



Her Majesty's Inspectorate of Probation

HM Inspectorate of Probation

1st Floor, Manchester Civil Justice Centre,

1 Bridge Street West, Manchester M3 3FX

HMIP.Enquiries@hmiprobation.gov.uk

www.justiceinspectorates.gov.uk/hmiprobation

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice
Parliamentary Under Secretary of State for Justice
Chief Inspectors of Criminal Justice
HM Chief Inspector, Ofsted
Chief Executive, Care Quality Commission
Chief Inspector, Estyn
Chief Executive, Healthcare Inspectorate Wales
Chief Executive, Care Inspectorate Wales

18 March 2022

Re: **Consultation on our inspection framework and programmes 2022/2023**

Under the Police and Criminal Justice Act 2006 we are required to consult each year on our inspection framework and programmes. This letter sets out our proposed plans for 2022/2023 with some additional proposals for 2023/2024. We would very much welcome your comments on these priorities.

1. **Core inspection programme**

Youth Offending Service (YOS) inspections

2022/2023 will be the fifth year of our YOS inspection programme. While this was originally intended to be a four-year programme, the interruption caused by the pandemic means that we will not now complete until year six.

While it's important to maintain some consistency in approach over a programme of inspection, within a programme of this length it is equally important to keep the inspection framework up-to-date and to introduce improvements where they are needed. In July 2021 we introduced two new elements to our YOS inspections; an in-depth look at preparation for resettlement through the inspection of polices and cases; and the inspection of the local out-of-court disposal policy and practices alongside the existing case inspection. These changes have already prompted services to re-focus, particularly on the development of a policy that guides the provision of resettlement support for children released from custody. This is a positive outcome, especially as our last two thematic reviews on this topic revealed little progress had taken place on this important aspect of the YOS role since 2015.

We also introduced re-inspection of YOS that received an inadequate rating in their most recent inspection. I'm delighted to report that we have seen evidence of notable improvement through these re-inspections for Blackpool, who moved from 'Inadequate' in 2018 to 'Good' in 2021, and Surrey, whom we inspected in 2019, who showed the same positive shift in quality of delivery when we inspected in 2021. It is credit to these services that they have shown such investment in improving their leadership and delivery and they deserve these updated inspection ratings as a result.

The majority of our inspections are conducted singly, but we will continue to work with our partners and use collated intelligence to prioritise YOS for inspection jointly with other Inspectorates where the evidence indicates this would be of benefit.

We intend to conduct 33 inspections of YOS - 29 single and 4 joint inspections - in 2022/2023, some chosen on a random basis and others on the basis of concerns about their performance.

We will produce an annual report on the findings from our 2021/2022 YOS inspections in 2022/2023.

Adult probation inspections

We introduced a new programme of inspection in July 2021 to reflect the new unified public sector Probation Service which launched on 26 June 2021. Our first inspections took place in Wales as they transitioned their offender management services sooner than England and were the source of our pilot work so they were at least a little familiar with our proposed approach.

Key changes to our inspection approach include:

- inspecting at the Probation Delivery Unit (PDU) level to provide a more granular view of local delivery, with a review of regional oversight and direction
- introduction of a new outcomes standard which will look at the impact of delivery on intermediate outcomes for service users
- incorporation of previously provider-specific standards (e.g. input at court or unpaid work) into our main case sample
- greater input from service users, through a three-year contract with User Voice, to inform our judgements
- inspection of a third of PDUs in each region every year, over a period of three years, in order to provide a regional, as well as local, perspective to senior officials every year.

We intend to conduct 30 PDU inspections in 2022/2023, and, alongside, to conduct a review of the 9 regions responsible for those PDUs.

We will produce an annual report on the findings from our 2021/2022 adult probation inspections and thematics during 2022/2023.

Quality assurance of Serious Further Offence (SFO) reviews

Following our thematic inspection of SFO reviews in May 2020, and in response to our recommendation that independent assurance of the SFO process should be introduced, the Secretary of State for Justice asked the Inspectorate to provide an independent view of the quality of this most sensitive and high-profile work, to help drive improvements. From April 2021 the Inspectorate has begun quality assuring approximately 20 per cent of SFO reviews completed each year.

In 2022/2023 we will continue to develop multi-agency learning panels to promote collaborative learning through the lens of SFO cases.

In addition, our SFO quality assurance inspectors will support the core inspection programme by analysing the quality of SFO action plan implementation and shared learning across the region and within probation delivery units.

We will produce an annual report on our findings in 2022/2023.

Future inspection proposals

In 2022/2023 we intend to develop and consult on a new approach to the inspection of probation regions which will take place in addition to the PDU inspections. This would replace the current regional reviews.

We are also currently considering where we can add further value through our inspections and are considering how we might develop a programme of routine inspection for probation Approved Premises which we have only ever covered through thematic reviews in the past.

Consultation question – future inspection proposals

Q1: Do you agree that we should develop a programme of routine inspection for Approved Premises? If so, what would it be important to focus on?

Q2: Are there any other areas of probation delivery that are not currently covered by our inspection programme that you believe we should add (should resources be available)?

Extra-jurisdiction inspections

No current plans.

2. Thematic & joint inspections

We apply a number of criteria to identify and prioritise our thematic topics as follows:

1. Has this been identified as an ongoing area of weakness/concern in our core inspections?
2. Is this a ministerial priority?
3. Are there major change programmes or major national changes being applied to the operating model that require external oversight and assurance?

Having considered these criteria, we plan to conduct (jointly with others where appropriate) thematic inspections on the following topics in 2022/2023.

We have estimated that we have the resource to conduct fieldwork for five thematics in 2022/2023 plus one desktop exercise.

Adult

• Offender Management in Custody (OMiC)

This thematic will be conducted jointly with HM Inspectorate of Prisons (HMI Prisons), with HM Inspectorate of Probation as lead. The fieldwork for this thematic was originally due to start in summer 2020 and then summer 2021 but was postponed due to the significant impact of Covid-19 on the functioning of prisons and the delivery of OMiC. It will consider the extent to which the intended outcomes within the new OMiC model have been realised. Our work will focus on both prison offender management and community supervision after release and will follow a selection of cases through the system. The pilot took place at the beginning of 2022 and fieldwork will start in April 2022.

• Extremism

This joint inspection will build on recent reviews and include a focus on the implementation of the new probation national security division and case management arrangements for this cohort of people on sentences supervised by probation. HM Inspectorate of Probation will lead with HMI Constabulary and Fire and Rescue Services (HMICFRS) and HMI Prisons as partners.

• Meeting the needs of victims in the CJS

This joint inspection will focus on the quality of communication and support for victims at each stage of the criminal justice system, including the impact of recent increases in court backlogs. HMICFRS will lead with HM Inspectorate of Probation and HM Crown Prosecution Inspectorate (HMCPPI) as partners.

- **Racial disproportionality within the CJS**

This review will include all justice inspectorates and will draw on recent separate inspectorate work by HMICFRS, HM Inspectorate of Probation and HMI Prisons. It will draw together findings and recommendations from these reports and look at disproportionality data from across the CJS. The work will be led by HMICFRS and will be a desktop exercise with no new HM Inspectorate of Probation fieldwork.

The four projects described above are included as commitments in the [Criminal Justice Joint Inspection Business Plan 2021/23 \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/criminal-justice-joint-inspection-business-plan-2021-23/).

- **Race equality in probation**

In March 2021 we published our thematic review of [Race equality in probation: the experiences of black, Asian and minority ethnic probation service users and staff \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/race-equality-in-probation-the-experiences-of-black-asian-and-minority-ethnic-probation-service-users-and-staff/). Our concerns were such that we committed to revisit this thematic topic within two years of publication. This will be a single thematic and will seek to evidence progress in addressing our original thematic recommendations. This piece of work will take place towards the end of 2022/2023.

- **Domestic abuse**

We published a critical thematic review of Community Rehabilitation Company (CRC) work on domestic abuse in 2018 but we continue to find issues around domestic abuse checks and the quality of supervision. Our 2019/2020 inspections found that only 64% of domestic abuse checks had been undertaken where needed. A follow-up thematic would allow us to take a closer look at the data sharing/checking arrangements between probation and police as well as the delivery and effectiveness of BBR and other interventions with this cohort. We will consider the potential for joint inspection through the joint inspectorate group.

Youth

We currently have no youth topics identified for 2022/2023. We have, however, completed a number of youth thematics in 2021/2022 including on girls released from custody; serious youth violence; education, training and employment; and quality of supervision for black and mixed heritage boys.

We will engage with the Welsh Inspectorates should we decide to include Welsh sites as part of our thematic inspection fieldwork.

Consultation question – thematic inspections

The projects described above are those we intend to conduct unless an exceptional case is made by respondents (the first four have already been agreed with the Joint Chiefs). Where alternative suggestions are proposed, please outline the following in support of your proposals:

- what is the compelling evidence to suggest your proposal needs to be covered by HM Inspectorate of Probation, as a thematic, in this next financial year?
- if you offer more than one proposal what priority order do your suggestions take and why?
- which project(s) described above would you replace with your proposal(s) and why?

Q2: Taking into account the criteria above, do you have any alternative proposals for thematic topics for 2022/2023?

Future thematic proposals

We would welcome views on the long list of proposals for our consideration in 2023/2024. These are not presented in any priority order.

Adult

- **Women**

We last conducted a thematic review of probation services for women in 2016. Since then the government has developed a women's strategy which includes the planned development of four women's residential centres, as an alternative to custody. A thematic focused on women would enable us to take a closer look at the progress against, and impact of, the strategy.

- **PQUIP, recruitment, retention and training of probation practitioners**

There is a significant gap between the number of qualified staff in the probation service and the numbers of qualified staff needed to achieve the Target Operating Model (TOM). The Probation Service has committed to an ambitious workforce strategy that will see the influx of a large number of new probation staff in training. This will inevitably put pressure on more senior well-established staff as they induct and supervise new trainees, as well as manage their existing caseload. Some areas are experiencing acute recruitment and retention challenges and staff resilience has been severely tested during the pandemic. A thematic review provides an opportunity to look in depth at this issue.

- **Probation middle managers (SPOs)**

Workload pressure through managing high caseloads as well as carrying staff vacancies has, according to our inspections, had a detrimental impact on the level and quality of supervision of frontline staff. This thematic would take a look at the issues impacting staff supervision and identify how it can be improved.

- **Probation interventions**

The 2022/2023 research plan is set out below and includes a proposed project on probation interventions: commissioned rehabilitation services; accredited programmes; structured interventions; and toolkits. The proposed research project will provide a view on the sufficiency of the range of interventions, alignment to the evidence base and consistency of delivery. This would provide a good basis for a thematic inspection early in 2023/24 which would enable us to comment further, on how well these interventions are being delivered on the ground.

- **Safeguarding children**

A thematic inspection is proposed to take a closer look at the identification and assessment of safeguarding children at commencement and throughout sentence - how probation, local authorities and other agencies work together to assess and manage risks to children.

- **Pre-sentence reports**

This topic has not previously been subject to thematic review and there have been several changes in the way pre-sentence reports are prepared and delivered. An inspection provides an opportunity to take a closer look at the pre-sentence assessment process and the suitability of sentencing proposals made to courts.

Youth

- **Children's services and their links to youth offending teams**

Our YOS inspections repeatedly show a disconnect between the work of children's services and that of the YOS, to the detriment of the children on the YOS books. This is despite YOS teams increasingly being brought into the wider children's services provision. A thematic on this topic would allow us to shine a light on the barriers to joint working and highlight where improvements could be made to enhance the outcomes for justice-involved children. It could also touch on the quality of provision for **care experienced children placed out of home area**. We know, from our inspections, there is disparity in approach across YOS.

- **Youth remands**

This is not an issue we currently inspect in our core programme. The disproportionate impact of remand was flagged in our black and mixed heritage boys thematic and we know that while remands make up 40% of the overall custodial population, 74% of those custodial remands do not result in a custodial sentence. This project could also incorporate **appropriate adults**. It could also look at the content of YOS advice to **youth courts** and the quality of pre-sentence reports, especially relating to advice linked to remand outcomes.

- **Out-of-court disposals**

It would be timely for us to revisit our 2016 thematic given the changing face of YOS caseloads and the known ethnic disproportionality in allocation disposals. The findings would help inform our approach to inspecting this area of YOS work.

- **Release Under Investigation, youth justice delays and waiting times**

The impact of releasing children under investigation has been exacerbated by the pandemic with offences and the possible consequences, hanging over children for months – and then made worse by court delays. This issue has also been raised through our ETE, serious youth violence and black and mixed heritage boys thematics.

Consultation question – future thematic proposals

We welcome your comments on the relative prioritisation of the topics described above as well as further proposals for thematic topics for 2023/2024. Please outline the following in support of your proposals:

- what is the compelling evidence to suggest your proposal needs to be covered by HM Inspectorate of Probation, as a thematic, in 2023/2024?
- if you offer more than one proposal what priority order do your suggestions take and why?

Q3: Taking into account the criteria above, do you have any alternative proposals for thematic topics for 2023/2024?

3. Research

We are committed to reviewing, developing and promoting the evidence base for high-quality probation and youth offending services.

To prioritise topics for 2022/2023 we have judged each topic against the following criteria:

Current level of risk

- Significant changes to policy, service delivery or caseloads
- Risks to public protection/safeguarding
- Findings from inspections, research and other forms of evidence/intelligence

Potential impact

- Potential impact of our findings
- Ministerial and other key stakeholder interests
- Quality of current evidence
- Development of inspection standards etc

Other

- Suited to research or inspection

- Estimated resource requirements and timescales.

Based on these criteria we have prioritised the following **primary research projects**.

To continue into 2022/2023:

- the implementation and delivery of community resolutions: the role of youth offending services
- exploring the use of Contextual Safeguarding approaches by youth offending services.

To begin in 2022/2023:

- **Probation interventions – the current landscape**
As recognised in our inspection standards, the timely provision of a good range of high-quality services and interventions is at the heart of successful probation delivery, alongside strong local strategic partnerships and the critical relationships between individual practitioners and people on probation. There needs to be a strong mix of internal and external services, and of universal, targeted and specialist services, providing the necessary range and depth of intervention.
- **Care-experienced children and/or young adults**
In the [Academic Insights paper 2021/11](#), Dr Anne-Marie Day sets out a range of barriers and enablers to supporting children in care, impacting upon their positive development and life chances. While some potential solutions and recommendations are set out, it is clear that the evidence base needs strengthening in terms of promising strategy, approaches, interventions and casework.

In addition, we will continue to undertake secondary analysis of existing inspection data (matched with other data where necessary). We are progressing analysis of matched inspection and outcomes data, exploring the links between the quality of probation and YOS supervision and outcomes.

Further proposed topics include:

- exploring different probation and YOS typologies (considering operating models, caseloads etc)
- monitoring the application of the new youth resettlement standard and probation outcomes standard (assuming sufficient case numbers).

We will continue to commission leading academics to contribute to our [Academic Insights \(justiceinspectorates.gov.uk\)](#) series. These publications present key insights on selected topics, assisting with informed debate and aiding understanding of what helps and what hinders probation and youth justice service delivery.

Consultation questions – research projects

The projects described above are those we intend to conduct unless an exceptional case is made by respondents. Where alternative suggestions are proposed, please outline the following in support of your proposals:

- what is the compelling evidence to suggest your proposal needs to be covered by HM Inspectorate of Probation, as a research project, in this next financial year?
- if you offer more than one proposal what priority order do your suggestions take and why?
- which project(s) described above would you replace with your proposal(s) and why?

Q4: Taking into account the criteria above, do you have any alternative proposals for research

projects in 2022/2023 and/or 2023/2024?

4. Effective practice and service user involvement

We continue to identify and disseminate practice that meets our standards of quality by producing effective practice guides and delivering seminars alongside our thematic reviews. We will continue to produce effective practice guides on our thematic topics and to pursue our objective to promote and promulgate the good work that probation and youth practitioners deliver as identified through our core inspections.

We routinely involve people on probation, and children and their parents or carers in our thematic reviews, but this last year we have developed our involvement of people on probation in our core inspections. We have recently commissioned the services of User Voice, an organisation that employs those with personal experience of the criminal justice system, to engage with people on probation on our behalf as part of our core inspections. We will employ multiple methods to receive feedback from those in receipt of probation services which will form a pivotal part of our evidence base. We will include a summary of the feedback we receive as a separate chapter in all our probation inspection reports in 2022/2023.

While we have set out relative priorities for 2022/2023 we will retain the option to change those priorities over the course of the year. Ministers may wish us to conduct specific pieces of work or investigations, as they have in the past, and we will want to respond to risks as they arise.

We would very much appreciate your views on our work programme by Tuesday 26 April. Please direct any queries and your responses to Lynne.Osborn@hmiprobation.gov.uk

Yours sincerely,



Justin Russell

HM Chief Inspector of Probation

CC: **MoJ**

Antonia Romeo, MoJ
Jerome Glass, MoJ
Claire Fielder, MoJ
Stephen O'Connor, MoJ
Junior Johnson, MoJ
Alan Webster, MoJ
Alison Wedge, MoJ
Nadia Mujtaba, MoJ

HMPPS

Dr Jo Farrar, HMPPS
Amy Rees, NPS
Sonia Flynn, NPS
Regional Probation Directors
Chris Jennings, HMPPS Wales
Jim Barton, HMPPS
Ian Barrow, HMPPS
Ian Blakeman, HMPPS

Wales

Sian Brown, Welsh Government

Youth

Claudia Sturt, YJB
Hazel Williamson, Chair AYM
Michaela Rogers, Chair AYM Cymru
Pippa Goodfellow, Youth Justice Alliance
Dame Rachel de Souza, Children's Commissioner
Gemma Buckland, T2A
YOS Managers

Other interested parties

Sir Robert Neil, Justice Select Committee
Holly Tremain, Committee Specialist (prisons and probation), Justice Select Committee
Jenny George, National Audit Office
Simon Shepherd, Butler Trust
Helen Schofield, Probation Institute
Jake Phillips, Sheffield Hallam University & Probation Institute
Magistrates Association
Anne Fox, Clinks
Peter Dawson, Prison Reform Trust
Nicola Carr, Probation Journal
Kevin Wong, British Journal of Community Justice
Fergus McNeil, European Journal of probation and Howard League Research Advisory Group members
Hannah Smithson, Alliance for Youth Justice
Barry Goldson, British Society of Criminology, Youth Criminology and Youth Justice Network