



HER MAJESTY'S INSPECTORATE OF

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Opening words

This is the latest issue of HMI Probation's newsletter to Probation Areas, Youth Offending Teams and others with whom we work to keep you informed of progress in our inspection work. Inside I also aim to answer the question of "Why is the Inspectorate giving us a hard time?"

Inspection Programmes

We continue to keep to schedule on the three regular 'area' inspection programmes - the Effective Supervision (ESI) and YOT programmes, and also our contribution to the *Supporting People* inspections led by the Audit Commission. We will complete on time our inspections of Probation Areas under the three-year ESI programme in April 2006. We will then start the Offender Management Inspection (OMI) programme in May. (We say more about this new programme further on in this newsletter.)

On the YOT inspection programme we are now very fully engaged on Phase 3, so that we now run our joint inspections in co-ordination with the Joint Area Reviews of Children's Services led by Ofsted. We are on track to complete some 30 inspections during 2005-06, and should finish our demanding 5 year programme on time.

On thematic work, among other things, we published two particularly significant reports in December - on the joint inspection on sex offenders, and a short focused inspection report on the use of OASys. The latter reflects the importance we attach to OASys as an essential tool of effective offender management, including the assessment of Risk of Harm (RoH) to others.

More details on all our programmes follow inside.

Work on offenders' Risk of Harm (RoH) to others

A major recurring theme from our recent inspections - and one of our main current emphases in HMI Probation - is the need for improvement in the assessment and management of offenders' Risk of Harm to others.

This will be a significant feature within the forthcoming OMI programme. We have raised this as an important issue with the National Probation Directorate. They have launched an Action Plan and we have been working with them to seek to ensure an improvement in this important aspect of NPS work. In this connection we are also currently carrying out two independent reviews into individual offender cases which raise RoH management issues, and will report on both of these during the next few weeks.

We have not focused solely on RoH work with adult offenders - we are also discussing with the Youth Justice Board how this work is addressed by YOTs. We plan to develop the attention we give to this in our inspections of YOTs, in order to help YOTs too to improve their practice.

Inspectorate reform

We strongly support the Government's plans to establish a single Inspectorate for the CJS, from March 2007, on which legislation is now before Parliament. Our view is that the planning for the new inspectorate should be *Starting from First Principles* (see our 2005 paper on our website). The future new single Inspectorate should focus on *whole processes in the CJS* that lead to effective outcomes. We will continue to contribute to the development of plans for the new Inspectorate.

Staffing Changes

We are very pleased to welcome the following people who have recently joined our staff group:

As HM Inspectors:

Steve Blackburn, Sandra Fieldhouse, Karen McKeown, Dan Parks, Glen Suttinwood and Steve Woodgate

As Practice Assessors

Stephen Hubbard and Rachael Odunze

As members of support service staff

Helen Wright, Ann Hurren and Maura O'Brien.

We are very sorry to bid farewell to Mike Mullis, Yvette King and Trevor Brunton as HM Inspectors, and to Biju Appukuttan, Nick Read and Rachel Dwyer from our support service staff. We are very grateful to these colleagues for their substantial contribution to our work, and wish them well for the future.

In addition to these changes to our staff group we have also now recruited a Panel of fee paid inspectors, using a rigorous process. These new colleagues will carry out inspection work on a sessional basis alongside our salaried staff, and working to the same quality standards.

We look forward to continuing to work with you.

Andrew Bridges
HM Chief Inspector of Probation

EFFECTIVE SUPERVISION INSPECTIONS

The ESI Programme started in June 2003. All 42 probation areas are being inspected over a three year period, with areas of similar characteristics (in terms of size and population density) inspected in the same year to facilitate comparisons in performance.

The reports we have published in the last 12 months are:

Northumbria	25/01/2005
Gloucestershire	01/02/2005
Hampshire Follow-up	15/02/2005
Hertfordshire Follow-Up	15/02/2005
Wiltshire	08/03/2005
Dyfed-Powys	22/03/2005
North Wales	09/05/2005
West Yorkshire	10/05/2005
North Yorkshire	24/05/2005
South Yorkshire	24/05/2005
South Wales Follow-Up	07/06/2005
Lincolnshire	07/06/2005
Gwent Follow-Up	14/06/2005
Staffordshire Follow-Up	11/07/2005
London	19/07/2005
Humberside	26/07/2005
West Midlands Follow-Up	06/09/2005
Warwickshire	11/10/2005
Northamptonshire	11/10/2005
West Mercia	25/10/2005
Bedfordshire	10/01/2006
Cambridgeshire	17/01/2006
Gloucestershire Follow-up	24/01/2006
Surrey	31/01/2006

The published reports can be downloaded in PDF format from the ESI Report page of our website [here](#).

We have also completed the inspection of Sussex, and Thames Valley probation areas, and a follow-up inspection of Cumbria. These will be published shortly.

Inspections due to take place during February to April 2006 are:

Area	Week 1	Week 2
Avon & Somerset		06/02/2006
Devon & Cornwall	13/02/2006	06/03/2006
Dorset	27/02/2006	27/03/2006

The ESI programme has produced a substantial amount of information about the quality and effectiveness of NPS work when analysed across a number of areas.

We have published two inspection findings reports on the results across a number of areas. Our first report of this kind, *"Aggregate results for the first 14 probation areas"* was published in November 2004.

A second inspection findings report – across a wider range of areas - *"Aggregate results for the 29 probation areas inspected in 2003/2004 and 2004/2005"* - was published on 15/11/05. Further results from ESI will be published in due course.

The ESI has also included a thematic element, each covering seven areas. These have been:

- Employment and Basic Skills (EBS): report published 06/02/04
- Domestic Violence: report published 29/06/04
- Racially Motivated Offenders (RMOs): report published 01/02/05
- Offender Accommodation: report published 21/07/05
- A report on unpaid work/ enhanced community punishment is planned to be published April 2006
- A report on substance misuse (the thematic element for the last set of inspections now under way) is planned to be published in summer 2006.

Following our inspection in 2004 of the movement of offender cases between areas, we decided that we should implement one of our own recommendations! With each of the last round of ESIs we are assessing the quality of work in a small separate additional sample of transferred cases. These do not 'count' as part of the results for that probation area, but they do enable a comparison with the quality of work in the main sample of cases which have not been transferred. We will publish the results following the end of the ESI programme.

OTHER AREA INSPECTIONS

Following an earlier inspection in the Isle of Man, we undertook an inspection of Jersey Probation Service in July 2005, the report of which was published on 13/12/05.

OFFENDER MANAGEMENT INSPECTION

We have designed and developed, in association with HMI Prisons, a programme to inspect offender management to start in May 2006. Our primary aim will be to assess the quality of start-to-end offender management of individual cases both in custody and in the community. We have developed inspection criteria that reflect the current and evolving work of NOMS and the new sentencing provisions of the CJ Act 2003. We invited comments on these criteria at the end of 2005 and are now finalising them. We will then put them on our website, and will add to this other material on OMI methodology as it is completed.

The criteria and our methodology draw strongly on the four key purposes of offender management, as defined in the OM Model issued by NOMS HQ – punish, help, change and control. They reflect the need for an assessment to be made of every offender (at start of sentence, and at regular intervals throughout) in relation to all four purposes of offender management.

We have tested our methodology and the new inspection instruments in pilot inspections in Merseyside and Kent, which are being followed by a final pilot in Leicestershire & Rutland in week beginning 20/2/06. We are most grateful to those three probation areas, and their local partners, for their generous help to us.

The OMI programme proper will start with the areas in the North West region, the first area being Cheshire. This will be followed by areas in the East of England region.

We will of course be contacting areas individually ahead of their involvement in OMI, for a regional briefing and also with more specific details of the inspection. Areas will be asked to provide some evidence in advance, and also identify cases for the three samples of cases that we will be assessing during the inspection. On a specific point, we will also contact prison based SPOs to help us administer certain OMI questionnaires to small numbers of offenders in custody. Please note that sometimes this will mean writing to seconded SPOs located in a prison outside the area being inspected at the time.

Some general points about the OMI programme

There are some general points that we want to underline, especially important because OMI has been developed in two new contexts:

- i) offender management itself is still undergoing major development and potential changes, and
- ii) public service inspection in general is also changing.

Hence our first point is that inspection should be about **improvement**, not pillorying, and our aim with OMI is to take inspection further in that direction in future.

Secondly, we envisage that the new single inspectorate for the CJS will focus mainly on the effectiveness of *whole processes* rather than on single organisations. An important and central example of a *whole process* in the CJS is *start-to-end offender management*.

In line with this, OMI will not primarily be about the inspection of a particular organisation – a Probation Area or a Prison for example. While inspection of prison institutions as currently undertaken by HMI Prisons is very likely to continue in its present form, OMI will for the reasons given above not be focusing on a particular organization but on offender management as a *whole process*. Each individual inspection will focus on the effectiveness of the management of a sample of sentenced offenders in a given geographical area – where they live or their planned release address. This 'area' will be the CJ Area under current arrangements, though we realise that these areas may be reorganised.

One consequence of this focus on joined-up processes rather than organisations is that there will be a wider range of 'audiences' for each report. The employer of the offender managers of the cases inspected (Probation Board currently) will be a very important audience, but that employer will only have part responsibility for many of the inter-agency processes that are required to manage offenders effectively. Different organisations (including prisons in particular) will each make their own particular contributions to the effectiveness of offender management. Hence when an inspection report identifies areas for improvement, each organisation involved will need to take responsibility for taking action on its own contribution to the *whole process*.

Sometimes these organisations may change. Our methodology will largely hold good through any organisational changes that may occur, because we will focus primarily on the service that is delivered 'in the front line'. But, as above, we may well follow through in our management section (based on our management Criteria) where we identify areas for improvement in the particular contributions made by specific organisations to the overall offender management process.

Next, we recognise that offender management is only just starting to develop, and its full development may take some years. OMI methodology and criteria have been designed with a view to a future time when offender management is fully functioning. But we will be circumspect in the way we deploy this methodology in practice in the early years while offender management is still developing.

Some OMI Criteria, aimed at the provision of Custody Plus for adults, for example, we will not be able to deploy at all at the start of the programme. With other Criteria it may be useful to deploy them, to establish where we are with current practice, but we will be careful how we report what we find. Whereas we will be able to discuss some Findings as current performance issues (where the definition of achieving the task 'sufficiently well' has been known for some time), with other Findings we may refer to 'potential' or 'future' performance issues.

We see this is as helping NOMS to identify where it is at any particular time on the path towards properly effective offender management (as when fully implemented). This emphasises our first general point above that future inspection should increasingly be about **improvement** rather than pillorying.

SUPPORTING PEOPLE

We are working on the 'Supporting People' inspection programme, which the Audit Commission leads, with participation also from the Commission for Social Care Inspection (CSCI). The inspection programme started in September 2003 and will cover all 150 administering local authorities in England over a 5-year cycle. All English Probation Areas will experience inspections at various points during this programme.

The reports published in the last 12 months are:

Barking & Dagenham	Liverpool
Bracknell Forest	Manchester
Buckinghamshire	Newham
Bury	North Somerset
Calderdale	North Tyneside
Cheshire	Nottingham
Coventry	Nottinghamshire
Croydon	Peterborough
Derby	Poole
Doncaster	South Tyneside
Enfield	Sunderland
Greenwich	Surrey
Hackney	Swindon
Halton	Telford & Wrekin
Harrow	West Berkshire
Havering	Wiltshire
Lancashire	York
Lincolnshire	

The reports can be found on the Supporting People page of our website [here](#).

Inspections due to take place during February to July 2006 are:

Area	w/c
Bolton	27/02/2006
Lewisham	27/02/2006
Cornwall	27/02/2006
Warwickshire	27/03/2006
North Yorkshire	27/03/2006
Waltham Forest	27/03/2006
Sheffield	27/03/2006
Merton	08/05/2006
Plymouth	08/05/2006
Barnsley	08/05/2006
Barking & Dagenham	08/05/2006
Stockton	12/06/2006
Barnet	12/06/2006
Windsor & Maidenhead	12/06/2006
Havering	12/06/2006
Slough	17/07/2006
Medway	17/07/2006
Northumbria	17/07/2006
Trafford	17/07/2006

THEMATIC INSPECTIONS

As indicated, we published the report of the joint inspection on sex offenders, which we led, on 5/12/05. This inspection has been followed by a more general joint inspection of public protection which we have also led. The report of this latter inspection is due to be published in May 2006.

We published our report on the use of OASys (the offender assessment system) on 15/12/05.

On inspections under the thematic element of ESI, the report of the inspection of offender accommodation was published on 21/07/05. The report of the inspection of unpaid work/ enhanced community punishment is planned to be published in April, and that on the inspection of substance misuse in summer 2006.

An increasing proportion of our thematic work is undertaken jointly with other CJ and other inspectorates. As well as the sex offender and public protection inspections noted above:

- We participated in a joint inspection on enforcement of community penalties, led by the then Magistrates' Courts Service Inspectorate. The report was published on 04 July 05
- We participated in a second joint inspection of Children's Safeguards, led by CSCI (Commission for Social Care Inspection). In this context we also produced a separate report, covering the safeguarding issues for YOTs in more detail. Both these reports were published on 14 July 05.
- We continue to participate in joint inspections of criminal case management in criminal justice areas. The report for Merseyside was published on 27 Aug 05, and that for Gwent on 7 Feb 06. The report for Thames Valley will be published very shortly. Plans for similar inspections in 2006-07 are being finalised: these will include, additionally, an element on enforcement of community supervision, which we will lead.

Published thematic reports can be found [here](#), and the inspection findings page of our website can be found [here](#).

YOT INSPECTIONS

The YOT inspection programme started in mid 2003 and is covering all 155 YOTs in England and Wales over a 5 year period. The inspection is being undertaken jointly by nine criminal justice and other inspectorates, led by HMI Probation.

We are now well engaged on Phase 3 of the programme, which started in September 2005. Under these arrangements, the YOT inspections run alongside, and are integrated with, the Joint Area Reviews of Children's Services, which Ofsted lead. Implementing these arrangements was a significant task, but it was carried out successfully and the arrangements are working well.

We published the annual report on the second phase of the YOT inspections on 07/12/05.

The YOT reports published in the last 12 months are listed below:

Salford	02/03/2005
North Tyneside	02/03/2005
Thurrock	09/03/2005
Cumbria	30/03/2005
Islington	09/05/2005
Tower Hamlets	09/05/2005
Stockport	25/05/2005
Kingston-upon-Hull	01/06/2005
Bristol	06/07/2005
Worcestershire & Herefordshire	13/07/2005
Somerset	13/07/2005
Merthyr Tydfil	20/07/2005
Barking & Dagenham	20/07/2005
Sefton	20/07/2005
Devon	10/08/2005
Walsall	31/08/2005
Wrexham	07/09/2005
Sandwell	21/09/2005
Hackney	28/09/2005
Merton	28/09/2005
Wiltshire	12/10/2005
Buckinghamshire	16/11/2005
Northumberland	23/11/2005
Derby City	14/12/2005
York	21/12/2005
Rochdale	11/01/2006
Wirral	25/01/2006
Staffordshire	25/01/2006
Bournemouth & Poole	25/01/2006
Calderdale	01/02/2006

The reports can be found on YOT Inspection report page on our website [here](#).

We have also completed the inspection of Doncaster, Hillingdon, Newport and Windsor & Maidenhead, and a follow-up inspection of Stockport. These reports will be published shortly.

Inspections due to take place during February to July 2006 are:

Area	Week 1	Week 2
Hackney follow-up	06/02/2006	n/a
North Somerset		13/03/2006
Caerphilly & Blaenau		06/02/2006
Dudley		13/03/2006
Wakefield		13/03/2006
Barnet	06/02/2006	08/05/2006
Flintshire	13/02/2006	06/03/2006
Manchester	20/02/2006	08/05/2006
Gateshead	27/02/2006	08/05/2006
Peterborough	06/03/2006	08/05/2006
Sandwell follow-up	13/03/2006	n/a
Brighton & Hove	03/04/2006	19/06/2006
Swindon	03/04/2006	19/06/2006
Haringey	24/04/2006	19/06/2006
Powys	24/04/2006	05/06/2006
Rotherham	15/05/2006	19/06/2006
Barnsley	26/06/2006	
Plymouth	03/07/2006	
Wigan	03/07/2006	
N Yorks	17/07/2006	
Kingston	24/07/2006	

“WHY IS THE INSPECTORATE GIVING US SUCH A HARD TIME?”

1. We've had this question a few times in response to our sex offender report, our report on the supervision of a YOT case who went on to kill, and other recent coverage of Risk of Harm issues. So it might be helpful to set out our perspective on these matters.

2. First, the sex offender report was **not** as some described “negatively unbalanced”. In fact we presented the findings in as positive a frame as we could, while still adhering properly to the disappointing evidence we found. We examined a representative sample of 100 sex offender cases from five areas, and the quality of assessment and management of Risk of Harm to others we found was, overall, slightly worse than what we had found with the ‘general’ samples of cases in ESI in over 30 areas to date – and these had not been consistently good.

3. Hence we cannot run away from our own findings. We reported them faithfully in the sex offender report in dispassionate language, and then led the report with our most positive finding, which was the promising progress in the arrangements that have been established between Probation and Police for this work. Hence the overall tone of the content of our report was deliberately as positive as we could make it while still being congruent with what we had found.

4. This raises the more general issue of media handling strategy. On this, our aim as an independent inspectorate is to be transparent but not attention-seeking. With each report we publish a short press notice written in ‘plain-as-we-can’ English that captures the key points of the publication in non-inflammatory language. Such a notice ensures that we are being open, accountable and transparent while not drawing unnecessary attention to ourselves.

5. The effect of this approach is that very few of our 100+ reports per year attract national publicity in practice. However where it seems likely that there may be high media interest – as was the case for the sex offender report (not surprisingly when risk to the public is a consideration) – we may decide to hold an informal Press briefing. We did this for the sex offender report and we think this was appropriate, in helping to ensure that the issues were discussed and reported in a more measured and balanced way than they would otherwise. There was a very different tone to the reports of the journalists who attended our briefing from those who did not.

6. We have given a number of pre-recorded radio and TV interviews recently. These have all used measured non-inflammatory language, and have presented inspection results along the lines of “These are the big improvements that have been made in the last 5 – 10 years, and these are the improvements that still need to be made”. Although relatively little of this material was used in the broadcasts, certain key messages have started to come over in the way we have intended. These

very largely relate to work in respect of Risk of Harm to others, and we would want to comment on this as follows.

Management of risk of harm to others

7. It is very important for practitioners and managers in Probation areas and YOTs to be clear what is required of them in respect of Risk of Harm to others with each offender under supervision. The issue is not primarily about reoffending rates. We did in fact mention the low recorded reoffending rate in the sex offender report, but everyone at all levels needs to be clear that this is not what the Risk of Harm agenda is all about.

8. Instead it is about **being able to give account to the public** that *throughout the period of supervision all reasonable action has been taken to keep to a minimum the offender's Risk of Harm to others*. If that offender commits a Serious Further Offence (SFO) it will not matter whether that case is one of 10%, 1% or 0.1% of cases where this happens: the public will - rightly - want to know whether or not that case had been properly managed prior to the SFO. And we are sorry to report that in our ES inspections, in our YOT inspections and in the sex offender inspection, we have been finding too many cases where the offender is not being managed well enough.

9. One of our key messages is that when managing an offender in the community it is not possible to eliminate risk, only keep it to a reasonable minimum. This point has two consequences:

- a) There is a need to define more clearly where the line is between minimising Risk of Harm to Others **sufficiently** well, and **not sufficiently** well – and it has to be a test of **reasonableness**, not perfection – and this is something we are progressing now, and
- b) It is consequently possible that with some cases staff might do all they reasonably can to minimise Risk of Harm to others, and yet a SFO is still committed. In those cases we all have to be ready to state that staff (of all agencies) did all that could reasonably have been expected of them, despite the SFO. We have to prepare public expectations accordingly, and we believe that our public statements have contributed to this process.

10. As a potential further consequence we are aware of the possibility that any reviewer, including ourselves, who assesses the work in a high profile SFO review as being “sufficient” may be accused of “letting off” the relevant organisations – indeed we have already been accused of this once! But we believe that we owe it to offender managers and their colleagues to offer them the real possibility of their work being assessed as having passed the test in such circumstances. Meanwhile, we are designing into our Inspection criteria an approach to *assessment and management of offenders' Risk of Harm to others* that is congruent with that.

(Note based on communication by Andrew Bridges, Chief inspector, to Chiefs and Chairs of Probation areas in December 2005)

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