



Her Majesty's
**Inspectorate
of Probation**

2003/2004 Annual Report

Independent
scrutiny of
the National
Probation
Service



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Preface

by Andrew Bridges, HM Chief Inspector (from 5 April 2004)

1 I am proud to present this Annual Report on the work of HM Inspectorate of Probation (HMI Probation) on behalf of all of our staff, and in particular on behalf of my predecessor Professor Rod Morgan. Rod was our Chief for the whole of the period covered by this report.

2 Rod made a very distinctive contribution to the National Probation Service (NPS) and the wider criminal justice system (CJS) during his three years with us. Having arrived in the Probation world as an outsider he took care to learn about it, visiting every Probation Area during his time with us to ensure that he gained a practical as well as a theoretical understanding of its context and how it operates. From this platform he then offered insights on the work of the NPS from a very fresh perspective. This is the third time that he has used the Foreword of this Annual Report as a vehicle for those insights. On previous occasions his observations have attracted lively appreciation and we trust that they will again this time.

3 For his commentary, and the work of HMI Probation generally, need to be seen in the light of even greater change for the world of the Probation Service. At a time when the prison population continues its relentless rise, the advent of a National Offender Management Service (NOMS) plus a fresh approach to sentencing is a bold attempt to improve how we manage offenders serving both custodial and community sentences. In the

meantime, our reports this year have shown that by our criteria most of the Probation Areas we have inspected are performing satisfactorily under demanding circumstances.

4 HMI Probation is therefore also changing, but it should be apparent from this report that we face the future with confidence. As our plan for the year makes clear, we aim to help improve effectiveness in the CJS as a whole, taking those we inspect with us in this whenever possible. And we are organised so that we can produce our planned programmes of reports on schedule, and manage the 'change programme' jointly with HM Inspectorate of Prisons (HMI Prisons), within our allocated resources. Our own value for money is such that the full costs of delivering our inspection programmes for the coming year is less than £96 per hour.

5 This report focuses mainly on our inspection of the NPS. We are publishing separately, in September, the annual report on the joint inspection programme of Youth Offending Teams (YOTs), which we lead.

6 For all the above reasons I trust that this Annual Report demonstrates the key contribution that this Inspectorate makes towards the effectiveness of the CJS.



Foreword

by Rod Morgan, HM Chief Inspector until April 2004

1 This is my third and final annual report. It covers a year the close of which coincided with the publication of the Carter Report and the Government's announcement that it intends adopting the recommendation that there be created NOMS, integrating the work of the Prison and Probation Services. This is a suitable point at which to review the tasks that the NPS has been given to perform during its short life and the progress it has made in meeting that challenge. In what follows I will refer to issues to which I drew attention last year, and that preceding it, and also to one or two findings emerging from our new, integrated inspection programme of the NPS, the Effective Supervision Inspection (ESI).

Sentencing Trends and the Changing Role of the NPS

2 The first years of the new millennium have seen a continuation of what is now a longstanding sentencing trend, with profound implications for the work of the Service: dramatic growth in the proportionate use of custody, an equally dramatic decline in the use of fines and a steady increase in resort to more community penalties.

3 The courts have become more punitive. The result is that the caseloads of Probation staff have steadily increased both in terms of numbers (until 1998) and more intensive work with higher risk offenders. Caseloads include a growing proportion of first time and

summary offenders who in former times would have been cautioned, discharged or fined, and the supervision on licence of a growing number of serious offenders imprisoned for longer than ever before. The perverse consequence of this trend is that the most prolific, repeat offenders – those prisoners serving sentences of less than 12 months – no longer get any attention. The Service has virtually ceased to provide any voluntary, practical support for these revolving-door offenders for whom, currently, it has no statutory, post-release, supervisory responsibility.

4 This anomaly, combined with the consequences of the sentencing trend, means that scarce penal resources are, as the Carter Report emphasised, not being used in a cost-effective manner. There are signs, however, that this situation may be set to change. If the analysis in the Carter Report is heeded; if key provisions in the Criminal Justice Act 2003 are early implemented; if Ministers, the judiciary and those who manage and work within the penal system stand together and straightforwardly present the evidence and act on it; then crime may be better prevented and the public better protected.

5 The Criminal Justice Act 2003 ss.181-2 provides that custodial sentences for a single offence of less than 12 months shall in future involve between two and 13 weeks in custody followed by a supervised period on licence. The latter may involve requirements

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similar to those which may be attached to a community order. When implemented these provisions will greatly add to the current workload of the Probation Service.

6 Precisely how great will be the increase is difficult to predict. It depends on what tasks are shed as well as gained: that will be for Ministers generally to influence, the new Sentencing Guidelines Council to frame and, in individual cases, the courts to decide. Probation personnel have a vital advocacy role, however. They offer advice in pre-sentence reports (PSRs) and are able to feed back to the judiciary the outcomes, both individual and general, of sentences imposed. The Criminal Justice Act 2003 and the Courts Act 2003 include provisions which, depending on their relative take-up, have the capacity to sink or make effectively buoyant the proposed NOMS.

7 The Carter Report positively points the way. There might be substantial use of conditional cautions and discharges. Were financial penalties used to the degree they were as recently as five or ten years ago – let alone 20 years ago when unemployment stood at record levels – it would relieve the NPS of supervision of those low risk of reconviction offenders who have no real need of its services.

8 All the evidence suggests that dragging minor or first time offenders too deeply into the penal system is counter-productive in terms of reoffending. It also represents misuse of scarce resources. And it undermines confidence in the system. It may be rational for low-risk offenders to be supervised in a nominal fashion. However, like executive early release on Home Detention Curfew (HDC), merely booking in offenders scarcely encourages confidence that sentences announced in court mean what they say.

9 Relieved of the supervision of the one-third of its caseload comprising low risk of reoffending offenders, the NPS could more intensively and effectively work with those medium and high risk of reoffending and of harm prolific offenders against whom the public deserve better protection. The NPS has radically transformed its relations with the police.

Whether through dedicated, co-located teams of Probation staff, police officers and health service drug specialists targeting small numbers of persistent offenders (see Chapter 4), or routinely sharing intelligence about supervised offenders who the evidence suggests remain 'at it', the Probation Service has begun working cooperatively with the police to a degree that would until recently have been regarded as anathema. The rationale for creating the NOMS is the achievement of the same level of productive partnership with prisons and young offender institutions – the end-to-end case management of prisoners. If prisoners are to have a reasonable prospect of leading law abiding lives on release – which is what the public wants and the CJS is supposed ultimately to deliver – they need to be given consistent, practical assistance with their multiple problems.

10 Within the new framework there will likely be scope for greater use of electronic monitoring and tracking (EM), the technology for which is becoming cheaper and more effective. A more incisive debate than has been conducted hitherto is needed about the proper place of EM on the sentencing tariff. Two, divergent uses are emerging: simple tagging as a restriction to offenders' liberty; and tagging, or sophisticated tracking, as a surveillance adjunct for high risk of harm offenders. There is a case for pursuing both ends of this spectrum.

11 Finally, the place of unpaid work as a punishment has become confused. A growing proportion of offenders subject to community punishment orders (CPOs) are first time and summary offenders. About a half are in employment. When Enhanced Community Punishment (ECP) was introduced we suggested to the National Probation Directorate (NPD) that it would be counter-productive for low-risk offenders to count toward the completion target set. We argued that it would further encourage the imposition of CPOs on lightly convicted, conforming offenders. No arguments have been advanced which leads us to revise this view, which is not to say that there is not a case for using some unpaid work, where the community at large is the beneficiary, as reparative punishment.

Fewer and Shorter Reports for Courts

12 An estimated one-third of the aggregate time of probation officers is devoted to the preparation of court reports. The number of reports requested for a relatively stable number of defendants has risen and the introduction of specific sentence reports (SSRs) has failed to displace PSRs. Last year I reported that the confidence of the courts in the Probation Service was being undermined by the failure of some Areas to provide, in a timely manner, the reports requested of it. We have since established that the problem persists, particularly in London. The NPD has belatedly grasped this nettle but the reform proposals so far advocated do not go far enough. The introduction of short format PSRs is a welcome step. However, significant savings in staff time will only follow if an OASys-based risk assessment is in the first instance avoided. There is a clear case, particularly in large court centres which can efficiently be staffed, for use of short format PSRs (if court reports are needed at all) in cases where a speedy OGRS check has established that the likelihood of reoffending is small and a brief court-based interview has confirmed that there are no lurking, serious, criminogenic factors which would warrant adjourning the case for preparation of an OASys-grounded full PSR. Were these short format PSR cases to result in a community order, an OASys assessment could be undertaken post-sentence. Deployment of this approach across the country would save the Service much needed, professional resources.

Staff Morale, Programmes and Case Management

13 Our inspection programme, together with my personal visits to Areas across the country, meeting staff at all levels, lead me to believe that two moods have developed side by side within the NPS. There are those specialist staff involved in the delivery of accredited and other programmes or working in small dedicated teams pursuing innovative schemes with persistent or other sub-groups of offenders. I find these staff typically to be enthusiastic, taking pride in their new found skills and committed to making their initiatives work. Alongside them are a larger group of staff responsible for mainstream one-to-one supervision of offenders and, in those Areas where there are not specialised court-based teams, the preparation of reports. These staff often describe themselves as ground down. They frequently complain that their growing caseloads make quality individual work with

offenders unfeasible. The target driven focus given to programmes and specialised initiatives suggest to them that their work has been marginalised and is little appreciated.

14 It is for these reasons that in my report for 2001/2002 (para 10) I spoke of programme fetishism. The research evidence is that a multi-modal approach is 'what works'. If offenders' practical, socially excluding problems are not *tackled* alongside participation in programmes (for the minority of offenders allocated to programmes), it is doubtful that the substantial investment in accredited offending behaviour programmes will reap anything approaching its promised dividend of reduced reoffending. It is for this reason that our ESI inspection programme focuses closely on outcomes: are the interventions which the NPS delivers targeted on offenders' risk factors and are their circumstances and behaviour changed as a consequence?

15 On this front also there are signs of progress. The targets for accredited programme completions have been reduced. Those for acquisition of basic skills have been increased. The NPD has announced case management pilots and the principal rationale for the creation of NOMS is that there should be effective end-to-end case management of imprisoned offenders. If these plans are successfully implemented it will represent a welcome rebalancing of the work of the Service. Our inspections during the past year have revealed clear progress in the scale of targeted interventions delivered and their quality. NOMS will need to concentrate its attention on commissioning more and improved life changing programmes which increase the likelihood that events – securing a home, getting a job, forming and consolidating stable family relationships, building offenders' willpower to avoid alcohol and illicit drug abuse – associated with desistance from offending occur. It is for this reason that throughout this report we stress the need for the Service to target and monitor these outcomes to a degree which the ESI findings to date suggest is not yet routinely done (see Chapter 2).

Stability and Change, Opportunities and Threats

16 Coping with change – the product of organisational restructuring, new legislation, or new types of staff and ways of working – has been the insistent drum beat in practically

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every conversation and conference I have participated in since I became Chief Inspector in 2001. In response to every plea for stability I have had to warn that I could see no end to fundamental change in sight. I have also argued that further changes are necessary. Those warnings have been vindicated. The proposition that a single service, NOMS, be forged from the Probation and Prison Services, is a high-risk strategy. The danger is that the penal services will suffer structural turmoil, that staff morale will further decline and delivery of services on the ground not improve. Yet some structural change, building on the experience of the successfully remodelled youth justice system, could reap great benefits.

17 At the time of writing, the precise shape of NOMS remains opaque and will likely remain so well beyond June 2004 when it is planned it should come into being. There is much detail to discuss and decide. I will not prejudge that debate, but rather outline what I take to be the principal opportunities to be grasped and the threats to be avoided.

18 Now is the chance genuinely to devolve to the localities the translation of national objectives into targets and the means for achieving them. The labour, property and alternative services (both voluntary or commercial) markets differ greatly from one part of the country to another, as do the patterns of crime, the distribution of offenders and the infrastructural capacity of the penal services to cater for offenders on their home turf. It would make sense, in terms of developing local ownership, commitment and creative innovation, to make the NOMS a more decentralised service than the Prison Service has long been and the NPS is tending to become.

19 The ugly term *contestability* nevertheless opens up the attractive prospect of greater diversity of providers of services for offenders. During the past two years I have seen imaginative examples of grass roots partnership initiatives between Probation Areas and other criminal justice or local state agencies and the voluntary and commercial sectors. There is considerable scope to take this process further.

20 The risks, however, are that NOMS will come into being while the Probation and Prison Services continue to be overwhelmed and that integrated case management will develop as a set of bureaucratic procedures unmatched by that level of personal contact and continuity which experience suggests is vital for legitimacy and trust in relations with offenders. Reversing the punitive sentencing drift of recent years cannot wait on the deliberations of the Sentencing Guidelines Council which, even if successful, are unlikely to impact sentencing policy for several years. There can be no genuine contestability within services all of whose capacity must of necessity be used: there must be created operational room for manoeuvre. And a Service which fails to afford its most skilled professionals the opportunity positively to work with individual offenders will see an invaluable organisational and cultural ethos sapped, not likely to be recreated for a generation. There will ideally be a clear organisational separation between the commissioning and delivering of services.

21 There will be no merit in any aspect of NOMS being created hastily. Let the milestones for its organisational development be based on firm, well-tested foundations.

22 Finally, I welcome the announcement that HMI Probation and the Inspectorate of Prisons are to be merged. The establishment of a single Inspectorate of penal services (or whatever title is adopted) would be able, more effectively than is done at present, to assess the manner in which all forms of detention and sentences are executed, both in terms of human rights and effectiveness.



The HMI Probation Year

Overview

1.1 The year 2003/2004 has seen the start of three substantial programmes of area inspections. In June 2003 we embarked on our ESI, which will see us visit all 42 Probation Areas over a three year period. In July we started, in conjunction with eight other Inspectorates or regulatory bodies, on the first phase of our YOT inspection programmes. Then in the autumn we became a member of the Audit Commission's multi-inspectorate team examining how well the arrangements for Supporting People were working in every relevant local authority in England. All three of these area programmes are continuing into 2004/2005, with significant acceleration when we move into the second phase of the YOT inspection programme, itself the subject of a separate Annual Report.

1.2 Also in the last year we completed our previous system of area inspections (Performance Inspection Programme) with all the final follow-up and further follow-up inspections. We completed too our programme of auditing accredited programmes, including follow-ups, before handing over the future responsibility for quality assuring such work to the NPD.

1.3 In addition we undertook thematic inspections on Victims, Langley House and Race Equality, all of which followed up earlier thematic inspections by HMI Probation. We completed the thematic reports on Governance and (jointly) on the Diploma in Probation

Studies (DipPS). We also undertook and completed our first thematic inspection undertaken as an integrated element within the ESI Programme, on Employment and Basic Skills (EBS). We worked with other criminal justice inspectorates on the Street Crime Initiative, on Persistent Offenders and in a pilot exercise where we visited a single criminal justice area (Gloucestershire) at the same time as the other four criminal justice inspectorates. By the end of the year under review we were finalising a follow-up on the DipPS, and a new thematic on the Movement of Cases, and writing up our second 'ESI thematic', on Domestic Violence. An additional major investigation was completed by the outgoing Chief Inspector in March.

1.4 The following table summarises the number of reports on inspections of NPS work (i.e. excluding YOT inspections) published in 2003/2004:

	Including area follow-up reports	Excluding area follow-up reports
Inspections undertaken by HMI Probation as a single Inspectorate	43	24
Joint inspections between HMI Probation and other Inspectorates	13	13

Details are shown in Appendix A.

“We have contributed to and noted the Carter Report and the Government’s response to it, and we have ourselves been the subject of separate reviews of inspection arrangements. We are ready to adapt to a future world in which NOMS will be operating, and we are preparing for that future world jointly with our colleagues in HMI Prisons.”

1.5 During the last year we have sought to improve the accessibility of our publications by the introduction of Inspection Findings, as a shorter form of publication aimed at making inspection results readily accessible to a wider audience. Inspection Findings are now being issued with our thematic reports as summaries of the main results, and will also be used to issue periodic inspection results, particularly those from the ESI programme covering more than one Probation Area.

1.6 We have contributed to and noted the Carter Report and the Government's response to it, and we have ourselves been the subject of separate reviews of inspection arrangements. We are ready to adapt to a future world in which NOMS will be operating, and we are preparing for that future world jointly with our colleagues in HMI Prisons.

Move to Trafford House

1.7 In February 2004 we moved our Manchester base from our former premises in Grove House to a suite on the 6th floor of Trafford House, which overlooks the Manchester United stadium. As a national and independent organisation, there are both symbolic and financial advantages for us in running a large part of our operations from a base outside London. Nevertheless our Ashley House office in London continues to provide the Management Group in particular with the necessary proximity to Ministers and key decision-makers in the Home Office, other Government Departments and related organisations.

Staffing

1.8 There has been a good mix of continuity and change over the past 12 months. We have had a number of new staff join us during the course of the year. But on the whole this has been a period for continuity at a time when we have been establishing our new inspection programmes. We are very grateful for the contribution to our work made by the several staff who left HMI Probation in the last 12 months, in particular for that by Frances Flaxington, Deputy Chief Inspector up to July 2003, who moved to be head of the Victims Unit in the Home Office.



1.9 The new inspection programmes have brought a change in methodology which, coupled with our ceasing to audit accredited programmes, has led to a review of the skills sets we require from our inspection staff. A significant proportion of our inspection work, both in ESI and in the YOT programme, is devoted to the assessment of practice in individual cases. Accordingly, we will be aiming to achieve a change of profile in the year ahead so that we can undertake these numerous case assessments as efficiently and effectively as possible.

1.10 HMI Probation is already diverse both in skills and background, and we remain committed to maintaining this. This has been aided by the fact that Probation Areas and other organisations have been prepared to second their staff to us, and we continue to be very grateful for their continuing willingness to do so.

Diversity

1.11 We aim to maintain our commitment to diversity. We will continue to ensure 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 staff training and development we have actively supported the NPD's initiatives with inputs to the Faith conference, and with providing shadowing weeks for minority ethnic senior managers at Deputy Chief Inspector level. We also routinely monitor the diversity characteristics of the staffing of each of our inspections (staff from the local area or YOT as well as from HMI Probation). In 2003/2004 overall, 64% of those staffing our inspections were female, 8% were from a minority ethnic group and 2% had a disability within the terms of the Disability Discrimination Act 1995.

1.12 But we will also continue to integrate into each of our inspections key criteria to identify whether or not minority ethnic and women offenders are being treated proportionately at each step in the processes we inspect. We criticise areas and YOTs that

fail to monitor for diversity effectively, which in turn leads to questions about what it is that we are looking for. Hence we aim to model what we see as one item of good practice in this area.

1.13 In our inspections we have integrated into much of our routine methodology the analysis of sub-samples of cases by race, gender and age. These are what enable us to see whether minority ethnic, female or young (or older) offenders are experiencing disproportionate treatment while under Probation supervision. In our EBS thematic report of February 2004 we included a section that set out our suggested approach to monitoring key aspects of diversity (and we showed a worked example of this later in the report):

A suggested model table for monitoring service delivery by race, gender and age:

Item to be monitored, such as:	ALL	RACE		GENDER		AGE	
		White	Minority Ethnic	Male	Female	Under 25	25 or over
Performance item, or Action (e.g. report proposal, referral), or Process outcome (e.g. early termination)							
In what proportion of cases was performance item 'A' achieved?	% of this column	% of this column	% of this column	% of this column	% of this column	% of this column	% of this column
In what proportion of cases did action 'B' take place?	% of this column	% of this column	% of this column	% of this column	% of this column	% of this column	% of this column

Visit by Bulgarian Criminal Justice Staff



Advising and Liaising

1.14 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.

1.15 Regular meetings were also held during the year at the highest level with the NPD. In the light of this experience, revised protocols covering our joint work were concluded during the year. In this way we maintain a constructive relationship whereby both we and the NPD meet our complementary roles in realising the Home Office aims for the NPS. These arrangements will continue to be revised and adapted during the course of the transition to NOMS.

1.16 The National Probation Inspection and Audit Forum continues to meet, convened by HMI Probation. We share information and undertake joint planning in order to reduce the likelihood of duplicating our respective efforts and overburdening the NPS. The Governance thematic inspection was an example of where HMI Probation and the Audit Commission achieved this through good coordination.

1.17 Our role in relation to assessing NPS performance outside our own programme of inspections has continued to evolve. In Spring 2003 we once again completed jointly with the NPD an exercise in validating the performance figures for Enforcement in a national sample of cases. But in general the trend is for us to move away from direct measurement of NPS performance outside our inspection programmes, as was illustrated when we transferred to the NPD the responsibility for quality assuring accredited programmes. However, it is accepted that it would be beneficial to all for HMI Probation to continue to have a role in validating some identified aspects of NPS performance. This is the subject of current discussion with the NPD.

1.18 As part of our role in providing advice on probation issues we met during the year with delegations of Bulgarian and Russian criminal justice staff. We also continue to participate in the CEP – the European Probation Conference.

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Joint Inspections in the CJS

1.19 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 Criminal Justice Chief Inspectors' Group (CJCIG), supported by a small Secretariat. Rod Morgan was the Chair from August 2002 until his departure from HMI Probation. As noted earlier, during the last 12 months there have been joint thematic reports on the Street Crime Initiative and on Persistent Offenders, and a number of others are at the planning stage. The biggest joint piece of work was the pilot inspection of a whole criminal justice area, Gloucestershire, which took place in September 2003.

1.20 The CJCIG understands and is fully committed to the Government's policy of improving the effectiveness of the CJS as an integrated whole. The existing five Inspectorates are likely to become three from some time in 2005, with HMI Prisons and HMI Probation coming together to provide unified inspection arrangements for NOMS and for other related work. Similar arrangements will be made between the Magistrates' Courts Inspectorate and the HM Crown Prosecution Service Inspectorate (HM CPS Inspectorate).

Our Complaints Procedure and Code of Practice

1.21 We remain firmly committed to ensuring that our inspection processes are carried out with integrity in a professional, impartial and courteous manner. Our Complaints Procedure and Code of Practice – both of which are available on the website – emphasise in particular the principles of independence, consultation, a firm evidential basis, the promotion of diversity and equality, and timely feedback.



1.22 We apply these principles in our inspections. However, our Complaints Procedure recognises that there may still be occasions where the NPD, Probation Areas or Boards (or any partner organisation involved) wish to contest some aspect of the inspection or to register a complaint.

1.23 No complaints under these arrangements were received during 2003/2004. However, on a few 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 for the Year Ahead

1.24 Our planning has taken place in the context of major changes both for the way offenders are managed in future, both in custody and in the community, and in the ways in which this work will be inspected. We have had to plan for these changes, while at the same time maintaining a consistent standard of inspection of the real work currently undertaken with offenders and young people across England and Wales.

1.25 We believe that the heart of future effective practice will continue to rest on case management – how well individual front-line staff engage skilfully with the offender or young person throughout the sentence so that he or she makes use of the learning to change their former behaviour. HMI Probation's current methodology already enables fair and consistent assessment of this front-line practice in the current NPS and in YOTs.

1.26 Hence we will ensure that we continue to implement and refine our methodology in our current area inspection programmes, but we will at the same time prepare, with HMI Prisons, to carry forward the best principles of this methodology into the future world of NOMS. In that future world, each individual offender will need to be managed from the beginning to the end of their sentence with a similarly high quality of engagement, whether it is a custodial or a community sentence or a mixture of both.

1.27 Therefore, for our part, HMI Probation will continue to measure the quality of the practice we see in a way that is fair minded, consistent, effective and accountable. But we will go beyond that, to engage with NPS and YOT people to take them with us down the path to continuous improvement. Measuring performance is insufficient; through our advice and working methods when we are inspecting we will help practitioners and managers to improve.

1.28 But noble aspirations on their own are not enough. As part of the process of turning aspirations into real planning we are organising the resources available to us and allocating them to fit our aspirations.

1.29 We have created a 'budget' of deployable 'inspection hours' for the year ahead – 35,000 in all. This includes the staff time seconded into us by a number of other Inspectorates for the YOT inspection programme. Accordingly, one-third of those deployable hours will be spent on delivering the YOT inspection programme, which is scheduled to increase to a pace of 30 inspections a year with effect from September 2004. Another quarter will be used to deliver 15 ESIs in 2004/2005. And 4,000 hours have been allocated for the specific purpose of contributing to joint CJS inspections during the coming financial year. In a number of respects this will help us to make the transition towards the future inspection arrangements for a more joined up CJS.

1.30 It is worth adding here that we believe we also offer good value for money. Our total budget for the coming year is £3.2 million, and we expect to be delivering 35,000 inspection hours' worth of output. In terms of 'total cost' we therefore average at less than £96 per hour.

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1.31 In these and in other respects we expect to be able to demonstrate that we have taken seriously the Government's Policy on Inspection of Public Services, a theme we return to in Chapter 5. Accordingly, we feel able to face our future with confidence.

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Area Inspections

Overview

2.1 The past year has seen the launch of our new area inspection programme, ESI. We have also completed the last Performance Inspection Programme follow-ups and our final audits of accredited programmes.

The ESI Programme

2.2 The ESI programme started in June 2003 with inspections taking place in Derbyshire, Nottinghamshire, and Leicestershire & Rutland, followed after the summer by Cheshire, County Durham, Essex, Hampshire, Hertfordshire, Kent, Lancashire, Staffordshire, Teesside, Gwent and South Wales. All 42 Probation Areas comprising the National Probation Service for England and Wales are 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.

2.3 The Areas visited to date belong to the groupings or 'families' identified as either 'large size, high density' or 'medium size, higher density'. During 2004/2005 we will be inspecting a further 15 areas, which are either metropolitan areas or in the 'small size, low density'

grouping, starting for example in April with inspections in the West Midlands and in Norfolk. Although the grouping of areas was originally drawn up in agreement with the NPD, the latter then decided that it would use a different approach, similar to that used for police forces, under which each area has a set of 'most similar characteristics' rather than working to a fixed grouping. For the present we in HMI Probation will continue to use the original groupings to make comparisons, but will keep this issue under review. Future arrangements for making comparisons will also need to take account of the development of NOMS.

2.4 In ESI Probation Areas are being 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 outcomes of the interventions, both in relation to criminogenic factors (for example employment, accommodation, substance misuse, etc.), and whether there has been any reduction in the risk of harm (RoH) and the likelihood of reoffending (LoR).

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 areas) who have been under supervision for approximately nine/ten months, and 20 of whom are registered as high risk of harm. The cases come from most categories of orders and licences.

2.6 During the first week of the inspection we examine the 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.). 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 that this provides a positive experience both for the Area and the staff directly involved and increases ownership of the findings.

2.7 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 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.

2.8 Assessment of the Quality of Management criteria (section A of the 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.

2.9 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 serious 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 implemented and we will be reviewing with them in due course what action has been taken by Areas and its results.

2.10 As well as reports on individual Areas we will also 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.

2.11 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 up for two years to assess the levels of reconviction. This will give a longer-term picture of the effectiveness of both individual Areas and of the NPS as a whole.

2.12 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. As noted earlier, during 2003/2004 two such thematic inspections have been completed, the first on EBS and the second on the Probation Service's work with perpetrators of Domestic Violence. Similar thematics will be taking place during 2004/2005 on Racially Motivated Offenders and on Offender Accommodation. A summary of the provisional thematic findings in relation to the Area is included at the end of each published report.



Results from ESI

2.13 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
Leadership and planning		Cheshire Derbyshire County Durham Lancashire Leicestershire & Rutland Teesside	Essex Gwent Kent Staffordshire	Hampshire Nottinghamshire South Wales	Hertfordshire
Resource allocation	County Durham Teesside	Derbyshire Kent Lancashire	Cheshire Essex Hampshire Leicestershire & Rutland Nottinghamshire Staffordshire	Gwent Hertfordshire South Wales	
Management and supervision of staff	County Durham	Lancashire Teesside	Derbyshire Kent	Cheshire Essex Gwent Hampshire Leicestershire & Rutland Nottinghamshire South Wales Staffordshire	Hertfordshire
Partnership/contracting out		Derbyshire Gwent Teesside Staffordshire	Cheshire County Durham Essex Kent Leicestershire & Rutland	Hampshire Lancashire Nottinghamshire South Wales	Hertfordshire
Effective communication with sentencers	Cheshire Derbyshire Leicestershire & Rutland	County Durham Hampshire Lancashire Teesside	Gwent	Essex Hertfordshire Kent Nottinghamshire South Wales Staffordshire	

2.14 Numerical scores for the Quality of Assessments, Interventions and Initial Outcomes have been:

Large size, high density areas	Section B (assessment)	Section C (interventions)	Section D (initial outcomes)	Overall score for sections B-D
Essex	72%	81%	76%	76%
Hampshire	67%	77%	73%	73%
Kent	76%	84%	76%	79%
Lancashire	74%	84%	77%	79%
Nottinghamshire	57%	72%	62%	64%
South Wales	44%	62%	60%	56%
Medium size, higher density areas				
Cheshire	82%	85%	78%	82%
Derbyshire	76%	83%	76%	79%
County Durham	87%	87%	78%	84%
Hertfordshire	49%	66%	62%	60%
Leicestershire & Rutland	65%	78%	65%	70%
Staffordshire	63%	76%	75%	72%
Teesside	82%	84%	78%	82%
Gwent	66%	72%	70%	69%

2.15 The table below shows the results for some of the key questions in the scrutiny of cases in the Probation Areas inspected to date. The figures show the proportion of cases scored as sufficient or excellent.

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?	53%	17%-74%
Are appropriate interventions identified to address offending behaviour and community reintegration?	72%	46%-89%
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?	84%	65%-95%
Has breach/recall action if required taken place, within the national standards timescale?	82%	60%-91%
Have appropriate interventions been carried out, with the timing and sequencing reflecting the offender's risk of harm and likelihood of reoffending?	69%	43%-88%
Are victim issues in general properly addressed?	55%	34%-74%
Has the delivery of interventions been sensitive to race equality and other diversity issues?	83%	64%-93%
Are interventions and their level appropriate to the assessment of risk of harm – more intensive if higher risk, less if lower?	86%	67%-98%
Has there been progress on the three priority criminogenic factors during supervision to date?	62%	45%-77%
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)?	47%	26%-73%
Has the offender complied with the conditions of the order/licence, including any additional requirements?	68%	55%-85%

“... need ... for areas to give greater attention to the assessment and management of cases assessed as high risk of harm”

2.16 Some recurring (though not universal) themes and areas for improvement in the inspections have been the need for:

- areas to give greater attention to the assessment and management of cases assessed as high risk of harm
- increasing the focus on victims' issues in work with individual offenders and, where there has been a direct victim, raising offender awareness of the impact of their offence
- more systematic use of outcome measures to assess whether the work of the service has been successful.

2.17 On the positive side we have noted:

- much improved performance in many Areas in relation to national standards compliance, including the proper enforcement of orders and licences
- evidence of positive Probation Service impact on criminogenic factors such as unemployment, poor accommodation and substance misuse
- some determination to keep race equality and wider diversity issues at the centre of the agenda.

Feedback from Probation Staff Interviewed during ESI

2.18 Responses to the programme from Probation managers and staff have been favourable to date with many individual staff welcoming the opportunity to talk about the cases they have supervised and get feedback. We have been impressed too by people wanting to learn from the inspection findings and, where required, make improvements.

2.19 We gather specific feedback from case managers and other staff interviewed as part of ESIs. We have had replies from 712 staff interviewed in the 14 Probation Areas we visited as part of the ESI programme in 2003/2004. Results are shown in the following table:

“... much improved performance in many Areas in relation to national standards compliance, including the proper enforcement of orders and licences”

“Responses to the programme from Probation managers and staff have been favourable to date with many individual staff welcoming the opportunity to talk about the cases they have supervised and get feedback. We have been impressed too by people wanting to learn from the inspection findings and, where required, make improvements.”

	% Yes/ Reasonably	% Not really/ not at all
Were you given sufficient advance notice of the inspection?	95%	5%
Were you clear about the purpose of the inspection?	96%	4%
Do you consider that the demands made on yourself and/or your staff were reasonable?	91%	9%
Were the discussions with you undertaken in a professional, impartial and courteous manner?	100%	0%
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?	96%	4%

We are gratified to note that most (at least nine in ten) of those who were interviewed in our ESI programme found the process a positive experience.

2.20 Overall, we found no statistically significant differences in these responses by gender, ethnic origin or grade. However, main grade probation officers were slightly more likely to believe that the demands made upon themselves or their colleagues were unreasonable (13% of probation officers overall compared with 9% of all staff).

The Performance Inspection Programme

2.21 The year saw us complete the end of Performance Inspection Programme. The original inspections under the programme had taken place between early 1999 and the start of 2002, with the Probation Areas in each national region all being inspected at approximately the same time. All Areas then received a follow-up, the nature and detail of



this depending on how satisfactorily they were performing in the original inspection. In some cases, where action to implement the original recommendations was assessed as insufficient, a further follow-up inspection was also undertaken.

2.22 During the first half of 2003/2004 we completed follow-up inspections on the four Welsh Probation Areas of Dyfed-Powys, Gwent, North Wales and South Wales. They addressed an average of about 20 recommendations in each Area, grouped around the themes of performance against national standards, performance planning and review, quality of service delivery and providing value for money. In three of the Areas very satisfactory levels of improvement were discovered with at least 85% of the recommendations assessed as having been at least adequately met with a good impact on performance and with some progress also being made with the remainder. Only South Wales showed less satisfactory results, although even here there had still been a range of performance improvements during a time of major organisational change.

2.23 The follow-up inspection report of the London Probation Area, published in August 2003 also showed insufficient evidence of progress being made to act on inspection findings with about half of 30 recommendations being assessed as falling into this category. Although the Area had made considerable progress in establishing building blocks for improving its performance, the results had still to be demonstrated. Because of this a further follow-up inspection was currently in progress at the time of writing.

2.24 London constitutes about a fifth of the NPS, and for this reason alone its unsatisfactory performance must also be of concern nationally. The Area continues to face unique problems following its creation in 2001, combined with problems that affect other public services in the metropolis too. Nevertheless, the need for evidence of real progress on achieving performance is now overdue.

Audits of Accredited Programmes

2.25 During 2003/2004 we also completed our programme of audits of accredited programmes, publishing nine audit and 13 follow-up audit reports. Many Areas are to be commended for the sustained attention they have given to delivering programmes well and achieving higher Implementation Quality Ratings (IQRs) as a result. However, a key continuing theme has been the need for Areas to give greater attention to case management. This remains the single biggest issue that Areas need to address in enhancing the effectiveness of programmes and achieving reduced attrition rates (especially as non-completers are most at risk of reoffending).

2.26 The table on the right gives information about the IQRs awarded in audits and follow-up audits published during the year. With regard to follow-ups the IQR awarded in the original audit is also listed in the middle column. Where more than one accredited programme was audited, an average IQR has been calculated.



Probation Area ⁽¹⁾	Audit IQR	Follow-up IQR
Cambridgeshire	59% (May 2003)	
Devon & Cornwall	45% (Jul 2002)	71% (Jul 2003)
County Durham	71% (May 2003)	
Dyfed-Powys	47% (Jan 2003)	66% (Sep 2003)
Essex	68% (Apr 2003)	
Hampshire	70% (Mar 2002)	89% (Jun 2003)
Hertfordshire	51% (Jun 2003)	
Kent	53% (Feb 2002)	67% (Apr 2003)
London	40% (Sep 2002)	37% (Jul 2003)
Norfolk	69% (Jun 2003)	
North Wales	40% (Nov 2002)	50% (Oct 2003)
North Yorkshire	60% (Jan 2002)	81% (Jun 2003)
Northumbria	92% (Apr 2003)	
South Wales	42% (Sep 2002)	55% (Oct 2003)
Staffordshire	47% (Apr 2003)	73% (Mar 2004)
Suffolk	66% (Jul 2003)	
Surrey	55% (Mar 2002)	81% (Jul 2003)
Thames Valley	39% (Mar 2002)	70% (Apr 2003)
West Midlands	42% (Mar 2003)	70% (Feb 2004)
West Yorkshire	58% (Jan 2002)	66% (Jun 2003)

⁽¹⁾Note: Since June 2002 Areas with an IQR score of 50% or more have not been subject to any follow-up. They will next be assessed within HMI Probation's normal inspection cycle.

“Our methodology, with its focus on quality of engagement with individual offenders, will therefore be highly suitable for adapting to the future world. ... this will be sorely needed when establishing NOMS.”

Good Practice

2.27 We are keen to highlight good practice where we find it in our inspection work. The following is one example among many. It relates to the effective enforcement of orders and licences. The behaviour of many offenders, when they do not comply with required conditions, makes some programmes difficult to run. Clear and specific communication is an essential element within the process of enforcement.

Good practice example

The following letter was written to an offender who was attending the Think First accredited programme:

Dear David,

We were concerned at your behaviour at the Think First group last night. While we understand that you are not here by choice, you have given an undertaking to participate in the programme as required and 'behave in a constructive manner' (see attached rules). This does not include sighing heavily and saying: "Fuck me, this is boring" on a regular basis.

The letter then went on to say that this was a final warning, and that any more behaviour of this nature would lead to a return to Court.

Firm and explicit communication helps to ensure that the offender is clear what is required of him/her, and the consequences of failure to comply.



The Future

2.28 At the heart of our newly established area inspection programme (ESI) is the focus on the management of each offender through his or her individual sentence. In particular we examine how well the case manager and other staff engage with the offender in order to achieve this.

2.29 The NOMS vision, as we presently understand it, is that offenders will be managed through their sentences, whether their sentences are custodial or community, or a combination of both. The idea of skilful offender management will become even more important under this vision, as we have already indicated.

2.30 Our methodology, with its focus on quality of engagement with individual offenders, will therefore be highly suitable for adapting to this future world. No other methodology at present comes close to providing both a definition and a measure of quality, and this will be sorely needed when establishing NOMS.

3



Thematic Inspections

Overview

3.1 We completed six 'single' thematic inspections during the year, with another close to publication. Joint CJS inspections and our participation in the Supporting People review programme are covered in the next chapter. One further report was also published, jointly with the Criminal Justice National Training Organisation (CJNTO), inspecting DipPS programmes.

Investing in the Future – Inspection of DipPS Programmes

3.2 A further inspection of DipPS programmes, commissioned by the Standing Panel for the Approval of the DipPS, was undertaken jointly by HMI Probation and CJNTO between January and March 2003, and published in August 2003.

3.3 The overall aim of the inspection was to examine the extent to which DipPS programmes produce staff able to fulfil the role of a probation officer at a beginning level of professional practice, and who are equipped to:

- protect the public
- prevent crime
- promote community safety.

3.4 The main finding was that all the programmes were producing officers who were able to fulfil the role of probation officer at the beginning level of practice and some newly qualified officers showed impressive levels of knowledge, skills and understanding.

3.5 There were four recommendations for action by the NPD in order to improve:

- consortium business planning
- addressing the learning and development needs of practice development assessors (PDAs)
- trainee probation officer work with high risk of harm cases in a protected and supported environment.

3.6 A follow-up to this inspection was being finalised at the end of the year.

Valuing the Victim: An inspection into national victim contact arrangements and other related work

3.7 At one time the victim perspective was a fringe issue for the Probation Service; in recent years it has increasingly taken centre stage. This has also been reflected in the attention that we have given to the subject.

“We found NPS performance on meeting victim-related targets continued to improve, together with some excellent examples of good practice.”

3.8 In recent years, we have invested a substantial resource into two thematic reports that have drawn policymakers' attention to the importance of work with victims, a key component of case management. The second of those thematic reports Valuing the Victim was published in July 2003, along with a summary in an edition of our Inspection Findings.

3.9 We found that NPS performance on meeting victim-related targets continued to improve, together with some excellent examples of good practice. However, we also discovered further evidence of some of the fundamental issues outstanding from the previous report. Victim information was not used by case managers to challenge offenders' behaviour on a routine basis, and Areas did not have the information or IT capacity to ensure that victims work was always sensitive to race and wider diversity needs of victims. Relevant training was patchy and inconsistent. There was great scope for more inter-agency working, particularly with prisons. Our major recommendation to address these issues was that a new national standard on this work would ensure a quality service to victims.

3.10 This report was undertaken within the context of a wide range of initiatives that took place during 2003:

- a report from the Audit Commission on services to victims
- new legislation on witnesses and victims
- the development of the Home Office Victims Unit
- new guidance on victims work on Multi-Agency Public Protection Arrangements (MAPPA).

All contributed to the mainstreaming of victims' issues and raising awareness with the wider public.

“... there is a need for greater focus on victim issues in work with offenders, and on raising their awareness of the impact of their offence ...”

Good practice example: the North-West Victims Seminar 2003

Over 70 victim liaison officers, managers, Chief Officers and board members attended a one-day event held for the five Areas in the North-West region. The focus of the day was developments in victims work and a key part of the agenda was informed by the HMI Probation thematic. It was a very constructive event with many positive outcomes. Recommendations were discussed at length in a number of workshops. They were generally supported and welcomed.

3.11 In our ESI programme we assess how well work with victims is planned and delivered. Results for questions about victims work in the scrutiny of cases in the 14 Area inspections completed to date are in the following table. They show the average proportion of cases where the work was scored as sufficient or excellent:

	Average across 14 Areas	Range between Areas
Are victim issues in general properly addressed?	55%	34%-74%
Where there is a direct victim, has work been carried out to raise the offender's awareness of the impact of the offence on the victim?	55%	33%-69%

3.12 These results suggest that, overall, there is a need for greater focus on victim issues in work with offenders, and on raising their awareness of the impact of their offence, as noted in Chapter 2.

3.13 For 2004/2005 the HMI Probation agenda is to work with others on ensuring that the processes used by NPS are fit for purpose so that the treatment of victims is sensitive, and that information is obtained and shared in an appropriate and timely manner. This will also support the effectiveness agenda, with positive outcomes that concentrate on public protection and

preventing reoffending. We will do this by working with the NPD, ensuring a comprehensive response up to our thematic recommendations and in forums with other agencies and inspectorates to embed victims work as a core component of criminal justice service delivery.

From Aspirations to Reality, a Report on the Governance of Probation Areas by Probation Boards

3.14 The inspection examined how Boards were delivering their statutory responsibilities and the extent to which they were directed, overseen and supported by the NPD. It involved interviews with the Director General and her senior managers, visits to Areas and telephone interviews with representatives of other Boards. The inspection standards were based on the European Excellence Model criteria of leadership; policy and strategy; people; partnerships and resources; and processes, with the report published in November 2003.

3.15 The principal findings were:

- **Leadership:** Although the Director General had provided strong visible leadership, the Directorate needed to make a greater contribution to Boards' work now that the NPS had become better established and a mutually supportive and complementary relationship needed creating. Board business plans already reflected both the national agenda and local issues, although Boards needed to develop effective ways of engaging with their local communities.
- **Policy and strategy:** The Directorate's approach to policy formulation was responsive to national priorities and was seen by Boards as a vital foundation of the new organisation. Boards had in turn developed a systematic approach to area planning, strategy development and policy review, with consultation with key stakeholders generally well established.
- **People:** Most Probation Areas had a workforce planning document that was linked to the business plan. The numbers of minority ethnic staff already exceeded targets and a significant number of Board members were from ethnic minorities.
- **Partnerships and resources:** Areas were exercising proper control of expenditure, although resource allocation needed to be more clearly linked to business plan objectives. Most Areas had reviewed their partnership contracts to confirm they provided value for money.

- **Processes:** Boards were receiving regular reports on Area performance from the Directorate, although there was insufficient evidence of these being used to effect improvements.

3.16 In general the report gives a positive picture of Boards' achievements. Their introduction had proceeded smoothly and their functioning reflected much credit on those involved. Many strengths and examples of good practice are identified that we would wish to see widely replicated.

3.17 While the above represents a vote of confidence in the arrangements, we took the view that in the longer-term these would have to be justified against more rigorous criteria. Boards should demonstrate that they bring added value to Areas' work, more than can be provided by the Directorate and local management structures. In other words, if the Boards did not exist, would other structures and processes very easily take over their responsibilities? We did not endorse this view but neither did we find evidence to contradict it. At the time we also assumed that Boards would have several years ahead of them in which to demonstrate their full potential. Although this is now looking less likely, there are in particular local responsibilities that Boards could aim to fulfil, namely to reflect the diversity and concerns of their local community, and to demonstrate that they are good employers of staff at a time of approaching significant change.

Towards Race Equality – A Record of Progress

3.18 Three years ago we published *Towards Race Equality*, a comprehensive national inspection, that raised serious concerns about disparities in standards, both in work with offenders and internal human resource management. This year we have completed a substantive follow-up, assessing the extent of progress, against the 19 recommendations that were contained in the original report.

3.19 It would not have been possible to complete such a task effectively without the cooperation of the NPS and it was particularly heartening that more than 60 people attended our four consultation seminars, thereby contributing to the choice of methodology

“The results were very encouraging ... strong leadership by the Director General and local Boards ... increased proportions of Board members, senior and middle managers from minority ethnic backgrounds ... integration of diversity issues within effective practice developments ...”

for the follow-up itself. Those attending included Chief Officers, Probation Board Chairs, many managers and practitioners as well as representatives from the Commission for Racial Equality (CRE) and other relevant organisations.

3.20 Ultimately our evidence base included national samples of 500 PSRs and 500 CPOs, a detailed questionnaire to all 42 Probation Areas (100% response) and a perspective questionnaire for all minority ethnic employees of the Probation Service (362 responses – representing 18%). We also interviewed groups of staff and the Director General herself as part of the follow-up process.

3.21 The report was published in February 2004 and summarised in an edition of our Inspection Findings. The results were very encouraging:

- evidence of strong leadership by the Director General and local Boards to promote race equality and wider diversity
- increased proportions of Board members, senior and middle managers from minority ethnic backgrounds
- positive responses locally to the requirements of the Race Relations (Amendment) Act 2000
- considerable improvement in the quality of PSRs and offender assessments
- integration of diversity issues within effective practice developments
- staff reporting a much lower incidence of racism from offenders.

3.22 Of the 19 original recommendations only two showed no evidence of any progress. These related to the design of a separate complaints procedure for staff use and basing this procedure on the Macpherson definitions. Associated with this issue was the finding that the proportion of minority ethnic staff reporting to us that they had experienced racism from probation colleagues, staff of partner agencies and members of the public remained worryingly high at 50%. In addition, 26% reported feeling isolated in the workplace.

3.23 The important task of improving links with local minority community groups was being pursued actively and innovatively in many areas, although sometimes on an ad hoc rather than strategic basis. Performance monitoring arrangements also provided examples of both strengths and issues for improvement. It is vital that all Areas achieve 100% coverage of basic race and ethnic monitoring for staff and offenders to ensure that any diversified results are reliable. It will also be important for Areas to cross-reference their own staff survey information, gained for example through the European Excellence Model process, with our national results, to ensure that local staff support arrangements however well intentioned provide effective outcomes.

3.24 For the future we will continue to promote the findings of the follow-up and to make best use of other emerging evidence. NPD regional managers have agreed to work with us on this task. As a result of ESI work we now have a database of well over 1,000 individual offenders. During the year ahead we plan to publish a summary of findings from ESI in a diversified format, contrasting performance and quality results by gender, race and disability. This will provide more useful information to assist the Probation Service further to improve the quality of provision for all offenders, including those who may otherwise be discriminated against because of the colour of their skin.

Shelter and Protection: An Inspection of the Langley House Trust Fresh Start Projects – A Follow-up Inspection

3.25 The Langley House Trust is a voluntary organisation that provides accommodation for offenders at a range of sites across the country. The Trust's Fresh Start projects were first inspected in 2002, when recommendations were made to the Trust and to the NPD. This year we reviewed their progress and the impact by visiting all five projects and interviewing the Trustees and senior NPD personnel. The findings of this review inspection were published in August 2003.

3.26 There were 18 recommendations in the original inspection and we found that:

- three had been well met
- five had been partially met
- nine had not been met but there was evidence of progress
- one had not been met and there was no evidence of progress.

3.27 There were improvements to the effectiveness and quality of work with all residents, with particularly high standards of care/support plans and key working at three projects. It is important that these examples of good practice are achieved consistently throughout.

3.28 The review inspection identified areas for further improvement, some for the Trust in consultation with the NPD and others for the NPD alone. The Trust, in consultation with the NPD, was recommended to:

- ensure that all projects work to key performance indicators
- agree specific referral criteria
- achieve further increases to referrals of minority ethnic offenders
- introduce a risk management and assessment system, complementary to OASys
- introduce a quality assurance system.

The NPD was recommended to:

- ensure that all referrers provide copies of risk of harm assessments
- clarify the arrangements for supervision of out of area offenders
- ensure that project staff have a knowledge of OASys and contribute to reviews
- develop more detailed costs and ensure that the service level agreement and partnership agreement avoid unnecessary duplication
- introduce an offender accommodation strategy.

3.29 For the future we will consider how to inspect the services provided by other voluntary organisations, as well as inspecting other aspects of providing accommodation for offenders.

“... improvements to the effectiveness and quality of work with all residents, with particularly high standards ... at three projects. It is important that these examples of good practice are achieved consistently throughout.”

National Probation Service IT

3.30 In 2000 we published a thematic inspection report *Using Information and Technology to Improve Probation Service Performance on the then National Probation Service Information Systems Strategy (NPSISS)*. The inspection was carried out in collaboration with the National Audit Office (NAO), whose report was published in 2001. Both reports contained considerable criticisms of Probation IT.

3.31 In the latter part of 2002/2003, we carried out a limited interim review of national developments on Probation IT since our earlier report. This review, published in September 2003, found that Probation IT had improved considerably but that progress on certain key issues had been limited.

3.32 We found significant progress regarding:

- addressing the previous serious problems and establishing a good foundation for a coherent Probation IT programme for the future. This included considerable work in building up a staff base with the necessary technical expertise
- ensuring that IT developments are based firmly on, and driven by, the requirements of Probation Service business
- a wide-ranging review of information needs carried out in the NPS Information Management Strategy (NPSIMS)
- good progress recently in IT support for OASys, through the development of interim IT solutions and by providing a flexible pathway to progress to the full IT solution when available.

3.33 But we also identified aspects where progress had been only limited. These included:

- the development of a national risk of harm register – a priority recommendation in our report in 2000, and a key issue for the Probation Service's public protection role. It was unlikely that NPD's plans to meet this recommendation – through the introduction of the ViSOR system and e-OASys – would be in place until the end of 2004 at the earliest, and the time lapse from our earlier recommendation was of concern

“Good IT is vital to the operational effectiveness and efficiency of the NPS and will similarly be vital for NOMS ... in the light of this review it will be important that continued and further progress is made.”



- only limited progress in IT support to national standards monitoring. The current arrangements for monitoring required time-consuming manual scrutiny of cases
- as yet, little specific progress on the development of an IT-integrated national case record. The development of a standard case record is important given the current wide variation between Probation Areas in the way records are kept.

3.34 We also raised some general concerns about the time required for public sector IT developments, and suggested that the reasons for this be identified.

3.35 Good IT is vital to the operational effectiveness and efficiency of the NPS and will similarly be vital for NOMS. We recognise that currently the pace of IT development may be subject to progress in the development of plans for NOMS. But in the light of this interim review it will be important that continued and further progress is made. We intend to carry out a full follow-up of our 2000 thematic report in due course.

Employment and Basic Skills (EBS)

3.36 As noted earlier, our ESI programme contains a changing thematic element. The first topic on which we chose to focus was offenders' Employment and Basic Skills (EBS), factors known to be critical for reducing the likelihood of reoffending. Our report brought together our findings regarding EBS work with offenders from the first seven Area reports.

3.37 Our starting point was that we noted that the NPS aims to increase both the Basic Skills and the employability of the offenders it supervises in order to reduce their likelihood of reoffending. There is a well-developed evidential basis ('business case') for pursuing this course, which we described as the 'working hypothesis'.

3.38 The working hypothesis for the NPS is that it should improve offenders' Basic Skills so that they become more employable, and also increase their employability in other ways,

“Given that employment is one of the major factors in reducing reoffending, it is striking that so much resource and energy has been devoted by the NPS to Basic Skills targets, but relatively little to offender employment.”

because getting offenders into employment makes them less likely to reoffend. This inspection therefore aimed to examine how well the NPS was delivering an EBS service to the offenders it was supervising in 2003.

3.39 Summary of Findings:

“Given that employment is one of the major factors in reducing reoffending, it is striking that so much resource and energy has been devoted by the NPS to Basic Skills targets, but relatively little to offender employment. The employment of offenders needs to be the subject of a performance target (ideally shared with the Prison Service). Further, the NPS and its partners should in our view pay more attention to increasing the ‘demand’ side of the work, marketing offenders in the labour market by developing a customer service approach with potential employers.”

- Despite the good progress achieved towards the targets by the seven Areas visited, there was as yet insufficient evidence of an established steady course of continuous improvement towards the nationally prescribed Basic Skills targets.
- A methodology of resource allocation for Employment and for Basic Skills, both nationally and in Areas, was as yet insufficiently developed within the NPS.
- With many further changes about to take place it will realistically continue to take some time to establish the resource deployment and performance-focused culture needed.
- EBS was not yet well enough integrated into the mainstream case management of offenders by the NPS, and this needs to be improved in a number of ways.
- Current uncertainties about ‘compelling’ offenders to take part in either Basic Skills or Employment work will also need to be resolved.
- Given that Employment is one of the biggest factors in reducing reoffending, it continues to be a striking contrast that much resource and energy has been devoted to the Basic Skills targets, but relatively little to Offender Employment.

- Employment work should be developed further by having a performance target (jointly with the Prison Service and other relevant partners) and by increasing the 'demand' side of the work, marketing offenders in the labour market by developing a customer service approach with potential employers.

3.40 The report contained a total of seven recommendations – four for the NPD and three for local Probation Areas.

The NPD should:

- *Lead a process to develop a methodology of resource allocation for both Employment and Basic Skills (Chapter 3).*
- *Ensure that the next revision of OASys enables a record to be made of an offender's level of educational achievement at start of supervision, and subsequent progress achieved during supervision, to enable 'added value' targets to be set in future (Chapter 7).*
- *Ensure that all service providers will be able to make entries directly onto the future single IT-integrated case record system for the NPS (Chapter 7).*
- *Establish, jointly with the Prison Service and other relevant partners, a joined-up target for employment of offenders (Chapter 8).*

Boards should:

- *Ensure that they can demonstrate that minority ethnic and female offenders are gaining fair access to EBS services in their Areas (Chapter 3).*
- *Ensure that they can demonstrate that EBS is fully integrated into the case management of effective supervision in their Areas (Chapter 4).*
- *Cultivate a customer service approach with local employers, as part of a strategic development of the demand side of employment work as well as the supply side (Chapter 8).*

Domestic Violence – An Inspection Close to Completion

3.41 Domestic Violence was included as a thematic element as part of the ESI programme between December 2003 and March 2004, when the second cohort of seven Probation

Areas were inspected. A report including findings, recommendations and good practice examples will be published shortly.

3.42 It was a good time to focus on the subject with a Bill and a NPS policy in draft as well as the beginning of the rollout of accredited programmes. The report should act as a baseline assessment of current practice.

3.43 The main findings and recommendations will focus on the need for:

- a more victim safety focused approach
- a more coordinated national strategic focus including better links between local and national domestic violence and other public and child protection forums
- improved risk of harm assessment and management, especially the quality of risk management plans
- clarity about risk categories and thresholds
- enhanced training for practitioners and practice managers including the development of a pool of expertise
- more effective interventions including options for those not on accredited programmes.

3.44 The findings will show that there was considerable need for improvement. However, there were some examples of good practice, e.g. an inter-agency guide for practitioners, contemporaneous contact logs for confidential information, some cases that showed effective victim protection work as a result of practitioners from different agencies working closely.

Movement of Cases – Another Inspection Close to Completion

3.45 During October-December 2003 we carried out a short thematic inspection of movement of offender cases between Probation Areas and how this is handled. The issue was of interest and importance since little information had been available on such cases or how they were handled. The 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.

3.46 The objectives of the inspection were:

- to investigate the number of cases in which offenders move between Areas during supervision
- to examine how effectively Probation Areas handle cases where offenders move during supervision to maintain contact, supervision objectives and public protection
- to assess whether Areas are meeting the terms of the current guidance (Probation Circular 78/2000) and to assess the adequacy of that guidance
- to identify any specific problems encountered by Areas in handling such cases, and any national issues arising
- to identify and promote good practice.

3.47 Fieldwork was undertaken in six Areas chosen as representative, and samples of cases transferred to these Areas were scrutinised. All Areas were asked to complete a questionnaire. Interviews were also undertaken with NPD staff covering policy, public protection, service delivery and IT issues.

3.48 The main findings, to be published in summer 2004, were:

- available information indicated that formal transfers between Areas were involved in a substantial proportion of cases handled by the NPS, but there were problems to the availability and quality of that information
- 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
- on occasions, problems arose where prisoners were released at short or little notice to a Probation Area with whom they had not previously had contact, and so the receiving Area had insufficient time to prepare for effective supervision. The issue needed to be taken up with Prison Service

- the making of appointments generally continued to be made appropriately through the transfer period. However enforcement practice was not 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 programme facilitated
- performance on public protection was mixed. High risk of harm cases were clearly designated and identified by receiving Areas, and MAPPA meetings arranged as appropriate. However, risk of harm assessments were carried out as appropriate following transfer in only a minority of all cases. Also there was concern on the part of some Areas that the transfer of dangerous offenders was not fully addressed at national level.

3.49 Recommendations will be made to both NPD/NOMS and to Probation Boards on these issues. These include a recommendation that in future transfer cases be included in regular national monitoring work by NPD, so that these cases – which have the potential to raise problems for supervision – can be kept under active review.

3.50 We hope these recommendations will be helpful to NPD in taking forward the work they have in hand on developing guidance to address these important issues.

3.51 We will carry out periodic focused follow-up work on movement of cases in future.

The Year Ahead

3.52 We will be publishing fewer single thematic inspections in future, as we place increasing emphasis on a range of joint inspection reports, the subject of our next chapter.

4



Joint Thematic Inspections

Overview

4.1 We have made a major contribution to two substantial joint thematics during 2003/2004, one of which was scheduled for publication after the year end. We also undertook an 'area inspection' jointly with the other four CJS Inspectorates.

Joint Criminal Justice Inspection of Gloucestershire

4.2 In line with Government plans to speed up the process of justice and to ensure consistency across that process, the Chief Inspectors decided to pilot a joint inspection of the interfaces between the criminal justice agencies in Gloucestershire.

4.3 The inspection was led by HM CPS Inspectorate. They met with representatives from HMI Constabulary, HMI Probation, the Magistrates' Courts Inspectorate, HMI Prisons and HM CPS Inspectorate on a number of occasions to plan the approach and then to implement the inspection. The new Quality Standards Manager for Victim Support also joined the group, introducing an important additional element to the process.

4.4 In addition to the joint inspection, HMI Prisons, HM CPS Inspectorate and Victim Support had arranged to conduct their standard Area inspection at the same time. Work

was undertaken to identify what the inter-agency issues would be, what we might expect to find if all was working well and how we would identify the necessary evidence.

4.5 The fieldwork took place during the first two weeks of September. A schedule of interviews was arranged, each to be led by one of the relevant organisation's Inspectorates, accompanied by one or more inspectors from other disciplines. This was intended both to demonstrate the joint inspection principle as well as to ensure that the appropriate range of issues was covered. This proved very helpful on a number of occasions. When reference was made, for example, within the young offenders institution to a young person being released only wearing a paper suit and shoes, inspectors were rightly concerned. This issue was raised with HMI Constabulary colleagues who were able to access the police custody record which showed that the young person had been offered proper clothing, but had refused this offer. Ordinarily, this check would have been difficult to make.

4.6 The implementation of the Local Criminal Justice Board (LCJB) provided an important forum for the inspectors to engage with all Chief Officers from each of the criminal justice agencies. Although the inspection was not of the LCJB, this was an important route of communication both to and from the Area. The action plan following the publication of the report was drawn up by the LCJB, thus demonstrating their acceptance and ownership of the improvement process.

4.7 The inspection team reviewed the whole process after the report was published. Key issues from that review included a recognition that the range of issues to be considered was too broad and that any further inspections needed to be more focused. Too much advance information was received, to the extent that it became unhelpful and this needed to be much more tightly managed in future. There is a need for a clear process to be determined following publication of the report. This would need to include the identification of responsibility for monitoring any developments.

4.8 The pilot approach of having a lead inspector was affirmed as vital, along with a central administrative support arrangement. Distribution of the report also needs to be planned in more detail and at an earlier point in the project.

4.9 The pilot team have now designed a proposal for future joint criminal justice inspections which will be considered by the Chief Inspectors.

Streets Ahead: A Joint Inspection into the Street Crime Initiative

Context for the initiative

4.10 The Prime Minister launched the Street Crime Initiative in April 2002. This cross-agency initiative was designed to reduce the incidence of street crime which was widely perceived to be increasing at an unacceptable rate.

4.11 The ten police forces with the highest rates of street crime were designated as street crime areas. Led personally by the Prime Minister, the initiative had a uniquely high profile and was unprecedented in attempting to control a single national crime problem by a coordinated approach at all stages from prevention, through arrest, prosecution and sentence to rehabilitation. Additional funding was made available to the participating areas to develop the initiative.



4.12 It was recognised prior to the commencement of the initiative that there were limitations to existing IT systems in delivering joint performance management information on a group of offences not easily identified by other systems. A bespoke tracking system called the Street Crime Tracker, shared between the police and CPS, was introduced. This system produced weekly information for the Street Crime Action Team to monitor the number of street crime offences and their progress through the system from arrest to sentence.

The Inspection aims

4.13 It was agreed that a joint inspection, led by HMI Constabulary and assisted by the other criminal justice Inspectorates, the Office for Standards in Education (Ofsted) and the Social Services Inspectorate (SSI) would be undertaken. Representatives of all the Inspectorates worked together to develop a methodology and undertake fieldwork. The joint inspection report *Streets Ahead* was published in July 2003, shortly after the anniversary of the commencement of the initiative.

4.14 Joint inspection teams visited six of the ten street crime Areas to identify and evaluate the processes adopted, results achieved, agencies' capacity to work together, the impact of the initiative on the CJS and good practice within the programme. Where possible pairs of inspectors from different Inspectorates interviewed managers and practitioners to understand better the issues arising from cross-agency work.

Inspection findings

4.15 The Street Crime Tracker only recorded information to the point of sentence and as a consequence Prison and Probation Services were only aware of the status of offenders where there were good communications with the police. In most Probation Areas the police shared lists of names which then had to be separately entered and tracked on other systems. The absence of a cross-agency IT capacity was a major weakness in the system.

4.16 Very few street crime offenders were sentenced to community penalties. Probation Areas had correctly predicted this and were preparing to work with offenders on release from custody, often through use of intensive supervision on licence. At the time of the inspection few offenders sentenced under the initiative had been released.

4.17 Although additional funding was made available for the initiative, it was clear that the majority of this was targeted at the police for operations to deter and catch street crime offenders. Most of the funding available was of a short-term nature leading to difficulties in medium or long-term planning.

4.18 Very little funding was available to Probation Areas. Despite the intention to operate in all areas from prevention, through detection and arrest to resettlement, the reality was that most activity and performance monitoring was focused on arrest and detection.

4.19 The inspection found that there was a lack of consultation with local stakeholders and as a consequence senior managers in some Areas felt that their local priorities had not been suitably balanced with the imposition of a new priority. There was also a lack of cross-agency targets, leading to a loss of engagement by some parties.

4.20 The joint Inspectorates' assessment was that the initiative had been groundbreaking and challenged silo thinking, and had been successful in reducing offending and increasing convictions. But it was yet to deliver its full potential with regard to partnership working and the rehabilitation of those convicted under the initiative.

Joint Inspection of Work with Persistent and Prolific Offenders

4.21 Work to improve public confidence in and the efficiency of the CJS are at the heart of the Government's agenda. The White Paper *Justice for All* drew attention to the gap between the number of offences committed and the number of offences brought to justice. The overarching strategy to address this issue, the Narrowing the Justice Gap Initiative, was introduced in the autumn of 2002. One of the three major strands to this initiative was the persistent offender scheme.

“... the initiative had been groundbreaking ... and had been successful in reducing offending and increasing convictions. But it was yet to deliver its full potential with regard to partnership working and the rehabilitation of those convicted under the initiative.”

4.22 Efforts to catch, convict and rehabilitate the hard core of persistent offenders are thought to offer an efficient way to gain significant reductions in the overall volume of crime. The Narrowing the Justice Gap Initiative sought to establish a core definition of a persistent offender to enable a consistent focus both across England and Wales and between different agencies. The guidance defines a core persistent offender as:

Someone who is 18 years or over and has been convicted of six or more recordable offences in the last 12 months.

4.23 There is also the flexibility for local Areas to apply persistent offender strategies to others suspected of being prolific offenders. The latter offenders are those prioritised by Areas for intensive supervision that may or may not meet the definition of persistence.

4.24 In October 2003, the CJCIIG commissioned a joint thematic inspection into the Persistent Offender Scheme and work with prolific offenders. The inspection was led by HMI Constabulary working closely with HMI Probation, the other criminal justice Inspectorates and the Audit Commission.

4.25 The inspection focused on the identification of persistent and prolific offenders, the processes leading to conviction, interventions designed to tackle the behaviour of persistent offenders and funding streams and value for money. Fieldwork was carried out in six areas in November and December 2003. The report was published in May 2004.

Inspection findings

- There was concern in all Areas that those identified as persistent offenders are not those that would be identified by the use of the National Intelligence Model prioritised for attention by Crime and Disorder Reduction Partnerships.
- The vast majority of persistent offenders experienced no enhanced level of service from the CJS. Approximately one-third of persistent offenders received short custodial sentences not leading to any form of rehabilitative treatment.
- There was widespread interchangeable use of the terms persistent and prolific offenders at all levels in the Service.

“There was concern in all Areas that those identified as persistent offenders are not those that would be identified by the use of the National Intelligence Model ...”

“All staff involved in running projects interviewed were enthused and energetic. They believed the projects to be worthwhile and delivering reductions in offending in the local community.”

- There were a variety of responses to the persistent offender scheme in the Probation Areas visited. Each Area inspected had a project to target persistent or prolific offenders. These projects usually included staff seconded from different agencies, most commonly the police. There were very few factors that could be said to apply to all of the projects.
- Some Areas used the persistent offender definition as a prerequisite for inclusion in the intensive intervention, others did not. Some projects worked intensively with offenders on licence whilst others only dealt with community penalties. One project inspected included offenders not currently subject to any form of statutory supervision.
- In most cases there were high degrees of contact by project staff. The most common contact level worked towards was four contacts per week including a home visit. Some projects also used electronic monitoring and drug testing as part of the regime of supervision.
- Most projects commenced their involvement during the custodial part of the sentence. In most projects, when an offender was identified as a suitable case for inclusion in the project, they were not given a choice to opt out. It was made clear that there would be additional help provided to meet the needs of the offender, but that there would be intensive reporting and surveillance from the project, usually including a regular home visit by the police. A condition was added into the offenders' licence regardless of any objections and a failure to comply would lead to a swift return to prison.
- All staff involved in running projects interviewed were enthused and energetic. They believed the projects to be worthwhile and delivering reductions in offending in the local community. Although they strove towards rehabilitation they placed equal weight on enforcement and did not generally view recall to prison as a complete failure, rather a different kind of success. Intensive supervision projects are perceived by staff to produce a 'Win Win' situation.
- There was a belief that once an offender relapsed there would be a spree of offences which might go on for a considerable time prior to arrest and reconviction.

“One essential prerequisite is the need for a more joined up criminal justice IT system capable of following offenders from arrest to resettlement ...”

Where there had been a swift recall the offender could be stabilised more quickly in custody and returned to the project to recommence rehabilitation. Most staff understood that achieving change with those offenders with such entrenched patterns of behaviour would be fraught with setbacks.

- Provision of a wide range of services to meet criminogenic need such as drug misuse was thought to be a major component if a project was to be a success. These links needed to be made at a local level. In some Areas the strength of these partnerships varied from project to project where different local authorities and drug action teams (DATs) were involved.

4.26 The reports on both the Street Crime and Persistent Offender Initiatives have identified key issues that are essential for the success of any initiative. A number of issues arise. One essential prerequisite is the need for a more joined up criminal justice IT system capable of following offenders from arrest to resettlement, although such long-term projects require significant investment and time to achieve.

Supporting People Inspection Programme

Introduction

4.27 ‘Supporting People’ – the Government’s long-term policy to enable local authorities to plan, commission and provide support services which help vulnerable people live independently – went live on 1 April 2003. The aim of the programme was to establish a strategic, integrated policy and funding framework, delivered locally in response to identified local needs. The programme brought together significant funding streams including transitional housing benefit, the Housing Corporation’s supported housing management grant, and probation accommodation grant scheme into a single pot to be administered by 150 administering local authorities. The involvement of the NPS as a key partner is critical to the success of the programme, by ensuring the needs of offenders are

strategically addressed, that appropriate support and accommodation is made available, and that the promotion of social inclusion and community safety remains paramount.

4.28 The Supporting People inspection programme is undertaken jointly with the SSI, HMI Probation and the Housing Inspectorate (part of the Audit Commission), which has the lead responsibility for this work. Inspections commenced in September 2003, with all 42 Probation Areas being subject to inspection at various points during the five year inspection cycle. By the close of March 2004, we will have participated in 29 Supporting People inspections nationally, including four pilots and four pathfinders inspections.

Emerging probation findings

4.29 We have seen some positive examples of partnership working within the programme and how, in some areas, Probation has been a key player. This has sometimes been as a result of building on established partnership working, prior to the implementation of Supporting People. However, there has been some variance in the strategic level involvement of different Probation Areas within the programme. Early evidence has indicated that the priority and resources afforded to the programme has been determined by the focus on meeting national performance targets. Services would welcome a clearer direction from the NPD as to the level and degree of engagement required in the Supporting People programme locally. Some sound strategic links have been made between the work of the Probation Service and wider local and Government agendas, particularly through local Crime and Disorder Reduction Partnerships and Community Safety initiatives.

Effective management of risk of harm

4.30 A key focus of the inspection programme for HMI Probation has been the management of risk and the implementation of MAPPA protocols. We have been encouraged by some of the working practices evidenced during the inspections, such as in Leicestershire & Rutland, Northumbria and Bedfordshire Probation Areas. However, there is

“... some positive examples of partnership working within the programme ... in some areas, Probation has been a key player.”

still some way to go in ensuring that all Probation Areas can demonstrate effective partnership working in this critical area, for example, in the use of joint information-sharing protocols. Early report recommendations have largely focused on this area.

Diversity

4.31 There have been some positive examples of Probation Areas ensuring their services meet the diverse needs of offenders. Merseyside Probation Area had reconfigured one of its supported living schemes, in order that it could support offenders with a range of needs, including dual diagnosis and physical disability. Throughout the inspections staff have expressed a commitment to engaging traditionally hard to reach groups like offenders. Quality and monitoring is a salient feature of the inspection programme, thus evidencing how the programme meets its aims and again we have seen some innovative examples of practice. It has been encouraging to meet with service users and service providers and learn of some of the innovative ways in which the Supporting People programme has made a real difference to the lives of offenders and local communities.

Independent Review

4.32 The Independent Review of Supporting People funding commissioned by the Government reported in February 2004, at the same time as it was announced that the programme is costing £1.8 billion in 2003-04, an increase of £0.4 billion on estimates given in December 2003. The aim of the review was to establish exactly how the funding is being used, and particular issues such as cost shunting, value for money and the variation of costs between local authorities would be addressed. On the basis of the findings, local authorities will be expected to make efficiency savings of up to 2.5% in 2004/2005, in order to improve value for money. A proportion of the savings will be reallocated to councils to fund services which have come on stream in 2003/2004 and are reaching unmet need. The Independent Review found that whilst Supporting People was funding many valuable services, the unit

“... staff have expressed a commitment to engaging traditionally hard to reach groups like offenders.”

costs varied widely between local authorities. In the case of the authorities with the highest unit costs, the Audit Commission will address issues of value for money in particular in order to inform the funding allocation for 2005/2006 and the Spending Review.

Joint Inspection in Future

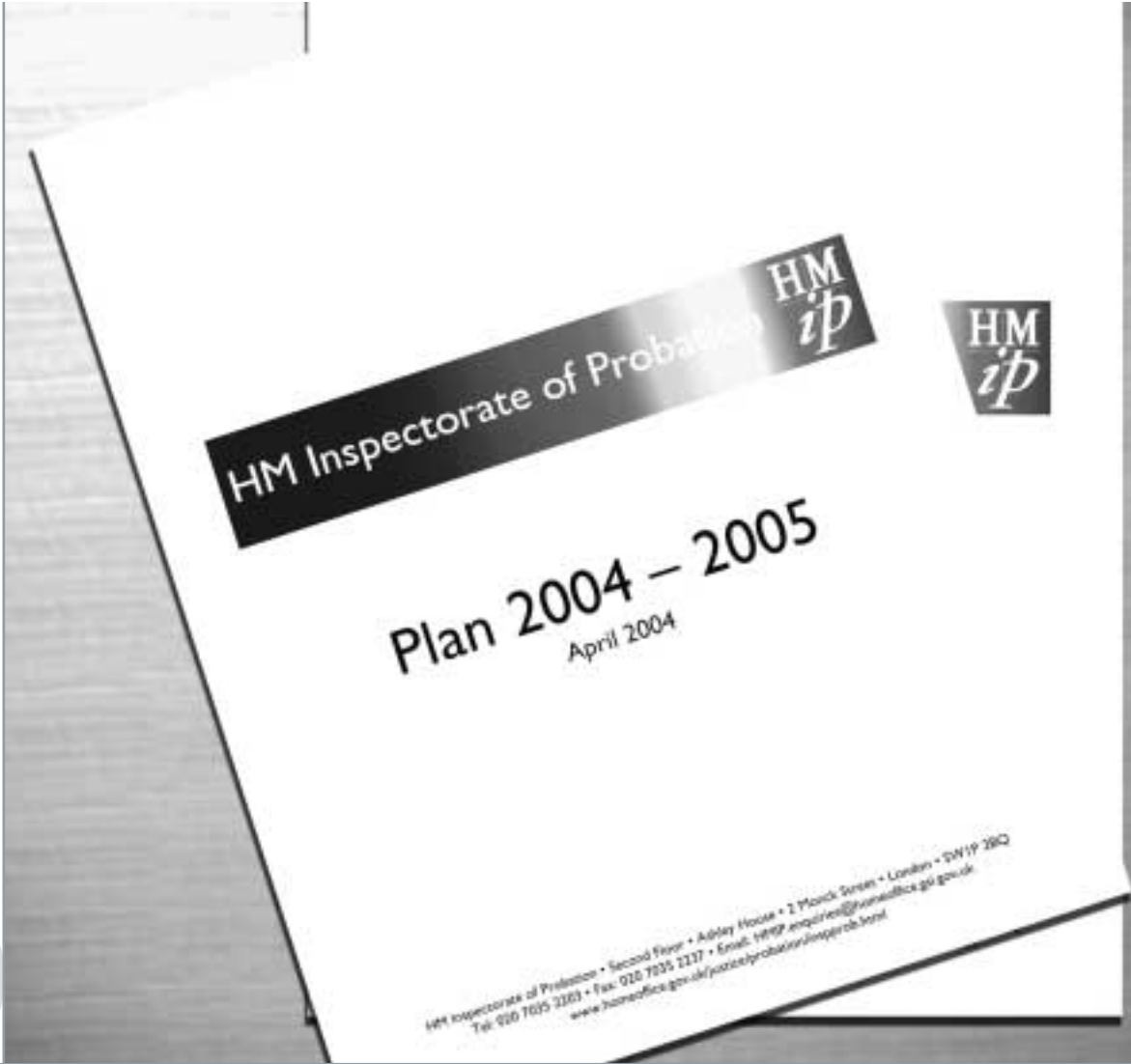
4.33 Supporting People is an example of a joint inspection programme to which we make a regular contribution led by another regulatory body, which is scheduled to continue for at least three years.

4.34 A joint inspection on a far greater scale is the YOT inspection programme, which we lead in conjunction with Inspectorates from both within and outside the CJS. This is the subject of a separate Annual Report, scheduled for publication in September. However, as it will constitute a major chunk of our work in the years ahead, a summary of progress is provided at the start of our final chapter.

4.35 As indicated, we are giving greater emphasis to joint inspection work in future. As well as the above work and as increasing work with HMI Prisons on resettlement (see next chapter), we are also working with other Inspectorates on plans for a joint inspection of sex offender work in 2004/2005.

“... we are giving greater emphasis to joint inspection work in future.”

5



Looking Ahead

The YOT Inspection Programme

5.1 This year saw the implementation of the joint inspection of YOTs. HMI Probation was asked by Ministers to establish a multi-disciplinary team to undertake this work. Inspectors from HMI Constabulary, HMI Prisons, Ofsted, HM Inspectorate for Education and Training in Wales (Estyn), the Audit Commission, and the then SSI and Commission for Health Improvement were also seconded to the team and the inspection process was developed.

5.2 A set of standards and criteria were developed to act as a benchmark. These covered the role of the steering group and management and the assessment, interventions and outcomes for young people at risk of offending, young people who offend, parents and victims.

5.3 A wide ranging consultation process then took place, with events in ten regions. All YOTs were invited to send representatives and a detailed report on these consultations was produced.

5.4 Given that there are 155 YOTs currently, it was clear that an inspection of each would take some five years to complete and also, within that timeframe, the world of the YOT would change significantly. It was decided therefore to break the whole programme into three phases. The first phase, running for about a year, was to establish a body of information and clarify that the methodology is sound. We proposed then to move ahead into the main

body of inspections in phase 2 with a further review at the three year point, when we will again make any necessary amendments to both standards and criteria and the methodology.

5.5 It was decided to undertake two pilot inspections prior to beginning the formal process. Two YOTs, Bolton and Luton, volunteered to be piloted. Our broad approach was to conduct a number of file reads, of which half would involve interviewing the case holder, and to conduct a series of interviews with key staff and stakeholders. This includes interviews with young people, parents and victims. We used the pilots to develop our file read form as well as to identify themes for interviews.

5.6 During the first pilot (Bolton) in July 2003, we made a significant number of changes to the form. These were then tested in Luton, after which a few additional amendments were agreed. It was pleasing that our proposals for the interviews of staff and stakeholders were confirmed by these pilot events. This then gave us our methodology for the first phase of YOT inspections.

5.7 Since September 2003, we have conducted 16 inspections using this approach. We have demonstrated that as well as providing sufficient material to assess the overall performance, many YOT staff have commented on how helpful they have found the case holder interview process. This has been a positive start to an important new inspection programme.

“... a positive start to an important new inspection programme.”

5.8 In the year ahead, however, we aim to move into the planned phase 2. From September 2004 to March 2005 we plan to undertake 18 YOT inspections, with a view to completing phase 2 at a rate of 30 inspections in each 12-month period. To achieve this requires us to devote about a third of our deployable resources to the YOT inspection programme from 2004/2005 onwards.

New CJS Inspection Arrangements

5.9 As a consequence of the review of inspection arrangements within the CJS as a whole, the current five criminal justice inspectorates will become three from a date yet to be fixed. HMI Constabulary will continue in its existing form, there will be a new unified inspectorate for the courts and CPS, and a new Inspectorate to replace HMI Prisons and HMI Probation. The project to plan for the latter new Inspectorate is called the 'Change Programme' and is being managed jointly by the two existing Inspectorates and led by Anne Owers, HM Chief Inspector of Prisons.

5.10 We have agreed to propose arrangements for inspecting the management of offenders in custody and in the community, and of detainees in other custodial settings. We have established a series of projects to achieve this, devising a constitution and legislative framework for such a future Inspectorate and its support structure, and for its two main potential areas of inspection activity.

5.11 These are:

- to inspect the effectiveness of work with offenders that makes them less likely to reoffend in future. This is where the existing methodology of our ES and YOT inspection programmes can potentially be readily extended to all types of custodial and community sentence so that we can assess the effectiveness of the work in making the offender or young person less likely to reoffend, or to present a risk of harm to the public

“Through this ‘Change Programme’ both we and HMI Prisons expect to be well prepared for our future world.”

- to inspect the treatment and conditions in which people are detained in prisons, military detention centres and immigration centres. This human rights agenda also extends to aspects of the way the liberty of offenders is substantially restricted in certain intensive programmes in the community.

5.12 On both a formal and an informal level our shared aim in the coming year will be that the staff of the two Inspectorates learn more about each other's work and methodologies. In particular, the joint work on Resettlement in 2004/2005 will make a major contribution to this process. Through this ‘Change Programme’ both we and HMI Prisons expect to be well prepared for our future world.

Planning for a Resettlement Inspection

5.13 In the short term, we and HMI Prisons are planning to undertake a joint inspection on Resettlement in 2004/2005. This builds on work that has been undertaken jointly by the two Inspectorates over a period of some years. Since the publication of *Through the Prison Gate* in October 2001 there has been continued development work, including joint promotion of the recommendations in that report, and the further sharing of perspectives on Resettlement generally. During 2003/2004 this led to an increased profile for public protection criteria and the development of a set of criteria for a Resettlement inspection during 2004/2005.

Allocation of Resources in 2004/2005

5.14 As indicated in chapter 1 we have created a 'budget' of 35,000 deployable 'inspection hours' for 2004/2005. We plan to allocate them as follows:

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
Quality Assurance of HMI Probation methodology	1,000
Validation of NPS performance data	1,000
Investigations and other contingencies	2,000
Total	35,000

Government's Policy on Inspection in the Public Service

5.15 In addition to the other developments above, we have taken note of the Government's ten principles of inspection which place expectations on inspection providers and on the departments sponsoring them. We give account of our approach to them 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 have taken note of the Government's ten principles of inspection which place expectations on inspection providers.”

We aim to achieve this, not only by measuring fairly against open criteria, but also by our commitment to behaviour, when we are inspecting, that 'maximises the likelihood' that respondents will come with us on the path to improving 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 whole ESI methodology focuses on what has been delivered to the offender 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 are conducting follow-up inspections only where a Probation Area falls significantly short of the required criteria. This consideration is also informing the design of phase 2 of the YOT inspection programme.

- 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 published on our website enable any practitioner or manager to assess his or her own practice at any time.

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

Evidence has to consist of more than hearsay. We form conclusions on the basis of systematic information on the quality and effectiveness of work in specific cases. Our

“We form conclusions on the basis of systematic information on the quality and effectiveness of work in specific cases.”



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 *Inspectors 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 are currently assessing cost to the respondent as well as cost to ourselves. We not only undertake joint inspections with other criminal justice inspectorates, but we also co-ordinate our other work to avoid, for example, rapidly successive visits by ourselves and an audit body whenever possible.

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 are both maintaining our existing inspection programmes and working jointly with HMI Prisons and the other criminal justice inspectorates to plan for our collective future world.”

We both 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.

Facing the Future with Confidence

5.16 Taking these Principles into account, we are both maintaining our existing inspection programmes and working jointly with HMI Prisons and the other criminal justice inspectorates to plan for our collective future world. We feel able to do so with confidence.

Appendix A

Reports of inspections of NPS work (i.e. excluding YOT inspections) published in 2003/2004

ESI Reports	Date Published
Derbyshire	November 2003
Leicestershire & Rutland	November 2003
Nottinghamshire	November 2003
Cheshire	February 2004
Lancashire	March 2004
Kent	March 2004
Hampshire	March 2004
Hertfordshire	March 2004
PIP Follow-Up Reports	Date Published
County Durham	April 2003
London	August 2003
Gwent	August 2003
North Wales	August 2003
South Wales	October 2003
Dyfed-Powys	February 2004
PIP Further Follow-Up Reports	Date Published
Nottinghamshire	December 2003
Accredited Programme Audit Reports	Date Published
Bedfordshire	April 2003
Northumbria	April 2003
Staffordshire	April 2003
Essex	April 2003
Cambridgeshire	May 2003
County Durham	May 2003
Hertfordshire	June 2003
Norfolk	June 2003
Suffolk	July 2003
Accredited Programme Audit Follow-Up Reports	Date Published
Devon & Cornwall	July 2003
Hampshire	June 2003
Kent	April 2003
London	August 2003
Staffordshire	February 2004
Surrey	July 2003
Thames Valley	April 2003
West Midlands	February 2004
North Yorkshire	June 2003
West Yorkshire	June 2003
Dyfed-Powys	October 2003
North Wales	October 2003
South Wales	November 2003

Investigation	Date Published
Report of the inquiry into the events leading to the death of PC Gerald Walker at the hands of David Parfitt and the manner in which the case was subsequently dealt with	March 2004
Thematic Inspections: Reports of inspections by HMI Probation as a single Inspectorate	Date Published
Valuing the Victim: An inspection into National Victim Contact Arrangements <i>(summary published as Inspection Findings 3/03)</i>	July 2003
Shelter and Protection: An inspection of the Langley House Trust Fresh Start Projects Follow-up Inspection Report	August 2003
National Probation Service IT: Interim review	September 2003
From Aspirations to Reality: An Inspection of the Governance of Probation Areas by Probation Boards	November 2003
Towards Race Equality – A Follow-Up Thematic Inspection <i>(summary published as Inspection Findings 1/04)</i>	January 2004
Work to Reduce Crime: An Inspection of the Delivery of Employment and Basic Skills with Offenders by the National Probation Service <i>(summary published as Inspection Findings 2/04)</i>	February 2004
Joint Thematic Inspection Reports	Date Published
Streets Ahead: A Joint Inspection of the Street Crime Initiative	August 2003
Investing in the Future: Diploma in Probation Studies Programmes Inspection 2003	August 2003
Joint Inspection Report of the Gloucestershire Criminal Justice Area	February 2004
Supporting People Inspection Reviews	Date Published
Bury Metropolitan Borough Council	December 2003
Herefordshire	December 2003
Wirral Metropolitan Borough Council	December 2003
Ealing	February 2004
Somerset	February 2004
Leicestershire	February 2004
Middlesbrough	March 2004
Northamptonshire	March 2004
Rutland	March 2004
City of Sunderland	March 2004

HM Chief Inspector

*Rod Morgan
(until
02/04/04)*



*Andrew Bridges
(from
05/04/04)*



HM Assistant
Chief Inspectors

Liz Calderbank



John Hutchings



*Alan
MacDonald*



Peter Ramell



HM Inspectors

Di Askwith



Ged Bates



Helen Boocock



Mark Bother



John Browne



Rose Burgess



Steve Glass



Kam Kaur



Inspection Officers

Mary Barnish



*Roseanne
Cameron*



Peter Carter



Jackie McAvoy



*Eileen
O'Sullivan*



Ben Clark

Joy Neary

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*



*Mary Taylor
Property &
Finance
Manager*



*Pippa Bennett
Inspection
Support Team*



*Natalie
Dewsnap
Inspection
Support Team*



Appendix B

HMI Probation staff as at 31 March 2004

Mike Mullis



Karen Page



Nigel Scarff



Joe Simpson



Andy Smith



Jane Webb



Ray Wegrzyn



Kate White



Maddie Blackburn

Yvette King

Vivienne O'Neale

*Rachel Dwyer
Inspection
Support Team*



*Jean
Hartington
Proof-reader*



*Junior Rhone
Inspection
Support Team*



*Paul Cockburn
Inspection
Support Team*

*Maureen
Driscoll
Senior Personal
Secretary to
HM Chief
Inspector*

*Beverly Folkes
Inspection
Support Team*

Appendix C

Families of Areas to be used for Comparison in ESI (see paras 2.2 and 2.3)

Metropolitan Probation Areas and London Probation Area

Greater Manchester
London
Merseyside
Northumbria
South Yorkshire
West Midlands
West Yorkshire

'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

'Large Size, High Density' Probation Areas

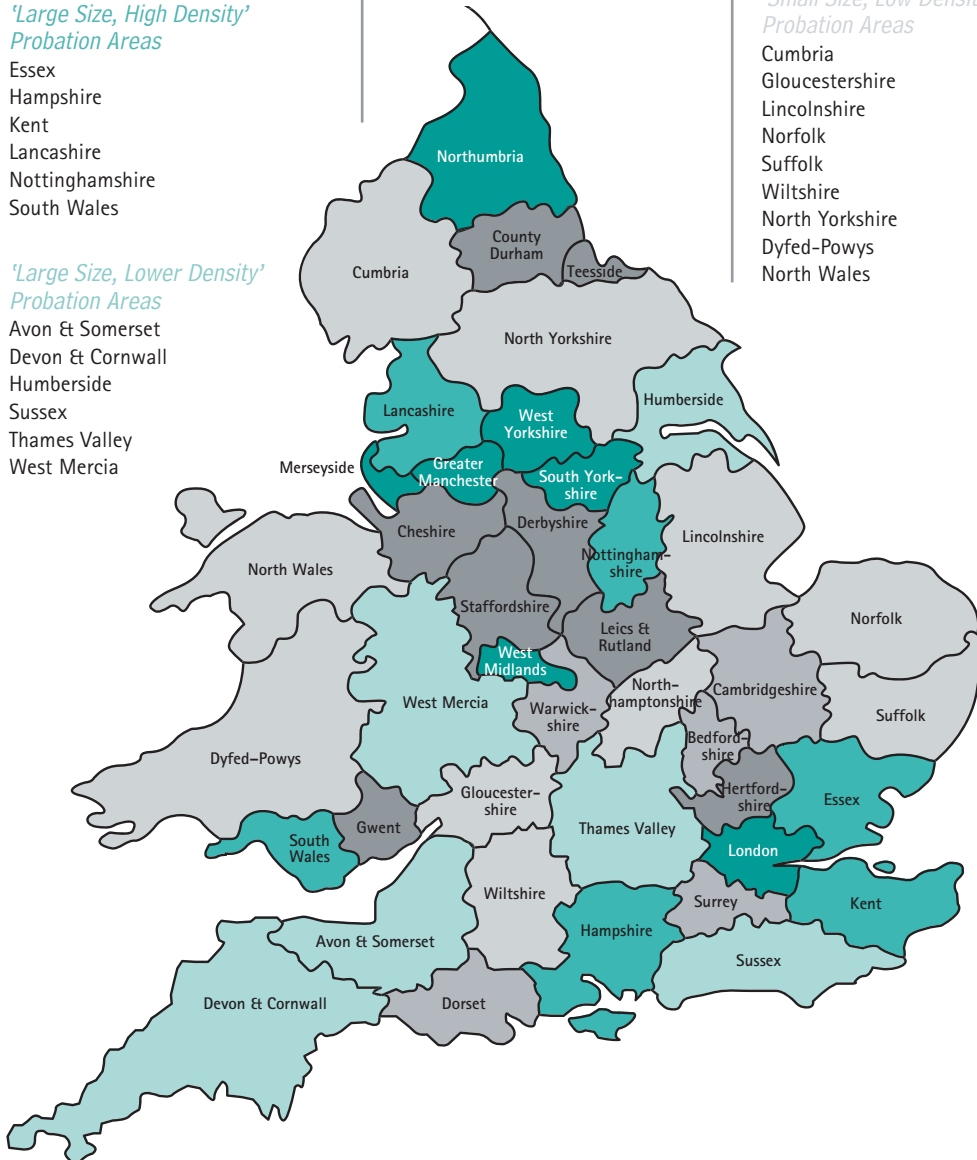
Essex
Hampshire
Kent
Lancashire
Nottinghamshire
South Wales

'Small Size, Low Density' Probation Areas

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

'Large Size, Lower Density' Probation Areas

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



Appendix D

HMI Probation Budget for 2003/2004

Total Expenditure for Year

Staff salaries	£2,203,600
Travel and subsistence	£423,347
Manchester office accommodation	£387,899
Training	£56,873
Printing	£51,167
Promotion and development	£43,935
Stationery	£32,446
Telecommunications/mobile phones	£16,418
Refreshments for inspection planning meetings	£7,377
Postage and freightage	£5,506
Total	£3,228,568

