.

#### *Integrating the OM Model with Performance Standards, NOMIS and Resource allocation*

18. In our view NOMS' greatest achievement in its first year was the establishment of the OM Model. Partly this was because of the document's clear exposition of what is required, in the form of a framework, and specifically not linked to a single prescribed organisational structure. Where the Model's approach has been recognised it has also brought with it the support of a substantial number of participants across the country at both practitioner and manager level, from a service not customarily noted for its uniformity of thinking.

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19. But this in turn needs integrating with three other things – **performance standards**, **information systems** and **resource allocation**:

- **performance standards** provide one important definition of what 'doing the job well' looks like, and the new version of National Standards (NS) provides a great deal of that definition, so there is a strong potential for integrating NS into the OM Model. Standards, like targets, need to have much more continuity than change in them year-on-year. Consistency of definition of success makes it possible for the long haul task of steady incremental improvement to be planned, managed and delivered
- similarly, the development of the supporting **information system** 'NOMIS' to date has also been a significant achievement by NOMS. But a real test of its success will be the extent to which the first working version of NOMIS can integrate both the work processes outlined in the OM Model and the performance standards and other definitions of success required of NOMS. Furthermore, until a first working version of NOMIS is in place, it is very hard to see how any form of genuinely integrated offender management can be operated with roles being even more divided than now. Hence it might be wise to consider the timescales for implementing NOMIS when deciding the timescales for implementing any divisions in offender management arrangements. An electronic case management system that works is of course an essential foundation for the long haul task
- of equal importance is the need to define **resource allocation** for offender management in both its narrower and its wider sense (i.e. including interventions). Projections will have to be made of the time offender managers and other staff and contractors will have available to undertake their key tasks to the required standard. This will enable resource allocation planning at National and Area level, as well as provide a basis for improved day-to-day work management at local team level.

*A Service that is both divided and integrated?*

20. Our discussion thus far highlights an important paradox that NOMS must resolve. To be effective, *offender management* (in the wider total meaning of the term) has to be a fully

... until a first working version of NOMIS is in place, it is very hard to see how any form of genuinely integrated offender management can be operated with roles being even more divided than now.”

integrated process. Yet *contestability* requires a divide between commissioning and providing, and much of the current attention is being given to deciding where in the organisation the split should be made, and how it should be achieved.

21. But although we describe it as a paradox, it is not a contradiction – it is both possible and desirable to achieve the two aims of division and integration at the same time. To do this it is essential to start with strategy rather than structure, focusing on what *offender management* aims to deliver. While the need to have a range of interventions implemented by different people (or potentially different organisations) calls for division of tasks, the need for coherent management of each case calls for clear integration of process. Thus there is a legitimate need for both division and integration at the same time.

22. Can this be delivered in practice? Yes, albeit with difficulty: NOMIS must do the job in practice it was designed to do. Offender managers must have the skills, resources, tools and status to do the job required of them, and be focused on doing that to the required standards. And each intervention provider, whether a public or private provider, must not only be focused on delivering their own specific contribution to the offender’s sentence plan, but they must also understand where their contribution fits in within the overall sentence plan. For this they will need NOMIS to give them up-to-date access to the current sentence plan as well as the record of contacts with the offender. NOMIS will therefore be a critical component in enabling *offender management* to be both divided and integrated at the same time. (But, as indicated earlier, until NOMIS is in place it will be very hard indeed to keep *offender management* integrated while roles become increasingly divided.) It is both necessary and possible for both division and integration to be achieved in practice, though of course it will be extremely difficult.

23. Thus our overall perspective is that we support the NOMS vision, but like many others we think it is vital that the right NOMS vision is implemented in practice, and that it is thus

implemented well. We therefore don't share the perspective of those who are negative about the arrival of NOMS, but we believe that our positive view is neither rose-tinted nor gung-ho.

24. We recognise that NOMS has the potential to become one of the key long-term means of improving the effectiveness of the CJS. To turn this potential into reality, its implementation will need to be one that prepares everyone for the long haul of steady incremental improvement in core correctional practice.

#### *Inspecting Offender Management*

25. It will be clear from the above that we strongly support the principle of *offender management* on which NOMS is based. With it we support the idea of *core correctional practice*, the work done by offender managers to engage with sentenced offenders in order to devise an effective sentence plan and ensure its implementation. We also aim to play our part within an independent Inspectorate, making an appropriate contribution to the process that helps to ensure that this is done well.

26. We say more further below about our approach to doing this, but our resulting plan at this stage is, in close association with HMI Prisons, to devise a methodology for inspecting offender management, and a programme for implementing it. Much of it will grow from our existing Effective Supervision Inspection (ESI) methodology, but it will be developed into Offender Management Inspection (OMI). We expect to be able to start this new programme from May 2006, and we say more about this in Chapter 7.

#### *Youth Offending Teams/Services and Joint Area Reviews*

27. People usually express surprise when we tell them that our inspection of Youth Offending Teams and Services (YOTs and YOSs) now take up 40% of the resources of HMI Probation. To a large extent this is because although we are the lead Inspectorate among a total of nine separate regulatory bodies that undertake these inspections, we purchase almost all the contributions made by our partner inspectorates. Some of this has been new money, and some of it has been resourced through internally managed efficiency gains.

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For example we did not replace the Deputy Chief Inspector in April 2004, and instead spent the money on front-line inspection staff.

28. Accordingly, although we will again this year be preparing a separate annual report for the YOT inspection programme, jointly with our partner Inspectorates for launch in autumn 2005, it did still seem appropriate to give some account of the very important and far-reaching developments in this area of our work in this our 'main' annual report. This is covered in Chapter 3.

*Other work: Supporting People (SP) reviews*

29. Before going onto our third major element of change we should mention our work on SP reviews. Although this is covered in more detail later in this report, it is important to note that this constitutes in effect our third Area Inspection programme, and also that it is very significant to the work of the NPS. Under the leadership of the Audit Commission, who fund this programme, we are visiting 40 of the relevant Local Authority (LA) Areas in England each year to review the Supporting People arrangements in each of those areas. We say more about this in Chapter 6.

30. The SP work that we are helping to review is strategic work that requires an actively managed contribution at senior management level from the local Probation Area in the case of each relevant LA area, and inevitably we find that it is better done in some LA areas than in others.

31. We recognise the substantial difficulties involved for many Probation Areas in participating actively in strategic local partnerships such as these, alongside similar strategic local partnerships for community safety, youth offending, substance misuse services and employment and skills training. Nevertheless if this Probation Service contribution is going to be managed well at local level, steady long-term results can be achieved at a modest cost by Areas taking the trouble to organise themselves to deliver it.

“... we challenge the growing misconception of public service inspections as being a ‘burden’ on public service, a term that is gaining currency simply by repeated use.”

“... a set proportion of the budget of a public service should be allocated for scrutiny generally, and for independent inspection in particular ...”

### *CJS inspection: present and future*

32. This is the third major area in our rapidly changing world. In March 2005 we set out our views about the future of CJS Inspection through two published papers; *Assessing the Cost and Benefits of Inspection: a Case Study*<sup>2</sup> and *Inspecting the Criminal Justice System: Starting from First Principles*<sup>3</sup>.

33. In the first we challenged the growing misconception of public service inspections as being a 'burden' on public service, a term that is gaining currency simply by repeated use. Instead we engaged positively with the Government's July 2003 policy on inspection, *Inspecting for Improvement*, and in our case study we examined the measured improvement by an inspected body between its original and its follow-up inspection, and we weighed this against the cost of the inspections both to the inspectorate and to the inspected Probation Area. To the credit of the inspected area (Hertfordshire) the measured improvement was very substantial, and the cost of the whole inspection exercise came to **one half of one per cent** of the revenue budget for that Area over the relevant three year period.

34. In *Starting from First Principles* we argued that a set proportion of the budget of a public service should be allocated for scrutiny generally, and for independent inspection in particular, and we said that if a penny in the pound was spent on independent inspection, this would not look unreasonable. Having said that, we also noted that currently in the CJS the budgets for the five relevant inspectorates total **less than one-tenth of one per cent** of what is spent on the CJS itself each year (c£22 millions to c£22 billions). The idea of setting a percentage figure (whatever that figure is) is that the contribution of independent inspections in terms of assurance to the public and contributing towards improvement can on the one hand be guaranteed and yet on the other hand can also be contained.

<sup>2</sup> See HMI Probation website

<sup>3</sup> See HMI Probation website

“.. future inspection in the CJS should focus not on agencies ... but on whole CJS processes ... that lead to desired outcomes ...”

35. We went on to say that future inspection in the CJS should focus not on agencies, which can give rise to misleading debates as to whether or not a particular discussion is a 'joint' one or not. Instead inspections should focus on *whole CJS processes*, by which we mean *processes that lead to desired outcomes*. We also offered a distinction between the *primary purposes* of the CJS (such as Bringing defendants to Justice, or Reducing Reoffending) and *essential pre-requisites* (such as treating prisoners in custody humanely). Two of the most important *whole CJS processes* are thus *Criminal Case Management* – managing defendants from arrest to sentence – and *Offender Management* – managing offenders from the start to the end of their sentence. Future CJS inspections should focus on a selected number of *whole CJS processes* such as these, while the treatment of prisoners in custody needs to be the subject of a special inspection category of its own.

36. Following discussion of a number of other topics such as costs and benefits, what 'Risk-based' inspections should mean in practice, and when unannounced inspections add value, we concluded our paper with a discussion about independence. We argued that it was not sufficient for our scrutiny function to be conducted independently of the service provider bodies; we also need to be able to set our criteria independently and offer independent advice to Ministers.

37. Clearly we should do so responsibly, and with a view to contributing to improvement in public service. But only by our being able to operate in this independent fashion can Ministers, and therefore the taxpayers, be properly assured about their public services. This independence of role is of course at times a potentially uncomfortable one, particularly for Ministers who sometimes have direct responsibility for the delivery of the relevant public service, but when conducted well it can provide the 'healthy tension' that benefits all in a democracy.

38. These perspectives on current developments provide the context in which we developed our work over the last 12 months, and are planning for the year ahead. An additional key aspect of preparing for the future has been to ensure that we ourselves provide the taxpayer with good value for money.

### *A 'Value for Money' Inspectorate*

39. We aim to ensure that our costs are proportionate. In last year's report we announced that each 'inspection hour' we provided cost less than £96. Later calculations, which took into account the inspection hours we purchase as well as those we provide, showed that our costs were £89.40 per hour, and this figure was used in our *Case Study*. Due to our continued drive to get more from less, our projected figure for the coming year is an annualised average cost per inspection hour per person of £89.29 per hour. However, this is a simple fit-for-purpose 'annualised average', and should not be taken as a basis for undertaking detailed further calculations of 'spurious exactness'.

40. Nevertheless some have correctly observed that additionally there are costs we incur that do not come directly out of our budget. We have been advised by the Home Office to add about 5% to the above costs. But even if we were to add an estimated 10% to this figure, we believe that the resulting figure of less than £100 per hour is evidence that we are still demonstrating proportionate costings.

41. Additionally, there is the question of costs incurred by the inspected body in order to comply with being inspected. We covered this topic in our *Case Study*, and included an agreed calculation within the figures within that report. The only 'cost', sometimes proposed, that we are not prepared to concede as an 'inspection cost' is the cost of the body achieving the required quality of work in the first place. Provided that inspection criteria are largely congruent with an organisation's performance standards<sup>4</sup>, we see no reason why the costs of providing a service to the required standard should be costed to the Inspectorate.

<sup>4</sup> See *Starting from First Principles*, pp 17-18

“Future CJS inspections should focus on a selected number of whole CJS processes such as these, while the treatment of prisoners in custody needs to be the subject of a special inspection category of its own.”

42. As for the benefits, our two March 2005 publications referred to assurance to the public – not readily measurable – and measurable performance improvement. Our case study showed in measurable (but not financial) terms how far the inspected body (Hertfordshire Probation Area) improved its performance, to its credit, between the first and the second inspection. This is perhaps the nearest that one can get to measuring the catalytic effect that constitutes the way in which an Inspectorate aims to *help improve the effectiveness of the CJS*.

### *Role and purpose of inspection*

43. Different people have different expectations of Inspection, and it may be useful for us to confirm here our own understanding of our role and purpose. We recognise that our reports do not attract national publicity, and we note that some people comment that they do not find our reports a particularly attractive read. In our view this partly indicates that there are some ways we could improve our own report-writing practice, which we plan to attempt, but we also believe that on the whole this gives a genuine indication of the true nature of the work we do.

44. We focus on the quality of work done with offenders to reduce their Likelihood of Reoffending and to minimise the Risk of Harm they pose to the public. Because our focus is on the qualitative rather than the quantitative measures, and because every offender is different, this involves an individual analysis, to a high level of detail, of every offender in the representative sample of inspected cases. We can aggregate the findings in each case into quantitative scores for the inspected sample as a whole, for Quality of Assessments, Quality of Interventions and Quality of initial Outcomes.

45. Our external feedback, plus our own internal review processes, both show our methodology to be pleasingly robust for a qualitative approach. Yet by its nature this methodology is detailed and technical, and therefore does not readily make for accessible reading by a new reader.

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46. We don't think it would be right to abandon our methodology, which we think we have shown is both appropriate to the work and fair to our inspected bodies (hence we expect to base our future OMI on a similar approach). But we do accept that we could usefully look at how our presentation of the findings could be made more accessible to readers without doing violence to those findings. We will work on this in the coming year.

47. Even so, we don't expect a significant increase in national media coverage, and we believe that this is consistent with the role we intend to play within the system. Since we see inspection as, among other things, being part of a long-term system of performance improvement, working as a 'critical friend' of the NPS now, and NOMS in the future, our general aim is to keep surprises to a minimum.

48. Some further points follow from this performance improvement role:

- (i) **Improvement rather than innovation:** Our approach to inspection is to ensure wherever possible that both our rhetoric and our behaviour is about working with Probation Areas on the long haul towards quiet, consistent year-on-year incremental improvement in quality and effectiveness of their work with offenders over a sustained period of time. Sometimes short time-limited inquiries focusing on change or innovation are necessary, but in the main inspection is best used for such long-term incremental improvement in specific aspects of performance – what we have called 'whole processes' in the CJS. For this reason, although we recognise that naming and shaming can be an available option as a last resort, this is by no means our preferred approach in how we contribute to improving performance. Our normal approach is one of constructive dialogue focusing on the aspects where improvement is needed;
- (ii) **Learning rather than punishment:** In our ESI programme we have furthermore resisted two current very fashionable trends that are both very live elsewhere in the inspection world. As we explained in *Starting from First Principles* we don't offer so-called inspection holidays, which we see as a misguided application of the (good) principle of making inspection risk-proportionate. The implication of such 'holidays' is that inspection is a punishment that a good quality organisation seeks to avoid – but in

Our approach to inspection is ... about working with Probation Areas on the long haul towards quiet, consistent year-on-year incremental improvement in quality and effectiveness of their work with offenders over a sustained period of time.”

our opinion all organisations, however excellent, should always value the opportunity to learn to improve further. Similarly we have chosen not to award single overall scores for each Probation Area: we note that in local and health authorities such an approach leads to constant dialogue about what the aggregated score should be, instead of to dialogues about where the organisation's performance is either strong or weak, and therefore where and how to improve.

49. Hence our inspection methodology is designed to support the 'long haul' approach to improving effectiveness in the CJS and in the NPS in particular. We focus on key specific aspects of the management of offenders through their sentences, setting inspection criteria that service delivery managers and practitioners can focus on consistently as the definition of success to aim for. These same criteria can also be used for self-assessment exercises by those who wish to, with the prospect of periodic regular visits by an independent inspectorate for external benchmarking purposes. By this means our own approach to inspection offers a sound basis for service delivery organisations to undertake the long haul of achieving steady year-on-year incremental performance improvement.

### *The Effectiveness of the NPS*

50. It is with this approach that we have continued our inspections during 2004/2005, and accordingly themes are emerging in our findings for both Probation and Youth Offending practice. We will say more about how YOTs and YOSs are doing in the special annual report for that purpose, though we emphasise here that their work is at least as much part of the CJS as it is part of the new world of integrated children's services. For this reason our generic core inspection methodology continues to focus on the quality of work undertaken with offenders and young people to prevent (re)offending (even though in the YOT inspections we additionally cover the children's services dimension of work with young people).

51. We therefore turn now to the effectiveness of the work done with offenders by the NPS, and the contribution that this in turn makes to the effectiveness of the whole CJS. We inspected 15 Probation Areas in 2004/2005, including most of the metropolitan Areas, undertook four follow-up inspections, and produced our first report on aggregated findings from ESI, which we discuss further in Chapter 2.

52. As we said above, it is partly due to the nature of Probation work and partly due to our own detailed analysis of that work that our findings tend to appear complex. Each Area has its own mix of good and weak practice, and our scores are designed to help the Area focus with clarity on where they most need to improve. But two general themes emerge clearly from our ESI programme findings to date:

- (i) In keeping with what we said last year, most Probation Areas are broadly achieving the overall quality of work with offenders that we would expect to find;
- (ii) But it has to be said that one recurring area where improvement continues to be needed is assessment and management of offenders' Risk of Harm.

53. We recognise that the NPS has invested heavily and worked hard to improve this area of practice, and we commend this. But it is complex and skilled work, which takes time for practitioners first to understand and then to implement. This may well be a key consideration when noting that in our ES inspections in the last year the range of scores for Assessment of Risk of Harm ranged from 25% to 60%. In all of the Probation Areas that needed a follow-up inspection the Risk of Harm dimension was always either one of several themes, or simply the sole focus, for the follow-up.

54. Management guidance and direction is important, but at present it will be through our inspections that we will find whether this practice is reaching the required level of effectiveness where it counts, with each relevant individual offender. In keeping with our general approach, our inspection criteria for assessing and managing Risk of Harm can be used by each Probation Area itself to assess their own practice, or by us in a scheduled or follow-up inspection. This again illustrates how we will continue to aim to contribute to the long haul of improving performance within the NPS, and in the CJS generally.

“Most Probation Areas are broadly achieving the overall quality of work with offenders that we would expect to find. But ... one recurring area where improvement continues to be needed is assessment and management of offenders' Risk of Harm.”

## *Facing the Future with Confidence*

55. As for HMI Probation itself, we have organised ourselves so that we are delivering our current inspections on time, and we are also reviewing and designing our methodologies and programmes ready for a very different future. We have the right staff, with the right skills, not only to deliver the scheduled inspections over the coming two years, but also to be clearly needed for future inspections in the CJS. Overall we are well placed to make a successful contribution to our future world.





## The HMI Probation Year

## Overview

1.1 During the year 2004/2005 we have progressed on schedule with our three regular inspection programmes:

- the Effective Supervision Inspection (ESI) programme, under which we are inspecting all 42 Probation Areas over a three year period from mid-2003 (more information is in Chapter 2). We completed fieldwork on 15 inspections in 2004/2005
- the joint inspection, with eight other Inspectorates or regulatory bodies, of Youth Offending Teams (YOTs), under which we are inspecting all 155 YOTs over a five year period from autumn 2003 (more information is in Chapter 3 and the separate annual report on the YOT inspection programme to be published in September 2005). We completed fieldwork on 25 YOT inspections in the last year
- our contribution to the Supporting People (SP) inspection, led by the Audit Commission, of each relevant local authority in England (more information is in Chapter 6). We contributed to a total of 39 inspections in 2004/2005.

1.2 In addition we published as planned two thematic inspections undertaken as integrated elements within the ESI Programme – on Domestic Violence and on Racially Motivated Offenders (RMOs) – and at the end of the year were writing up a further 'ESI thematic', on Offender Accommodation. We also published a thematic on the movement of cases, and a follow-up to our earlier inspection of the Diploma in Probation Studies (DipPS). We led a joint inspection on sex offenders, the report of which was being finalised at the time this annual report was being prepared, and also worked with other inspectorates on joint inspections of criminal case management in the Surrey and North Yorkshire criminal justice areas, of community penalty enforcement, and of children's safeguards.

1.3 The following table summarises the number of inspections carried out (i.e. the fieldwork completed), and the number of inspection reports published, in 2004/2005. (There is inevitably some time lag between the date of fieldwork and the date of publication.)

	Inspections <sup>(1)</sup> carried out	Inspection reports <sup>(1)</sup> published
Inspections by HMI Probation as a single Inspectorate	22	23
Joint inspections between HMI Probation and other inspectorates	69	58

<sup>(1)</sup> including follow-up reports where relevant

Details of reports published are shown in Appendix A.



1.4 We also issued separate Inspection Findings on the aggregate results for the first 14 probation areas inspected in the ESI (see Chapter 2 for more details) and on the results for the NPS from the Supporting People inspection. We will use Inspection Findings – as a short and accessible publication – as a means to issue periodic inspection results, particularly those from the ESI programme covering more than one probation area, as well as issuing them with our thematic reports as summaries of the main results.

### *New CJS Inspection Arrangements*

1.5 Throughout the year we worked closely with colleagues in HMI Prisons on the future inspection framework for NOMS and other related work. For the first part of the year, work was organised under a change programme, involving staff from both inspectorates and chaired by Anne Owers, Chief Inspector of Prisons, based on the plans then in place for a likely merger of HMI Probation and HMI Prisons from April 2005. Considerable work was done jointly by staff in both inspectorates on arrangements for a new inspectorate, including constitutional and legislative aspects, infrastructure and support services and arrangements for inspecting offender management. It was subsequently decided not to proceed with the plans for a merged inspectorate from April 2005, pending consideration of the Government's intention for a wider reform of public sector inspectorates including the prospect of a single criminal justice inspectorate (see Foreword). The work of most of the Change Programme has therefore been put on hold though we hope that some of the work will prove useful in due course in the detailed planning for a new CJ inspectorate. However the work on arrangements to inspect offender management is continuing as a high priority (see Foreword and Chapter 7).

1.6 We have contributed to the development of plans for future inspection of the CJS, in particular through the publication in March 2005 of our papers *Assessing the Cost and Benefits of Inspection: a Case Study*<sup>5</sup> and *Inspecting the Criminal Justice System: Starting*

<sup>5</sup> See HMI Probation website

*from First Principles*<sup>6</sup>. A fuller discussion of these papers is in the Foreword. These papers were published in the context of the Government's consultation paper on future inspection arrangements issued in March 2005: we have since responded more specifically and formally to that consultation paper.

### *Staffing*

1.7 We had a considerable number of staffing changes during the year, with 16 staff joining and ten leaving. In part this reflected recruitment to fill vacancies in our inspector group. It also reflected a change in our staffing profile as a result of the requirements of the ESI and YOT programmes, and the earlier cessation of our specific work on accredited programmes. A significant proportion of our inspection work, both in ESI and the YOT programmes, comprises the assessment of practice in individual cases, and our staff group therefore now includes Practice Assessors with a particular responsibility for these case assessments. Our staff group at 31 March 2005 is shown in Appendix D.

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

### *Diversity*

1.9 We are fully committed to diversity in all aspects of our work, including within our own employment practices and organisational processes. We will continue to make sure that we keep our own house in order in terms of how we organise ourselves and treat others, and monitor how we do this. In this connection we routinely monitor the diversity characteristics of the staffing of each of our inspections (staff from the local area as well as from HMI Probation). In 2004/2005 overall, 62% of those staffing our inspections were female, 10% were from a minority ethnic group and 3% had a disability within the terms of

<sup>6</sup> See HMI Probation website

the Disability Discrimination Act 1995. We have made arrangements to widen the scope of our monitoring of staff to cover other diversity characteristics including sexual orientation, and are introducing this from the start of 2005/2006.

**1.10** We see it as very important to examine diversity issues in our main inspection programmes. During the year we published analyses of aggregate data from the ESI by ethnicity, gender, age and disability to facilitate consideration as to whether the quality of supervision varies according to these factors. Results were published in the Inspection Findings on ESI and are described in Chapter 2. We will continue to produce these analyses and consider the implications of the results with colleagues in the National Probation Directorate (NPD) and NOMS HQ. We will similarly ensure that we build into the offender management inspection key criteria to identify whether or not offenders are being treated proportionately at each step in the processes we inspect, irrespective of their diversity characteristics.

**1.11** We also continued to support the NPD's initiatives on diversity during the year. Andrew Bridges participated in the presentation of the NPS Diversity Awards. We also supported NPD work on the collation and consideration of performance and workload data. Similarly our regional link inspectors worked with NPD regional managers on the development and promotion of diversity issues at regional level.

**1.12** Our thematic inspection on racially motivated offenders produced a number of important findings and recommendations to take forward work on this important issue, with a strong bearing on race equality (see Chapter 4).

### *Advising and Liaising*

**1.13** HMI Probation's managers continue to offer advice to Ministers on the performance of the NPS, and to liaise with a wide range of Home Office officials at all levels on probation and related matters within the CJS. During the year we provided advice in particular in relation to the use of OASys (the Offender Assessment System), reflecting the importance we attach to OASys as an essential tool of offender management, and to its

“We will similarly ensure that we build into the offender management inspection key criteria to identify whether or not offenders are being treated proportionately at each step in the processes we inspect, irrespective of their diversity characteristics.”

comprehensive use in the NPS. (In this connection we will be carrying out a short focused thematic inspection on the use of OASys in 2005/2006.) We also provided advice on resource allocation and on the revised national standards.

**1.14** Regular meetings were also held during the year both with the NPD and with NOMS HQ as the latter developed. These meetings are important in order to maintain a constructive relationship and to ensure that there is appropriate congruence between our inspection criteria and NPD and NOMS performance standards.

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

**1.16** We also provided some assistance to the NPD during the year for their work on the quality assurance of accredited programmes. However our role did not prove to be a satisfactory one in practice and we are not at present planning similar work during 2005/2006.

**1.17** We also continue to participate in, and contribute to the work of, the CEP – the European Probation Conference.

*Communication with those with whom we work*

**1.18** Since the start of 2004/2005 we have issued a quarterly newsletter to probation areas, YOTs, NPD, NOMS HQ and other Home Office staff, and others with whom we work to keep them informed of progress in our inspection programmes. We also maintain our website to hold all our reports along with other key documents.





### *Our office accommodation*

1.19 The latter part of 2004/2005 saw the opening of the new Home Office building at 2 Marsham Street, directly across the road from our London office in Ashley House. We will however be remaining in Ashley House. We see this location as appropriate, as a reflection of our independence while nonetheless helpfully providing close proximity to Ministers and key decision makers in the Home Office and other Government Departments.

1.20 As part of the moves linked to the opening of 2 Marsham Street, the Inspectorate of Constabulary (HMIC) has also now moved into Ashley House. With an eye to the intention of a single criminal justice Inspectorate – which we welcome – it is useful that three of the current CJ inspectorates – HMIC, HMI Prisons and HMI Probation – are now co-located. However a regrettable consequence of the move of HMIC into Ashley House was the closure of the conference room dedicated to Sir Graham Smith, our former Chief Inspector who died in 2002 soon after his retirement. In this connection we welcome the plans for an alternative dedication to Graham in 2 Marsham Street.

### *Joint Inspections in the Criminal Justice System*

1.21 An increasingly high priority is being set by all of the five Criminal Justice Inspectorates to working together and to undertaking reviews and inspections, especially on interdependencies within the CJS as a whole. For this purpose the Chief Inspectors have met together regularly since 1999 as the CJICG (Criminal Justice Chief Inspectors' Group), supported by a small Secretariat. As noted earlier, during the last year the major pieces of work have been a joint inspection of enforcement led by the then Magistrates Courts' Service Inspectorate, joint area inspections of criminal case management in Surrey and North Yorkshire, and a joint inspection of sex offenders led by HMI Probation. The inspection of sex offenders will be followed by a more general joint inspection of public protection during 2005/2006. We also participated during 2004/2005 in a joint review of children's safeguards with a number of Criminal Justice and other inspectorates.

“An increasingly high priority is being set by all of the five Criminal Justice Inspectorates to working together and to undertaking reviews and inspections, especially on interdependencies within the CJS as a whole.”

### *Statement of Purpose and Code of Practice*

1.22 We consider it important to have a clear and publicly available Statement of Purpose and Code of Practice. These were updated somewhat during the course of the year, partly to reflect the Government's ten principles of inspection. The current Statement and Code are at Appendix B. Both these documents are available on our website.

### *Complaints Procedure*

1.23 We remain firmly committed to ensuring that our inspection processes are carried out with integrity in a professional, impartial and courteous manner, in line with our Code of Practice. However our Complaints Procedure (also available on the website) recognises that there may still be occasions where an organisation or individual involved in an inspection wishes to contest some aspect of the inspection or to register a complaint.

1.24 One complaint under these arrangements was received during 2004/2005, in respect of a piece of work carried out at the end of the previous year. On a few other occasions certain concerns were expressed by area managers or Board members during the inspection process. We took these expressions of concern seriously by responding constructively, and – in consultation with those involved – sought to learn appropriately from them.

### *Planning Inspection Work and Use of Resources*

1.25 We produced our Plan for 2004/2005 at the start of the year, setting out both our underlying approach and our specific plans for inspections. (We made this available on our website.) In summary the Plan said that by the end of March 2005 we would have:

- (i) completed our schedule of inspections, including a number of Joint CJS inspections, on time, to budget and to a good standard;
- (ii) jointly with HMI Prisons, proposed new inspection arrangements for the future world of the NOMS, and prepared positively for the necessary organisational changes.

In doing so, we would have both maintained and developed our continuing long-term contribution to improving effective work with offenders and young people.

1.26 In order to monitor clearly how our resources are used to achieve our plans we created a 'budget' of deployable 'inspection hours'. For 2004/2005 this totalled 35,000 hours, and at the start of the year we allocated hours to each of the inspection programmes and set these out in the Plan and in last year's annual report:

YOT inspections	11,250
ESI (core area inspections)	8,750
ESI (thematic element)	2,250
Other single agency thematic inspections	1,500
CJS joint inspections	4,000
Non-CJS joint inspections	500
'Supporting People' inspections	1,800
Northern Ireland and Isle of Man inspections	950
QA of HMI Probation methodology	1,000
Validation of NPS performance data	1,000
Investigations and other contingencies	2,000
<b>Total</b>	<b>35,000</b>

During the year we have developed an IT system to enable us to monitor readily the use of this budget and the progress of each individual inspection against planned 'milestones'.

“We remain firmly committed to ensuring that our inspection processes are carried out with integrity in a professional, impartial and courteous manner, in line with our Code of Practice.”

1.27 At the end of the year we have reviewed the Plan, and overall have met both (i) and (ii) in paragraph 1.25 above. On (i) we have carried out inspections generally as planned. Compared to the original plans, we have in fact carried out more Supporting People and ESI follow-up inspections, and slightly more YOT inspections, than planned. However the volume of joint CJS inspection has been less than we allowed for in the 'hours' budget, and we were not asked to undertake any investigations. We have met (ii) fully through the work described in paragraphs 1.5 and 1.6.

1.28 We are pleased to have carried out successfully our planned work for 2004/2005, and that we have maintained our focus on delivering inspections under challenging circumstances.

“We are pleased to have carried out successfully our planned work for 2004/2005, and that we have maintained our focus on delivering inspections under challenging circumstances.”

2



## Probation Area Inspections

## *Overview*

2.1 The year has seen the completion of a further 15 inspections under the Effective Supervision Inspection (ESI) programme. These have been a contrasting combination of large metropolitan areas and relatively small largely rural areas in shire counties and Wales. The programme is now very much a well-established part of HMI Probation's activity and is on course for completion by the end of 2005/2006.

## *The ESI Programme*

2.2 During the year we have inspected the Cumbria, Gloucestershire, Greater Manchester, Lincolnshire, Merseyside, Norfolk, Northumbria, Suffolk, West Midlands, Wiltshire, North Yorkshire, South Yorkshire, West Yorkshire, Dyfed-Powys and North Wales Probation Areas. Full or limited follow-up inspections have taken place in Hampshire, Hertfordshire, Gwent and South Wales. We have also used the ESI methodology to inspect the Isle of Man Probation Service at the invitation of the government there. ESI inspections in 2005/2006 will now focus on the remaining large non-metropolitan and small sized probation areas, but we will also be carrying out a major inspection of the London Probation Area early in the year. As well as this plans are in hand for an inspection similar to ESI to be carried out in Jersey.

2.3 ESI involves all 42 probation areas comprising the National Probation Service for England and Wales (NPS) being inspected over a three year cycle, with areas of similar characteristics (in terms of size and population density) visited in the same year to facilitate comparisons in performance. This enables us to identify and promote effective work with offenders and disseminate information about good practice.

2.4 Areas are assessed on how well they have met defined inspection criteria focusing on the:

- overall management of the area
- quality of the assessments carried out with offenders
- quality of the interventions carried out with offenders, including compliance with national standards
- initial results of the interventions, both in relation to criminogenic factors (for example employment, accommodation, substance misuse, etc), and also whether there has been any reduction in the risk of harm and the risk of reoffending.

The programme is now very much a well established part of HMI Probation's activity and is on course for completion by the end of 2005/2006."

2.5 Each inspection takes place over two weeks, about three or four weeks apart, and focuses on the area's work with 100 offenders (more in the largest metropolitan areas) who have been under supervision for approximately nine/ten months, and 20 or more of whom are recorded as high risk of harm. The cases come from most categories of orders and licences, and the primary source of information is a study of the file and an in-depth interview with the case manager. We owe a considerable debt of gratitude to our administrative staff in Manchester who play a key role in identifying the cases to be inspected and then working closely with probation areas to draw up a complicated timetable spread across several locations for the case manager interviews to take place.

2.6 The programme has been implemented broadly consistently in all the areas we inspect and the next paragraphs repeat information given in last year's annual report and indeed in the individual ESI reports themselves. During the first week of the inspection we examine the offender's case file, carry out an in-depth interview with the case manager and, where possible, interview the offender and any other people significantly involved in the supervision (e.g. accredited programme tutors, hostel key-workers, police in high risk of harm cases, community punishment supervisors, and staff of other organisations involved in providing a service to offenders in relation to drugs, alcohol, employment, etc).

2.7 Inspection of about a third of the cases in the sample is carried out by experienced staff of the probation area being inspected. We think this provides a positive experience for the area and the staff directly involved and that it increases ownership of the findings. The training and briefing of these area assessors has been handled by a dedicated group from HMI Probation. There is ample evidence that area staff have both benefited from the inspection and subsequently been of continuing usefulness to their areas in contributing to the improvement of practice.

2.8 The second week of the inspection involves meetings with senior and middle managers and Probation Board members to cover issues around the management of the probation area



concerned, and to provide some feedback from the first week of the inspection. We also talk with the police and other MAPPAs (Multi-Agency Public Protection Arrangements) partners in relation to the area's supervision of high risk of harm cases and with representatives of other organisations that are assisting the area with the supervision of offenders, for example in relation to accommodation, employment or drug and alcohol misuse.

**2.9** Assessment of the Quality of Management criteria (section A of each ESI report) is based on written evidence and discussions with Board members, managers and partner organisations. A descriptive score is assigned to each of these criteria. Scoring of the Assessment, Interventions and most of the initial Outcomes criteria (sections B, C and D of the report) is based on the inspection of work with the offenders in the case sample. A numerical score is calculated for each of these criteria.

**2.10** Each inspection concludes with a published report. Unlike previous area inspection programmes, ESI does not include routine follow-up inspections unless there is an issue of substantive concern that needs to be addressed. However, we do require areas to produce an action plan within 12 weeks of publication of the report stating how they intend to implement our recommendations. We also expect the NPD to ensure that recommendations are in fact implemented and we will be reviewing with the NPD in due course what action has actually been taken and what have been the results.

**2.11** As well as reports on individual areas we will publish periodic reports about findings across several probation areas, reflecting the fact that this is an inspection of the NPS. Such reports will include addressing race equality and wider diversity issues, bearing in mind that, for example, the number of minority ethnic offenders is typically very small in many probation areas. These reports will also include comparisons of the performance of areas with similar characteristics. The first of these reports relating to ESI inspections in 2003/2004 was published in November 2004. The main results are given below.

### ***All cases overall:***

- On the majority (21 of 29) of the key measures of work with offenders considered, 60% or more of the cases inspected were rated sufficient or better.
- However, on only eight of the 29 measures were 75% or more cases rated sufficient or better.
- In two-thirds of all cases a satisfactory risk of harm assessment had been carried out at the start of offender supervision, a figure which needs improving given the importance of this criterion.
- On most of the key measures relating to the delivery of interventions to offenders, 80% or more of the cases showed sufficient work.
- In only 55% of cases was work relating to victim issues sufficient.
- In about half of cases there was satisfactory evidence of a positive change in the offender's attitudes, beliefs and behaviour, achieved within about eight months of the start of supervision.

### ***High risk of harm (RoH) cases:***

- 83% of high RoH cases had change in risk of harm identified and managed satisfactorily.
- Only about a half of high RoH cases were satisfactorily reassessed every 16 weeks as required by national standards. The proportion for all cases overall was significantly lower.
- High RoH cases were (perhaps not surprisingly) less likely than others to show progress on criminogenic factors and on changes in attitudes and behaviour.

### ***Analysis by diversity characteristics:***

- When analysed by diversity characteristics of offenders, for the majority of the measures there were no statistically significant differences between different groups. However, where there were significant differences, results for:
  - women offenders were relatively better than for men, particularly for the carrying out of appropriate interventions
  - white offenders were relatively better than for minority ethnic offenders. Supervision plans and interventions for minority ethnic offenders were likely to be relatively less sensitive to diversity. Minority ethnic offenders were also

“Responses to the programme from probation managers and staff have continued to be broadly favourable in most cases with many individual case managers interviewed seeming to welcome the opportunity to talk about cases ... We have been impressed too by people wanting to learn from the inspection findings and where required

somewhat less likely to have received satisfactory risk of harm assessments every 16 weeks, or satisfactory likelihood of reoffending assessments

- disabled offenders on the quality of interventions were somewhat better than for others
- older offenders (50 and above) were somewhat better than for those under 50.

These findings, particularly those on ethnicity, raise important issues which we will be considering further both in discussion with NPD and in further analysis.

**2.12** Over the three year period of the ESI programme we will be looking at the NPS's work with about 4,500 cases. We have arranged with the Home Office Research, Development and Statistics Directorate that cases in the sample will be followed through to the two year reconviction point. This will give a longer-term picture of the effectiveness of both individual areas and of the NPS as a whole.

**2.13** Each ESI also includes an additional thematic element which, in due course, leads to the publication of a separate report describing the work of several probation areas. During 2004/2005 two such thematic inspections have been completed, the first on the probation service's work with racially motivated offenders, the second on offender accommodation. Similar thematics will be taking place during 2005/2006 on community punishment (unpaid work) and on substance misuse. A summary of the provisional thematic findings in relation to the area is included at the end of each published report.

**2.14** Responses to the programme from probation managers and staff have continued to be broadly favourable in most cases with many individual case managers interviewed seeming to welcome the opportunity to talk about the cases they have supervised and receive feedback (see results in paragraph 2.20). We have been impressed too by people wanting to learn from the inspection findings and where required make improvements. The two follow-ups published during the year have also shown evidence of positive change in area performance, sometimes to a considerable extent, as in the case of that in Hampshire which focused on the management of high risk of harm offenders. However, where improvement has been more limited it will continue to be important for attention to good practice to be sustained to avoid slipping back to previous levels of performance.

“The two follow-up inspections published during the year have also shown evidence of positive change in area performance, sometimes to a considerable extent ...”

*Results from ESI*

2.15 The descriptor scores for the Quality of Management section of the reports have been:

	Very well met	Well met	Satisfactorily met	Partly met	Not met
<b>Leadership and planning</b>		Lincolnshire Greater Manchester Northumbria North Yorkshire	Merseyside Suffolk Wiltshire South Yorkshire West Yorkshire Dyfed-Powys North Wales	Cumbria Gloucestershire Norfolk West Midlands	Isle of Man
<b>Resource allocation</b>		Lincolnshire Greater Manchester Merseyside Norfolk Northumbria North Yorkshire North Wales	Suffolk South Yorkshire Dyfed-Powys	Cumbria Gloucestershire West Midlands Wiltshire West Yorkshire Isle of Man	
<b>Management and supervision of staff</b>		Lincolnshire South Yorkshire West Yorkshire North Wales	Merseyside Northumbria Suffolk North Yorkshire	Cumbria Gloucestershire Greater Manchester Norfolk West Midlands Wiltshire Dyfed-Powys	Isle of Man
<b>Partnership/contracting out</b>		Greater Manchester Merseyside Northumbria North Yorkshire South Yorkshire West Yorkshire Dyfed-Powys	Cumbria Gloucestershire Norfolk West Midlands	Lincolnshire Suffolk Wiltshire North Wales Isle of Man	
<b>Effective communication with sentencers</b>	North Yorkshire South Yorkshire	Greater Manchester West Midlands West Yorkshire Dyfed-Powys North Wales	Cumbria Lincolnshire Merseyside Norfolk Northumbria Suffolk Wiltshire	Gloucestershire Isle of Man	

2.16 Numerical scores for the Quality of Assessments, Interventions and initial Outcomes have been:

Metropolitan areas	Section B (assessment)	Section C (interventions)	Section D (initial outcomes)	Overall score for sections B-D
Greater Manchester	62%	76%	73%	71%
Merseyside	70%	77%	73%	74%
Northumbria	74%	86%	77%	80%
South Yorkshire	65%	79%	69%	72%
West Yorkshire	67%	81%	74%	75%
West Midlands	59%	68%	65%	64%
<b>Small size, low density areas</b>				
Cumbria	55%	69%	62%	63%
Gloucestershire	61%	72%	70%	68%
Lincolnshire	74%	79%	75%	77%
Norfolk	68%	79%	75%	75%
Suffolk	78%	85%	73%	79%
Wiltshire	64%	77%	64%	69%
North Yorkshire	68%	81%	73%	75%
Dyfed-Powys	65%	75%	73%	71%
North Wales	76%	79%	74%	77%
Isle of Man Probation Service	48%	60%	64%	58%

2.17 The table below shows the results for some of the key questions in the scrutiny of cases in the probation areas inspected in 2004/2005. The figures show the proportion of cases scored as sufficient or excellent or where the answer is a straightforward yes.

Question	Average over areas	Range
Has a satisfactory risk of harm assessment been completed at the start of supervision, then at least every 16 weeks, and following any significant incident that might give rise to concern?	41%	25%–60%
Are appropriate interventions identified to address offending behaviour and community reintegration?	71%	57%–82%
Does frequency of appointments/work sessions <u>arranged</u> conform to at least minimum national standards, to the requirements of order/licence, to achievement of planned objectives and to any risk of harm considerations?	72%	52%–88%
Has breach/recall action if required taken place, within the national standards timescale?	75%	53%–93%
Have appropriate interventions been carried out, with the timing and sequencing reflecting the offender's risk of harm and likelihood of reoffending?	67%	49%–79%
Are victim issues in general properly addressed?	53%	42%–68%
Has the delivery of interventions been sensitive to race equality and other diversity issues?	87%	78%–96%
Are interventions and their level appropriate to the assessment of risk of harm – more intensive if higher risk, less if lower?	85%	78%–94%
Has there been no conviction for a (further) offence committed since the start of the order/licence?	80%	68%–85%
Has there been progress on the three priority criminogenic factors during supervision to date?	43%	28%–52%
Is there evidence of a positive change in attitudes, beliefs and behaviour in relation to offending, and an increased awareness of the effect of the offence on the victim(s)?	43%	32%–56%
Has the offender complied with the conditions of the order/licence, including any additional requirements?	65%	53%–73%

“Probation areas tended to score well on: managing attendance and enforcement; and on sensitivity to race equality and other diversity issues, though there was room for further improvement.”

2.18 Probation areas tended to score well on:

- managing attendance and enforcement. This included arranging appointments or work sessions to at least minimum national standards and to risk of harm considerations; taking appropriate action to ensure compliance; making appropriate judgements about the acceptability of absences; and taking breach or recall action within the required timescale
- sensitivity to race equality and other diversity issues – including literacy, dyslexia, gender and disability – though there was room for further improvement.

2.19 They scored less well on:

- assessment and some aspects of the management of risk of harm. This included completing a satisfactory risk assessment at the start of supervision and reviewing it regularly as required; planned interventions closely fitting the assessed risk of harm; and higher and middle managers sharing in the assessment of high risk of harm cases
- the management of the work with the offender more generally. This included supervision plans meeting the content and timing requirements of national standards and their identifying appropriate interventions to address offending behaviour and community reintegration.

### *Feedback from Probation Staff Interviewed during ESI*

2.20 As in last year's report we give here (overleaf) information on the feedback received from probation managers and staff who attended meetings who were interviewed during inspections. We have had replies from 993 staff interviewed in the 15 Probation Areas we visited as part of the ESI programme in 2004/2005. For the most part responses have been very favourable, with over 90% of respondents fully or reasonably satisfied about the inspection. There have nevertheless been some criticisms. Whatever the nature of the feedback it is always communicated to whoever carried out the interview or led the meeting. Sometimes people just say that the experience was nothing like as frightening as they had anticipated, though we had no complaints that it was insufficiently exacting!

2.21 Overall, we found no statistically significant differences in these responses by gender, ethnicity or grade.

“Areas scored less well on: assessment and some aspects of the management of the risk of harm; ... and on management of the work with the offender more generally.”



	% Yes/ Reasonably	% Not really/ not at all
Were you given sufficient advance notice of the inspection?	96%	4%
Were you clear about the purpose of the inspection?	97%	3%
Do you consider that the demands made on yourself and/or your staff were reasonable?	93%	7%
Were the discussions with you undertaken in a professional, impartial and courteous manner?	99%	1%
In your opinion did the inspection pay sufficient attention to race equality and wider diversity issues?	98%	2%
If you received individual feedback from HMI Probation about your work, was this helpful?	97%	3%

### *Good Practice*

2.22 In all ESI reports we are keen to highlight good practice concerning both the management of the area and the supervision of individual offenders. The following have been some examples of the latter:

*A 21 year-old student was convicted of assault committed whilst drunk outside a city centre public house. He was sentenced to Enhanced Community Punishment, and carried out work with the Territorial Army that he completed successfully. The conviction for an offence of violence meant that Michael's ambition to join the Army was in doubt. The case manager went to great lengths to persuade the Army recruitment staff that Michael had learnt from his experience, had benefited from the placement and should be given the chance to achieve his ambition. The Army eventually accepted Michael on the completion of his studies.*  
(South Yorkshire Probation Area)

*A very vulnerable woman with a substantial history of alcohol misuse and mental illness had been made the subject of a community order for shoplifting alcohol. She had a pattern of destructive relationships and had been previously abused by several male partners.*

“In all ESI reports we are keen to highlight good practice concerning both the management of the area and the supervision of individual offenders.”

*The case manager had inherited the case about five months into the order and had been successful in developing a positive supportive relationship with the offender. The offender was now drinking far less and was living in supportive accommodation. Interviewed during the inspection she expressed considerable appreciation for the help given to her by probation in making the changes in her lifestyle. (Gloucestershire Probation Area)*

*The offender had committed a serious sexual offence and received a custodial sentence. The case manager carried out visits and corresponded with him while he was in prison. A victim liaison officer worked with the victim of the offence and, because of the concerns of the latter, two extra conditions were included in the prison licence, an exclusion zone around the victim's home and not to seek to approach or contact the victim. There was a close fit between the interventions planned for release and the risk of harm and likelihood of offending. The case manager maintained attention on victim awareness and motivated the offender to attend a sex offender programme. Contact log entries were excellent. The case manager saw the offender many more times than required under national standards and executed inter-agency risk management plans. The case was an example of a case manager who acted to protect the public and the victim and, at the same time, was working productively with the offender. (Northumbria Probation Area)*

*Provision was made for a new mother who needed essential skill coaching to be taught at home as she was concerned about being separated from her baby. The tutor looked after the child whilst the mother undertook skills practice. This gave the mother confidence both in her own ability and also about someone else looking after the child. The offender is now registering for the local college and will put her child in the crèche whilst she studies. (Wiltshire Probation Area)*

### *The Year Ahead*

2.23 We will be completing the remaining 13 ESI inspections, and as part of these, carrying out the thematic inspections of enhanced community punishment/unpaid work and of substance misuse (see also Chapter 4).

2.24 We will undertake four ESI follow-up inspections in Staffordshire, West Midlands, Cumbria and Gloucestershire.

2.25 We will also carry out an inspection of the Jersey probation service.

3



## Youth Offending Team Inspection Programme

- 3.1 We will again this year be preparing a separate annual report for the YOT inspection programme, jointly with our partner Inspectorates, for launch in autumn 2005. However it is appropriate to give some account of developments in this area of our work in this our 'main' annual report.
- 3.2 Our inspection of Youth Offending Teams and Services (YOTS and YOSs) now takes up 40% of the resources of HMI Probation. To a large extent this is because although we are the lead Inspectorate among a total of nine separate regulatory bodies that undertake these inspections, we purchase almost all the contributions made by our partner inspectorates. Some of this has been new money, and some of it has been resourced through internally managed efficiency gains.
- 3.3 The YOT inspection programme started in 2003, and our aim has been to complete the 150 inspections in about five years. Phase One of our programme was about establishing our methodology, and we worked with a small number of YOTs who had volunteered to be inspected early. During Phase Two of our programme, which started in September 2004, we completed our initial methodology, and moved into producing the inspections at the required rate of 30 per year. However, at the same time as doing this, during 2004/2005 we have been preparing for an even greater change to the way we undertake YOT inspections as a consequence of the plans for Joint Area Reviews (JARs) in September 2005.
- 3.4 During 2004/2005, we completed a total of 25 YOT inspections, eight in Phase One and 17 in Phase Two.
- 3.5 YOT inspections, like the YOTs and YOSs themselves, have to embrace both a Criminal Justice and a Children's Services agenda. YOTs not only have to work with identified young offenders and other young people at risk of offending, and work with them to make them less likely to offend (again), but they also have to contribute to the integrated Children's Services in their Local Authority Area(s). Joint Inspections Teams, led by Ofsted, will be embarking upon a programme of JARs from September 2005, aiming to give every relevant Local Authority in England a rating on how well it is providing integrated services for the children in its area. The JARs programme has to be completed in three years, so about 50 have to be completed each year. All parties have recognised that the YOT inspections will have to be integrating with the system of JARs so that the contributions of YOTs to integrated Children's Services can be recognised in each Local Authority, and to avoid unnecessary duplication of inspection visits to senior managers in Local Authorities.
- 3.6 Accordingly Phase Three of the YOT inspection programme is being designed to be undertaken in a way that will be integrated with the new JARs. Although this presents substantial detailed implementation difficulties, we recognise how important it is to try to achieve this. Our commitment to achieving this, alongside completing a five-year programme with finite resources, demonstrates our belief that the work of YOTs needs to be congruent with both Criminal Justice and Children's Services.

4



## Thematic Inspections

## *Overview*

4.1 We completed and published three 'single' thematic inspections during the year, with another completed and close to publication. Joint CJS inspections are covered in the next chapter.

4.2 Three of the inspections completed were part of the ESI programme, which as noted earlier, contains a thematic element. Overall, the thematic topics covered in the ESI are:

- employment and basic skills (EBS): the report of this inspection was published in February 2004 and reported in last year's annual report
- domestic violence: the report was published in July 2004. It was reported in last year's annual report but is summarised again here for completeness
- racially motivated offenders (RMOs): the report was published in February 2005 and summarised below
- offender accommodation: at the end of the year the report was being finalised but is summarised below
- enhanced community punishment/unpaid work: the inspection was starting at the time of writing the annual report
- substance misuse.

The reports on the last two will be published in due course.

## *Reducing Domestic Violence – An Inspection of NPS Work with Domestic Violence Perpetrators*

4.3 The overall aim of this ESI thematic inspection was to determine the extent to which the NPS contributes to the reduction of harm to primary and secondary victims of domestic violence (DV). The areas visited were Hertfordshire, Essex, Teesside, County Durham, Gwent, South Wales and Staffordshire.

### **4.4 Summary of Findings:**

Although many of the current developments, such as the introduction of the accredited programme, should make a positive difference, there was a considerable need for improvement.

“On reducing domestic violence, although many of the current developments, such as the introduction of the accredited programme, should make a positive difference, there was a considerable need for improvement.”

The main strengths were:

- an evident commitment to improving work with DV perpetrators
- a significant contribution by probation areas to multi-agency forums
- over half of the offenders in the inspection sample had made some progress in addressing their offending and its underlying causes.

The main areas for improvement were:

- a lack of a coherent strategic framework for DV work nationally and locally
- the quality of assessment and risk management was poor
- the absence of a range of interventions suitable for all types of DV offenders
- a lack of monitoring of outcomes.

4.5 The report, published in July 2004, contained a total of 19 recommendations, seven for the NPD and 12 for probation areas.

**Key recommendations for the NPD were that they should ensure that:**

- *areas develop local policy based on a new national DV policy supported by consistent targets and monitoring*
- *the quality of assessment and risk of harm management improves*
- *work with other departments and agencies to develop a more consistent and coherent approach to the management of DV cases.*

**Key recommendations for Probation Boards were that they should ensure that:**

- *all relevant staff have appropriate DV related knowledge, understanding and skills*
- *communication with sentencers on DV related issues include feedback on the outcome of interventions*
- *protocols are established with the police to ensure the routine exchange of information about DV perpetrators*
- *action is taken in every case to address the risks to children from DV.*

“The impact of racist offending has a wide impact on individuals, families and communities and demands an effective response.”

4.6 Alongside the published report we also produced a literature review which was placed on our website.

*“I’m not a racist but ...” – An Inspection of NPS Work with Racially Motivated Offenders*

4.7 In the years since the publication of the Macpherson Inquiry report into the death of Stephen Lawrence racially motivated crime has continued to rise. The numbers of racially motivated offenders that come into contact with the National Probation Service (NPS) are relatively small. However the impact of racist offending has a wide impact on individuals, families and communities and demands an effective response. This ESI thematic inspection examined how the NPS aims to reduce the risk of harm and likelihood of reoffending of RMOs.

4.8 The areas we visited in this inspection were West Midlands, Norfolk, Suffolk, Greater Manchester, Merseyside, Cumbria and Northumbria.

4.9 **Summary of Findings:**

*“We found examples of good practice, but it is important that these do not remain isolated exceptions. Accordingly we believe that the NPD should give a lead to Probation Areas in emphasising the importance of effectively addressing racially motivated crime as a contribution to a safer and more just society.”*

- Although probation areas had worked hard on drawing up RMO policy and practice the lack of clear strategy at national level meant that areas had not prioritised work with RMOs and Boards and senior managers did not always know if local area policy was followed.
- Overall human resource practice in probation areas supported the aims of RMO policy. For example investment had been made in staff training. In some instances training needed to be better targeted to ensure that all relevant staff were confident in dealing with RMOs. With closer working together of probation and prison staff and the creation of the National Offender Management Service the fact that prison service staff, but not probation staff, are prohibited from membership of organisations deemed to be racist is an anomaly that needs addressing.

- There were some good examples of probation areas working with community safety partners to develop constructive responses to the problems of racist crime in communities. These types of initiatives required a significant amount of management time and not all areas were able to commit sufficient resources to this activity.
- Whilst a minority of areas had implemented specific interventions for RMOs most areas had relied on general interventions. This meant there was variable practice in areas in relation to the inclusion of RMOs in accredited programmes.
- Many RMOs were not challenged by case managers about their racist behaviour or attitudes. A number of case managers did not take into account the importance of the Macpherson Inquiry report definition of a racist incident that emphasises the impact of the incident on the victim as being of paramount importance. This led to poor assessments of risk of harm, likelihood of reoffending and limitations in supervision planning.

4.10 The report, published in February 2005, contained a total of 16 recommendations – eight for the NPD and eight for Probation Areas:

***The NPD should ensure that:***

- *areas develop local policy and plans based on a national RMO policy and strategy*
- *systems are established for the effective identification and monitoring of RMOs*
- *the quality of assessment and risk management planning improves*
- *areas consider the use of the One to One programme as their chosen programme for working with RMOs, supported by good quality case management*
- *guidance is issued on standards of practice with RMOs*
- *policy on the suitability of different types of court report for RMO cases is clarified*
- *the effectiveness of interventions with RMOs is evaluated*
- *policy on NPS staff membership of political parties and other organisations is reviewed.*

“We found examples of good practice, but it is important that these do not remain isolated exceptions. Accordingly we believe that the NPD should give a lead to Probation Areas in emphasising the importance of effectively addressing racially motivated crime as a contribution to a safer and more just society.”

**Boards should ensure that:**

- *all relevant staff have appropriate levels of RMO-related knowledge, understanding and skills*
- *protocols with courts regarding report preparation include RMOs and sentencers are aware of the interventions available for RMOs*
- *protocols are established with relevant community safety partners to ensure that staff make use of all sources of information and advice when assessing and planning interventions with RMOs*
- *supervision plans on RMOs contain SMART objectives*
- *victim issues are given greater prominence in RMO work*
- *outcome measures for RMO work are clear*
- *the importance of the Macpherson definition of a racist incident is reaffirmed*
- *all RMOs are subject to an individual risk assessment before referral to a programme, ECP (Enhanced Community Punishment) project or any other resource.*

**Offender Accommodation**

4.11 The overall aim of this ESI thematic inspection was:

To determine how well the National Probation Service identified and addressed the accommodation needs of offenders and the outcomes in terms of:

- risk of harm
- likelihood of reoffending
- successful community reintegration.

The inspection was carried out in eight areas – Gloucestershire, Wiltshire, Dyfed-Powys, North Wales, North Yorkshire, West Yorkshire, South Yorkshire and Lincolnshire.

## “Priority attention to be focused on the long-term accommodation needs of offenders.”

4.12 The report was being finalised at the time the annual report was being prepared but the main recommendations will focus on the need for:

- *priority attention to be focused on the long-term accommodation needs of offenders*
- *regular reporting of the profile of accommodation needs in the area and on outcomes from interventions in this work*
- *measures to improve understanding in areas of both national and local offender accommodation strategies*
- *training for staff, where relevant, in the assessment of accommodation needs for offenders.*

### *Movement of Offender Cases between Areas*

4.13 This report followed a short thematic inspection of movement of offender cases between probation areas and how this is handled. The issue was important particularly because of the potential for contact with the offender to be lost or for other problems to arise on supervision. However, little information has been available on these cases or how they are handled. NPD had commenced work to update guidance in handling these cases when we announced this inspection and agreed to defer the work so that the inspection could inform the development of guidance. We welcomed NPD's willingness to do this.

4.14 The main findings of the inspection were:

- where a case moved to a different area, the making of appointments generally continued to be made appropriately. However enforcement practice was not always consistently tight, partly because on occasions there was some uncertainty as to which area had responsibility for enforcement
- it was also of concern that in considerable proportions of transfer cases, diversity issues were not specifically considered, nor attendance at an accredited offending behaviour programme facilitated
- performance on public protection was mixed. High risk of harm cases were clearly designated and identified by receiving areas. However, risk of harm assessments were carried out as appropriate following a move in only about a third of all the

cases inspected. Also there was concern on the part of some areas that the transfer of dangerous offenders was not fully addressed at national level

- on occasions, there were problems where prisoners were released at short or little notice to a probation area with whom they had not previously had contact. As a result the receiving area had insufficient time to prepare for effective supervision. The issue needed to be explored by the National Probation Directorate (NPD) jointly with the Prison Service
- generally, systems were in place to handle the basic mechanics of formal transfers of cases, but the lack as yet of a full IT-integrated case record hampered efficient electronic transfer of cases.

4.15 The report, published in September 2004, contained a total of seven recommendations – five for the NPD and two for Probation Areas.

***The NPD, in conjunction with the NOMS as it develops, should:***

- *revise Probation Circular 78/2000, replacing it by comprehensive guidance fully reflecting MAPPAs and contemporary sentencing disposals. The guidance should define a standardised procedure for the movement of cases, including a national checklist of the material which an exporting area must provide to an importing area. It should also specify the use of OASys as a vehicle for re-assessment where an offender moves*
- *ensure that the category of temporary transfers for community sentences is ended, and that an importing area assumes full responsibility for a case as soon as the offender moves to the area (albeit for what might be only a temporary stay). Where any difficulty arose in the transfer of a case, NPD/NOMS should adjudicate*
- *explore jointly with the Prison Service more effective arrangements for the release of prisoners, covering issues such as short-notice releases, and plans for those who have employment under temporary release arrangements within the locality of their prison but outside their originating probation area. The arrangements should provide for sufficient notice to receiving probation staff and appropriate use of the "reside where approved" condition*
- *collect at least some summary information on the number and type of offenders who are moving, so that the scale of the issue can be known and strategic planning undertaken*

- ensure that transfer cases are no longer excluded from NPS monitoring samples, but scrutinised routinely, and the data captured on a national basis, separate from area targets.

***The Chief Officer and Board should ensure that:***

- when a case moves to another area the exporting area provides promptly all relevant documentation including a full OASys assessment
- when a case moves to another area the importing area:
  - (i) carries out an OASys re-assessment of risk of harm and of criminogenic need within four weeks of the move;
  - (ii) gives sufficient priority (where relevant) to risk of harm management; enforcement; offending behaviour issues; victim awareness work; and diversity issues;
  - (iii) liaises sufficiently with the exporting area on any victim contact issues.

4.16 In line with the recommendation that transfer cases no longer be excluded from regular monitoring, we have now started in the ESI to assess the quality of work in each area in a small separate sample of transferred cases, for comparison with the quality of work in the main sample of cases which have not transferred. We will publish the results following the end of the ESI programme.

***Inspection of Management Reviews of Serious Incidents***

4.17 Under arrangements in place up to March 2004, where an offender under supervision by the NPS was charged with a serious further offence, the probation area prepared a management review for the NPD in order to assess what had occurred, so that any lessons were learned by individual areas and, where appropriate the service as a whole. (Since April 2004, these arrangements have changed somewhat, with 'full reviews' carried out in relevant cases.)

4.18 We carried out an inspection of management reviews prepared between April 2002 and March 2004, and their handling by the NPD. At the time the annual report was being

“We have now started in the ESI to assess the quality of work in each area in a small separate sample of transferred cases, for comparison with the quality of work in the main sample of cases which have not transferred.”

prepared the report of this inspection was being finalised and would then be put on our website.

### *The Year Ahead*

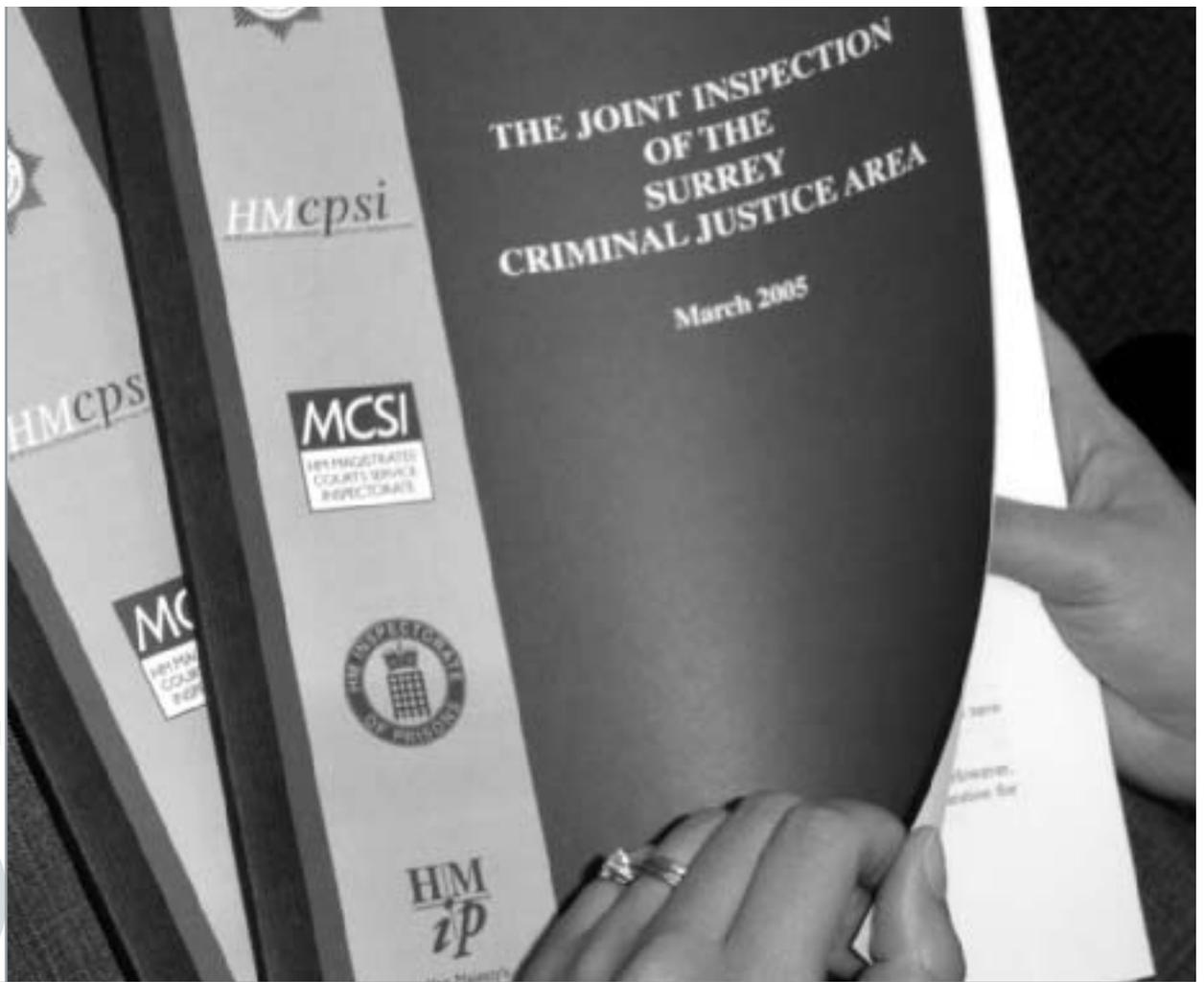
4.19 We will be undertaking the thematic inspections of enhanced CP/unpaid work and of substance misuse as part of the ESI inspection as above.

4.20 We will be undertaking a short and focused inspection of the use of OASys as indicated in Chapter 1.

4.21 We will also be carrying out an initial thematic inspection of junior Attendance Centres, commissioned by the Juvenile Offenders Unit of the Home Office.

4.22 In general though we will be undertaking fewer single thematic inspections in future, as we place increasing emphasis on joint inspection reports, the subject of our next chapter.





5

## Joint Thematic Inspections

## Overview

5.1 We led a joint inspection on sex offenders. We also worked with other inspectorates on joint inspections of criminal case management in the Surrey and North Yorkshire criminal justice areas, of community penalty enforcement, and a joint review of Children's Safeguards. We published, jointly with Skills for Justice (formerly the Criminal Justice National Training Organisation (CJNTO)), a follow-up to an earlier inspection of Diploma in Probation Studies (DipPS) programmes. We also participated in an inspection of the management of sex offenders in Northern Ireland.

### *Joint Thematic Inspection of the Management of Sex Offenders in the Community*

5.2 This joint inspection was led by HMI Probation, with participation from HM Inspectorate of Constabulary (HMIC). HMI Prisons was also consulted on the design and implementation of the inspection.

The aim of the inspection was:

*To analyse and assess the progress, quality and effectiveness of the implementation of MAPPA (Multi-Agency Public Protection Arrangements) and interventions used by the Police and National Probation Service in relation to the joint management of sex offenders in the community.*

The topic was clearly of importance in view of the issues of public safety involved.

5.3 Fieldwork for the inspection was carried out in five areas – Devon & Cornwall, Gwent, Merseyside, Norfolk and West Yorkshire – during January and March 2005. The report is due for publication in the summer of 2005. The recommendations will focus on:

- *the need for joint training for police and probation staff in the assessment and management of risk of harm, and in current legislation*
- *the importance of full and timely completion of OASys in every case in order to assess risk of harm*
- *a national agreed minimum standard on the frequency of home visits to sex offenders commensurate with their risk of harm*
- *a review of current legislation to ensure consistency with practice in the assessment and management of sex offenders in the community.*

“The recommendations will focus on the need for joint training ... in the assessment and management of risk of harm ... the importance of full and timely completion of OASys in every case ... a national agreed minimum standard on the frequency of home visits to sex offenders ... a review of current legislation ...”

### *Diploma in Probation Studies – Follow-up*

5.4 The joint inspection of the Diploma in Probation Studies programme in 2003 had found it to be effective in producing probation officers able to fulfil the role at a beginning level of professional practice. A follow-up inspection was conducted in 2004 to ascertain whether progress had been sustained. The report was published in August 2004.

#### **Summary of Findings**

- All Consortia responded positively to the recommendations previously identified and showed clear evidence of progress in relation to most of them.
- Where work did remain outstanding there was generally a need for Consortia and the NPD to ensure these aspects remained a focus of attention.
- Structures had been developed to improve collaborative working at a national level and a more consistent approach, recognising regional differences, was emerging.
- There was a need for greater ongoing strategic oversight of the implementation of national developments.
- The Diploma Programme Managers' Group made a particularly significant contribution to developments at national level.

### *Joint Criminal Justice Area Inspections of Surrey and North Yorkshire*

5.5 Surrey and North Yorkshire were the second and third joint inspections carried out by the five Criminal Justice Inspectorates. They built on the development work done in relation to the original joint inspection in Gloucestershire, on which we commented in our last annual report. In the light of experience gained, the scope of these inspections was more focused. It was possible to break down the stages of the overall criminal justice process into modules so that inspections were tailored more closely to local circumstances. These inspections focused largely on the arrest to sentence stages of the criminal justice process, i.e. criminal case management. In addition, the inclusion of the Quality and Standards Unit

“All Consortia responded positively to the recommendations previously identified and showed clear evidence of progress in relation to most of them.”

of Victim Support within the team made it appropriate also to examine the manner in which victims were treated prior to charge or in cases where no charge resulted.

5.6 The report on Surrey was published in March 2005. At the time of preparing the annual report the North Yorkshire report had not yet been published but a summary of findings is included below.

*Inspection findings – Surrey*

- The Surrey Criminal Justice Board (SCJB) had worked hard to develop detailed strategies and Action Plans around the two Public Service Agreements directed towards the criminal justice agencies: Narrowing the Justice Gap (including the reduction of the proportion of the trials that are ineffective) and increasing public confidence in the criminal justice system. However plans to deliver the former were better developed than those for the latter.
- It was performing well against most of the key national targets agreed with the National Criminal Justice Board:
  - in 2003/2004, it increased offenders brought to justice by 24% above the 2001/2002 baseline
  - although interim targets for the proportions of ineffective trials had not yet been met, the area's performance in the magistrates' courts was better than the national average and steady progress was being made towards the targets set for 2005/2006
  - public confidence in the effectiveness of the local criminal justice system stood at 45%, compared to a national average of 41%, and progress was being made towards the target 50% by 2005/2006
  - however, on the down side, the timeliness with which persistent young offenders had been dealt with deteriorated in 2003 and outturn for the year was 81 days – worse than the national target of 71 days.

- Although the treatment of victims and witnesses as a whole was consistent with standards elsewhere, there were aspects of performance which could be improved, including the liaison with victims and witnesses and provision of services for victims during the investigation of crime itself.
- The inspection found a number of good practices and strengths but also identified a number of aspects for improvement, including improvements in the quality of pre-sentence reports prepared by the Surrey Probation Area.

#### *Inspection Findings – North Yorkshire*

- Recorded crime was falling and the number of offenders brought to justice increasing. However based on evidence from the British Crime Survey, the level of public confidence in the criminal justice system in North Yorkshire was below the average in England & Wales and not improving.
- The North Yorkshire Local Criminal Justice Board had not communicated effectively with the public about its criminal justice concerns, and should give greater priority to improving public confidence in the criminal justice system.
- In terms of the measured performance of the CJS in North Yorkshire, many of the improvements were attributable to the actions of individual agencies rather than to joint endeavour. In its early days the role of the LCJB had been more to react to the consequences of individual agency action, than to manage this proactively. However, the Board was now beginning to take a more strategic approach and this was starting to contribute to improved inter-agency understanding and performance, and the promotion of joint working.
- Treatment of victims and witnesses, once in the system, was generally good, but there were problems in identifying and referring victims to the correct agencies and keeping them informed.
- More progress was needed in engaging with minority communities to encourage the reporting of hate crime or to consult with them on criminal justice matters.

#### *Joint Thematic Inspection of the Enforcement of Community Penalties*

5.7 This thematic inspection was carried out by the then HM Magistrates' Courts Service Inspectorate<sup>7</sup>, HMI Probation and HMIC. The purpose of the inspection was to assess the

<sup>7</sup> now HM Inspectorate of Court Administration, from 1 April 2005

“The inspection found a number of good practices and strengths but also identified a number of aspects for improvement, including improvements in the quality of pre-sentence reports prepared by the Surrey Probation Area.”

effectiveness of strategic and operational work between and within courts, probation, YOT and police services to enforce community penalties and to identify good practice and make any recommendations necessary for improving the effectiveness of the enforcement of community penalties. Fieldwork was carried out in six criminal justice areas in late 2004 and early 2005. The findings and recommendations were disseminated promptly in order to inform emerging joint agency work. The full inspection report will be published later in 2005.

5.8 The inspection looked at six aspects of inter-agency work to enforce community penalties; Strategy and Approach, Implementation and Planning, People, Processes and Procedures, Performance Management and Partnerships. Specific recommendations have been made in respect of two of these aspects – Processes and Procedures and Strategy and Approach:

#### Processes and Procedures

- In accordance with national standards all YOTs should issue appropriate guidance to staff to ensure that decisions about whether absences are acceptable or not are made equitably and to ensure that these decisions are clearly recorded.
- The Association of Chief Police Officers (ACPO) and HM Courts Service should develop and promote a joint national standard to govern the timeliness of the entry of breach of community penalty arrest warrants onto the Police National Computer.

#### Strategy and Approach

- Local Criminal Justice Boards (LCJBs) should introduce clear and comprehensive joint plans to deliver the proposed inter-agency target for breach case completion and maximise the wider effectiveness of community penalty enforcement. In support of this:
  - individual agency actions should ensure that joint plans are effectively implemented
  - inter-agency service commitments should be clearly expressed, monitored and reviewed
  - inter-agency training requirements should be identified and met
  - responsibilities for warrant execution and the sharing of offender information should be clear, effectively promulgated and monitored.

“In accordance with national standards all YOTs should issue appropriate guidance to staff to ensure that decisions about whether absences are acceptable or not are made equitably and to ensure that these decisions are clearly recorded.”

“LCJBs should introduce clear and comprehensive joint plans to deliver the proposed inter-agency target for breach case completion and maximise the wider effectiveness of community penalty enforcement.”

- LCJBs should ensure that strategic issues relating to diversity and community penalty enforcement are identified and addressed.
- Chief Constables, Chief Probation Officers, YOT Managers and HM Courts Service Area Directors should ensure that diversity is promoted and there is no unlawful discrimination in community penalty enforcement.

### *Joint Review of Children’s Safeguards*

5.9 This was the second joint inspectorate review of Children’s Safeguards, following the first in 2002. It drew on a broad range of inspection activity across many agencies in England and on special reviews of topics identified in the previous Safeguarding report as needing more in-depth scrutiny.

5.10 The following inspectorates and commissions contributed to the review:

The Commission for Social Care Inspection

The Office for Standards in Education

The Healthcare Commission

Her Majesty’s Inspectorate of Constabulary

Her Majesty’s Inspectorate of Probation

Her Majesty’s Magistrates’ Courts Service Inspectorate<sup>8</sup>

Her Majesty’s Crown Prosecution Service Inspectorate and

Her Majesty’s Inspectorate of Prisons.

5.11 The main joint report, which was being finalised at the time the annual report was being prepared, collected evidence from a wide range of sources, including mainstream and thematic inspections, relevant research and review material, Government and inspectorate statistics and invited evidence from key organisations. The joint report is divided into four main themes:

- Children living at home
- Children living away from home

<sup>8</sup> now HM Inspectorate of Court Administration, from 1 April 2005

“There is now considerable commitment to safeguarding among YOTs, although this needs to be more firmly embedded in practice. In other justice system agencies, greater priority is still needed for safeguarding issues.”

- Children and the justice system
- Children seeking asylum.

**5.12** HMI Probation contributed primarily to the section on children in the justice system with a particular emphasis on the YOT inspection programme. This section of the report notes that since the original report review, the priority that is given to safeguarding has increased. There is now considerable commitment to safeguarding among YOTs, although this needs to be more firmly embedded in practice. In other justice system agencies, greater priority is still needed for safeguarding issues.

**5.13** The report acknowledges the expertise of the youth courts in handling youth cases and concludes that trials of children and young people who commit offences are in most cases handled well.

**5.14** This second safeguarding report contains a large number of recommendations for all agencies, including the Youth Justice Board and YOTs.

**5.15** Alongside the main joint report, HMI Probation has produced a separate report, also being finalised at the time this annual report was being prepared, covering the safeguarding issues for YOTs in more detail.

### *The Year Ahead*

**5.16** During 2005/2006, and following the joint sex offender thematic, we will also lead a more general joint inspection on public protection. We will also participate in joint inspections of criminal case management in a further six criminal justice areas: these inspections will focus on work in bringing offenders to justice, and on improving public confidence in the CJS. In the following year we will similarly work with other criminal justice inspectorates on a further round of joint area inspections: these will focus on post-sentence work, and draw on our inspection programme of offender management due to start in May 2006 (see Chapter 7).

6



## Supporting People Inspections

## *Overview*

6.1 'Supporting People' is the Government's long-term policy to enable local authorities to plan, commission and provide support services which help vulnerable people live independently. The Supporting People inspection programme is a national five-year inspection programme led by the Audit Commission (Housing Inspectorate), partnered by HMI Probation and the Commission for Social Care Inspection (CSCI). Inspections started in September 2003, with all 42 Probation Areas being subject to inspection at various points during the five year inspection cycle.

6.2 In the inspection we examine how the NPS seeks to ensure that the needs of offenders are addressed, that appropriate support services and accommodation are made available and that the promotion of social inclusion and community safety remains paramount.

6.3 In 2004/2005 we contributed to 39 inspections under the SP inspection programme.

## *Results of Inspections*

6.4 Reports are published on each inspection. We also published in January 2005 an Inspection Findings on the results of SP inspections of NPS to date. The main findings were:

### **Strengths**

- We have seen some positive examples of partnership working within the programme and how, in certain administering local authorities, probation has operated as a key player in joint working arrangements.
- SP has provided a greater focus for the continued development of strategic links between the NPS on wider Government agendas, particularly with regards to Crime & Disorder Reduction Partnerships, Drug Action Teams and Community Safety Initiatives.
- NPD guidance issued earlier in the year has been welcomed by probation areas: the challenge now is to see this readily being used to inform practice and thereby increase the influence of the NPS within the programme.
- Some probation areas have evidenced their commitment to diversity by adapting existing services to meet the particular needs of offenders locally.
- Offenders interviewed as part of the inspection articulated some of the benefits of the programme, such as greater access to mainstream support services.
- Improvements were found in all eight probation areas that participated in the pathfinder and pilot inspections in 2003/2004.

### ***Areas for improvement***

- There is some evidence of a lack of strategic level engagement in the programme by senior probation staff in some areas. This lack of appropriate representation at the Commissioning Body level threatens to undermine NPS's contribution to the SP programme overall and, in particular, to the service review process. There are indications that the reduced priority afforded to the programme by the NPS has been determined by the focus on achieving national NPS performance targets: the absence of an NPS accommodation target hitherto has resulted in a reduced priority being attached to SP issues.
- The lack of strategic NPS engagement has meant that senior probation staff have not consistently contributed to the local SP Five-Year Strategies, which set out the local priorities for the planning and development of support services for vulnerable people. Preparation of these Strategies provides the only opportunity to champion the particular needs of offenders, thereby ensuring that an appropriate range of services is in place.
- Differential use of information sharing protocols has produced inconsistent risk of harm management arrangements within probation areas, particularly in respect of the involvement of other partners in the joint-working process.
- Cross-authority working has been patchy, with few probation areas working closely with neighbouring authorities to both enhance services for offenders locally and develop best practice.
- Limited data are available from probation areas to evidence outcomes for offenders arising from the SP programme.

The main recommendations were:

### ***The NPD should:***

- *issue a Probation Circular to support areas in the implementation of the recently published guidance on the SP programme*
- *provide guidance on SP matters through a named contact to promote effective probation engagement in the programme*
- *promote and disseminate good practice from the published inspection reports, and support areas to benchmark performance locally and develop outcome measures*

“We have seen some positive examples of partnership working within the programme and how, in certain administering local authorities, probation has operated as a key player in joint working arrangements.”

- *from April 2005, work with the Prison Service to make use of data captured through Probation and Prison accommodation Key Performance Indicators, to ensure appropriate and timely information exchange to support offenders being resettled in the community.*

***Probation Boards should:***

- *ensure that all aspects of the resettlement agenda, including SP, are given sufficient priority in order to achieve the aims set out in the Home Office 'Reducing Reoffending National Action Plan'*
- *develop a culture of learning through the consideration of SP inspection reports, drawing on positive practice cited in other probation areas and applying the learning, where relevant, locally*
- *provide training for all staff, where relevant, in the assessment of accommodation needs for offenders, in order to ensure that risk of harm issues and community reintegration are appropriately addressed.*

*The Year Ahead*

6.5 We will contribute to a further 40 SP inspections in 2005/2006.

“There is some evidence of a lack of strategic level engagement in the programme by senior probation staff in some areas. This lack of appropriate representation ... threatens to undermine NPS’s contribution to the SP programme overall ...”



## Plans for Inspecting Offender Management

## *Offender Management Inspection*

7.1 With the creation of the NOMS and its emphasis on end to end supervision of offenders HMI Probation has needed to develop an inspection programme that will reflect the functions and responsibilities of this new organisation, and thereby replace our ESI programme. Our primary concern will be to assess the quality of offender management of individual cases both in custody and in the community.

7.2 This accords with core features of the NOMS model that is built around:

'an **Offender-Focused Human Service Approach** to work with individual offenders' and the principle of

'**One Sentence: One Manager**' emphasising the concern to create a consistent and coherent approach to offender supervision.

*(NOMS Model Version 1 January 2005)*

7.3 In response to this challenge HMI Probation working in close liaison with HMI Prisons has set up a project to develop a new Offender Management Inspection programme. Work is already underway in designing new inspection instruments informed by a revised set of inspection criteria that reflect the new organisation and the new sentencing provisions of the Criminal Justice Act 2003.

7.4 A Project Board has been established (using a Prince 2 approach) with the following objectives:

- to design an efficient and costed inspection of offender management in custodial and community settings intended to reduce reoffending and protect the public from harm
- to do so in consultation with NOMS and other interested parties
- to ensure that the design promotes best diversity practice in the effective management of offenders
- to be able to start the inspection programme from May 2006.

7.5 During the development of the new inspection methodology we intend to run three pilot exercises to test our methodology and approach. It is important to note though that we do not propose a radical departure from our three domain model of assessing the quality of assessment, interventions and initial outcomes in individual cases and of the quality of the linkage between these three areas. What will be challenging is ensuring that information is captured particularly from other key workers, including offender supervisors in prisons, and also ensuring that the views of offenders are properly reflected in our reports.

7.6 The scope of the inspection will be wider with an additional sample of cases of offenders recently sentenced to custody although it is not anticipated that there will be the deployment of significantly greater levels of HMI Probation resources.

7.7 As with our previous inspection there is also a consultation phase built into the project that will take place following the last pilot but informal feedback from probation areas and other interested parties is welcomed.

8



## Looking Ahead

## *Our General Approach*

8.1 Our underlying general approach for 2005/2006 will continue to be to:

- provide, by means of our inspection criteria, a clear and consistent definition of what good quality management of offenders and young people looks like
- measure, fairly and accurately, the performance of each probation area and YOT or YOS in achieving this, and
- engage effectively with these organisations so as to maximise the likelihood of them 'coming with us' down the path of pursuing steady continuous improvement in the quality of their management of offenders and young people.

By this means we will help to improve the effectiveness not just of probation areas and YOTs, but of the Criminal Justice System as a whole.

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

8.3 More details on our approach are given in our Plan for 2005/2006 (*Still Improving Quality*), available on our website.

## *Work Programme for 2005/2006*

8.4 More specifically, our work programme for 2005/2006 has the following main elements:

- **Planned schedule of inspections:** carrying out on time and to a good standard the planned schedule indicated in earlier chapters:
  - the remaining 13 ESI inspections, and four follow-up inspections
  - the remaining two ESI thematics – enhanced community punishment/unpaid work, and substance misuse
  - 30 YOT inspections, jointly with the other inspectorates
  - contributing to 40 Supporting People joint inspections
  - an initial thematic inspection of junior Attendance Centres
  - a short and focused thematic inspection of the use of OASys
  - leading the joint inspection of public protection
  - contributing to six joint criminal justice area inspections
  - a short inspection of the Jersey probation service

“Our approach to the improvement of services is fully in line with the Government’s ten principles of inspection in the public sector, which place expectations on inspection providers and on the departments sponsoring them. We attach great importance to these principles.”

- **Inspection methodology for Offender Management:** developing, in close association with HMI Prisons, an inspection methodology and programme for Offender Management (OMI), ready to deliver a first inspection in May 2006, as described in Chapter 7.

We will also continue to make constructive contributions to the planning for future arrangements for inspection in the CJS, including the potential single Inspectorate, on the basis of our approach set out in *Starting from First Principles*.

#### *Allocation of Resources in 2005/2006*

8.5 We have created a 'budget' of 39,000 deployable 'inspection hours' for 2005/2006, and have allocated them as follows:

YOT inspections	16,000
ESI (core area inspections)	10,000
ESI (thematic element)	2,750
Other single agency thematic inspections	1,000
CJS joint inspections	3,000
'Supporting People' inspections	3,000
Northern Ireland, Isle of Man and Channel Island inspections	750
QA of HMI Probation methodology	500
Investigations and other contingencies	2,000
<b>Total</b>	<b>39,000</b>

“We will also continue to make constructive contributions to the planning for future arrangements for inspection in the CJS, including the potential single Inspectorate, on the basis of our approach set out in ‘*Starting from First Principles*’.”

Accordingly, and as noted earlier, the YOT inspection programme will take 41% of our deployable hours, and the core ESI programme a further 26%. We have allocated 8% each to joint inspections of the CJS and to our contribution to the Supporting People programme.

#### *HMI Probation costs*

8.6 As indicated in the Foreword, our projected cost per inspection hour per person for 2005/2006 will be £89.29, about the same as in 2004/2005. This figure does not include all the costs we incur but, even allowing between 5% and 10% for that, our cost figure would still be well below £100 per inspection hour. We believe this demonstrates our commitment to ensuring we represent good value for money.

#### *Improving the accessibility of our publications*

8.7 During the coming year, we will consider the design, writing and presentation of our reports to see if we can make them more accessible and clearer to our readers, while still achieving our key aims. Our reports are more concise and better benchmarked than in the past but we think there may be scope for further improvement. We believe that shorter, plainer and more clearly presented reports are more likely to be appreciated by Ministers and other readers.

#### *Facing the Future with Confidence*

8.8 On the basis of the approach and programmes outlined in this report, we believe that we have organised ourselves to deliver inspections which are needed, both in the coming year and in the changed world of the future. We think we can face that future with confidence.

# Appendix A

*Reports of inspections of NPS and YOT work published in 2004/2005*

ESI Reports	Date Published
Essex	April 2004
Teesside	June 2004
County Durham	July 2004
Gwent	July 2004
Norfolk	August 2004
South Wales	August 2004
Staffordshire	August 2004
Suffolk	September 2004
West Midlands	September 2004
Merseyside	October 2004
Greater Manchester	November 2004
Cumbria	December 2004
Northumbria	January 2005
Gloucestershire	February 2005
Dyfed-Powys	March 2005
Wiltshire	March 2005
ESI Follow-Up Reports	Date Published
Hampshire	February 2005
Hertfordshire	February 2005
ESI Inspection Findings	Date Published
Aggregate results for the first 14 probation areas	November 2004
Other Area Inspection Report	Date Published
Isle of Man	February 2005
PIP Further Follow-Up Report	Date Published
London	July 2004
YOT Inspection Reports	Date Published
Milton Keynes	April 2004
Conwy & Denbighshire	April 2004
Havering	June 2004
Lancashire	July 2004
Cardiff	August 2004
County Durham	August 2004
Slough	August 2004
Stoke-on-Trent	September 2004
Suffolk	October 2004
Oxfordshire	October 2004
Enfield	November 2004
Neath Port Talbot	November 2004
Medway	January 2005
Coventry	January 2005
Lambeth	January 2005
Salford	March 2005
Thurrock	March 2005
North Tyneside	March 2005
Cumbria	March 2005
Supporting People Inspection Reviews	Date Published
Brent	April 2004
East Riding of Yorkshire	April 2004
Luton	Anril 2004

Oldham	April 2004
Blackpool	May 2004
Dudley	May 2004
Gloucestershire	June 2004
Wokingham	June 2004
Doncaster	July 2004
Enfield	July 2004
Lancashire	July 2004
North Tyneside	July 2004
Nottinghamshire	July 2004
West Berkshire	July 2004
Lincolnshire	August 2004
Manchester	August 2004
Liverpool	September 2004
Nottinghamshire	September 2004
Newham	October 2004
Cheshire	November 2004
York	November 2004
Calderdale	December 2004
Coventry	December 2004
Derby	December 2004
North Somerset	December 2004
Portsmouth	December 2004
Hounslow	January 2005
St Helens	January 2005
Torbay	January 2005
Warwickshire	January 2005
Hackney	February 2005
Rotherham	February 2005
Telford & Wrekin	February 2005
Wiltshire	February 2005
Barking & Dagenham	March 2005
Surrey	March 2005
<b>Supporting People Inspection Findings</b>	<b>Date Published</b>
Supporting People: A five-year national inspection programme	January 2005
<b>Thematic Inspections: Reports of inspections by HMI Probation as a single Inspectorate</b>	<b>Date Published</b>
Reducing Domestic Violence: An Inspection of the National Probation Service Work with Domestic Violence Perpetrators	July 2004
Movement of Cases: An Inspection of the Effectiveness of Arrangements for Handling the Movement of Cases Between Probation Areas	September 2004
"I'm not a racist, but...": An Inspection of National Probation Service Work with Racially Motivated Offenders ( <i>summary published as Inspection Findings 01/05</i> )	February 2005
<b>Joint Thematic Inspection Reports</b>	<b>Date Published</b>
Joint Inspection Report into Persistent and Prolific Offenders	May 2004
Diploma in Probation Studies Programmes. Follow-Up Inspection	August 2004
Joint Inspection Report of the Surrey Criminal Justice Area	March 2005

# Appendix B

## *HMI Probation: Statement of Purpose and Code of Practice*

### *Statement of Purpose*

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

- report to the Home Secretary on the work and performance of the National Probation Service and of Youth Offending Teams, particularly on the effectiveness of work with individual offenders, children and young people aimed at reducing reoffending and protecting the public
- in this connection, and in association with HM Inspectorate of Prisons, to report on the effectiveness of offender management under the auspices of the National Offender Management Service as it develops
- contribute to improved performance in the NPS, NOMS and YOTs
- contribute to sound policy and effective service delivery by providing advice and disseminating good practice, based on inspection findings, to Ministers, Home Office staff, the Youth Justice Board, probation boards/areas and YOTs
- promote actively race equality and wider diversity issues in the NPS, NOMS and YOTs
- contribute to the overall effectiveness of the Criminal Justice System, particularly through joint work with other criminal justice and Government inspectorates.

Our annual Plan is agreed between the Home Secretary and HM Chief Inspector and is published on our website.

### *Home Office Objectives*

HMI Probation contributes primarily to the achievement of Home Office Objective II:

*More offenders are caught, punished and stop offending, and victims are better supported*

and to the requirement to ensure that custodial and community sentences are more effective at stopping offending. We also contribute to the achievement of Objective III through scrutiny of work to address drugs and other substance misuse, and to other relevant CJS and children's services objectives.

### *Code of Practice*

In undertaking its work HMI Probation seeks in particular to implement the Government's ten principles of inspection in the public sector, namely that inspection should:

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

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

In seeking to achieve its purpose and meet these principles, HMI Probation aims to:

- undertake its work with integrity in a professional, impartial and courteous manner
- report and publish inspection findings and recommendations for improvement in a timely way
- promote race equality and wider diversity issues in all aspects of its work, including within its own employment practices and organisational processes
- minimise any additional work arising for Probation Areas or Youth Offending Teams as a result of the inspection process.

In undertaking its work HMI Probation is mindful of Ministerial priorities and the Strategic Plan for the Criminal Justice System. We work closely with other criminal justice Inspectorates through the Criminal Justice Chief Inspectors' Group, and also with Inspectorates involved with work with young people. In addition, through a Probation Inspection and Audit Forum, HMI Probation works closely with the Audit Commission, the National Audit Office and the Home Office Audit and Assurance Unit.

# Appendix C

## *Government's Policy on Inspection in the Public Service: July 2003*

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

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

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

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

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

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

A significant element within our methodology is to interview and listen to the perspective of the offender or young person, and the parents of the latter.

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

We do not support the idea of offering 'inspection holidays' as a way of implementing this principle, but we strongly support the idea of varying intensity of inspection according to identified need. Hence we are conducting follow-up inspections only where a Probation Area falls significantly short of the required criteria. In the case of YOTs, the programme of interviews with managers and staff is tailored to the issues identified from our analysis of the cases examined during the first fieldwork week.

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

We do this partly by asking managers to submit evidence in advance of the inspection, to demonstrate that they have met the required criteria. Also, the criteria and guidance published on our website enable any practitioner or manager to assess his or her own

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

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

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

Our inspection criteria are published on our website.

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

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

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

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

We assess whether the interventions with each offender are proportionate both to cost and to the offender's individual need. We recognise that our methodology is (necessarily) labour intensive, and in March 2005 we published a case study that analyses both the benefits and the costs of an illustrative inspection, including the costs to the inspected body. We not only undertake joint inspections with other CJ inspectorates, but we also co-ordinate our other work to avoid, for example, rapidly successive visits by ourselves and another scrutiny body whenever possible. We have become full members of the Local Services Inspection Forum (LSIF) and of its inspection database for this purpose because of our YOT inspection work, and we have also started a databank for the Probation Inspection and Audit Forum to co-ordinate with Audit bodies our visits to Probation Areas.

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

We seek feedback on our individual interviews with the staff of inspected bodies, which we use to review and renew both our corporate and individual skills and methods. We receive corporate feedback on our Probation inspections as a whole, collected by the Probation Boards' Association. By these and other means we monitor our own impact on our inspected bodies, and keep our own practice under regular review, both as part of our normal programme, but also in joint work with other inspectorates.

HM Chief Inspector

Andrew Bridges



HM Assistant Chief Inspectors

Liz Calderbank



John Hutchings



Alan MacDonald



Peter Ramell



HM Inspectors

Jane Attwood



Helen Boocock



Mark Boother



John Browne



Rose Burgess



Helen Cash



Ben Clark



Julie Fox



Steve Glass



Practice Assessors

Jo Bergdahl



Suki Binning



Penny Davies



Stephanie Mason



Nikki Shave



Inspection Support

Kevin Ball  
Information  
Manager



Andy Bonny  
Programme  
Manager



Lynn Carroll  
Manager -  
Inspection  
Support Team



Grace Dickin  
Manager -  
Inspection  
Support Team



Zach Rathore  
Manager -  
Media &  
Publications



Nick Read  
Assistant  
Information  
Manager



Margaret Butler  
Personal  
Secretary to HM  
Chief Inspector



Pippa Bennett  
Inspection  
Support Team



Natalie  
Dewsnap  
Inspection  
Support Team



# Appendix D

HMI Probation staff as at 31 March 2005

Trevor Brunton  
Rhona Bradley  
Yvette King  
Joy Neary

Jude Holland



Kam Kaur



Sally Lester



Shirley Magilton



Ian Menary



Mike Mullis



Nigel Scarff



Joe Simpson



Andy Smith



Ray Wegrzyn



Kate White



Mary Barnish



Jackie McAvo



Eileen O'Sullivan



Rachel Dwyer  
Inspection  
Support Team



Jean  
Hartington  
Proof-reader



Debbie Hood  
Inspection  
Support Team



Junior Rhone  
Inspection  
Support Team



Biju  
Appukuttan  
Finance and  
London Office

Paul Cockburn  
Inspection  
Support Team

Beverley Folkes  
Inspection  
Support Team

# Appendix E

## Families of Areas used for Comparison in ESI (see para 2.3)

### 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

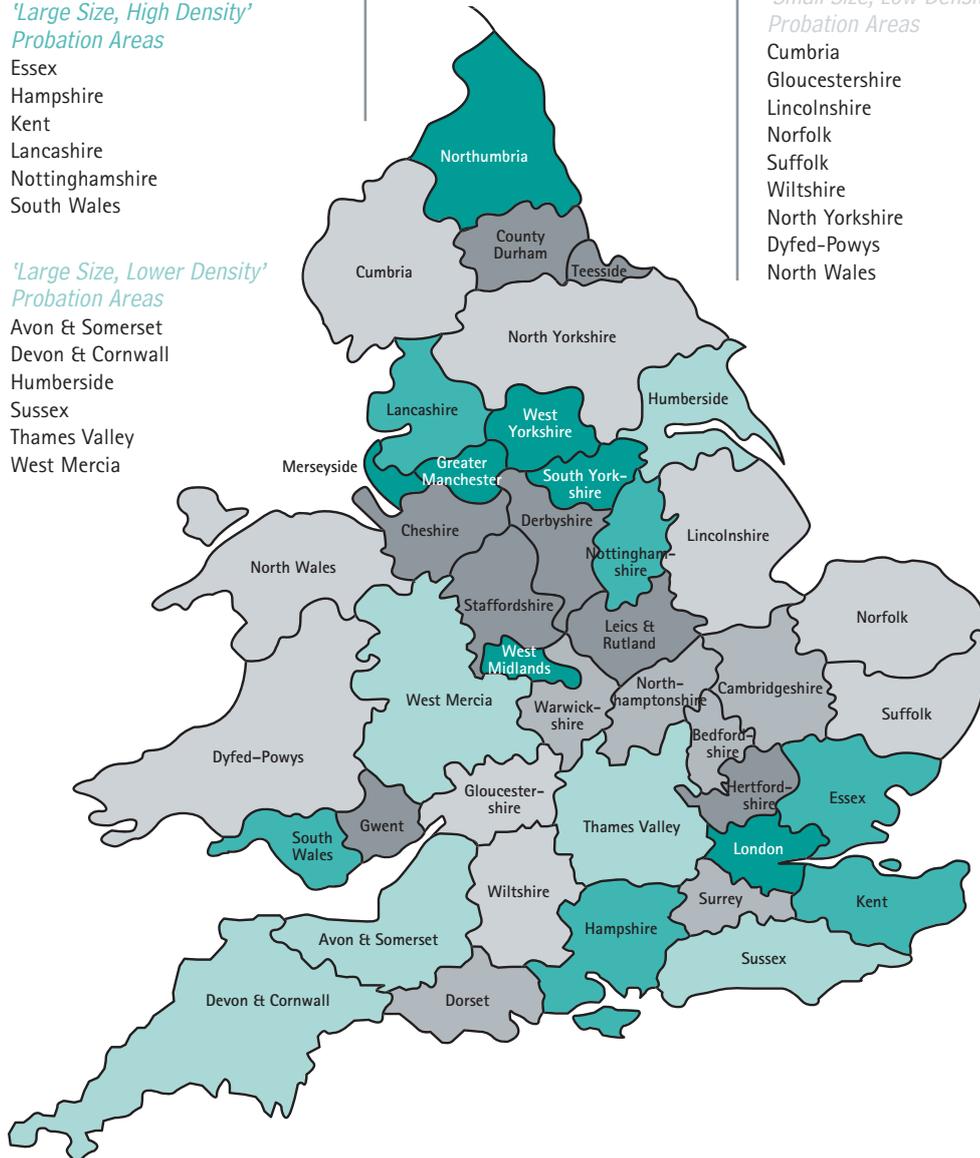
Cheshire  
Derbyshire  
County Durham  
Hertfordshire  
Leicestershire & Rutland  
Staffordshire  
Teesside  
Gwent

### '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 F

### *HMI Probation Expenditure in 2004/2005*

#### Total Expenditure in Year

Staff salaries	£2,258,703
Travel and subsistence	£401,255
Manchester office accommodation	£191,808
Training	£19,116
Printing	£136,158
Promotion and development	£28,931
Stationery, postage and freightage	£32,938
IT and telecommunications	£57,905
Refreshments for inspection planning meetings	£5,947
<b>Total</b>	<b>£3,132,761</b>



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  
2 Monck Street  
London SW1P 2BQ*

Copies of inspection reports are available on our website at:

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

Copies may also be obtained from

*Paul Cockburn  
HM Inspectorate of Probation  
Home Office  
2nd Floor  
Ashley House  
2 Monck Street  
London SW1P 2BQ  
Tel: 020 7035 2207*