

**Speech by Andrew Bridges, HM Chief Inspector of Probation at the Home Secretary's Public Protection event for Probation Service middle managers, 24 April 2006**

Good morning!

Well, here you all are, suddenly spending your Monday in London, some of you having made a long journey to get here on time, so that you can hear in person from the great and the good.

Today is yet another Monday to add to the five thousand or so other Mondays since the Probation Service was founded in its statutory form nearly 100 years ago.

And together everyone here has about a million and a half Mondays of personal experience enjoyed by all of us in this room in our collective lives to date -

- What a thought!

An accumulation of Mondays, many being similar to each other, and some very different.

Many, almost entirely the repetitive product of past behaviour and experience - and some like today, with the potential to shape the future.

This accumulated past that we all carry with us, including all the Probation policy and practice of those years behind us, might at first sight seem to be a huge restraint.

And it is not just the repetitive aspects of the past that accumulate.

Equally we can each experience the present rapid change and development as a cumulative pressure on the Probation Service and the individuals within it.

It is to be expected that people doing the work in the front line can feel anxious and vulnerable when faced with the accumulated effects of:

- Changes in legislation and sentencing practice,
- organisational change, and
- the high profile cases that generate widespread coverage in the media - with the understandable public and political concern that flows from them.

So when I talk to you about what the Inspectorate is looking for, and how you can show you are doing it, I do appreciate that it is a tough thing I am asking of you.

But this is also a moment to remember the much more positive dimension to where we all are now, and what people are now trying to do.

Not long ago it was easy to criticise the Criminal Justice System for simply not being a system at all –

- but now people are trying to establish more of a 'real system' by ensuring that 'whole processes' like managing an offender from start to end of their sentence work in a genuinely coherent way.

The work you do to assess and manage offenders' *Risk of Harm to others* takes place within that wider task of managing offenders through their sentences.

We in HMI Probation remember that, and we remember what a challenge that is, especially for some of you working in particularly challenging circumstances.

But the fact is that we'll still be inspecting your work, in the new Offender Management Inspection programme that starts in earnest next month, and we'll also still be doing occasional independent Serious Further Offence reviews.

So my key theme today is to guide you on what we look for, and how you help us find what we're looking for.

But before doing so however, and in recognition of the anxiety of many people at every level, I want to share with you, unequivocally for the record, the key messages that I as Chief Inspector of Probation want to say on behalf of this Inspectorate to each of the different significant groups of people in our working lives – the key stakeholders, as some people insist on calling them.

And I say all this with some trepidation -

- you don't seek the limelight, especially not in the broadcast media, when you know, like I do, that you've got the face for radio and the voice for newspapers.

And you know what risks you take as soon as you start to speak -

- I've found that in a brilliant double I've managed to be dramatically misrepresented in both the Daily Mail and the Guardian in the same week – and that's a rather dubious achievement.

I'll return to that in a moment, but the messages first:

### **To the public in general -**

*We want to say that the Probation Service does a difficult job in protecting the public and reducing reoffending, but managing risk is by definition never an exact science.*

*We must hold offenders to account for their crimes and remember that probation staff work for you-the-public, and deserve your support when they do their job properly.*

To politicians from all parties –

*HMI Probation recognises that as elected representatives you have a crucial role in supporting and communicating a rational approach to managing offenders that both shapes public opinion and ensures that criminal justice staff respond to realistic public expectations.*

Our message to the news media is -

*- that we fully understand and support your role in highlighting situations where people do not do their jobs properly.*

*We ask in return that you adjust some woefully unrealistic public expectations by being fair in your coverage and appreciating the many challenges presented by dealing with offenders.*

**Finally, our key message to the National Probation Service - and that includes all of you here:**

*HMI Probation will do all it can to support your work by helping you to be clear about your responsibilities and defining what 'doing the job properly' means in practice.*

*Effective Offender Management will be the focus of inspections and Serious Further Offence reviews and we shall assess your work to protect the public in a way that avoids easy hindsight and is both fair and open.*

I hope that whilst these messages are aimed at specific groups you will also get a strong positive sense of where we stand from the cumulative effect of them.

Our Inspection commitments are to assess fairly, engage fully, maximise the likelihood of improving performance, and to report without fear or favour.

As an independent Inspectorate our job is not to be 'on the side of' the Probation Service, or to represent its interests –

And neither is it our job to be a mouthpiece for Government policy - or a mouthpiece for opposition to Government policy for that matter either.

It is our job to provide well-informed well-evidenced objective analysis and comment for the taxpaying public, so that they know how well or otherwise their money is being spent .... and that's what we aim to do.

On that sober note I will shortly turn to what this means in practice for you as you work to assess and manage offenders' *Risk of Harm* to others.

But since I'm sure almost all of you are regular readers of the Daily Mail I thought I should correct their claim that I was in some way arguing that 100 murders and rapes a year by people under supervision was a figure to be proud of -

- I most certainly was not saying that, I was saying it showed how difficult the job is - I was pointing out that out of over 200,000 offenders under Probation supervision at any one time it was extremely difficult to identify and prevent the one hundred serious further offenders ...

And since there just might be one or two Guardian readers in this audience, I also need to correct the headline reference in what was otherwise an accurate report of what I had to say a couple of weeks ago.

It referred to me being proud of being an insider.

Now it's true that I'm proud of my time in the Probation Service, and because I fancy that I have some useful things to say about the work of the Service I think it helps that I have some evidence and experience to draw on.

But the point I was actually making was that I consider it a problem to be an insider *when the public is entitled to be reassured* that their Chief Inspector is truly independent and will tell the truth even when it is unpalatable to certain interested parties.

And in that role on behalf of the taxpaying public, I actually think that there needs to be more honesty and transparency with the public about what managing offenders through their sentences is all about -  
- part of the current problem of unrealistic expectations is because we've not been successful in making this more apparent hitherto, though noble efforts have been made.

[Pause] Now I imagine that many of you here listening to this morning will be thinking: "Hang on, don't people up there realise how difficult this is? - and don't they realise that most of the time we are doing a pretty good job? - I could cite lots of examples of difficult cases where the offender's *Risk of Harm to others* is being managed very well, and we do do a good job more often than not ..."

The answer to those questions is "Yes we do" -  
One of the little ironies for me is that I suddenly find myself having to talk to nearly 1000 Senior Probation Officers or equivalent Probation managers, all together like this, something I never expected to be ever doing fifteen years ago when I was finishing my part-time MPhil thesis on the subject of what it felt like to be a Senior Probation Officer.

Its title was *Waving or Drowning?* - because my research respondents felt that sometimes being an SPO was the most exhilarating job in the world, and sometimes the most overwhelmingly disheartening job -  
- and it was quite a thin line between the two at times -  
- I guess you'll have to decide how much has changed and how much has stayed the same in those respects in the years since then.

But I suggest that I do have some idea of what we are asking of you, hard though that is.

The second point is even harder though: It is that *doing-the-job-well-more-often-than-not* is simply not going to be good enough with this type of work.  
And this isn't just about the high profile dramatic cases that the Press have latched onto in recent weeks - in fact there are many more of such cases than is often realised.

But the fact is that from our own Inspections over the last three years we have barely found two-thirds of cases in our samples with *Risk of Harm* being assessed to a Sufficient standard at start of sentence.

Reviews are worse, while those cases where there was a need to be responsive to new developments at least showed a higher percentage of cases where staff responded as one would hope.

So whereas two-thirds of cases might be Sufficient in most respects – let's be generous and call that nearly 70% - that's still over 30% of cases that need improvement.

And half of all 42 Probation Areas we visited over the last three years under the Effective Supervision Inspection programme needed a Follow-up inspection on their *Risk of Harm* work.

So the task you face is not just 'Doing it Well Enough' but 'Doing it Well Enough Often Enough'.

So - What is the Inspectorate looking for in every case?

We look for what the NPD has already advised you, in last November's Probation Circular:

*“There is evidence in the case file that throughout the period of supervision the Risks (of Harm) have been identified to the required standard, and all reasonable action taken to keep to a minimum the offender's Risk of Harm to others.”*

This has the same effect as saying that “This case would pass an SFO Review” – but it's a test you can in principle apply whether or not an SFO has actually occurred.

And you'll know that this test has to be passed with all cases, not just the high and very high RoH cases.

I'm sure you're only too well aware that Elliot White was a medium RoH case, as was Peter Williams the Nottingham City YOT case who was convicted of the murder of Marian Bates.

Indeed about 80% of SFOs are committed by people in the medium or low RoH category.

So, yes, you have to give priority attention to the higher RoH offenders – this group, being 7% of your total case numbers, commit 20% of all SFOs, and hence are three times more likely to commit an SFO than other offenders-

- But you still have to give sufficient attention to the other cases, the medium and low RoH offenders who commit the other 80% of SFOs.

So, more specifically, what are we looking for from each case?

- We are looking for a Sufficient quality of Assessment and Sentence Planning, including regular reviews
- We are looking for a Sufficient quality of Interventions being implemented
- And we are looking for a Sufficient level of alertness and responsiveness to developments – here I mean spotting danger signs or risky changes in

circumstances, or sometimes just new information -  
- that's what we would mean by constant vigilance, and

- Overall, what we look for is evidence of an investigative approach throughout, most of all from the person in charge of the case.

You'll find all this covered and developed in the Criteria for our new Offender Management Inspections, which we have published on our website in advance of our first inspections next month.

Kate White, the Assistant Chief Inspector leading this new inspection programme, would rightly want me to tell you that OMI, as we call it, inspects all the elements of managing offenders, not just the *Risk of Harm* element –  
- it's Punish, Change and Help, as well as Control

- But both she and I will also confirm that as you would expect we are giving *Risk of Harm* a particular emphasis within the programme -  
- so it is to this, as well as to our published SFO reviews, that you should refer for guidance as to what the Inspectorate is looking for in relation to that 'Control' element, which is what I'm focusing exclusively on today.

All of this you should find to be consistent with what most of you will already have heard from the training programme led by Tessa Webb from the NPD's Public Protection Unit, and the mousemat with that checklist on it: Assessed, Recorded, Managed, Communicated, Reviewed, Controlled and Countersigned

And when the training materials pack is launched in the near future you should find that there is also consistency between what we're saying and what Professor Hazel Kemshall and Gill Mackenzie are saying.

Hazel has previously coined the Principles of Defensible Decision-making, and you can see the connection between what she is saying and our Inspection criteria when she asks you to constantly check for:

- Reasonable steps taken
- Reliable assessment methods used
- Information collected and evaluated
- Decisions recorded and implemented
- Policies and procedures followed
- Investigative and proactive approach by all

I've been referring to these in my talks to some MAPPA seminars in the last couple of months.

I've sometimes used two further complementary phrases to describe these principles. I say:

- It's about exercising "hindsight in advance", and

- “How would this look to an Inspector later, if the worst were to happen?”

Not a friendly way of putting it I know, but sometimes it's best to be candid that this is indeed, to a large extent, an exercise in defensible decision making

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And this does mean I can lead back more directly to Inspectorate criteria, i.e. what we look for.

Let's make the connections between what Hazel Kemshall says and what we in the Inspectorate say:

She says 'Reliable assessment methods' – we say:

*Risk of Harm is comprehensively and accurately assessed using OASys in each case, and additional specialist assessment tools where relevant*

So – make sure you have used OASys and other applicable tools.

She says 'Policies and Procedures followed' – we say:

*Contact with the offender and enforcement of the sentence is planned and implemented to meet the requirements of National Standards, and to encourage engagement with the sentence process.*

So – keep the case within National Standards

And she also says to take an Investigative and proactive approach – and that brings us to our key about *Taking all reasonable action to minimise Risk of Harm.*

So to evidence this you need to show in each case that:

- it is about being active not passive, taking responsibility
- it is about assessment and management; assessment is necessary but not sufficient – you have to do something – make decisions and take action - having done the assessment
- taking action means planning implementing and regularly reviewing all reasonably appropriate *restrictive interventions*

The detail of all these, including what we mean by *restrictive interventions*, can be found in our Criteria or in other publications -  
- that's our help to you today

Now I don't blame you if at first sight you react with some scepticism when someone like me comes along and says “I'm from the Inspectorate and I'm here to help you” -

- it's a strange kind of help we're offering I agree.

But as I said we're not here primarily for you, but for the taxpaying public.

In that capacity we will aim to get out our message to all who we can get to hear it - our summary message to the outside world goes like this:

*"The Probation Service deals with reality of Crime and Risk every day, working to protect the public and reduce crime through effective Offender management*

*Offenders must take full responsibility for the crimes they commit but the public has every right to expect that Probation staff will do their job properly.*

*HMI Probation measures their work against clear expectations on behalf of the public. When Probation staff fail to meet those expectations we shall be uncompromising in saying so, but we also believe that the public politicians and the media should support an organisation that is generally doing an important job and making a major contribution to public protection."*

And it is on that note I now wish you well in doing the vital job of making it happen Sufficiently well, often enough.

Andrew Bridges

HM Chief Inspector of Probation

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HM Inspectorate of Probation • Second Floor • Ashley House • 2 Monck Street •  
London • SW1P 2BQ

Tel: 020 7035 2203 • Fax: 020 7035 2237 • Email:

[HMIP.enquiries@homeoffice.gsi.gov.uk](mailto:HMIP.enquiries@homeoffice.gsi.gov.uk)

<http://inspectors.homeoffice.gov.uk/hmiprobation/>