



PROBATION PRACTICE IN NORTHERN IRELAND

AN INSPECTION OF THE PROBATION
BOARD FOR NORTHERN IRELAND

DECEMBER 2020



Her Majesty's
Inspectorate of
Probation

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CONTENTS

List of abbreviations	2
Terminology	3
Chief Inspector's Foreword	4
Executive summary	6
Recommendations	10
Inspection Report	
Chapter 1: Introduction	14
Chapter 2: Strategy and governance	23
Chapter 3: Delivery	40
Chapter 4: Outcomes	70
Appendices	
Appendix 1 Probation Board for Northern Ireland organisational chart (October 2019).	88
Appendix 2 Methodology	89
Appendix 3 Terms of Reference	95
Appendix 3a CJI Inspection Framework	103
Appendix 4 CJI registered victim survey responses	106

LIST OF ABBREVIATIONS

ACE	Assessment, Case Management and Evaluation
App	Application
ASCERT	Action on Substances through Education and Related Training
CJI	Criminal Justice Inspection Northern Ireland
CJS	Criminal Justice System
DoJ	Department of Justice
GDPR	General Data Protection Regulation
GP	General Practitioner
HMI Probation	Her Majesty's Inspectorate of Probation
HSCT(s)	Health and Social Care Trust(s)
ICT	Information and Communication Technology
IT	Information Technology
NDPB	Non-Departmental Public Body
NIACRO	Northern Ireland Association for the Care and Resettlement of Offenders
NICS	Northern Ireland Civil Service
NIPS	Northern Ireland Prison Service
NISRA	Northern Ireland Statistics and Research Agency
PBNI	Probation Board for Northern Ireland
PPANI	Public Protection Arrangements Northern Ireland
PSNI	Police Service of Northern Ireland
SBNI	Safeguarding Board for Northern Ireland
SROSH	Significant Risk of Serious Harm
UK	United Kingdom
VIS	Victim Information Scheme (PBNI)
VIU	Victim Information Unit (PBNI)
VSNI	Victim Support Northern Ireland

TERMINOLOGY

Service user

In the context of this report the term ‘service user’ is used to refer to an individual with who the Probation Board for Northern Ireland have completed a pre-sentence report and/or, an individual who is being supervised by them for the purposes of completing an order, licence or other sentence mandated by the court which includes an element of supervision.

The Probation Board for Northern Ireland also uses the term ‘service user’ to refer to victims registered with the PBNI Victim Information Scheme but in this report, the term ‘victim’ or ‘registered victim’ is used where appropriate.

Supervising Probation Officer

The Probation Officer in the Probation Board for Northern Ireland who is responsible for supervising the service user.

CHIEF INSPECTOR'S FOREWORD

One of the Probation Board for Northern Ireland's organisational values is recognising peoples' capacity to change. This is as true for the organisation itself as it is for its service users. Their staff play a vital role in helping keep our community safe and offenders make better choices.

In recent years the Probation Board for Northern Ireland has evolved into an award winning organisation that has embraced innovation and service development. A significant change programme is being delivered; impacting on their staff and where and how they work during a time of budgetary uncertainty and constraint. Change of that scale cannot be achieved without effective leadership and direction and a team who trust and support them.

The corporate governance arrangements for the Probation Board for Northern Ireland were established at a time when community confidence in justice was in a different place and oversight and challenge by 12 external members was considered necessary. Over the last two decades the Probation Board of Northern Ireland has proven itself to be an organisation that works effectively with partner organisations, supports service users and victims and serves our community well. The time is right to review if these arrangements remain appropriate or, if standing alongside criminal justice partners rather than being at an arms' length is a more efficient service model.

An important part of this inspection involved a case file review by Criminal

Justice Inspection and Her Majesty's Inspectorate of Probation Inspectors together with senior Probation Officers from the Probation Board of Northern Ireland staff. They found many examples of outstanding and good practice. They also found that sometimes risks of reoffending or harm to people were not sufficiently documented or followed up when they should have been. While these were not so serious they required urgent action, they should have resulted in more professional curiosity and follow up, or evidence of it, by Probation Officers and their supervisors. This is what the public can reasonably expect and what the Probation Board for Northern Ireland need to consider.

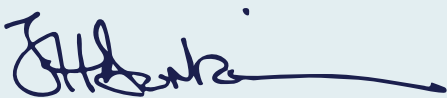
The Probation Board for Northern Ireland's change programme, like so many others, was never going to be delivered without some staff feeling left behind or not heard. That can be hard to accept when much time and effort has been spent trying to keep the whole team involved and engaged. The challenge will be how the leadership team decide how to listen and respond to the concerns the Inspection Team heard and acknowledged in this report.

The Probation Board for Northern Ireland has embraced innovation and service delivery initiatives at a time of funding uncertainties, estate and technology reform and risks for their staff. Continuous development is important in any healthy organisation and balancing the successful management and delivery of positive outcomes from pilot projects, while maintaining quality core services, is always a challenge and one should not be at the expense of the other.

A new three year Corporate Plan provides the Probation Board for Northern Ireland with a foundation and clear direction to further develop and deliver as an organisation. The recommendations in this report aim to support further growth and ensure that service improvement is sustained. I know that improvements have already been put in place since our findings were shared with the senior team and action already taken to implement recommendations in recent months.

Much has been achieved and there is more to be done. I am confident the Probation Board for Northern Ireland can and will continue its journey in demonstrating its ability to change and grow.

I am grateful to the Inspection Team lead by Rachel Lindsay supported by Dr Roisin Devlin and Eileen O'Sullivan and Wendy Martin from Her Majesty's Inspectorate of Probation. My thanks also to the Probation Board for Northern Ireland staff who supported the inspection as case file review assessors. I am also particularly grateful to the victims registered with the Victim Information Scheme and offenders under supervision who contributed to this inspection.



Jacqui Durkin

Chief Inspector of Criminal Justice
in Northern Ireland

December 2020

**Criminal Justice Inspection
Northern Ireland**
a better justice system for all



EXECUTIVE SUMMARY

The Probation Board for Northern Ireland had experienced a significant number of changes in the years since Criminal Justice Inspection Northern Ireland's (CJI's) previous inspection in 2013¹ and the organisation was operating in a very different context. Budget cuts in the period of austerity, difficulties in maintaining a stable operating environment in a time of temporary funding, an insufficient staffing complement with a reliance on temporary staff and a case management system which was no longer fit for purpose, had created significant challenges for the organisation's leadership and a workforce that was described as 'exhausted'.

Despite these difficulties the Probation Board for Northern Ireland had undertaken additional work in support of Ministerial priorities, transformational change of the criminal justice system and the Fresh Start Agreement with the design of Enhanced Combination Orders, problem solving justice initiatives, a project to address young men at risk of becoming involved, or further involved, in paramilitary and criminal behaviour ('Aspire') and the development and introduction of new Practice Standards for the organisation.

This inspection was conducted by CJI with support from Her Majesty's Inspectorate of Probation. A bespoke methodology was developed to assess the Probation Board's delivery of case supervision in relation to assessment, planning, interventions and delivery and reviewing.

A joint team from CJI, the Probation Board for Northern Ireland and Her Majesty's Inspectorate of Probation worked together to carry out case assessments and interview Supervising Probation Officers. In addition, CJI inspected the wider aspects of organisational delivery, strategy and governance and outcomes.

Strategy and Governance

The Probation Board was too large for the size of the organisation and CJI recommend that the founding legislation is reviewed with a view to consulting on changes to its status and governance as well as reducing the number of Board members. The strategic direction of the organisation was well understood and recognised by stakeholders as providing a significant contribution to developments in and the work of the criminal justice system.

1 CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at: <http://cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

A previous three-year strategy on restorative practice had reached its conclusion and CJI believe this should be refreshed².

Staff morale was poor in the organisation, in large part due to long-term effects of professional social work staff shortages and high workloads. Newer staff were more positive about their role in the organisation and a collegial and supportive atmosphere between operational staff was evident during the fieldwork. Although the Probation Board for Northern Ireland had developed a leadership programme and had undertaken work in relation to organisational culture and wellbeing, many staff described an organisational culture in which they did not feel sufficiently valued, trusted or supported by senior leaders with concerns noted around decision making, consultation and feedback. It is recommended that the Probation Board for Northern Ireland set out an action plan to indicate how they intend to address these issues.

Managing the probation budget had been incredibly challenging since the time of the last inspection with significant cuts to baseline funding and a reliance on temporary in-year funding for initiatives such as the Enhanced Combination Orders and problem solving justice. The nature of the temporary funding had led to instability in the workforce with subsequent impact on the staffing of other core business.

A national shortage of qualified social workers, unresolved issues in relation to pay and conditions outside of the control of the Probation Board for Northern

Ireland, and the loss of capital funding to deliver a new case management system until after this inspection had concluded, added to these difficulties.

Delivery

An assessment of case supervision was undertaken with support from Her Majesty's Inspectorate of Probation and a bespoke methodology developed in partnership with the Probation Board for Northern Ireland. Overall, this found that the quality of case supervision was mixed. While staff were committed and motivated to support people in reducing their reoffending, they did not pay sufficient attention to ensuring that good quality case management, that considered both risk and need, consistently happened in practice.

Assessment focused well on engaging the individual but did not sufficiently identify and analyse factors related to offending or public protection. Assessments did not draw enough on available sources of information. This meant that, by not fully considering all available information, pertinent details critical to the case were overlooked, impacting on public protection and management of risk of serious harm to actual or potential victims. It is recommended that plans are developed to improve the quality of work to assess and manage the risk of harm to others and that there is a greater focus on the quality of the work undertaken. Improved recording, monitoring and integration of diversity factors in assessing outcomes is also needed.

2 Following the conclusion of the fieldwork for this inspection the Probation Board indicated that the restorative justice strategy was an objective in the 2020-21 Business Plan.

Individuals under supervision by the Probation Board for Northern Ireland were meaningfully involved in planning but this did not adequately focus on keeping other people safe. Plans did not sufficiently address risk of harm factors or prioritise those that were most critical. A clear, written record of the plan to keep other people safe was not always evident. The gaps identified in assessment were then compounded by gaps in planning.

Work to engage service users was effective and this was supported by implementation and delivery of interventions. Services to support desistance and address factors related to offending, such as relationships, substance misuse, and victim awareness were routinely delivered. Where service user strengths or protective factors existed, the delivery of services built upon these. Work to improve access to interventions across the organisation is recommended.

Where a review of the case was needed, this was carried out in the majority of cases and involved other agencies, as required. However, where there were changes in factors related to risk of harm, reviews did not always identify these. As a result, there were gaps in the work to protect actual and potential victims.

New Practice Standards were introduced in 2018 and the Probation Board for Northern Ireland had a range of policies and procedures for delivery of services, business processes, record management and standards of behaviour. Victim work was a strategic priority and the Victim Information Unit had recorded increased numbers of registered victims over the last three years.

Policies and procedures had been developed in response to new legislation around the holding of personal data and records, but some concerns around the perceived reluctance to share information were noted by those working in approved premises. It is recommended that the approach of the Probation Board for Northern Ireland in this area is reviewed.

Research, analysis and evaluation was a key aspect of the Probation Board for Northern Ireland's work and there were plans to enhance this further. Feedback on the progress of service users throughout their sentence was key to informing case supervision but there were difficulties in accessing this information from some statutory partners which needs to be addressed. In response to the need to make efficiency savings a case management model was developed but Inspectors heard many concerns from staff about the operationalisation of this. Further work in implementing the outcome of a review of this model is required. A community team workload measurement had also been introduced to identify when individuals and teams had too large a caseload³. The limited options available to address workloads over the threshold had led to negative perceptions amongst staff about the value of it. This should be reviewed.

Learning and development had been less prominent during the period of austerity, due to the need to relocate the Learning and Development Unit and reduce the training budget, but a training needs analysis had been undertaken to inform future delivery.

³ Caseload refers to the number of active cases being supervised by one Probation Officer at any one time, while workload refers to the total work that the Probation Officer has within their role.

Staff experiences of the supervision process and on the opportunity to discuss practice within their teams was mixed and could be improved. Limited development and promotion opportunities existed for some staff and this was a source of frustration. A significant proportion of staff had a flexible working arrangement which had beneficial impacts but also could be difficult to manage within teams. The workforce strategy should be reviewed. Wellbeing and health and safety were a focus for senior management and featured in strategic documents.

Outcomes

Inspectors were impressed by the Probation Board for Northern Ireland's commitment to understanding the outcomes of its work. It was an exemplar of good practice within the criminal justice system in this respect. Work was undertaken by both the Department of Justice and the Probation Board for Northern Ireland to analyse reoffending rates. Department of Justice analysis showed a one year proven re-offending rate of around a third for community supervision⁴. Around 80% of sentences supervised by probation were completed, with slightly lower completion rates for those aged 18 to 19 years. A probation analytical report from the 2016-17 cohort showed breach rates of around a quarter across all types of Order, with a higher breach rate in Belfast compared to Rural teams for some types of Order. Across all types of Order those who had been assessed by a Probation Officer to have a high likelihood of reoffending were more likely to breach.

Analysis was undertaken of Serious Further Offences committed while under

probation supervision and there had been a decrease in these in the last two years. Learning from these as well as reviews regarding child safeguarding or public protection cases was incorporated into delivery standards. External evaluations had been conducted of the Enhanced Combination Order pilot and the Aspire project. Data showed positive outcomes of the Enhanced Combination Order including reduced likelihood of reoffending, personal factors of service users and feedback received from them. An evaluation of Aspire also demonstrated positive outcomes in reducing likelihood of reoffending and feedback from service users.

There had been some analysis of diversity factors in assessment of outcomes by the Probation Board for Northern Ireland. This primarily related to gender and age and there could be greater integration of diversity factors into the assessment of outcomes. There was also evidence of specific interventions for female service users. Service users, people registered with the Victim Information Scheme and stakeholders were mainly positive about the work of probation. Service user and victim forums had been established to seek feedback on their experiences. Statutory and non-statutory partners reported good collaborative working with the Probation Board for Northern Ireland. Internal monitoring of staff performance was in place but could be enhanced. The Probation Board for Northern Ireland engaged in research and benchmarking and communicated this via the organisational newsletters, journals, social media and their award-winning 'Changing Lives' Application (App).

4 DOJ adult reoffending statistics available online at: <https://www.justice-ni.gov.uk/topics/statistics-and-research/reoffending-statistics>.

RECOMMENDATIONS

STRATEGIC RECOMMENDATIONS

STRATEGIC RECOMMENDATION 1

Inspectors therefore recommend that **the Department of Justice should review the founding legislation of the Probation Board for Northern Ireland and consult on proposals for changes to its status and governance arrangements, including the required numbers of Board members, and bring forward any required legislative changes within the next Assembly mandate.**

(paragraph 2.9)

STRATEGIC RECOMMENDATION 2

Inspectors therefore recommend that **the Probation Board for Northern Ireland should refresh its restorative justice strategy within six months of publication of this report, giving consideration to current and future opportunities for restorative practice and how these could be enhanced further to utilise the skills of probation staff and restorative justice delivery partners.**

(paragraph 2.18)

STRATEGIC RECOMMENDATION 3

Inspectors recommend that **the Probation Board for Northern Ireland develop an action plan, within six months of publication of this report, to address the issues raised of culture and trust within the organisation.**

(paragraph 2.29)

STRATEGIC RECOMMENDATION 4

Inspectors therefore recommend that **the Probation Board for Northern Ireland should develop an action plan, within three months of publication of this report to improve the quality of work to assess and manage the risk of harm to others and to ensure that management oversight includes a focus on the quality of work undertaken with service users.**

(paragraph 3.14)

STRATEGIC RECOMMENDATION 5

It is recommended that **the Probation Board for Northern Ireland should review the effectiveness of its workforce strategy to ensure it is fit for purpose and balances the benefits of flexible working arrangements with constant service needs and effective case and risk management.**

(paragraph 3.81)

OPERATIONAL RECOMMENDATIONS

OPERATIONAL RECOMMENDATION 1

Inspectors recommend that **the Probation Board for Northern Ireland should ensure that diversity and personal circumstances are recorded in all cases and that it continues to enhance its equality monitoring for Section 75 purposes including through better integration of equality data in assessing outcomes.**

(paragraph 3.7)

OPERATIONAL RECOMMENDATION 2

Inspectors recommend that **the Probation Board for Northern Ireland should develop an action plan, within six months of publication of this report, to improve access to interventions across the organisation delivered by the probation service and commissioned service providers.**

(paragraph 3.27)

OPERATIONAL RECOMMENDATION 3

Inspectors therefore recommend that **the Probation Board for Northern Ireland should, within six months of publication of this report, review the effectiveness of its approach to information sharing with partner organisations who provide services at approved premises to ensure:**

- **the appropriateness of the data sharing procedures/Memorandums of Understanding in place;**
- **the appropriateness of referral forms and guidance documentation used;**
- **any outstanding staff awareness and training needs are met;**
- **compliance by relevant staff with the procedures in place; and**
- **that operational risk registers reflect the organisational risks of information sharing or failing to share information and the personal information held.**

It should be ensured that the information sharing approaches meet the needs of these partner organisations in respect of their service delivery and public protection responsibilities.

(paragraph 3.47)

OPERATIONAL RECOMMENDATION 4

Inspectors therefore recommend that **the Probation Board for Northern Ireland should engage with partners in the health and social care sector to develop arrangements for the sharing of information between probation and health and social care colleagues, in relation to service user engagement with statutory services for mental health and substance misuse issues. This work should commence within three months of publication of this report.**

(paragraph 3.56)

OPERATIONAL RECOMMENDATION 5

Inspectors therefore recommend that **the Probation Board for Northern Ireland should ensure that the outcomes of the case management model review are delivered within six months of publication of this report with regard to:**

- **the need for a more consistent approach to the delivery of the case management model across the community teams;**
- **clarity for probation staff and managers about the roles of the Probation Officer, Probation Services Officer and administrative support and sufficient resource to fulfil these roles; and**
- **a communication strategy to ensure effective staff engagement where concerns are actively listened to as well as highlighting case examples where positive outcomes have been achieved through the case management model approach.**

(paragraph 3.63)

OPERATIONAL RECOMMENDATION 6

Inspectors therefore recommend **that the Probation Board for Northern Ireland review the community team workload measurement giving further consideration to:**

- **the active caseload ratios that change a caseload from acceptable (green) to an alert (amber or red);**
- **how the complexity or risk levels of cases could be reflected in the active caseload; and**
- **the options available to address amber or red caseloads and how these can be utilised to address caseloads held by individuals or teams.**

(paragraph 3.67)

CHAPTER 1: INTRODUCTION

THE PROBATION BOARD FOR NORTHERN IRELAND (PBNI)

1.1 The PBNI is a Non-Departmental Public Body (NDPB) of the Department of Justice (DoJ). Its aim is ‘*Changing lives for safer communities*’.⁵ The main strands of work for the PBNI, as outlined in the 2018-19 Annual Report⁶, are to:

- risk assess people convicted of criminal offences;
- prepare approximately 8,400 reports annually, to assist decision-making in the criminal justice process;
- supervise offenders (4,154 offenders subject to 4,552 court orders at 31 March 2019);
- provide a range of services to offenders in prisons;
- provide behavioural change programmes;
- maintain a Victim Information Scheme; and
- work with partner organisations to reduce re-offending, and make Northern Ireland a safer place.

1.2 The PBNI supervises:

- Probation Orders;
- Community Service Orders;
- Combination Orders;
- Custody Probation Orders;
- Determinate Custodial Sentences;
- Extended Custodial Sentences for Public Protection;
- Indeterminate Custodial Sentences for Public Protection;
- Juvenile Justice Centre Orders;
- Article 26 Licences⁷;
- Life Sentence Licences;
- Other Orders (for example, Enhanced Combination Orders, Supervised Activity Orders); and
- Great Britain licences and Orders.

5 See www.pbni.org.uk.

6 Probation Board for Northern Ireland, *Annual Report 2018-2019, July 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/07/PBNI-Annual-Report-18-19-Final-print-Version.pdf>.

7 Article 26 of the Criminal Justice (Northern Ireland) Order 1996 makes provision for offenders sentenced for a sexual offence to be released on licence under the supervision of a Probation Officer.

The PBNI had engaged in the introduction of Problem Solving Courts pilots, in respect of domestic violence and substance misuse (see below).

- 1.3 Schedule 1 of The Probation Board (Northern Ireland) Order 1982⁸ required that the organisation's Board (the Board) consisted of '*a Chairman, a Deputy Chairman and not less than 10 nor more than 18 other members*' (S1, 3(1)(a)). At the time of the inspection the Board had a Chair and 10 other members; three members chaired the Audit and Risk, Policy and Practice and Corporate Resources committees. The position of Deputy Chair had not yet been appointed. The Senior Executive Team in the PBNI consisted of the Chief Officer and Accounting Officer, Director of Operations, Director of Rehabilitation, the Head of Human Resources and Head of Finance. The Senior Leadership Team consisted of three Assistant Directors (for Urban, Rural and Risk), the Head of Information Technology (IT) who reported to the Director of Operations, the Assistant Director (Prisons), the Head of Psychology and Interventions and the Head of Communications who reported to the Director of Rehabilitation. An organisational chart is included at Appendix 1. At the time of the inspection the PBNI had 21 service delivery centres and two reporting centres across Northern Ireland, as well as staff based in the three prisons, headquarters and in specialist teams such as the Intensive Supervision Units, Public Protection Team and Victims Unit.
- 1.4 The PBNI total final resource budget in 2019-20 was £20.4 million and its opening budget for 2020-21 was £20.7 million. There had been an increase over the last three years from £18.9 million in 2018-19 and £17.7 million in 2017-18. The budget had only just therefore, in the last year, returned to the level reported on in CJJ's 2013 inspection report of £19.4 million (see Chapter 2).
- 1.5 In 2018-19 the PBNI employed 385 permanent staff and 44 temporary agency staff. Figures provided by the PBNI in June 2020 indicated that around three-quarters of staff worked full-time with a fifth working part-time hours and the remaining staff a mixture of term-time, compressed hours or a mixture of part-time and term-time. Probation Officers were all qualified social workers but the PBNI also employed operational support staff, for example, Community Service Supervisors and Probation Service Officers, as well as staff in business support functions such as administration, finance, information and communication technology (ICT) and human resources. The average number of days of sick absence per employee for the year 2018-19 was 12.3 days (a reduction from 17.7 days in 2017-18). The reduction of sickness absence levels remained a business objective for the Board in 2019-20.

8 See <http://www.legislation.gov.uk/nisi/1982/713/contents>.

The PBNI's priorities

- 1.6 The consultation process for the PBNI 2020-23 Corporate Plan closed on 30 October 2019⁹. The PBNI's Corporate Plan 2017-20¹⁰ set out the organisation's strategic priorities for the three year period as follows:
1. Delivering on probation's statutory obligations across the criminal justice system;
 2. Prioritising Service Delivery on perpetrators of crime against vulnerable people;
 3. Promoting an innovative and problem solving approach to encourage rehabilitation, reduce re-offending and address the issues commonly associated with re-offending behaviour;
 4. Contributing to the delivery of the Northern Ireland Executive's 'Fresh Start' Agreement Action Plan; and
 5. Influencing the development and delivery of the public policy on resettlement and rehabilitation.

The PBNI's workload

- 1.7 The PBNI's Annual Reports for the past three years¹¹ set out the work of the PBNI during each year as can be seen in Table 1. Figures shown related to reports completed, new supervision orders made at court, orders supervised at a point in time and victims registered with the Victim Information Scheme (VIS). As can be seen in Table 1, the PBNI's workload had stayed fairly stable across the three years (with a slight decrease from 2016-17 to 2017-18 due to the backlog of work from the legal strike) with the exception of the VIS registrations which had steadily increased.

Table 1: Workload figures for the PBNI from 2016-17 to 2018-19

	2016-17	2017-18	2018-19
Reports completed (including pre-sentencing at Crown and Magistrates' Courts, breach reports, Parole Commissioners etc.)	9,040	8,164	8,427
New orders made at court to be supervised by the PBNI	3,341	2,971	3,167
Daily caseload as at 31 March	4,301	4,147	4,154
Victim Information Scheme registrations as at 31 March	248	291	348

9 PBNI, *Corporate planning 2020-23, August 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/08/PBNI-Corporate-Planning-2020-2023-Consultation-document.pdf>.

10 PBNI, *Corporate Plan 2017-20, July 2017*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/PBNI-Corporate-Plan-2017-20-draft-document-pending-Ministerial-approval-06.07.17.pdf>.

11 PBNI, *Annual Report 2018-2019, July 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/07/PBNI-Annual-Report-18-19-Final-print-Version.pdf>.

PBNI, *Annual Report 2017-2018, July 2018*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2018/08/PBNI-Annual-Report-17-18-Final-Print-Version.pdf>.

PBNI, *Annual Report 2016-2017, July 2017*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/PBNI-Annual-Report-2016-17.pdf>.

1.8 The PBNI's caseload statistics report for 2018-19¹² provided the following overview of the probation caseload:

- the number of people on the PBNI caseload at 31 March 2019 was 4,154, which is similar to the level of the previous year (4,147);
- in line with trends across the Criminal Justice System (CJS) in Northern Ireland, the PBNI caseload has been decreasing and the number of people under supervision by the PBNI is now 11% lower than in March 2014; although the rate of decrease has slowed and numbers have levelled out in the last 18 months;
- at 89%, males account for the vast majority of those on the caseload at 31 March 2019, with females accounting for 11%. However, the number of females on the caseload continues to increase and currently numbers 452, up 11% compared with the previous year;
- the median age of those on the caseload at 31 March 2019 was 33, up from 32 in the previous year; and
- more than three-quarters of people (3,267, 79%) were allocated to PBNI teams in the community, with the remainder in custody (887, 21%).

Changes since the 2013 inspection

1.9 In 2013 CJJ published its first inspection of how the PBNI delivered its core business of supervising people in the community¹³. The then Chief Inspector stated that *"The inspection showed the PBNI to be an effective organisation which understands and accepts its role in delivering public safety and reducing reoffending"* and highlighted *"in each of the three key areas, the PBNI was found to exceed the average percentage scores for similar work carried out in English and Welsh probation regions, for example in relation to likelihood of reoffending assessments and for compliance and enforcement work."*¹⁴

1.10 At the time this report noted the increasingly challenging financial situation that the PBNI was faced with (see Chapter 2) at the beginning of the period of austerity in the public sector in Northern Ireland. This period had therefore led to a significant number of contextual changes between the time of the 2013 inspection and the 2019 inspection. The impact of these will be discussed further in this report but in summary these changes were:

- a reduction in total baseline budget from a peak of £19.1 million in 2011-12 to the lowest level of £16.3 million in 2016-17¹⁵ with temporary additional ring-fenced in-year funding provided in the last few years to develop and deliver Enhanced Combination Orders and problem solving justice initiatives;
- a 30% reduction in funding by the Northern Ireland Prison Service (NIPS) which equated to £500,000;

12 PBNI, *Caseload statistics report: Financial year 2018-19, May 2019*, available online at:

<https://www.pbni.org.uk/wp-content/uploads/2019/05/Caseload-Statistics-Report-2018.19.pdf>

13 CJJ, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at:

<http://cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>

14 See <http://www.cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>

15 Budget analysis figures provided by PBNI.

- a reduction in average total staff numbers between 2013-14 and 2015-16 and, even despite an increased workforce in the last couple of years, an increasing proportion of temporary agency staff;
- ceasing the use of the PBNi Best Practice Framework and Northern Ireland Standards due to budget restrictions;
- a reduction in funding to the voluntary and community sector for support with delivery of interventions;
- a reduction in the size of the PBNi estate and closure of offices and the Learning and Development Centre in Antrim; and
- the bombing of PBNi's Crawford Square office in Derry/Londonderry in 2015 and an 'unprecedented' threat from dissident republicans being issued against the PBNi's staff in 2017¹⁶, with a subsequent negative impact on service delivery and staff morale and wellbeing.

1.11 The PBNi's response to the DoJ's proposed budget allocation for 2015-16¹⁷ (which proposed further cuts to the PBNi's budget of 12% although ultimately, the reduction was 9.2%) highlighted the changes that the PBNi had already made by December 2014 in order to meet its reduced budget. They included:

- reduction in estate costs achieved by not renewing rental contracts and changing where offenders met their Probation Officers;
- reduction in discretionary payments to the community and voluntary sector in respect of secondary (desistance) related services;
- reduction in workforce capacity and a redistribution of workloads that had resulted in an increase in Probation Officer caseloads;
- reduction in home visits to offenders;
- reduction in the number of risk assessments carried out on offenders; and
- suspension of the PBNi out of hours service.

The 2019 CJI inspection

1.12 This inspection is CJI's second full inspection of the PBNi, with the previous inspection being published in 2013¹⁸. CJI has also previously published reports on the PBNi's corporate governance in 2006¹⁹ and on pre-sentence reports in 2011²⁰ as well as commenting on the work of the PBNi in numerous thematic inspection reports, particularly in the area of public protection arrangements (the most recent report was published in October 2019²¹).

16 BBCNI, *Probation Board staff 'warned of increased dissident threat' 15 September 2017*, available online at: <https://www.bbc.co.uk/news/uk-northern-ireland-41282399>.

17 PBNi, *PBNi consultation response: Department of Justice: Consultation on 2015-16 draft budget proposals, December 2014*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/DOJ-draft-budget-2015-16-consultation-response-29.12.14.pdf>.

18 See reference 8 above.

19 CJI, *Probation Board for Northern Ireland: Corporate Governance, October 2006*, available online at: <http://cjini.org/getattachment/c2f2a5ad-6ebc-4b97-9bd4-9d67eb300008/PBNi-Corporate-Governance.aspx>.

20 CJI, *Pre-sentence reports, June 2011*, available online at: <http://www.cjini.org/getattachment/7d0d4159-4e96-4991-968e-0ef24365c699/Pre-Sentence-Reports.aspx>.

21 CJI, *Lawful duty: Public Protection Inspection III: A thematic inspection of the Public Protection Arrangements Northern Ireland, October 2019*, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2019/October-December/PPANI>.

1.13 In 2018 Her Majesty's Inspectorate of Probation (HMI Probation) introduced a new inspection methodology for probation services in England and Wales. This was coupled with new standards and ratings, which were designed to drive improvement. HMI Probation's *'Standards for inspecting probation services'* were published in March 2018²². The standards and methodology have been used to assess probation services in England and Wales delivered by both the National Probation Service and Community Rehabilitation Companies²³. The standards contain three 'domains':

- organisational delivery;
- case supervision; and
- sector specific work such as victim work and court reports and allocations for the National Probation Service; unpaid work and Through the Gate for Community Rehabilitation Companies.

1.14 In this inspection the CJI inspection framework was utilised to assess the PBNI's performance in the three key areas of Strategy and Governance, Delivery and Outcomes. In addition, in order to assess the delivery of probation work CJI worked in partnership with HMI Probation and the PBNI to develop a bespoke methodology for reviewing casework across the four areas of HMI Probation's standards for the case supervision domain. They are:

- assessment;
- planning;
- implementation and delivery; and
- reviewing.

The criteria were adapted to fit the Northern Ireland context and to take account of the different legislative, organisational and practice context as outlined in the PBNI Practice Standards. Full details of the methodology for the inspection can be found in Appendix 2.

1.15 The terms of reference for the inspection can be found at Appendix 3. Meetings were held between CJI and a number of stakeholders in advance of the inspection including statutory partners, such as the DoJ, the Health and Social Care Board, the Police Service of Northern Ireland (PSNI) and the NIPS; representatives of the voluntary and community sector, such as the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO), Extern, Victim Support Northern Ireland (VSNI) and other stakeholders such as representatives of the Judiciary and the Northern Ireland Social Care Council. In preparation for the inspection the PBNI provided a range of supporting documentation including strategy, policy and guidance documents, minutes of meetings, audit information and research and survey reports.

22 HMI Probation, *Standards for inspecting probation services, March 2018*, available online at: <https://www.justiceinspectorates.gov.uk/hmi/probation/wp-content/uploads/sites/5/2018/04/Probation-standards-March-18-final.pdf>.

23 The Standards were refreshed ahead of the 2019-20 inspection cycle and updated Standards were published in March 2020.

- 1.16 CJI, HMI Probation and the PBNI worked together to develop the bespoke methodology, which aligned PBNI Practice Standards and HMI Probation quality standards, in advance of the case assessment period of the fieldwork. This included drafting inspection standards, developing the case assessment questionnaire and training CJI Inspectors and PBNI Area Managers as Local Assessors. Information, documents and data templates were shared by HMI Probation to assist in the development of the methodology for this inspection, particularly in relation to the case assessments.
- 1.17 A case sample was selected based on specific criteria designed for the inspection. The PBNI provided CJI with a full list of cases within an agreed specific timeframe, and from that CJI and HMI Probation selected cases that met each of the criteria in order to ensure a range of both community and licence cases at each level of application and to meet logistical requirements. The Inspection Team conducted 84 case assessments over a one-week period, examining service user files and interviewing Supervising Probation Officers. Due to some staff being responsible for more than one case in the sample, 41 Supervising Probation Officers were interviewed about the cases assessed. The cases selected were those of individuals who had been under community supervision for approximately seven to nine months (either through a community sentence, following release from custody, or engaged in a problem solving justice initiative). This enabled the inspection team to examine work in relation to assessing, planning, implementing and reviewing. Where necessary, interviews with other people closely involved in the case took place such as the Area Manager for the team.
- 1.18 Eighty four cases were inspected from across the PBNI, where possible covering most local supervising areas; a combination of Licences, community Orders and Problem Solving Justice cases, as follows:





Table 2: Case file types and volumes for cases in the Inspection case file sample

Case type	Case sample breakdown*
Licence	13
Order	62 (11 were Enhanced Combination Order cases and 3 were Aspire cases)
Problem Solving Justice	9 (5 were Substance Misuse Court cases and 4 were non-adjudicated domestic violence cases)
Registered Victim	14 of the 84 cases had a registered victim.

* See Appendix 2 Methodology for further details about each of these types of cases.

1.19 HMI Probation analysed the data collected and this was provided to CJI. Case examples are included in the report by way of illustration but names have been changed to ensure anonymity. Case supervision scoring was based on the results of the inspection of individual cases, and on consolidated results at the key question level. For each standard, the table below indicates the rating aligned to each banding at the key question level (see Appendix 2 for further information) as follows:

Table 3: Bandings and ratings for scorings of case supervision

Banding (key question level)	Rating
Minority less than (<) 50%	 Inadequate
Too few: 50-64%	 Requires improvement
Reasonable majority: 65-79%	 Good
Large majority: 80%+	 Outstanding

1.20 Following the case assessment stage of the inspection focus groups and interviews were held with members of the Board, Senior Leadership Team and Senior Executive Team, Area Managers, Probation Officers, Probation Services Officers and representatives from the two Trade Unions. A victim survey was conducted inviting those registered with the VIS to provide feedback. In addition focus groups were held with two of the PBNI's service user forums.

1.21 Demographic data on the 84 cases in the sample are summarised as follows:

- in the majority of cases the service user was male (four-fifths of cases) and was white (94% of cases where the ethnicity was known, but it was not clearly recorded in 66 cases);
- just under one third of the 84 service users at the time of the fieldwork were aged 18-25 years, one third were aged 26-30 years and just under one third aged 31-55 years;
- PBNI's assessment of community background as per the Assessment, Case Management and Evaluation (ACE) assessment indicated that just over half of service users were recorded as coming from an urban background²⁴;
- only two service users in the sample were recorded as requiring an interpreter as they did not speak English as a first language;
- just under one fifth of service users were recorded as having literacy needs;
- in two-thirds of cases there was evidence that the service user had one or more health and disability needs and this was recognised by the Supervising Probation Officer. In just under two-thirds of these cases, this related to a mental illness;
- one quarter of service users had caring responsibilities for others;

24 PBNI's case management system did not record 'community background' as categorised by the Equality Commission Northern Ireland in relation to monitoring against Section 75 (Northern Ireland Act (1998)) categories that is, Protestant background, Roman Catholic background, neither/not disclosed.

- around two-thirds of service users were unemployed at the start of their sentence or Order;
- of the 76 service users who were sentenced, four-fifths were subject to an Order and just under one fifth a Licence. Over half of the sentences were for more than 12 months duration and just over one third for between six and 12 months;
- there were a range of index offences which had led to the individual being supervised by the PBNI; the largest of these being for violence against the person (36%) and then theft and handling stolen goods (16%);
- four service users had a specific requirement in their Order or Licence to address their substance misuse and eight a requirement to address both alcohol and drug misuse, with nine required to undergo alcohol and/or drug testing; and
- in just under one third of cases (29%, 24 cases) where it was clear from the records there were concerns at the time of the case assessment about the service user being a perpetrator (or potential perpetrator) of domestic abuse and in just over one quarter (27%, 23 cases) there were child safeguarding or child protection concerns at the time of the case assessment.

CHAPTER 2: STRATEGY AND GOVERNANCE

CORPORATE GOVERNANCE

Board structure and governance arrangements

- 2.1 Schedule 1 of The Probation Board (Northern Ireland) Order 1982²⁵ required that the Board consisted of a Chair, a Deputy Chair and not less than 10 nor more than 18 other members. The number on the Board had remained fairly consistent since the time of the last inspection at 13 positions in total; with a Chair, a Deputy Chair and 10 other members (at the time of this inspection the Deputy Chair had not yet been appointed so there were 11 members in addition to the Chair). Three members chaired the Board's committees for Audit and Risk, Policy and Practice and Corporate Resources.
- 2.2 The Board members at the time of this inspection were appointed in December 2018, with three members re-appointed from the last Board. The Board met monthly, with its three committee meetings held every quarter. The Board's annual work plan set its agenda with inputs from the three committees feeding into the main Board meetings. The current Board had held a development day in August 2019.
- 2.3 All those spoken to were in agreement that the Board members played an important role in the governance of the PBNI and showed a balanced approach in offering constructive challenge while supporting the work of the Senior Executive Team. Positive working relationships were reported between the Board and the PBNI's Senior Executive Team. Board members advised that they had been appropriately involved in the development and consultation on the PBNI's 2020-23 Corporate Plan.
- 2.4 The key issue raised about the Board was in relation to the number of members who sat on it. The requirement for between 10 and 18 individuals to sit on the Board reflected the need for the members to represent all parts of the community at the time of the PBNI's inception. While the PBNI has always prided itself on being an organisation which is based in the community, all those spoken to were in agreement that the need for so many members had now reduced. Comparisons were drawn with the size of the Boards for Health and Social Care Trusts (HSCTs) with, for example, the Belfast HSCT having only three executives and four non-executives sitting on its Board. The Board and its three Committees

25 See <http://www.legislation.gov.uk/nisi/1982/713/contents>.

were reported to work effectively although again, the number of members on the committees and the time and administrative capacity required to serve the meetings was highlighted as being resource intensive.

Organisational status of the PBNI

- 2.5 The 2000 Review of the Criminal Justice System in Northern Ireland²⁶ discussed the issue of whether the PBNI should remain a NDPB or become a 'next steps' agency both at the time of the Criminal Justice Review as well as post-devolution. It highlighted the benefits of the PBNI remaining a NDPB in respect of ensuring that the organisation distanced itself from central Government and the Northern Ireland Office, with the Board members able to provide local community input into the running of the PBNI from a broad range of backgrounds.
- 2.6 The report stated '*On balance we believe that non-departmental public body status was the best option for Probation while political responsibility for criminal justice matters remained with the Government at Westminster and the Northern Ireland Office, as its sponsoring department, remained closely associated with security policies.*' However in respect of the period post-devolution it stated: '*We recommend that, on devolution of criminal justice matters, the Probation Service be reconstituted as a next steps agency. This would mean that responsibility for probation services would lie directly with the relevant Minister, on the same basis as the Prison Service. Both agencies would be supported by small management boards comprising senior staff. A senior officer of the Probation Service should sit on the prisons management board and a senior prisons official should sit on the probation management board.*'
- 2.7 Since the time of the Criminal Justice Review and subsequent devolution of justice to the Northern Ireland Assembly, no significant work had been undertaken by the Minister or DoJ to review whether that recommendation was still relevant nor of the need to reduce the numbers of individuals on the Board.
- 2.8 In this inspection CJI asked those interviewed for their views on whether the PBNI should remain a NDPB or should transfer to the DoJ as an executive agency, similar to the NIPS, the Northern Ireland Courts and Tribunals Service and the Youth Justice Agency. The benefits of becoming an executive agency were expressed by some of those consulted (in terms of the potential for better alignment with Ministerial priorities, a reduced need for the PBNI to develop its own policies and the ability of staff to access other opportunities in the Northern Ireland Civil Service (NICS) including shared services). Others highlighted the benefits of remaining a NDPB (such as retaining independence from the DoJ which enabled the PBNI to operate across all communities and enable a more flexible approach). No stakeholders expressed a significantly strong view on the issue.

26 Criminal Justice Review Group, *Review of the Criminal Justice System in Northern Ireland: The report of the Criminal Justice System Review, March 2000*, available online at: <https://cain.ulster.ac.uk/issues/law/cjr/report30300.htm>.

It was noted that as the majority of staff are Probation Officers and Probation Service Officers with their own grading structure and salary scale, it would only be the business support staff who would be able to easily transfer into the NICS to access other opportunities. There was general consensus however that the Board itself was too big for an organisation of the PBNI's size and therefore a reduction in numbers was required.

- 2.9 CJI was not persuaded that there were significant benefits to the PBNI changing to an agency of the DoJ, however, there were corporate service, workforce deployment and other benefits and the current arrangements should be reviewed by the DoJ in partnership with the PBNI. As later discussed in detail, the PBNI had undertaken additional work in support of Ministerial priorities, transformational change of the criminal justice system and the 'Fresh Start' agreement²⁷. Relationships with the NIPS were reported to be positive by both organisations and the PBNI had already taken advantage of some of the shared services options open to the NICS, such as IT Assist. No stakeholders suggested that there would be any benefits achieved in PBNI's approach to corporate governance if it was to become an executive agency. However, it was clear that such a large number of members on the Board was no longer necessary and that a smaller, more cost effective and focused Board could operate just as effectively.

STRATEGIC RECOMMENDATION 1

Inspectors therefore recommend that **the Department of Justice should review the founding legislation of the Probation Board for Northern Ireland and consult on proposals for changes to its status and governance arrangements, including the required numbers of Board members, and bring forward any required legislative changes within the next Assembly mandate.**

Risk register

- 2.10 The PBNI's strategic risk register was updated every quarter and presented to the Board's Audit and Risk Committee for approval before being presented to the full Board meeting. As well as the Board members and the PBNI's Senior Executive Team, internal auditors were present who, at relevant times, presented the findings of their internal audit reports. In 2018-19 the PBNI's risk register contained seven strategic risks which broadly covered issues relating to practice delivery, workforce issues, finance and the IT system. There was evidence of risks being amended, escalated and de-escalated through discussions at the Audit and Risk Committee and actions being taken to mitigate the risks, including escalation to the DoJ sponsor team when required.

27 See Northern Ireland Executive, *Tackling Paramilitary Activity, Criminality and Organised Crime - Executive Action Plan* available at <https://www.northernireland.gov.uk/sites/default/files/publications/newnigov/Executive%20Action%20Plan%20-%20Tackling%20Paramilitary%20Activity.pdf>.

Organisational structure

- 2.11 As outlined in the introductory chapter to this report, since the last inspection and after an independent review, the PBNI had re-organised its organisational structures to create a Senior Executive Team and a Senior Leadership Team, which together made up the Senior Management Team (see Appendix 1). The independent review had been commissioned by the Board as part of the organisational development programme of work, due to constraints of austerity. The Senior Executive Team in the PBNI consisted of the Chief Executive, Director of Operations, Director of Rehabilitation, the Head of Human Resources and Head of Finance. The Senior Leadership Team consisted of three Assistant Directors (for Urban, Rural and Risk), the Head of Information Technology (reporting to the Director of Operations), the Assistant Director (Prisons), Head of Psychology and Interventions and the Head of Communications (reporting to the Director of Rehabilitation).
- 2.12 Inspectors were advised that part of the driver for this change was that it increased the ability of the organisation to respond quickly to changing circumstances or issues requiring rapid decision making as well as reducing the time taken up by senior management in meetings. The Senior Executive Team met weekly to discuss day-to-day issues requiring quick decisions whereas more strategic issues were brought to the monthly meetings of the Senior Management Team (Senior Executive and Senior Leadership Teams). The PBNI advised that all senior managers were responsible for drafting papers on operational proposals and strategic issues and were fully involved in the shaping discussions and decision making in all significant issues. In addition, senior managers attended the meetings of the Senior Executive Team, as required. This may be a more effective arrangement from a resource and timeliness perspective, however, it potentially creates a gap between the executive and leadership levels which may impact on the exposure of those in the Senior Leadership Team to the executive discussion and decision making process and therefore reduce leadership development opportunities for future potential executive positions. **Area for improvement: CJI would encourage the PBNI to consider ways to involve members of the Senior Leadership Team in Senior Executive Team meetings, for example on a rotational basis, to provide opportunities for exposure to discussions at the highest strategic level in the PBNI.** This would complement work that the PBNI is undertaking to further develop its managers and leaders.

Organisational strategy

- 2.13 The PBNI's vision of '*Changing lives for safer communities*' was clearly evidenced in its corporate literature, website and the *Changing Lives* app. The vision was linked to the delivery of Outcome Seven of the draft Programme for Government, '*We have a safer community where we respect the law and each other*'²⁸. The draft Corporate Plan for 2020-23 was published for consultation in late 2019 and proposed the following strategic priorities:

28 See <https://www.executiveoffice-ni.gov.uk/topics/programme-governmentoutcomes-delivery-plan>.

1. shaping and influencing criminal justice policy and practice;
2. delivering an innovative and problem solving approach to reducing reoffending through partnership and collaboration;
3. demonstrating effectiveness and efficiency;
4. valuing and developing our people; and
5. building awareness and confidence in communities about the professional role of the PBNI.

At the time of the inspection fieldwork in late 2019 to early 2020 the key targets, indicators and outcomes that would deliver these priorities had not been published in a 2020-21 Business Plan. The strategic priorities for both the 2020-2023 draft Corporate Plan (with its associated narrative) and the 2017-2020 Corporate Plan and key outcomes focused both on medium term objectives (such as continuing to deliver effective probation practice, to be enhanced by the evidence from research, audits and inspections) as well as longer term objectives (such as developing innovative approaches to reducing reoffending through problem solving justice initiatives).

2.14 Staff in the PBNI were clear about the strategic direction of the organisation and understood how they were able to contribute to supporting this. Of those Supervising Probation Officers interviewed during the case assessments, 80% stated that the service generally prioritised quality, but that the focus on standards in terms of actions completed and timescales could be a barrier to delivering quality work (see below for further details on PBNI's Practice Standards). The inclusion of a strategic priority in relation to '*Valuing and Developing Our People*' in the 2020-23 draft Corporate Plan was highlighted as being in recognition of the difficult period staff in the PBNI had experienced in the last few years, with new staff entering the organisation and the need to enable and empower staff to work effectively. However, many staff were concerned that the focus on innovation and new approaches, such as Enhanced Combination Orders and problem solving justice, had led the PBNI to lose sight of the importance and value of its core work in supervising offenders sentenced to Licences, Probation Orders or Community Service. This issue was acknowledged by the Senior Executive Team who recognised that there was a need to re-focus on this core work undertaken by probation community teams, given the challenges around temporary funding and staffing for the projects.

2.15 Stakeholders were very positive about professional relationships with the PBNI at all levels and the contribution of the organisation to the criminal justice system. They identified the positive impact that the PBNI made in all aspects of its work and particularly in new areas of work. Stakeholders who had worked alongside the PBNI in developing problem solving justice initiatives and Enhanced Combination Orders stated that the PBNI listened to feedback from other organisations and used this to enhance and further develop their planning and delivery.

Stakeholders recognised that the PBNI had linked its work to that of the draft *Programme for Government* and the *Fresh Start* agreement and had been invited to comment on the draft Corporate Plan.

- 2.16 The *Prisons 2020* document²⁹ contained strategic commitments to be delivered by the NIPS included resettlement and rehabilitation as a key area which involved work with the PBNI. The Year One Delivery Plan report³⁰ outlined activity taken to 'Implement the recommendations from the thematic inspection published in May 2018, which will include...undertaking a joint scoping study with PBNI to develop further collaborative working opportunities within the Prisoner Development Model'. This made reference to CJI's inspection of resettlement in the NIPS³¹ which highlighted the need for a strategic review of the Prisoner Development Model, a joint scoping study with the PBNI and the development of suitable measures of delivery and longer-term outcomes to allow the assessment of performance and inform the future development and delivery of the Prisoner Development Model. This inspection of the PBNI did not review that work in detail given the recommendations made in the resettlement report. In addition the Year Two Delivery Plan report³² included other activities to be undertaken in partnership with the PBNI regarding accommodation post-custody, trauma informed models of engagement for women, development of a new model to align psychological services and interventions, a revised volunteering policy and the VIS.
- 2.17 The PBNI published a restorative practice strategy in 2014³³ which corresponded to the three year period of the 2014-17 Corporate Plan. This was linked to the Corporate Plan content on the development of restorative interventions for adult offenders as a strand of work within the innovation and development strategic theme. The strategic aim of the strategy was to 'continue to develop the restorative nature of Probation work by supporting a restorative ethos in generic practice and promoting innovative restorative schemes in order to lessen the adverse consequences of crime for victims, offenders and communities'. The 2016-17 Annual Report noted an action that 'PBNI will implement relevant recommendations from the DoJ Desistance Strategy and the pending DoJ Restorative Justice Strategy, respectively, in line with Strategic Framework for Reducing Offending' however the 2017-18 Annual Report stated 'DoJ Strategy on Restorative Justice has not been published, RJ initiatives remain ongoing within PBNI'³⁴. At the time of this inspection the DoJ strategy remained unpublished.

29 NI Prison Service, *Prisons 2020: The Way Forward, July 2018*, available online at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Prisons%202020%20Year%201%20Delivery%20Plan%20Report.pdf>.

30 NI Prison Service, *Prisons 2020: Delivery Plan (Year 1), 2019*, available online at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Prisons%202020%20Year%201%20Delivery%20Plan%20Report.pdf>.

31 CJI, *Resettlement: An inspection of resettlement in the Northern Ireland Prison Service, May 2018*, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2018/April-June/Resettlement>.

32 NI Prison Service, *Prisons 2020: Delivery Plan (Year 2), 2019*, available online at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Prisons%202020%20Year%202%20Delivery%20Plan.pdf>.

33 PBNI, *Restorative practice strategy 2014-17, March 2014*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/Restorative-Practice-Strategy-Final-Version-Approved-14-03-14-29.05.14.pdf>.

34 After the conclusion of the fieldwork for this inspection the PBNI confirmed that the development of a restorative justice framework was included in the PBNI Business Plan for 2020-21.

2.18 The PBNI had invested resources in restorative justice since the development of this strategy by providing training to around 50 staff in restorative practice, developing the work of the Victim Information Unit (VIU) staff in relation to restorative work and the development of the restorative elements of Enhanced Combination Orders, which were delivered by partners from restorative justice schemes. Some stakeholders and staff commented that, were sufficient resources available, the PBNI could further enhance its restorative justice work and utilise the skills of practitioners in the organisation who had an interest in this work. The PBNI senior management noted that they were in the process of considering how the restorative justice work could be taken forward.

STRATEGIC RECOMMENDATION 2

Inspectors therefore recommend that **the Probation Board for Northern Ireland should refresh its restorative justice strategy within six months of publication of this report, giving consideration to current and future opportunities for restorative practice and how these could be enhanced further to utilise the skills of probation staff and restorative justice delivery partners.**

2.19 Strategic and cross cutting issues were raised by stakeholders that had an impact on the work of the PBNI but were outside of their remit to address. These included the lack of an anti-poverty strategy in NI, increasing substance misuse and lack of facilities for in-patient detoxification. The PBNI were represented at senior levels in a number of cross-Departmental or sector wide groups and contributed at various levels to those discussions.

Corporate and business planning

2.20 As noted above the strategic priorities in the 2017-20 Corporate Plan were supported by key outcomes. The key outcomes remained constant for each business year in the Business Plan, with supporting measureable actions being amended as appropriate each year. Under strategic priority three ('promoting an innovative and problem solving approach to reducing reoffending') the PBNI's key outcome was 'to have fewer people, under probation supervision, reoffending' with the indicator of achievement being the reoffending rate³⁵. This was clearly linked to outcome seven of the draft Programme for Government (we have a safe community where we respect the law, and each other)³⁶. In the 2018-19 Annual Report the PBNI reported a 'green' overall achieved status for all eight of its key outcomes (see Chapter 1).

35 PBNI, *Annual Report and accounts 2018-19, July 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/07/PBNI-Annual-Report-18-19-Final-print-Version.pdf>.

36 The Executive Office, Northern Ireland Executive, *Programme for government: Working draft, January 2018*, available online at: <https://www.executiveoffice-ni.gov.uk/publications/programme-government-framework-working-draft>.

2.21 In relation to strategic priority three the Annual Report reported: *'The one year proven reoffending rate for court community disposals (with supervision) in 2015-16 was 34.7%. This is down from 35.2% in the previous year. These statistics are produced by the Department of Justice with a lag time of almost two years (to allow the reoffending interval and return to court processing time).'* The delay in the publication of reoffending figures created a challenge for the PBNI in evidencing that their actions during any given year had directly impacted on the reoffending rate. These rates relate to all community disposals (adults and young people); the reoffending rate for adults with community supervision (as illustrated by data analysed by the PBNI in relation to re-offending rates for the 2015-16 cohort³⁷) in 2015-16 was 31.5% compared to 31.1%. Similarly the impact of the innovative approaches in piloting Enhanced Combination Orders and the problem solving justice initiatives may also not be evident for many years once these approaches are rolled out, albeit evaluations of the pilots suggested positive results (see Chapter 4).

Leadership, management and organisational culture

2.22 Since 2013 the PBNI workforce had been through a period of significant change with a number of staff having retired or left the organisation, staff moved to work on pilot projects and temporary agency staff being brought in to fill vacancies as well as recruitment of new staff. Staff spoken to, who had worked in the organisation during this period, had been significantly affected by it and many described the difficulties they had experienced, and in some cases, continued to experience in terms of workloads and low team morale. Staff who were new to the organisation, either newly qualified or who had previously worked in a HSCT, reflected positive views on the nature of the work but in some cases, the impact of the staffing shortages was noted in their personal caseloads and the types and level of case they were allocated.

2.23 It was evident to Inspectors, and staff described, that there was a collegial culture amongst operational staff with individuals in teams supporting each other and wanting to do a good job. Many staff spoke about the support they received from their immediate line managers, particularly in relation to workloads. Staff highlighted the goodwill that was shown in working in the face of considerable challenges to support service users. Examples were shared of Probation Officers going above and beyond their role to ensure service users were safe and supported. In the interviews for the case assessments, staff spoke with enthusiasm about their work and the importance of their social work identity, and demonstrated a commitment to engaging with service users on probation supervision.

2.24 In contrast many staff described an organisational culture in which they did not feel sufficiently valued, trusted or supported by senior leaders. Consultation of staff was not viewed by them as leading to change or decision making which reflected their opinions, albeit that PBNI management highlighted the consultations

³⁷ PBNI, *Re-offending rates analysis, 2015-16 cohort, November 2018. Internal document.*

of draft standards and the new Case Management System as examples of work to engage with the staff. For example, while staff understood the need to further develop probation services and try out new innovative practice, they felt that this had been done at the expense of core work, with the pressures resulting from work being undertaken by insufficient and inexperienced staff felt by those working in community teams. Staff believed that their concerns that practice would suffer as a result had not been sufficiently listened to and that the inspection findings would reflect this. Staff reported on occasion having interactions with the Senior Executive Team at team meetings but these were not always positive and some staff reported feeling under-valued or that any concerns they raised were dismissed. The staff associations reported positive and constructive working relationships with the Senior Executive Team, but had been raising concerns about the morale of the workforce for a long time.

- 2.25 Decision making within the organisation was cited as an issue with some examples provided of where it was perceived that there was insufficient autonomy at appropriate levels, a strict organisational hierarchy and overly directive management, for example where Area Managers or Assistant Directors had made a decision to deviate from Practice Standards which was then over-turned by a Director. It is appreciated that managers will not always make the right decision and decisions may need to be changed, particularly in order to ensure quality service delivery, however, it is concerning that the approach to decision making was cited so frequently as being evidence of a lack of trust and the gap between the strategic and operational layers of the organisation.
- 2.26 The PBNI had provided leadership training between 2017 and 2019, facilitated by an external trainer. This had included leadership events for the Senior Management Team and middle managers (Area Managers) including team building between the two groups. Work was ongoing to develop Area Manager leadership, staff management and business decision making skills through an internal mentoring scheme and an external coaching scheme was being planned. These are positive steps to develop leadership for the future.
- 2.27 The PBNI's notification and review procedures for serious further offences stated '*While PBNI interventions have been demonstrated to be effective in prevention of further offending, PBNI cannot eliminate re-offending. However, it is important to investigate any serious further offending on a proportionate basis in order to learn lessons to reduce the likelihood of others becoming victims of crime.*'³⁸ However the internal PBNI procedures utilised to investigate the circumstances of the case and the case management were perceived by some staff, as being a punitive process rather than an opportunity for learning and Inspectors were told that while recognising that the likelihood of disciplinary action being taken was low, the 'fear' of being subject to a serious offence review was high. CJI fully supports the need

38 PBNI, *Notification and review procedures for serious further offences, August 2017. Internal document.*

for a process to review and identify lessons to be learned from serious further offences and indeed recommended the introduction of such a process in 2013³⁹. Inspectors believe there is a balance to be struck between addressing potential or actual underperformance or non-adherence to Practice Standards, with identifying learning opportunities for individuals or the wider organisation and recognising the personal impact on the member of staff who is the Supervising Probation Officer for a service user who has committed a serious further offence.

- 2.28 The Recognition and Award strategy included long service awards (at 10, 15, 20 and 25 years' service) and staff awards every three years for an individual, team and an 'unsung' hero. Staff were also nominated for awards at the Northern Ireland social work awards, and the PBNI Aspire team won the first place in the adult team services of the year award in 2019. Aspire was also commended by the Independent Reporting Commission⁴⁰ in their report in November 2019 which stated '*We commend the work of the Aspire project, which is an exemplar of diversionary work. An evaluation of the project showed the positive impact that it continues to have on those taking part*'. The PBNI won the award for rehabilitation in the community category for the Enhanced Combination Order at the Confederation of European Probation Award Ceremony in October 2019. The PBNI was also awarded the ONUS workplace charter platinum award for its overall strategy in tackling domestic abuse. These achievements were all highlighted in the November 2019 edition of Probation News⁴¹. In addition in 2017 and 2018 the 'Changing Lives' smart-phone app won 'app of the year' at the DANI Awards⁴².
- 2.29 Some evidence provided to Inspectors echoed the findings of an internal culture survey commissioned by the PBNI, which reported in June 2017⁴³. The overall findings of that report were generally positive and indicated an organisation that was '*very engaged, empowered and is a productive one*', however, it also highlighted less positive findings in relation to the 'healthy' aspect of the survey. The areas which were noted as needing action were in the areas of IT, well-being and a disconnect between how individuals saw themselves and saw the organisation. Statements in the survey which received the lowest positive responses included '*most changes that happen here are well thought through/for the better*', '*at the end of the week I still have some "fuel in the tank"*' and '*sometimes I find my work overwhelming*'. In comparison to the same survey conducted in 2011, the results in the area of 'supported' had significantly deteriorated for administration and probation grades, although line managers were given positive ratings; 30% of

39 CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at: <http://cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

40 Independent Reporting Commission, *Second Report: November 2019, 4 November 2019*, available online at: https://www.ircommission.org/sites/irc/files/media-files/IRC%20-%202nd%20Report%202019_0.pdf.

41 PBNI, *Probation news, November 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/12/PB-News-External-Issue11-Final.pdf>.

42 The DANI Awards have been celebrating the expertise, talent and achievements of the digital, tech and creative industries since 2010, see <https://thedaniawards.com/>.

43 Think Change, *PBNI Culture survey, June 2017*. Internal report.

probation staff also responded negatively to 'feeling valued'. In response to the findings a culture survey action plan was developed by the PBNI which targeted the areas of workload management, supportive culture and well-being. It appears from this inspection, which found similar concerns, that there is further work to be undertaken to address the issues raised.

STRATEGIC RECOMMENDATION 3

Inspectors recommend that **the Probation Board for Northern Ireland develop an action plan, within six months of publication of this report, to address the issues raised of culture and trust within the organisation.**

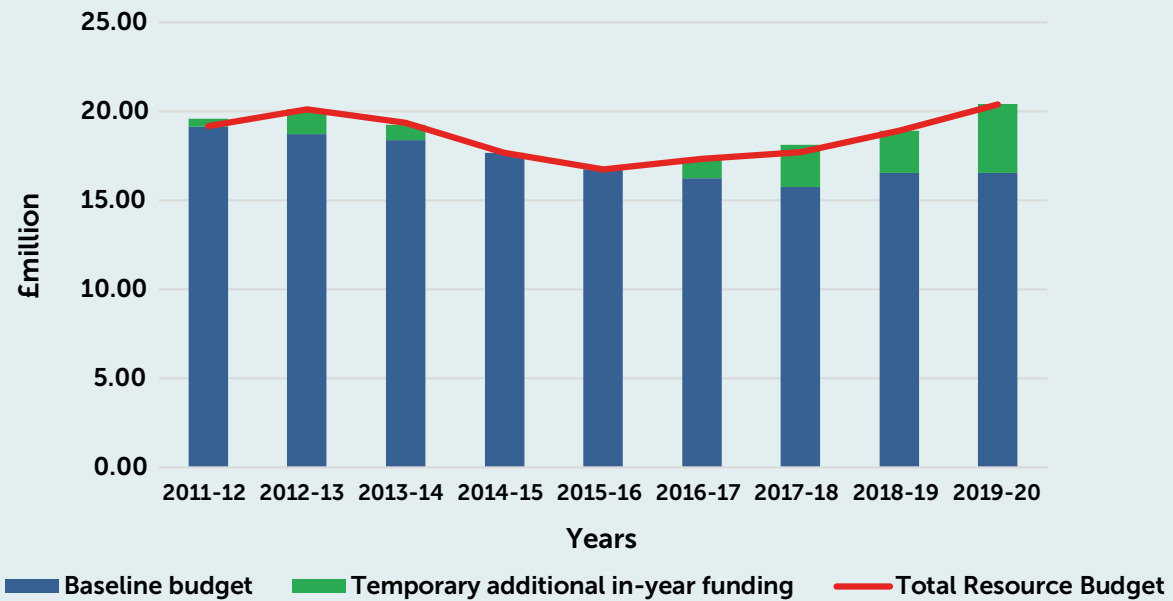
FINANCES AND RESOURCES

Budgets and financial resources

2.30 As noted in Chapter 1 the 2013 CJI inspection of the PBNI⁴⁴ highlighted the difficult financial situation that the organisation was experiencing as budget cuts were announced due to the period of public sector finance austerity. In 2012-13, around the time the previous inspection was published, the PBNI's final baseline budget was £18.7 million with temporary additional in-year funding of £1.4 million. Since then the budgets had been decreasing with heavy cuts to baseline in 2014-15, 2015-16, 2016-17 and 2017-18 until the budget was then supplemented with 'ring-fenced' temporary funding for the introduction of the problem solving justice initiatives. Figure 1 charts the trends of the PBNI's baseline budget and temporary in-year funding, showing the reduction and then plateauing of the baseline budget with increasing levels of temporary funding to develop the Enhanced Combination Order and problem-solving justice initiatives. Figures for 2020-21 indicated an opening budget of £20.7 million; a total baseline budget of £19.1 million and temporary in-year funding of £1.5 million. The PBNI baseline budget had increased permanently by £2.593 million to £19.138 million.

44 CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at: <http://cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

Figure 1: PBNI budget 2011-12 to 2019-20



- 2.31 This financial year 2020-21, was the first time the baseline budget was greater than in the eight years since the last report, with a baseline of £19.1 million. In addition it was anticipated that the DoJ would provide £1.5 million of temporary additional in-year funding. The increase in the baseline was to fund the areas where Enhanced Combination Orders were being delivered and to cover the costs of the PBNI's service contract with IT Assist (the NICS ICT shared services).
- 2.32 Staff costs were by far the PBNI's largest expenditure. The PBNI, like many public sector organisations, has limited flexibility when spending its budget without reducing workforce numbers and suppressing posts. The decisions taken to develop and pilot innovative projects were difficult in this financial context, where this placed a reliance on accessing temporary funding from the DoJ to ensure effective delivery. The additional funding was 'ring-fenced' and was therefore mainly spent on salaries and associated costs of staff who worked on those projects. This led to a situation where many experienced staff, whose expertise would help ensure the projects were delivered successfully, were moved from roles in community teams to the temporary projects, to work alongside new, less experienced colleagues. Due to the temporary funding of the projects, their core posts could only be filled with temporary agency staff, who became increasingly harder to source and recruit. This situation was reflected in the PBNI Strategic Risk Register for 2019-20 which included a risk that *'short-term funding for programmes and projects is destabilising the workforce profile with attendant adverse implications for service delivery'*. In addition the PBNI Senior Executive Team highlighted that the Board of the PBNI and the DoJ (through the overview process) were regularly advised of the risks associated with short-term funding.

2.33 The PBNI Senior Executive Team was clear that decisions to resource and support projects were extremely challenging to make, and recognised that these had led to depleted resources in community teams with a consequent impact on staff workload and morale. However, they believed it was important for the PBNI to continue to innovate and work towards their own strategic aims and those of the CJS and the draft Programme for Government. It was recognised that there was a need to reduce the reliance on temporary funding, as it was unsustainable in the long-term and that there should be a re-focus on core work undertaken by community teams. Discussions were ongoing with the DoJ about how funding for the roll-out of projects such as Enhanced Combination Orders or problem solving justice could be added to the baseline budget. The PBNI also indicated that further innovation, such as the suggested development of a mental health court in Northern Ireland, could only be progressed if funding was provided on a more sustainable basis.

2.34 CJI welcomes innovation and recognises the fiscal implications often associated with developing, implementing and delivering new initiatives such as Enhanced Combination Orders ('the Order') and problem solving justice. CJI believes that the PBNI is right to re-focus its energies and rebalance priorities on ensuring the core work of community teams is resourced appropriately and delivered effectively before embarking on any further initiatives in problem solving justice. While initial evaluation of the Order appears positive Inspectors consider there is currently an inequality of opportunity for defendants across Northern Ireland where these alternatives to short-term custody are only available in some court jurisdictions and not available to all sentencing District Judges (Magistrates' Court). CJI would therefore encourage the PBNI and DoJ to work together in consultation with the Office of the Lord Chief Justice and Presiding District Judge (Magistrates' Court) to robustly evaluate and develop options for the future of Enhanced Combination Orders which could be placed before the Minister of Justice for a decision.

Workforce

2.35 During the period since the last CJI report there had been a reduction in average total staff numbers but an increasing proportion of the workforce which were temporary agency staff as can be seen in Figure 2. This reflects the reliance on temporary funding as outlined previously.

Figure 2: Workforce breakdown in the PBNI between 2013-14 and 2018-19

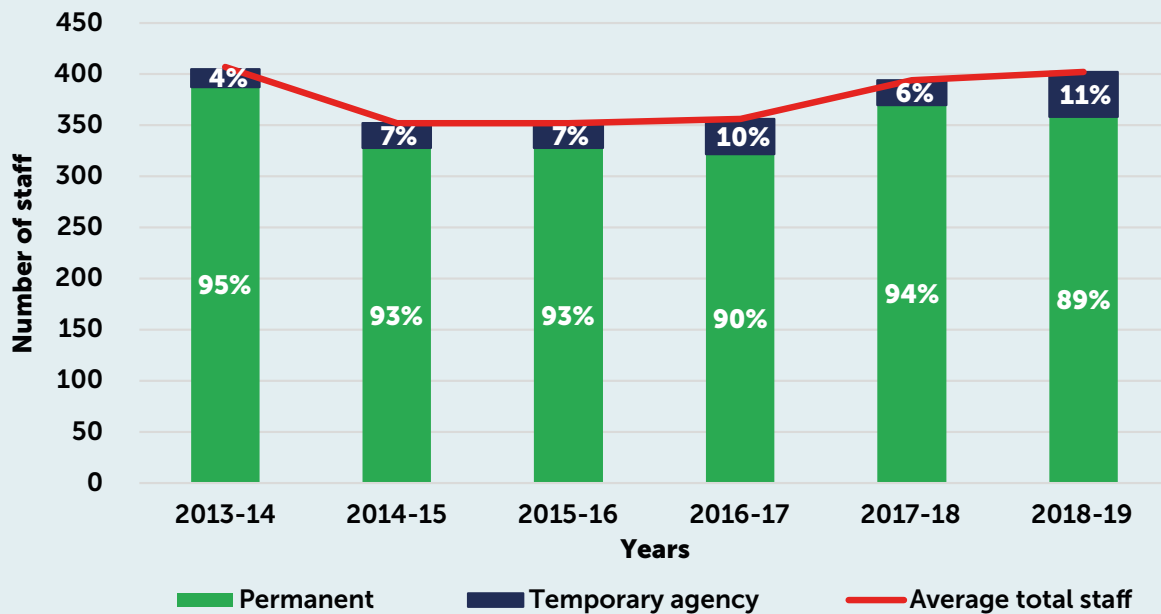
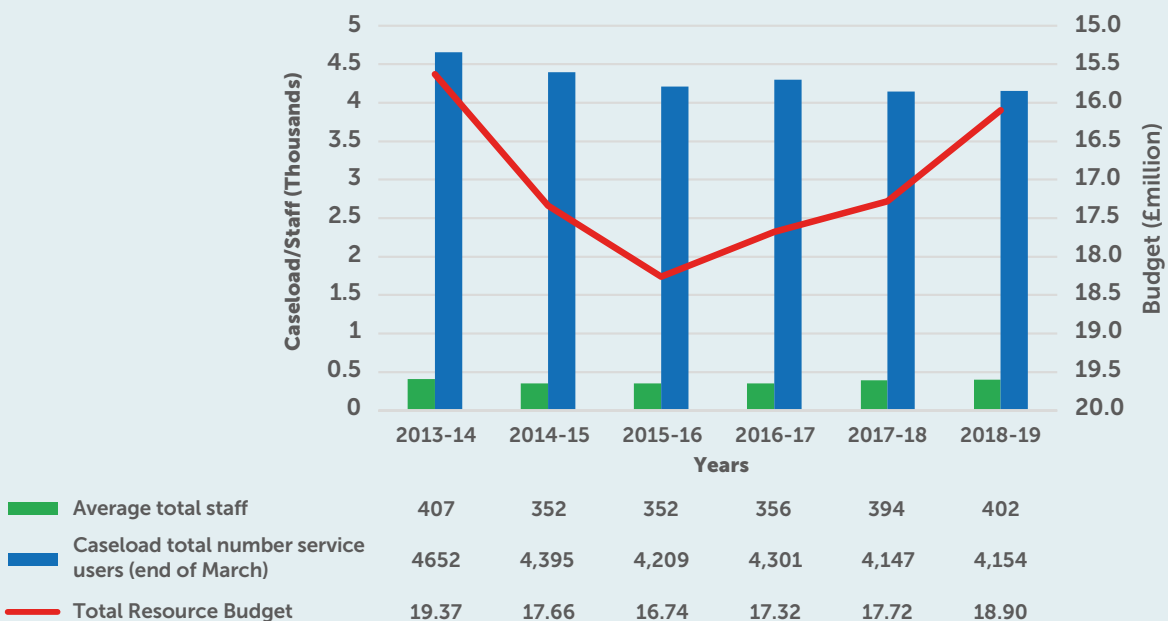


Figure 3 shows the workforce numbers (average number of staff per year) compared to the annual budget and the PBNI's caseload (number of service users at the end of March in each financial year). This illustrates how the reduction in annual budget was on a much steeper downward path between 2013-14 and 2015-16 than either the PBNI's caseload or workforce. The PBNI's caseload had reduced during the last five years but this was much less significant than the reduction in budget.

Figure 3: Workforce, caseload and budget breakdown in the PBNI between 2013-14 and 2018-19



2.36 The impact of the decisions to develop and pilot new initiatives and the necessary reliance on temporary funding to staff had also been evidenced in staff morale, as outlined previously. Attempts had been made to keep staff updated and explain the rationale for moving staff to work on projects because of the ring-fenced funding, however, this had not prevented the perception of some staff in community teams that they were under-valued. This was particularly mentioned in relation to those who had initially worked with Enhanced Combination Order service users and then had been required to transfer them to another Supervising Probation Officer once the ring-fenced funding arrangement had been established. Staff also felt the impact of the churn of temporary staff, ongoing vacancies where agency staff could not be sourced and the need to support new and inexperienced staff who had replaced more experienced colleagues. Staff were described as 'tired' and 'exhausted' by the impacts of these many years of change and uncertainty as well as the impact of the years of austerity, with resultant budget cuts, and the terrorist threat against staff.

2.37 The PBNI Senior Executive Team described the extreme difficulties in recruiting temporary and new Probation Officers due to a shortage in Northern Ireland of qualified social workers. The numbers of students enrolled on social work courses in the Northern Ireland universities had remained static for several years and with increasing numbers of social workers also being recruited to fill permanent posts in HSCTs, there were insufficient qualified social workers to fill all the vacancies available. In addition pay awards for the PBNI's Probation Officers had been stalled when, at the time of the changes to probation services in England and Wales, national pay agreements had lapsed. There had been no revalorisation⁴⁵ of operational probation staff salaries since 2013 and, in addition, the salary scale offered by the PBNI had fallen behind colleagues working in social work roles in the health and social care sector. The staff unions had indicated that they would view a pay increase based on contractual entitlement (the 1% 'cost of living' increase) as less favourable treatment than other public sector counterparts and not in line with Northern Ireland public sector pay policy⁴⁶.

2.38 While the impact of a delay in resolving pay and non-pay terms and conditions was on the PBNI's strategic risk register and there had been attempts to address the difficulties with the DoJ, the absence of a Minister of Justice during the period of the suspension of the Northern Ireland Assembly from 2017 to 2020 meant that work could only be progressed to the point of reviewing current terms and conditions. Inspectors were informed towards the end of the fieldwork that the issue of revalorisation had recently been resolved but there was a longer term issue about the pay and grading of probation staff and how this compared to qualified social work and unqualified social care staff working in the health and social care sector. This issue therefore remained unresolved at the time of the fieldwork for this inspection and CJI would encourage the PBNI and DoJ to work together to take the necessary steps to address this issue as quickly as is practicable.

45 Revalorisation relates exclusively to spine point or step based systems (usually used in the public sector) and is the value by which all points on the pay spine are increased. This may be different for different grades.

46 PBNI, *Strategic risk register 2019-20, May 2019. Internal document.*

Estates and ICT

- 2.39 The implementation of the PBNI's 2014 estate strategy resulted in a reduction from 32 buildings (23 offices, eight reporting centres and the Learning and Development Unit) to 22 buildings over three years. This resulted in generating £1 million of savings to meet budget cuts over the same period. At the end of this period the annual running costs for the estate was approximately £1.5 million per annum.
- 2.40 A further estate strategy was developed for the period 2017-20⁴⁷, to coincide with the period of the Corporate Plan. This brought together data and information from a condition survey conducted in 2016-17, maintenance costs for the period, lease expirations, staffing and caseloads in each office and criteria for assessing properties. This information was then used to set out the estates programme which included plans to dispose of buildings, undertake further reviews of properties or continue to 'stay and maintain' offices during the three years of the strategy.
- 2.41 The PBNI Head of IT was also the DoJ lead for the Causeway Service⁴⁸ and involved in the development of the forthcoming DoJ Digital Strategy 2020-25. The PBNI's ICT provision was on a transformational journey, which revolved around three major projects: making use of NICS ICT Shared Services ('IT Assist'), implementation of a new case management system, and the on-boarding of the PBNI to Causeway.
- 2.42 The original contract for the PBNI's case management system, the 'Probation Information Management System' was awarded in 2002. The system had been in operation throughout the PBNI since 2006. The PBNI information technology strategy for 2015-17⁴⁹ highlighted that the software within the system was outdated resulting in significant deficits in functionality and effective record management. Servers to support the system also needed updating and replacing. Funding had almost been secured to replace the case management system in 2013 but this had fallen as a result of the budget cuts.
- 2.43 As a result of these technical challenges the strategic risk register contained two risks about information technology:
- (Risk 4) *Failure of PIMS [Probation Information Management System] case management system* - on the risk register since May 2015 with both high inherent and residual risk; and
 - (Risk 6) *IT system becomes more unstable leading to an increase in system outages* - on the risk register since June 2018 with both high inherent and residual risk.

47 PBNI, *Estates strategy 2017-2010, February 2015*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/Estates-Strategy-2017.pdf>.

48 Causeway is an IT data sharing system developed for the CJS in Northern Ireland which links police, prosecution, forensic science, courts and prisons. The PBNI was not included in the initial roll-out stages of Causeway.

49 PBNI, *IT strategy 2015-17, March 2015*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/07/PBNI-IT-Strategy-2015-17-version-1.0-03.06.15.pdf>.

The latter of these risks was being addressed as the fieldwork for this inspection was being conducted and the PBNI were fully on-boarded to IT Assist by the time the inspection was completed. This had necessitated upgrading of IT infrastructure to facilitate bandwidth demand at each office location. Changes also facilitated improved remote access to emails by staff.




- 2.44 During the case assessment interviews with Supervising Probation Officers less than half (46%), thought the available ICT supported them to deliver a quality service; for many the case management system was a source of frustration due to the regularity with which the system crashed, causing Supervising Probation Officers to lose work. It was acknowledged by senior management that the issues with the case management system meant that staff spent longer than they should in front of their computer and the process of recording casework was slow. Plans were already well advanced, at the time of this inspection, for the design and roll out of a new case management system. This was a critical development to ensure effective delivery of service by the PBNI. Staff focus groups had been held to inform the design and development of the system which was intended to be more accessible and easier to navigate, faster and require less duplication.
- 2.45 The case management system was in the process of being delivered during the inspection; Phase 1 was successfully delivered on in April 2020, with Phase 2 due to be delivered by end of November 2020. By the end of the inspection Phase 1 had been implemented and PIMS was no longer in use. The new case management system did not interface directly with Causeway, the Northern Ireland Courts and Tribunals Service, or any other criminal justice organisation. Information therefore would continue to be shared via manual methods, with the intention of that situation changing with the implementation of the third project; the on-boarding of the PBNI to the Causeway Service to becoming a sharing partner.
- 2.46 The PBNI confirmed that work on that project had begun, and although at a very early stage the organisation was in the process of commencing the Discovery Phase. The on-boarding to the Causeway Service was included as a requirement in the 'future changes' section of the case management system specification. The move to Causeway also featured in the forthcoming DoJ Digital Strategy, and was intended to form part of the PBNI ICT Strategy which was to be produced in 2020. Inspectors welcome developments that deliver business improvement through effective use of IT.

CHAPTER 3: DELIVERY

Meeting the needs of stakeholders and service users

- 3.1 PBNI's vision statement in its draft corporate planning 2020–23 document was 'We will lead in the reduction of reoffending by tackling the root causes of offending behaviour and rehabilitating people. We will be collaborative and transformative to reduce the number of victims of crime and building safer communities.' Ultimately stakeholders, including the public, and customers of the PBNI, whether they are service users being supervised by probation or victims of crime registered with the VIS, rely on the PBNI to work with service users to help them reduce the likelihood of reoffending. To do this probation staff need to understand why the service user has offended and what positive factors in their life might help them to desist from reoffending. They need to work with them to develop a plan to address these issues and the risk of harm posed to ensure public protection, implement and deliver interventions in accordance with that plan. In addition they need to ensure that they review the service users progress during their time under supervision.
- 3.2 As outlined in Chapter 1, the assessment of 84 probation cases⁵⁰ formed a significant part of the fieldwork to assess the PBNI's approach to delivery of their services. The findings in relation to the four areas of; assessment; planning; implementation and delivery; and reviewing are outlined in this Chapter. Using HMI Probation's scoring mechanism the percentage of cases where the summary judgement for each summary question was positive (that is, the assessor answered on balance 'yes' rather than 'no') is outlined. For further information see Appendix 2.

50 Although 84 cases were inspected not all inspection questions were applied to every case. In some instances therefore the number of cases quoted may not match the number of cases in the sample. This is due to the question not being applicable or missing data.

Summary Question	Percentage of cases where the summary judgement was positive	Rating
Does assessment focus sufficiently on engaging the service user?	81%	 Outstanding
Does assessment focus sufficiently on the factors linked to offending and desistance, or the factors identified through the problem solving justice case?	69%	 Good
Does assessment focus sufficiently on keeping other people safe?	53%	 Requires improvement

Summary
Despite some strengths in assessment - notably the engagement of service users and the focus on protective factors - the overall quality was let down by the lack of analysis, and in particular, the lack of focus on the risk of harm.

- 3.3 The PBNI Practice Standards (2018) took effect on 1 November 2018. They provided clear expectations of what was required, and by whom, in relation to all aspects of probation practice. Supervising Probation Officers and Area Managers worked to those standards in the management of all cases under the supervision of the PBNI.
- 3.4 Supervising Probation Officers had engaged the service user promptly following the start of sentence, release on licence, or commencement on a problem solving justice initiative in the large majority of cases. In four-fifths of cases inspected, the assessment analysed the individual's motivation and readiness to engage and comply with the sentence or requirement. In well over three-quarters of cases there was evidence that the service user was meaningfully involved in their assessment, with their views taken into account.
- 3.5 Assessments analysed the individual's personal circumstances in more than three-quarters of relevant cases and considered how such circumstances affected compliance and engagement. In substance misuse court cases in the problem solving justice cohort, there were examples of a full diversity needs assessment also being undertaken, which specifically considered ethnicity, religion and sexual orientation. This information was important to consider to ensure a responsive approach to supervision and engagement. Examples were found of good attention to personal circumstances, such as how an individual's employment or access to transport had been considered at the start of the sentence.

Case example 1

Miles was sentenced for a criminal damage offence, to an Enhanced Combination Order of two years, with 100 hours community service. He was previously subject to probation supervision which he breached for not engaging in the required interventions. Assessment identified protective factors regarding motivation and employment, and focused clearly on his personal needs and the impact of his employment on his ability to complete a community order, in particular community service. Good analysis was noted of the service user's previous non-engagement on probation and motivation at pre-sentence report stage, including the initial loss of stable employment through no fault of his own, and his subsequent new employment gained on commencement of the order which was identified as a protective factor.*

* Where names are given in the case examples in this report, the names which appeared in the assessed probation file have been changed to anonymise the identity of the service user. All other information is reflective of the information in the case (see also Chapter 1, paragraph. 1.19).

- 3.6 Recording of diversity factors was, however, not routine practice in the majority of cases. The PBNI do not record religion, ethnicity or sexual orientation, although a diversity needs assessment was in place in the organisation. However, the wording of questions in the diversity needs assessment used at induction stage put the onus on the service user to disclose personal information. For example, if they considered that their beliefs may make it difficult to comply with their Order or Licence, rather than a process where the Supervising Probation Officer routinely asks for such information at this first stage of the supervision journey.
- 3.7 The 2013 CJI inspection⁵¹ found identifying and recording of diversity to be an area for improvement. The evidence from case supervision in this inspection found that recording of diversity needs has still not been sufficiently addressed and further work here is needed. Inspectors also identified that there should be consideration of how to better integrate equality factors in assessing outcomes. This will be discussed further in Chapter 4. CJI acknowledges that the new Electronic Case Management System when implemented fully should enable PBNI to analyse data in relation to a broader range of equality groups, although not all nine Section 75 categories of person had been included.⁵²

OPERATIONAL RECOMMENDATION 1

Inspectors recommend that **the Probation Board for Northern Ireland should ensure that diversity and personal circumstances are recorded in all cases and that it continues to enhance its equality monitoring for Section 75 purposes including through better integration of equality data in assessing outcomes.**

51 CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at: <http://cjinl.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

52 Letter from the PBNI to CJI dated 29 March 2019: the new system will allow monitoring of data in relation to age, gender, language requests (proxy for nationality), disability including learning disability and mental health, drug and alcohol issues, community and dependent status in response to CJI, *Equality and Diversity within the Criminal Justice System: An inspection of the implementation of section 75 (1) of the Northern Ireland Act 1998, September 2018*, available online at: <http://www.cjinl.org/TheInspections/Inspection-Reports/2018/July-September/Equality-and-Diversity-within-the-Criminal-Justice>.

- 3.8 Assessment, Case Management and Evaluation (ACE) is a structured assessment tool used by the PBNI, in conjunction with professional judgement, to assess the likelihood of general re-offending within a two year period. In almost all cases inspected, the ACE score was calculated at the start of the order or licence. Offending-related factors were identified in assessments in more than four-fifths of cases, and, positively, assessments identified the individual's strengths and protective factors in almost three-quarters of relevant cases.
- 3.9 Nevertheless, many ACE assessments were found to be lacking detail, with no more than a line in each section. Pre-Sentence Reports and Magistrates' Court Reports can contain useful information but examples were found where such information did not then feature in the ACE assessment. In inspected cases, there were many examples where the ACE assessment was a set of lists, rather than analysis and detail. Analysis of offending-related factors was insufficient, and evident in less than two-thirds of cases inspected. This meant that in these cases there was limited understanding of the triggers and motivation for offending. As a result, the planning and work undertaken did not always focus on the right factors.
- 3.10 Assessments drew sufficiently on available sources of information in less than two-thirds of cases assessed. This meant that, by not fully considering all available information, pertinent details critical to the case were overlooked, and the risk of harm was not sufficiently analysed to focus on harm issues.
- 3.11 Overall, Inspectors found that assessment focused sufficiently on keeping other people safe in just over half of inspected cases, despite past behaviour and convictions having been considered. This was also the case in some instances where the service user was assessed as either a current or potential perpetrator of domestic abuse, or where there were current child safeguarding concerns, or where this information was unknown. Examples were seen where a history of domestic abuse was not investigated and where the response to child safeguarding concerns was inadequate. The absence of basic checks, an investigative approach and sufficient analysis of information by Supervising Probation Officers requires urgent attention.
- 3.12 The ACE structured assessment tool used by the PBNI to assess the likelihood of general re-offending includes a 'Risk of Serious Harm' filter: this triggers a 'Risk of Serious Harm' assessment in cases where such concerns exist. The 'RA1' (Risk Assessment 1 form) is the document used to assess the risk of serious harm, and is a structured process used by the PBNI for assessing the significant risk of serious harm by gathering, verifying and evaluating a wide range of relevant information, including details from the ACE assessment. The eventual decision as to whether or not a service user is considered a significant risk of serious harm is taken at a Risk Management Meeting.

- 3.13 The PBNI categorised risk in one of two ways: those individuals that present a significant risk of serious harm and those that do not. Significant Risk of Serious Harm (SROSH) cases represented a very small number, less than 3%, of service users on the annual PBNI probation case load. Inspectors noted that a small number of cases had been incorrectly identified as not posing a potential Significant Risk of Serious Harm to others, when they should have been. Further, of relevant cases inspected, a number that should have been referred to the Public Protection Arrangements Northern Ireland (PPANI) were not. The PPANI were introduced to make the work the police, probation and others do to manage the risks posed by certain sexual and violent offenders more effective. Inspectors had some concerns about the process to assess and determine the level of risk of harm, and about the monitoring of cases that did not reach the SROSH threshold. For example, where cases did not reach the SROSH threshold, this can then mistakenly be interpreted as no risk – which in some was clearly not the case. Inspectors saw other examples where the RA1 was completed, and some risk had been identified, but these were not always completed to a good standard, with risk management planning lacking.
- 3.14 Mechanisms for management oversight of cases were in place. These included monthly Area Manager monitoring and case audits and the recent introduction of a Probation Officer self-monitoring check list used by practitioners. The focus of this was largely on the adherence to the PBNI Practice Standards, some of which were based on following required processes, rather than on improving the quality of case management. The standards and oversight had clearly driven improvement in some areas, such as interventions commencing in a timely way, but little consistent evidence was found that management oversight supported practitioners to improve the quality of their individual practice. In the Supervising Probation Officer survey 93% of those interviewed reported receiving supervision that enhanced their learning, however supervising Probation Officers would welcome opportunities for more qualitative discussions about individual cases on a routine basis in supervision.

STRATEGIC RECOMMENDATION 4

Inspectors therefore recommend that **the Probation Board for Northern Ireland should develop an action plan, within three months of publication of this report to improve the quality of work to assess and manage the risk of harm to others and to ensure that management oversight includes a focus on the quality of work undertaken with service users.**

Area 2: Planning		
Planning is well-informed, holistic and personalised, actively involving the service user.		
Summary Question	Percentage of cases where the summary judgement was positive	Rating
Does planning focus sufficiently on engaging the service user?	78%	● Good
Does planning focus sufficiently on reducing reoffending and supporting the service user's desistance?	72%	● Good
Does planning focus sufficiently on keeping other people safe?	54%	● Requires improvement
Summary		
<i>Despite some strengths - notably the meaningful engagement of service users and the focus on protective factors - the quality of planning was let down by the lack of focus on risk of harm factors or prioritising those that were most critical.</i>		

- 3.15 It was positive that service users were meaningfully involved in planning, with their views being taken into account in four out of five cases inspected. The written record of the case plan was timely in over two-thirds of cases. For problem solving justice cases, there was evidence of planned weekly contact between the service and its service users. Supervising Probation Officers considered how personal circumstances could impact on compliance in the large majority of cases; there were many examples where employment or other personal circumstances were appropriately considered in order to support an individual to engage.
- 3.16 In almost two-thirds of cases, planning set out how the requirements of the sentence or licence would be delivered within the available timeframe. Positively, in two out of three cases, planning set a level, pattern and type of contact that was sufficient to engage the individual and support the effectiveness of specific interventions. Offending-related factors were considered and the most critical issues prioritised in more than three-quarters of cases. Where relevant, planning built on the individual's strengths and protective factors in more than two-thirds of cases. Family and relationships and motivation to change were most often identified as protective factors for an individual.

- 3.17 Planning did not adequately focus on keeping other people safe. In just over half of inspected cases, planning sufficiently addressed risk of harm factors and prioritised those that were most critical. However, in more than three-quarters of cases where other agencies were involved, planning made appropriate links to their work and to any multi-agency plans. A clear, written record of the work planned to keep other people safe was evident in less than half of relevant cases. The gaps identified in assessment, particularly concerning public protection, were then compounded by gaps in planning.
- 3.18 In relevant cases where there was a registered victim, the case plan identified and took account of specific victim issues in almost all cases. Personal contact with the victim was timely and supportive, providing appropriate information about the criminal justice process in more than three-quarters of cases. Some gaps were found in communication between Supervising Probation Officers and Victim Liaison Officers. In this way, it was found that the safety of victims was not sufficiently considered in nearly half of relevant cases.

Area 3: Implementation and delivery

High-quality, well-focused, personalised and co-ordinated services are delivered, engaging the service user.

Summary Question	Percentage of cases where the summary judgement was positive	Rating
Is the sentence/post-custody period/problem solving case implemented effectively with a focus on engaging the service user?	90%	✓ Outstanding
Does the implementation and delivery of services effectively support the service user's desistance?	83%	✓ Outstanding
Does the implementation and delivery of services effectively support the safety of other people?	64%	● Requires improvement

Summary

Services to help reduce reoffending and protect the public were delivered, with examples of partners working well together, and the views of service users central to their supervision. More needs to be done to ensure services are more widely available across the area and that interventions focus on public protection when this is needed.

- 3.19 It was positive to see, in almost all cases, a good focus on engaging the service user with the interventions delivered. This included taking account of their personal circumstances. In four out of five cases, the requirements of the sentence, licence or problem solving case started promptly with the expected interventions taking place in three out of four cases. Initial home visits took place as required in over two-thirds of cases. Some stakeholders highlighted that visits to service users who resided in their premises had reduced in recent months and that tri-partite meetings between the Probation Officer, keyworker and service user did not happen as frequently as they had previously and that there was less of a presence by Probation Officers at their residence.
- 3.20 In the large majority of cases, risks of non-compliance were identified and addressed in a timely fashion to reduce the need for enforcement action. Where enforcement action was required, this was taken in almost three-quarters of cases. However, some examples were found where service users had missed appointments but where the absences were not addressed by the Supervising Probation Officer, allowing the order to continue without an explanation sought.
- 3.21 A range of services were in place across the PBNI. These were available in-house and delivered by operational partners. Accredited programmes and non-accredited interventions were delivered by the PBNI's staff. Examples were found of where the PBNI made use of the non-accredited in-house programme, Respectful Relationships Intervention, and the accredited programme Building Better Relationships in cases where there was domestic abuse. Partnership working was a strength and the PBNI had worked closely with partners to develop services. Particular examples included work with hostel providers, services for women, and where relevant, PPANI and psychology services.

Case example 2

Miriam was sentenced to an Enhanced Combination Order for 36 months for drug offences. The Supervising Probation Officer continued to meet with Miriam weekly, although this could have been reduced, to keep her on track. A referral was quickly made for an intervention for her substance misuse as well as a drug test. Referrals were also made to Barnardo's for parenting support and she was advised about how to make a referral to a support agency regarding a previous sexual assault. A referral to Psychology services was made as per the Order requirements and, after consultation with the psychologist, a decision was made to prioritise substance work initially before input from a psychologist.

3.22 Delivery of interventions was not consistent in all areas: waiting lists and limited evening reporting arrangements in some office locations hampered progress in addressing offending behaviour and limited opportunities for service users to access interventions. Waiting lists for referrals were an issue for several services, including PBNI Psychology, mental health services, and more intensive addiction interventions. For example, the Promoting Positive Relationships Programme for non-adjudicated domestic cases took place in Derry/Londonderry, at the decision of the HSCT, but some participants, because of where they lived, were required to travel two hours each way to attend. In one example a service user in Derry/Londonderry was referred to the Building Better Relationships programme but was offered a place in Ballymena involving over an hour's travel each way, which was unrealistic for a service user with chronic alcohol problems. Although the PBNI could internally prioritise urgent psychology referrals the organisation had no control over waiting times for services provided by HSCTs.

3.23 In responding to the needs of women, the PBNI had ensured availability of women-only reporting arrangements and delivery of specific interventions at women's centres across the area. This was delivered through the Inspire women's service in Belfast, a dedicated service supported by a team of four Supervising Probation Officers and an Area Manager. Some positive use of the Inspire women's service was found, as illustrated by the following good practice example:

Case example 3

Helen was subject to a six month probation order for motoring offences, she had previous convictions for similar offences. She was supervised at the Inspire women's centre, which provided opportunities on site to gain support from Women's Aid following her history of domestic abuse, the resulting trauma of which was a contributing factor in her offending. Helen was referred by her Supervising Probation Officer to a range of services, including the Extern counselling service for support with substance misuse, and to NIACRO for support with accessing Universal Credit benefit.

Her Supervising Probation Officer was proactive in engaging the service user's family too, who were a protective factor, and liaised with support services, so that this work could continue in the community after the order had expired. This work was well co-ordinated and enabled the order to end positively, with Helen engaged and supported.

- 3.24 The PBNI acknowledged that access to community mental health services for individuals under probation supervision could be a challenge due to often lengthy waiting lists. In-house staff could seek advice from and refer service users to the PBNI Psychology services, although some staff highlighted that this could also be hard to access due to waiting lists and eligibility criteria. Staff commented that although individual psychologists had been incredibly helpful and supportive to them in their practice, there was inconsistency of availability and experience which meant that the service they expected was not always provided.
- 3.25 Service users on some types of Orders had better access to services, as these had been established with a requirement to participate; for example, Enhanced Combination Orders were linked with partner agencies, such as Barnardo's and NIACRO mentoring as well as PBNI Psychology for those with mental health issues. Those on Enhanced Combination Orders could also access services through Action on Substances through Education and Related Training (ASCERT), although this was not funded through the Order funding stream. This was also similar for Aspire cases and problem solving justice cases which had a range of partnership agencies involved in delivery. Substance misuse services were delivered by operational partners, Addiction NI and Extern. In some cases, more detailed information needed to be shared with Supervising Probation Officers, to describe what work and interventions had taken place.

Case example 4

Dennis had completed 16 weeks of the Promoting Positive Relationships Programme and had demonstrated a commitment to the programme and engagement in it. There had been two missed sessions but a catch up had been offered and attended. The programme facilitators had used the fact that Dennis arrived early to challenge his behaviour, attitudes, demeanour and aggressive tone, particularly in relation to social workers. They had used the protective and motivating factors of his children to engage him in this.

- 3.26 It was encouraging to find that delivery of the right services to support service users to reduce their reoffending took place and this was effective in four out of five cases inspected. In most cases, services to address factors related to offending, such as attitudes to offending, accommodation and thinking and behaviour were delivered. Examples were seen of how Supervising Probation Officers had worked with service users to motivate them to comply with the Order or Licence, and encouraged them to complete the requirements, such as community service hours.

Case example 5

The Supervising Probation Officer built up a positive relationship with Marilyn and motivated her to address her offending. Appointments were arranged to allow Marilyn to attend the office only once a week, to see both her Supervising Probation Officer and the substance misuse service. A Probation Service Officer also supported Marilyn in arranging her community service, by attending the charity shop with her to meet the manager.

Victim awareness work appeared to have an impact so that Marilyn understood that her offences were not 'victimless'. Once the Supervising Probation Officer became suspicious that she was still using drugs, Marilyn consented to a drug test, the result of which prompted her to re-evaluate her drug use.

Marilyn missed some appointments and received a warning letter for this. The Supervising Probation Officer was proactive in motivating her to attend and reminded her about the need to undertake her community service hours. Ultimately, although breached for non-attendance, the Supervising Probation Officer continued to encourage Marilyn and emphasised the need to continue community service in advance of the court date, to benefit her when the Judge was reviewing her case.

- 3.27 Where other organisations were involved in the delivery of services, this was well co-ordinated in the large majority of cases. Positively, Supervising Probation Officers worked with local support services and partner agencies in the community were engaged to support service users to reduce their reoffending during the sentence and after, in four out of five inspected cases.

OPERATIONAL RECOMMENDATION 2

Inspectors recommend that **the Probation Board for Northern Ireland should develop an action plan, within six months of publication of this report, to improve access to interventions across the organisation delivered by the probation service and commissioned service providers.**

- 3.28 Delivery of services helped to support public protection issues in two out of three inspected cases. In four out of five cases, the level and nature of contact offered to manage the risk of harm to others was sufficient. However, where actual and potential victims were identified, in over one-quarter of cases, Supervising Probation Officers did not pay sufficient attention to protecting them. Of those registered victims who responded to the victim survey, just over half confirmed they felt safer as a result of contact with the PBNI. In the case assessments it was found that three-quarters of cases with a registered victim were managed sufficiently well. Involvement of other agencies in managing risk of harm was well co-ordinated in almost three-quarters of cases inspected. In one-third of cases, however, delivery of services did not focus sufficiently on public protection issues.

Summary Question	Percentage of cases where the summary judgement was positive	Rating
Does reviewing focus sufficiently on supporting the service user's compliance and engagement?	79%	● Good
Does reviewing focus sufficiently on supporting the service user's desistance?	78%	● Good
Does reviewing focus sufficiently on keeping other people safe?	64%	● Requires improvement

Summary
Despite strengths in reviewing - particularly work to ensure service users were engaged and complied with the requirements of their sentence - the quality overall was let down by the lack of focus of risk of harm in reviews, especially when changes in risk of harm were identified and required action.

- 3.29 In the 68 cases where Inspectors deemed a review was needed, it was found this took place in just over two-thirds of cases. Regular reviews were evident, in particular, in substance misuse court cases. Reviewing considered compliance, engagement levels and barriers in four out of five cases. In the large majority of relevant cases, adjustments were made to the ongoing plan of work to take account of any barriers. Written reviews were completed as a formal record of action in over two-thirds of cases. It was found that the service user was meaningfully involved in reviewing their progress and engagement in four out of five relevant cases.
- 3.30 Reviewing identified and addressed changes in factors linked to offending in relevant cases in more than three-quarters of cases inspected; adjustments were made to the plan of work to take account of changes also happened in almost three-quarters of cases. Where other agencies were involved in working with an individual, in four out of five cases their work informed a review.
- 3.31 Timeliness of reviews in line with the PBNi standards was evident in more than two-thirds of cases. However, where there were changes in factors related to risk of harm, reviewing did not identify this in more than half of relevant cases inspected. Of concern was that where adjustments to the ongoing plan of work to take account of changes in risk of harm were identified and required action, this then

happened in less than half of cases. Written reviews were completed as needed as a formal record of the management of the individual's risk of harm in almost half of cases inspected. Review content did not focus sufficiently on keeping other people safe in more than one-third of relevant cases.

Case example 6

Charlie was a young man with a short offending history which included violent offences, at least some of which had been committed under the influence of drugs. He was convicted of disorderly behaviour for which he received a one year Probation Order. Due to the delay in allocating this case it had not yet reached the 26 week review point. However, during the period of supervision, Charlie committed a further offence of theft which should have triggered a review of his ACE, RA1 and case plan but did not. Charlie admitted this was due to gambling issues which he had experienced previously, which should have then been reflected in his ACE scores and case plan.

Immediately prior to this offence, Charlie had been reduced to fortnightly contact and failed to attend two appointments (for which he received a final formal warning) as well as disclosing he had moved out of his accommodation. These changes in his life should also have been reflected in his ACE and a possible return to weekly contact or an additional home visit may have been prudent. This further offending suggested that his risk of harm had increased but this was not reflected in an updated ACE or risk of harm assessment.

STANDARDS FOR DELIVERY

Practice Standards

3.32 Delivery standards for probation work had been in place in the organisation since 2000 with staff working to the Best Practice Framework during the time of the last CJI inspection⁵³. Inspectors were told that less stringent standards had been utilised between then and the current inspection, given the challenges of meeting the same requirements during the intervening period. As outlined above the PBNI introduced new Practice Standards in November 2018⁵⁴. These outlined the minimum standards for all aspects of probation practice including assessment, reports, community service and supervised activity orders, case management in both community and custody, psychology and transfer of a case. The document also contained an accountability framework which set out the decision making roles of an Area Manager, Probation Officer and probation services officer and which decisions required escalation to an Area Manager or Assistant Director. Staff representatives had been included in the development of the standards and staff

53 CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013*, available online at: <http://cjinl.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

54 PBNI, *Practice Standards, November 2018*. Internal document.

had been provided with training prior to their roll out.

3.33 Some staff and managers welcomed the clarity that the 2018 standards had brought and found them easy to use. There was generally agreement that when the PBNI returned to a full and settled workforce they would be effective and feasible. However, there were concerns from some staff that they were unrealistic at a time of lower staffing levels when implemented, too focused on timeliness rather than quality and it was suggested to Inspectors that feedback provided by staff to develop standards wasn't reflected in the finished document. In some areas where there continued to be staffing issues they were perceived to be unrealistic. Practical challenges outside the control of staff were also raised in relation to their implementation, one such example being the deadlines around arranging a report-writing interview with the service user where notification of the Order, allocation to the Probation Officer and the postal system could cause undue delay. Failing to comply with a timeliness standard was cited as often being a reason for a manager to note an 'area for further improvement' on the staff member's case, despite any rationale to explain it, and therefore it was seen as deemed to be more important that the quality of the work.

3.34 CJI believe that standards and measures to ensure timeliness and quality of service delivery are vitally important in an organisation to ensure effective service delivery. However, as highlighted in the first section of this chapter, there is an insufficient focus on the quality of the work and Strategic Recommendation 4 above aims to redress this balance with greater management oversight of quality.

Policies and procedures

3.35 The PBNI had a range of policies and procedures in relation to the provision of services, business processes, records management and standards of behaviour. It was positive to see so many of these available on the PBNI website for the public, stakeholders and service users to access. The PBNI had a policy review schedule in place which ensured that policies were reviewed at regular intervals and the Board's Policy and Practice committee were responsible for their appropriate approval and authorisation.

3.36 The interviews with Supervising Probation Officers found that appropriate policies and procedures were in place and understood by staff; these were communicated to staff in a variety of ways, including the intranet. Of the staff surveyed, 98% stated that organisational policies and guidance were communicated effectively, with the same number again reporting that there was a clear policy on case recording that supported defensible decision-making and effective communication.

3.37 Staff had mixed views about some of the policies as to whether they represented a positive step in addressing problematic issues in the workforce (for example staff who were seen to take advantage of the sickness or mobility policies) or whether they were overly punitive and lacking in sufficient activity to support the

policies (such as addressing workload issues and mental health). Some concerns were raised by staff about inconsistencies between policies and the perceived overly directive nature of decision making in relation to policy implementation. For example, the authorisation process for staff to work remotely was viewed as being overly bureaucratic but if the staff member had a minor infectious ailment, such as a cold, it was perceived they were encouraged to work from home as a reasonable temporary workplace adaptation⁵⁵.

Enforcement

3.38 As outlined above the case assessments indicated that generally probation staff were proactive about taking steps to avoid the need for enforcement but that enforcement action was generally taken where required. Staff confirmed that Area Managers were supportive about the need for breach or recall and that their decision making was enhanced by discussions with managers and colleagues. The role of Probation Service Officers in enforcement appeared to be inconsistent across the different teams and there were mixed views about whether the need for a Probation Officer to instigate breach proceedings in low ACE cases was a positive thing, albeit that under the Criminal Justice (Northern Ireland) Order 1996 only a Probation Officer could legally do so.

3.39 Some stakeholders raised concerns about a perceived reluctance to seek recall of service users on licence. It was felt that this placed these service providers in a difficult position when it came to their own enforcement practices, particularly around drug taking by service users. They also raised concerns about the resource and duplication of effort required sometimes to provide sufficient evidence to the Probation Officer of the need for recall.

Victim work and registered victims

3.40 Victims featured throughout the PBNI Practice Standards⁵⁶ in relation to assessment, reports and case management for both community and custody cases. Every case plan was expected to identify and address victim issues and interventions were required to be delivered as follows: *'The PO [Probation Officer]/PSO [Probation Service Officer] shall commence interventions/specific pieces of work with the service user no later than 6 weeks of the order/licence commencing. This should include early consideration of victim awareness work including the victim toolkit and/or restorative interventions and/or Accepting Differences⁵⁷. If the work has not been commenced, the reason why shall be recorded.'* (PBNI Practice Standards, pp 98).

3.41 In addition the PBNI VIU dealt with those victims who wished to be registered with one of the three victim schemes and communicated with them about their case,

55 Since the fieldwork for this inspection was completed the Covid-19 pandemic had led to widespread remote working for the PBNI's staff in accordance with government guidance.

56 PBNI, *Practice Standards, November 2018. Internal document.*

57 The Accepting Differences intervention was developed by the PBNI in 2015 to be used with service users who were perpetrators of hate crime. See <https://www.pbni.org.uk/what-we-do/programmes>.

liaising with the Probation Officer as appropriate in order to do so. CJl's inspection of the Care and Treatment of Victims and Witnesses⁵⁸ discussed, in detail the work of the VIU. This report recommended *'The Probation Board for Northern Ireland working in partnership with the DoJ and the Northern Ireland Prison Service and in consultation with VSNI, should seek agreement and manage the effective delivery of promotional plans by the Victim Information Unit and increase enrolment across all schemes within six months of the publication of this report'* (paragraph 6.55). The number of registrations with the PBNI's VIS had been the second key outcome of Strategic Objective 2 of the PBNI's Business Plans during the 2017-20 Corporate Plan. The PBNI notes that during the period of the 2017-20 plan they *'Increased the number of victims registered with the Victim Information Scheme by 39% and introduced an online registration service for victims of crime in November 2017'*⁵⁹.

3.42 Staff were clear about the need to undertake victim work with service users, although some felt that the six week timescale for commencing victim work contained in the Practice Standards was not appropriate in some cases where the service user was vulnerable or had been a victim themselves. The importance of engaging in some appropriate victim work from an early stage in every case was emphasised by the VIU and they were engaged in staff awareness raising, for example through staff training and in ongoing communication with Supervising Probation Officers about individual cases. Inconsistencies were noted in the use of restorative interventions, such as victim letters, across the workforce. However, some powerful examples of victim restorative work were described to Inspectors, especially in cases of serious crime. It is hoped that the restorative justice strategy, recommended in Chapter 2, could build further on this positive work.

Records management and information sharing

3.43 The General Data Protection Regulation (GDPR/'the Regulation') came into effect in the United Kingdom (UK) on 25 May 2018, replacing the Data Protection Act 1998 (the 1998 Act). This introduced new rules relating to how personal data was collected and processed. Although it replaced and mirrored the previous requirement to have a lawful basis in order to process personal data, the GDPR placed more emphasis on being accountable for and transparent about the lawful basis for processing.

3.44 The PBNI implemented its Data Protection policy on 25 May 2018, to coincide with the launch of the Regulation. In May 2018 the risk that the failure to adhere to the GDPR or the UK Data Protection Act 2018 would lead to significant fines for the PBNI of up to 4% annual turnover was added to the strategic risk register. A number of controls were noted including policy review, staff awareness training,

58 CJl, *The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland, July 2020*, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2020/July-September/Victims-Witness>.

59 PBNI, *corporate planning 2020-23 consultation document, August 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/08/PBNI-Corporate-Planning-2020-2023-Consultation-document.pdf>.

development of procedures together with actions to be undertaken such as new Memorandums of Understanding with partner organisations. In April 2019 this risk was de-escalated to the PBNi Communications Departmental Risk Register, reflecting the implementation of the actions taken to mitigate risk.

- 3.45 Some concerns were raised with Inspectors during the inspection about the sharing of information with partners in relation to service users, particularly those who were at the higher levels of risk of reoffending. Prior to GDPR Probation Officers had been able to share the PBNi documents which contained details about risk (for example ACE assessments, pre-sentence reports, case plans) directly with partners but under GDPR this had been reduced with a referral form being completed which contained 'relevant' details. Inconsistencies in the quality of these referral forms were noted with varying levels of detail or willingness to share information, depending on the Supervising Probation Officer involved. Some partner organisations reported that they required limited information on which to receive a referral, and that their own GDPR procedures precluded them from holding sensitive personal information on service users. For others though, such as hostels (approved premises) which worked with the most dangerous individuals on release from prison, it was important to have detailed knowledge of the service user's offending history, risk factors and likelihood of reoffending to enable them to ensure appropriate accommodation was provided, undertake meaningful case work with them and monitor their risk in the community.
- 3.46 Inspectors were told that this new approach since the introduction of GDPR had put them in a difficult position with service users, where they felt entitled to decline to give their consent to the sharing of information with the hostel staff and that this went unchallenged by Supervising Probation Officers. In one example a service user refused to engage in the keywork process or share details with his keyworker of what had been discussed in his appointments with his Supervising Probation Officer. Inspectors were advised that on occasions staff resorted to searching the internet to learn about new residents and that the most detailed information was obtained by attending the Local Area Public Protection Panel.
- 3.47 The PBNi advised CJI that in response to these concerns they had reviewed the hostel application form and introduced a monthly reporting system to highlight deficits in information provided. Inspectors appreciate the challenges for probation staff of navigating the challenges of GDPR and the significant financial penalties for breach of the regulations, however, it is imperative that information is shared appropriately and securely in order to protect the public. In so many previous tragic cases, where safeguarding has been inadequate, the subsequent independent reviews have highlighted the failure of public bodies to share risk information.

OPERATIONAL RECOMMENDATION 3

Inspectors therefore recommend that **the Probation Board for Northern Ireland should, within six months of publication of this report, review the effectiveness of its approach to information sharing with partner organisations who provide services at approved premises to ensure:**

- **the appropriateness of the data sharing procedures/Memorandums of Understanding in place;**
- **the appropriateness of referral forms and guidance documentation used;**
- **any outstanding staff awareness and training needs are met;**
- **compliance by relevant staff with the procedures in place; and**
- **that operational risk registers reflect the organisational risks of information sharing or failing to share information and the personal information held.**

It should be ensured that the information sharing approaches meet the needs of these partner organisations in respect of their service delivery and public protection responsibilities.

Equality and diversity

3.48 The PBNI Good Relations Steering Group met twice a year to discuss equality and diversity issues. The PBNI equality scheme was available on the website as well as the annual progress reports to the Equality Commission⁶⁰. The 2018-19 progress report outlined the key policy and service delivery developments made during the year to promote equality of opportunity and good relations, including:

- improved equality monitoring in the new case management system;
- a focus by staff and training on those who offend against older victims;
- participation in the review of hate crime legislation;
- delivery of domestic abuse interventions;
- design of 'Accepting Differences' for service users motivated by hate;
- design and implementation of a 'Menopause Guide' for staff;
- staff participation in Good Relations Week;
- awareness training with the NOW group, a Belfast based social enterprise supporting people with learning difficulties or autism into jobs with a future;
- commencement of Enhanced Combination Orders with interventions delivered by partners;
- involvement in a rehabilitation seminar with a presentation on mental health in the criminal justice system; and
- partnership with Extern on a 'Positive Learning' project to support people who find themselves on the margins of society.

60 See <https://www.pbni.org.uk/guide-information/priorities/equality-diversity/>.

3.49 As outlined above interventions were delivered across a range of areas, targeted to address the needs or offending histories of service users. These included both accredited and approved interventions delivered in a group or on a one-to-one basis in relation to sexual offending, violence, general offending (thinking skills), victim awareness, hate crime, domestic abuse, substance/alcohol misuse, anger management, problem solving and motivational enhancement. Probation staff could also refer individuals to interventions provided by partners such as Addiction NI, Barnardo's, ASCERT, NIACRO and Extern. The PBNI had developed specific projects to address the particular needs of women (Inspire and Engage), young men (Aspire) and, through the problem-solving justice initiatives individuals involved in substance misuse and domestic abuse. Chapter 4 discusses further the views of service users and victims in relation to how the PBNI aimed to address their individual needs.

INFORMING THE DELIVERY OF SERVICES

Delivery models informed by research and learning

- 3.50 The Statistics and Research Branch of the PBNI had two statisticians on secondment from the Northern Ireland Statistics and Research Agency (NISRA). The key aim of the branch was to provide the PBNI with statistics and research services to inform and improve its own practice. The statisticians undertook research across a range of areas such as surveys of service users and sentencers, re-offending rates, breach rates and court activity. Data was collated in relation to ACEs and pre-sentence reports which was used internally to identify needs and patterns. In addition, independent evaluations were also conducted, for example on Enhanced Combination Orders, by NISRA Human Resource Consultancy Services.
- 3.51 The PBNI was, at the time of the fieldwork for this inspection, planning to set up its own Practice, Performance and Research Unit which would be used to support staff and teams to improve practice and performance, identify areas for service improvement, highlight good practice and inform how this practice is rolled out across all teams, inform PBNI's training need, conduct an annual schedule of audit focusing on practice and performance and undertake thematic research in respect of current and future delivery. CJI welcomes this development but would again emphasise the need to ensure this focuses on quality of work as well as process and timeliness metrics, particularly in relation to the areas highlighted by the case assessment part of this inspection.
- 3.52 The development of Enhanced Combination Orders commenced as a result of a request by the Lord Chief Justice to explore options as an alternative to short term prison sentences. The problem-solving justice courts were brought forward by the DoJ, the PBNI and partners as part of the delivery plan to address Outcome 7 of the draft Programme for Government (*'We have a safe community where we*

respect the law, and each other'). These were aimed at addressing the root causes of offending behaviour and reducing harm and addressing vulnerabilities within families and communities⁶¹. In doing so the PBNI and its partners aimed to address the causes of offending rather than the effects and the projects aimed to consider a holistic approach to offending, which included inputs in relation to health, housing and social supports as well as justice.

- 3.53 As noted previously staff and stakeholders were positive about the role of the PBNI in developing these innovative approaches but noted the impact that this had had on the core work of community teams. It is important that there is now time for this work to be embedded in a longer-term delivery model that ensures the sustainability of all aspects of the PBNI's work.

Informing case supervision and interventions

- 3.54 Probation staff sought feedback from a variety of sources to ascertain the progress of service users in relation to the work expected of them during their statutory period of supervision. Each probation appointment provided an opportunity to seek feedback from the service user on their progress towards specific objectives in their case plan (for example employment, community service, substance use, programmes or interventions) as well as wider aspects such as family relationships, accommodation, mood and mental health. Formal reviews of the ACE and case plan at specific points in the sentence provided a more structured opportunity to assess this progress. As evidenced in the case assessments, probation staff were skilled at engaging with service users to elicit this information and engaging them in assessing their progress on an ongoing basis, identifying their own aspirations and barriers to compliance.
- 3.55 In addition, probation staff sought feedback from colleagues within the probation service or external partners from voluntary or statutory organisations about the work service users were undertaking with them. For internal or voluntary and community sector partners funded by the PBNI (such as ASCERT or NIACRO) this usually took the form of reports, for example on a weekly or session by session basis. This requirement was often included in the contract for service for those funded by the PBNI and was in the PBNI's Practice Standards in relation to programmes.
- 3.56 For those service users who were engaging with voluntary or community organisations outside of these arrangements the completeness and quality of information provided was more varied. For example, community mental health teams and General Practitioners (GPs) were cited as being extremely variable as to how willing they were to engage with probation staff or to provide information on their patients. The access to this information was often vital for the Probation Officers in determining the service user's compliance with the requirements of their sentence or reducing their likelihood of reoffending and risk levels.

61 The Executive Office, *Outcomes delivery plan, December 2019*, available online at: <https://www.executiveoffice-ni.gov.uk/publications/outcomes-delivery-plan-december-2019>.

The ability to obtain this feedback was often based on personal relationships between Probation Officers or Area Managers and local mental health teams or GP practices rather than a consistent level of partnership across all areas. This issue is an ongoing challenge for the PBNI given the number of HSCTs across Northern Ireland as well as the semi-autonomous nature of GP practices. However CJI believe this is an important issue that should be taken forward at a senior level.

OPERATIONAL RECOMMENDATION 4

Inspectors therefore recommend that **the Probation Board for Northern Ireland should engage with partners in the health and social care sector to develop arrangements for the sharing of information between probation and health and social care colleagues, in relation to service user engagement with statutory services for mental health and substance misuse issues. This work should commence within three months of publication of this report.**

MANAGEMENT OF RESOURCES

Case management model

- 3.57 In the period of cuts to the PBNI budget a series of organisational development programmes were undertaken to increase the effectiveness and efficiency of the PBNI's work. This commenced in 2013 with the organisational development programme, followed by workforce modernisation Phase Two implementation in 2015 and workforce modernisation Phase Three commencing in 2018⁶². Under Phase Two it was recommended that '*PBNI should introduce a 'triangular' model of community supervision service delivery, with the service user at the centre*'. In response to this a case management model was devised to ensure roles and duties were being fulfilled by the correct grades of staff⁶³. The implementation of the case management model was undertaken during Phase Three of the workforce modernisation programme.
- 3.58 A pilot was undertaken within two community teams (one in Belfast and one rural) within the PBNI between December 2016 and April 2017. An evaluation was undertaken by an Assistant Director which reviewed the practical and financial impacts of this new model. It indicated positive feedback from the staff involved and predicted financial savings of between £275,000 and £375,000 per annum or between 1.7% and 2.3% of the overall PBNI budget in 2019-20. The evaluation recommended implementation of the case management model and it was rolled out in July 2018.

62 PBNI, *Workforce modernisation phase 3: Definition document, January 2018. Internal document.*

63 PBNI, *Evaluation of Case Management Model Pilot, 2017. Internal document.*

3.59 The changes made as a result of the case management model can be summarised as follows:

- a reduction of numbers of Probation Officers and increase in numbers of Probation Service Officers employed by the PBNi over time by replacing a Probation Officer post in each team with a Probation Service Officer, thus realising significant savings. In the new model 60% of a Probation Service Officer resource would be dedicated to case support and 40% to facilitation of programmes;
- the Probation Service Officer role to support service users assessed as presenting a low likelihood of re-offending (with exemptions in respect of sexual and domestic abuse cases; life licences and cases where child protection concerns exist) after the initial four weeks of supervision (with the Probation Officer retaining supervisory responsibility for the case);
- the Probation Service Officer in each team to support Probation Officers with the delivery of one-to-one interventions to service users based on assessed risk and need;
- the Probation Service Officer to facilitate group work programmes and other groups based on assessed need; and
- administrative officers to undertake a more integrated role within the team undertaking appropriate administrative tasks thereby permitting Probation Officers to focus on more complex pieces of work.

3.60 Inspectors heard a significant amount of feedback from staff about the implementation of the case management model. The close working relationships between Probation Officers and Probation Service Officers were recognised and some Probation Officers highlighted the positive contribution of the Probation Service Officer on their team to the case, as well as in some cases the administrative support received. The value of the Probation Service Officers was particularly recognised in Enhanced Combination Order cases where they worked alongside the Probation Officer to support the case. There appeared to be inconsistencies however in the delivery of the model and variations were noted across the teams in how it was operationalised. Some staff reflected that the skills of Probation Service Officers lay more in the work of programme delivery and the delivery of interventions than case management of service users. Some also felt that the three component parts of the role (case management support, one-to-one interventions and programme delivery) placed competing demands on their workload and were difficult to manage. Probation staff noted that low ACE cases could also be challenging in relation to case management.

3.61 In relation to the work of Probation Officers, there was a perception that they continued to be responsible for the most challenging aspects of supervising the case, which necessitated the involvement of a Probation Officer (such as taking breach action, reviewing the ACE) despite not having been involved in

appointments or interventions for a potentially significant period of time. It was also highlighted that, albeit not devoid of potential for issues to arise in the case, in general low ACE cases were less resource intensive for Probation Officers in terms of office appointments and home visits required and therefore a change to having a caseload comprising of medium and high ACE cases was more challenging to manage.

- 3.62 While staff appreciated the need to make savings they felt that communications about the case management model could have been clearer from the outset that this was the key aim. It was also suggested that the proposed administrative support was not available to free them up to focus on case management. Inspectors did not find a consistent approach to the utilisation of Probation Service Officers in the community teams across the service. An interim review had been undertaken and concluded in November 2019. A number of recommendations were made although none of which affected the working of the model. Some staff highlighted that their views provided to this review were not listened to or acted upon. A full review of the model was underway during the period of the inspection fieldwork and CJI did not have sight of the final review report before the inspection concluded.
- 3.63 CJI appreciates that the need to make financial savings was a key driver for change in case management. There was evidence that this new model had worked well when effective partnerships operated between Probation Officers and Probation Service Officers, for example as outlined in relation to Enhanced Combination Order cases in some areas. However, CJI remains concerned that there is insufficient buy-in from staff and there is inconsistency of approach that would continue in the absence of more effective engagement and implementation, effective co-working and widespread positive outcomes seen as a result. Inspectors remain concerned that the three-part role of the Probation Service Officers to deliver group programmes, deliver brief interventions and supervise their own caseload may be unrealistic and result in Probation Service Officers being unable to fulfil all such responsibilities to the best of their ability and within operational capacity. The delays in service users being able to access group programmes as outlined above may be one impact of this. CJI would anticipate that the review fully considers the experiences of staff in this regard.

OPERATIONAL RECOMMENDATION 5

Inspectors therefore recommend that **the Probation Board for Northern Ireland should ensure that the outcomes of the case management model review are delivered within six months of publication of this report with regard to:**

- **the need for a more consistent approach to the delivery of the case management model across the community teams;**
- **clarity for probation staff and managers about the roles of the Probation Officer, Probation Services Officer and administrative support and sufficient resource to fulfil these roles; and**
- **a communication strategy to ensure effective staff engagement where concerns are actively listened to as well as highlighting case examples where positive outcomes have been achieved through the case management model approach.**

Community team workload measurement

- 3.64 A total of 68% of Supervising Probation Officers interviewed reported that their caseload was manageable, given the profile of cases and the range of work they were required to undertake. Although many reported that the service generally prioritised quality, in the last year, high workloads experienced in some offices had made that more difficult, with the focus on meeting standards viewed by some as an obstacle to delivering quality work. For some, the requirement to pick up cases where a colleague was absent through sick leave or due to a flexible working arrangement, was extra pressure, in addition to managing their own case load.
- 3.65 In response to discussions and requests from wellbeing groups, formed as a result of the culture survey, the PBNI developed a workload measurement system for community teams, overseen by the Workforce Modernisation Oversight Board, which was introduced in September 2019. This used a traffic light system to highlight acceptable active caseloads as green, then amber where an individual team member's caseload reached a certain level which alerted the Area Manager to take steps to reallocate work within the team and finally red where, for a period of four weeks or more, the caseload of 75% or more of the team exceeded the set number, alerting the Area Manager that immediate action must be taken⁶⁴. The change from green to amber/red was an increase of 40% on the acceptable caseload. The primary proposed option for addressing caseloads which were at red was to seek support from another team. Other options such as a request for additional staffing resources and deviation from Practice Standards were only for exceptional circumstances and required the authorisation of an Assistant Director.

64 PBNI, *Community Team Workload Measurement - Red, Amber, Green, September 2019*. Internal document.

- 3.66 Staff were supportive of the fact that the workload measurement system had been developed in a response to concerns raised about high workloads. Their concerns with the system were mainly around the rationale which had led to the figure of 40% increase prompting the move to amber, with some suggesting that an increase of 39% for everyone in a team was a significant increase yet did not alert management to the need to take action. In addition the perceived lack of response to teams being in the red category was a significant frustration.
- 3.67 CJI welcome the attempt by the PBNI to place metrics around the issue of caseload levels and to provide a clear and transparent method of identifying individuals and teams whose workload is too high. PBNI senior managers acknowledged that the PBNI's current workforce modelling did not sufficiently reflect the complexity of cases and resource issues in the organisation. They also highlighted that sickness absence and temporary projects had undermined the assumptions on which the workforce modelling was based. It also was challenging at a time when there were difficulties in filling vacant positions and therefore the only option to address excess workloads was to deviate from Practice Standards. Inspectors understand that a review was planned of the workload measurement system and would encourage the PBNI to give further consideration to the threshold of caseload numbers which triggered a move into amber or red.

OPERATIONAL RECOMMENDATION 6

Inspectors therefore recommend **that the Probation Board for Northern Ireland review the community team workload measurement giving further consideration to:**

- **the active caseload ratios that change a caseload from acceptable (green) to an alert (amber or red);**
- **how the complexity or risk levels of cases could be reflected in the active caseload; and**
- **the options available to address amber or red caseloads and how these can be utilised to address caseloads held by individuals or teams.**

ENABLING THE WORKFORCE

Learning, development and supervision

- 3.68 New staff were provided with two weeks induction training which covered all aspects of the role. Agency staff were provided with a shorter bespoke induction. Concerns had been raised previously by agency staff about having to undertake two weeks of induction training after being recruited to a permanent post, therefore duplicating the induction they had received previously, and this feedback was acted on with adjustments made.

- 3.69 A reduction in the PBNI's budget had impacted on the provision of training and development and this had reduced in the last few years. The building in which the dedicated Learning and Development Unit was situated had also closed as part of the estates strategy and, at the time of the inspection, the PBNI's Learning and Development Centre was located above the Ballymena office. There had been a focus on delivery of on-line mandatory training as well as training on child protection and the 2018 Practice Standards. In the Supervising Probation Officer survey although almost all those interviewed stated that they had the appropriate training and experience to manage the cases they were allocated, it was found that a small proportion, 8%, did not. Specifically, a small number of examples were found where Supervising Probation Officers had not had the required training for cases they were managing, such as for PPANI or life Licence cases. Delays in being able to undertake this specialist training placed an additional burden on other members of the team or left gaps in the information presented at risk management meetings. **Area for improvement: staff should receive the training required for them to effectively perform the role they are placed into in a timely manner, particularly where this is specialist training to manage public protection or Life Licence cases.**
- 3.70 A training needs analysis was developed for 2019-20 and this identified Priority One, Two and Three training needs. Inspectors noted that two of the topics identified as being priority 1 were assessment, report writing and recording skills for Magistrates' Court reports, pre-sentence reports, and ACE training. It is anticipated therefore that the findings from this report will feed into the PBNI's future training plans.
- 3.71 Management induction training was also provided for new managers and some more experienced managers had been previously supported by the PBNI to undertake a management qualification through a local university. A formal mentoring scheme with Assistant Directors as mentors was also available for new managers and informal coaching and mentoring from colleagues was highlighted as being essential for the role.
- 3.72 Supervision has been described as the 'corner-stone' of professional social work practice and is central to effective decision-making, accountability and supporting professional development of social workers⁶⁵. As noted above in the Supervising Probation Officer survey 93% of those interviewed reported receiving supervision that enhanced their learning, and 71% had had an annual appraisal within the last year.

65 Lord Laming, *The protection of children in England: A progress report, March 2009*, as cited in Department of Health for Northern Ireland, *Social work supervision in Northern Ireland, April 2020*, available online at: <https://www.health-ni.gov.uk/publications/social-work-supervision-northern-ireland>.

- 3.73 Team meetings were however not viewed by staff as an opportunity to share learning and discuss practice. Instead they were described as focusing on business management matters such as changes to or development of policies or procedures. Some teams, such as the Intensive Supervision Units, Aspire, Enhanced Combination Orders and the VIU, had established practice forums at the time of the fieldwork and staff were hopeful that these would provide an opportunity to discuss cases with colleagues. Area Managers held monthly meetings with their Assistant Director but again the opportunity to discuss practice issues was limited, although this was being attempted at quarterly meetings.
- 3.74 While the process of supervision is an important space for staff to discuss cases with their manager, meetings where members of one team, or team members or managers across similar teams, can come together to discuss cases such as a supportive action learning or practice forum, are helpful for sharing learning or seeking the advice of colleagues. This is particularly important in the context of an organisation with a mix of very experienced and very inexperienced staff as well as temporary agency workers who may be adapting to the circumstances of the PBNI and the team they are placed in. In addition it was noted that these forums were more likely to take place in specialist teams and were not as common in community teams. The use of such forums will become more important as initiatives such as Enhanced Combination Orders and problem solving justice become regionalised and there is a need for teams or individuals taking on this work to learn from others. **Area for improvement: The Probation Board for Northern Ireland should develop opportunities and methods for learning and practice to be discussed in a supportive environment as an area for improvement.**
- 3.75 Opportunities were open to Probation Officers to be temporarily promoted or apply for substantive promotion to an Area Manager post and similarly from Area Manager to Assistant Director. For the first time in several years Inspectors were advised that the PBNI would be advertising externally as well as internally for a forthcoming Area Manager appointment process. This was viewed as a positive step to open up the organisation to those from other social work professions who can bring new skills, ideas and enthusiasm to the role as well as possibly those with previous management experience.
- 3.76 Inspectors were advised that there were limited financial benefits for experienced Probation Officers in acting up or gaining promotion. In contrast to grading structures in health and social care there was no 'senior practitioner' role in the PBNI; a role for experienced social workers with a degree of specialism and advanced practice expertise enabling them to remain in frontline practice rather than moving into management⁶⁶.

66 Department of Health, Social Services and Public Safety, *A review of the roles and deployment of senior and principal social work practitioners in Northern Ireland: Overview report, June 2014*, available online at: <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/social-work-practitioners-overview.pdf>.

3.77 For Probation Service Officers there was no career progression within the PBNI. There was no Probation Service Officer management grade and the post of Area Manager required a social work qualification which precluded those in Probation Service Officer roles from applying. The role of Treatment Manager was undertaken by the Area Manager for programmes, a qualified social work post. The lack of opportunity to progress in the organisation was a source of frustration for some staff who felt that their role lacked the recognition it deserved. Some Probation Service Officers expressed an interest in studying for a social work qualification but there were no part-time courses available locally and a part-time distance learning option available through the Open University was a significant investment in both time and cost.

3.78 These issues were longstanding in the PBNI workforce and the changing and increasing complexity of the work undertaken by Probation Officers and Probation Service Officers was cited as underlining the need for further consideration of the grading structures. There were clearly significant barriers to the introduction of a Senior Practitioner role or senior Probation Service Officer role, not least the financial impact of such developments as well as potential overlap with other managerial positions. In addition the processes that would need to be undertaken in order to re-evaluate the PBNI's existing grades, as well as potential new grades, under the civil service job evaluation and grading system would be lengthy and potentially lead to negative outcomes for staff currently in some posts. In the absence of such roles CJI would encourage the PBNI to explore other opportunities to enhance the support, development and empowerment of staff in an organisation with limited opportunities for promotion or professional seniority. This is particularly important where Probation Officers and Probation Service Officers are so critical to effective service delivery through the case management model and their core responsibilities.

Flexible working

3.79 The PBNI's flexible working policy and procedure noted the responsibility of senior managers to "establish and maintain a culture that is supportive of a positive work-life balance and enabling in its approach to flexible working"⁶⁷. At the time of the inspection the PBNI had a significant number of staff in post who worked on either part-time or term-time contracts. The PBNI website stated that the organisation 'employs approximately 400 staff. The full time equivalent number of Probation Officers in the workforce at 30th June 2019 was 157.08'⁶⁸. Figures provided by the PBNI in June 2020 indicated that around three-quarters of staff worked full-time with a fifth working part-time hours and the remaining staff a mixture of term-time, compressed hours or a mixture of part-time and term-time. For Probation Officers specifically just under four-fifths worked full-time, 16% worked part-time and the remainder worked term-time, compressed hours or a mixture of part-time and term-time.

67 PBNI, *Flexible working policy and procedure*, October 2016, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/Flexible-Working-Policy-Procedure-Final-06.04.18.pdf>.

68 See <https://www.pbni.org.uk/about-us/frequently-asked-questions-faqs/>.

- 3.80 Inspectors heard about flexible working from a number of sources across the organisation. Those who worked in a part-time or term-time capacity were glad of the opportunity to work flexibly and additional time at home was seen by some as enabling them to cope with the pressure at work they experienced. Other staff who worked full time in a team with colleagues who had a flexible work pattern described the impact it sometimes had on them in terms of taking on additional responsibilities when their colleagues were off. This was particularly the case during the summer months in teams with term-time workers. Some staff described difficulties in being able to cope with the additional demands placed on them during the time when colleagues were on leave as well as difficulties in being able to take leave themselves. Although traditionally the number of court reports to be completed reduced during the summer months, the remaining workload of managing those under supervision continued during this time and the challenges of managing service users continued regardless of numbers of staff present at work.
- 3.81 Inspectors were advised that part of the challenge in managing a flexible workforce was that once a flexible working arrangement was granted the employees rarely wished to return to full-time hours. As this was a contractual entitlement they were entitled to retain this working pattern indefinitely. This was also the case for employees who had requested to work term-time to look after school age children but their children were no longer at school. The impact was that new flexible working requests had to be declined as the organisation could not support any further reduction in staff. It was also suggested to Inspectors that the number of part-time and term-time workers, was sustainable if the individuals working those patterns were spread evenly across the organisation but that they were often concentrated in particular teams. Figures provided to Inspectors confirmed that there was a concentration of staff working flexibly in certain teams rather than spread across the organisation. The PBNI should consider this issue as part of its overall workforce planning and review how requests for flexible working can be supported in a balanced way across the organisation.

STRATEGIC RECOMMENDATION 5

It is recommended that **the Probation Board for Northern Ireland should review the effectiveness of its workforce strategy to ensure it is fit for purpose and balances the benefits of flexible working arrangements with constant service needs and effective case and risk management.**

Wellbeing

- 3.82 As noted in Chapter 2, the issue of staff wellbeing had been raised in the 2017 culture survey. As a result of this a wellbeing audit group was established and it was identified that the health of the organisation was an issue with the most significant difficulties being around workload, staff resilience and mental wellbeing. A group including members from a cross section of the organisation was set up

to develop a wellbeing action plan. This included consideration of workload, time away from desks, team wellbeing training and management training and provided managers with an audit tool to assess stress in their team. An update on the culture survey action plan was provided to the workforce modernisation programme board each month and the wellbeing workstream formed part of this. During 2019-20 a variety of events or themed activities were offered to individual staff and teams under the health and wellbeing programme ranging from mental health training, time away from desk, sport/exercise activities, social events and fundraising activities.

- 3.83 Staff were welcoming of support that helped them improve their own wellbeing but there was a feeling from some staff that the onus was placed on them to address the issues by becoming more resilient to increased workloads. Some also noted that ideas such as time away from desk were unrealistic at the current time. The cultural issues raised as part of the survey, noted in Chapter 2 of this report, had not, to date, formed part of the wellbeing work.

Health and safety

- 3.84 Some probation staff were inevitably placed in situations where they would potentially be at risk of threats or physical assault from service users while undertaking their work. Some examples were found where Supervising Probation Officers did not always feel safe in carrying out their role, and gave a very small number of concerning examples where individual staff felt their personal safety was compromised by being required to work in offices in specific geographical locations as well as the specific issue of the bomb at the Crawford Square [Derry/Londonderry] office. As well as a generic health and safety policy the PBNI also had a specific health and safety policy on personal safety⁶⁹ as well as supporting documents about responsibilities and arrangements for the policy on health and safety at work. The risk of failing to comply with health and safety standards, including corporate manslaughter and the Corporate Homicide Act 2007, was on the strategic risk register⁷⁰.
- 3.85 Home visits created a specific risk for staff, particularly given that most of them were completed on their own. Pre-arranged home visits were required in all types of cases and in addition for Significant Risk of Serious Harm/public protection cases these continued on a monthly unannounced basis throughout the period of supervision⁷¹. Requests by staff to undertake home visits with a 'buddy' where there were concerns about safety were accommodated and the PBNI used a lone worker application called 'Orbis Protect' on staff smartphones which could be used to send a 'red alert' in the event of emergency. Staff confirmed that they felt supported to undertake home visits safely. In addition 78% of Supervising Probation Officers spoken to during the case assessment fieldwork reported that appropriate attention was paid to staff safety and wellbeing.

69 PBNI, *Policy on health and safety at work (personal safety)*, February 2015, available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/04/Policy-on-HS-at-Work-Personal-Safety-2015-31.03.15.pdf>.

70 PBNI, *Strategic risk register 2019-20*, April 2019. Internal document.

71 PBNI, *Practice Standards*, November 2018. Internal document.

CHAPTER 4: OUTCOMES

Measurement of outcomes

- 4.1 Inspectors were impressed by the PBNI's commitment to understanding the outcomes of its work including through internal scrutiny of its caseload, analysis of reoffending rates, sentence completion and breach activity. It was an exemplar of good practice within the CJS in this respect. There had also been evaluation of problem solving justice initiatives. Evaluations for the Enhanced Combination Order and the Aspire Project had been completed and were available at the time of the inspection and are returned to in more detail.⁷² The PBNI also had plans for the introduction of an internal 'performance, practice and research unit.'
- 4.2 Evaluation was valued by stakeholders, particularly qualitative data related to various quality of life outcomes. Stakeholders perceived that the PBNI understood the significance of these types of outcomes and in fact problem solving justice initiative evaluations had included a range of such measures. Adequate standards of living, meaningful family ties, employment and education, as well as generative activity were all important aspects of desistance,⁷³ which were crucial to the longer term success of criminal justice system interventions.
- 4.3 Understanding desistance was inextricably linked to reducing the likelihood of reoffending. However, its measurement was not for the PBNI alone. As outlined in its inspection of prisoner resettlement, CJI had reported on the need for meaningful measures of how effective any criminal justice system interventions were in the longer-term,⁷⁴ and in respect of prisoner resettlement recommended that the DoJ, the NIPS and the PBNI develop meaningful measures to assess the effectiveness over the longer term.⁷⁵ While there was a considerable body of work focused on assessing the impact of probation interventions as discussed, an assessment of longer term resettlement outcomes for those supervised by the PBNI was also important for achieving the draft Programme for Government outcome of '...a safe community where we respect the law and each other'.

72 There were evaluation reports pending at the time of inspection: a new model of interventions for Sex Offenders had been evaluated and a report pending; and also an evaluation of the Substance Misuse Court.

73 In relation to the various dynamics influencing desistance from crime see Maruna, S. *Making Good: How Ex-Convicts Reform and Rebuild Their Lives*, APA, 2001.

74 CJI, *Made to Measure: The availability and use of management and performance management information in the criminal justice system*, September 2017, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2017/July-September/Made-to-Measure>.

75 CJI, *Resettlement: An inspection of resettlement in the Northern Ireland Prison Service, Strategic recommendation 2. 'The DoJ, as part of its wider desistance remit, the NIPS and the PBNI should develop meaningful measures, within one year of the publication of this report to assess the effectiveness of resettlement provision, intervention and outcomes for prisoners over the longer term.'*, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2018/April-June/Resettlement>.

Reduction in risk: Reoffending rates

- 4.4 As noted earlier in this report, there was a time lag in recidivism rates data. In response to a 2016-17 PBNI Business Plan objective, the PBNI Statistics and Research Branch completed a study of the one year reoffending rates for service users starting community supervision during 2012-13. The overall finding was a lower likelihood of reoffending for those completing their Order or Licence with further detail on sentence completion returned to below.
- 4.5 Documentation provided by the PBNI set out desired practice amendments or service priorities as a result with implications for supervising different types of order (community service, community supervision, custodial releases). There was also evidence of attention to diversity factors in relation to the gender and age of service users. Probation staff being mindful of service users' particular needs in relation to, for example, literacy, mental health, learning difficulties or other disabilities was also highlighted.
- 4.6 The DoJ Analytical Services Group study of recidivism rates for adults and young people who received a diversionary disposal, a non-custodial court disposal or who had been released from custody during 2015-16 had also been used by the PBNI.⁷⁶ Reoffending rates for adults from the 2015-16 cohort showed a one year proven recidivism rate for community disposals with supervision of 31.5%.⁷⁷ By comparison the reoffending rate for custody releases for adults was 39.1%, albeit that direct comparisons are not possible between community supervision and custody because of the different offender characteristics. The one year reoffending rate for the 2016-17 cohort⁷⁸ was 31.1% for adults on community supervision and was 42% for adult custody releases.
- 4.7 Specific data for adults in the 2015-16 cohort on a PBNI supervised order (2,645 total) had been provided to the PBNI.⁷⁹ This enabled its Statistics and Research Branch to present an internal brief on reoffending rates for that group by age and gender, reoffending interval, baseline offence category, prior offences, and proven re-offences. Data for prior cohorts was also provided with caution against direct comparisons due to different offender characteristics. This showed a slight increase in reoffending.

76 DoJ ASG, *Adult and Youth Reoffending in Northern Ireland (2015-16 Cohort)*, Research and Statistical Bulletin 27/2018, Duncan, L. and Browne, S., September 2018. Summary available online at: <https://www.justice-ni.gov.uk/news/adult-and-youth-reoffending-ni-statistics-published-today>.

77 As above, Executive summary.

78 DoJ, *Adult and Youth Reoffending in Northern Ireland (2016-17 Cohort)*, November 2019. Available online at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Adult%20and%20Youth%20Reoffending%20in%20Northern%20Ireland%20%28201617%20Cohort%29.pdf>.

79 PBNI, *Reoffending Rates Analysis 2015-16 Cohort*, November 2018. Internal document.

Table 2: One year proven reoffending rate for adults who received a community disposal requiring supervision

Year	2012-13	2013-14	2014-15	2015-16
One year proven re-offending rate	30.7%	30.6%	31.0%	31.5%

4.8 The wider DoJ research report had adopted a new methodology to include a control for offender related characteristics. While this showed an actual increase in reoffending, an apparent decrease of 4.21 percentage points between 2010-11 and 2015-16 was reported for adults across all disposal types once offender characteristics had been controlled.⁸⁰ Comparative recidivism data between 2010-11 and 2015-16 for community supervision specifically was not available.

Sentence completion rates

4.9 An internal PBNI Statistics and Research Branch study reported supervision and licence completion for the period January 2018 - March 2019.⁸¹ This resulted from a 2018-19 Business Plan objective to achieve 'an increase in the percentage of sentences supervised by Probation completed.' This reported no change from the 2017-18 financial year, with 82% of Orders or Licences with an end date during the 12 months from 1 April 2018 to 31 March 2019 successfully completed.

4.10 Completion rates had been disaggregated by order type, conviction age, and final allocated PBNI team. Mostly, for all types of order, successful completion rates were over 80% except for the Combination Order, which had a lower completion rate of 76% for 2018-19.⁸² Similarly, across most age groups at least 80% successfully completed an Order or Licence. Those aged 18 to 19 years of age at time of conviction were the exception to this showing a completion rate of 71% over 2018-19.⁸³ Overall, the data suggested PBNI successful completion rates had been more favourable than comparative figures for England and Wales.⁸⁴

Breach rates

4.11 The PBNI published an annual statistical brief on its analysis of breach rates. At the time of the inspection, the most recent October 2018 brief reported breach rates for the 2016-17 cohort.⁸⁵ The brief presented the proportion of the 2,597 new Orders made at court from 1 April 2016 to 31 March 2017 requiring PBNI supervision that resulted in breach proceedings within one year of the Order starting. This showed a breach rate of 25% across all Orders with 20% for Probation Orders and 29% for Combination Order and Community Service Orders (which was similar for 2015-16). Breaches were more likely earlier in the supervision period.

80 P.2, no appropriate model could be found based on the 2010-11 youth cohort to make a similar comparison for young people.

81 PBNI Statistics and Research Branch: Supervision/Licence Completion: January 2018 - March 2019, Internal document.

82 PBNI Statistics and Research Branch: Supervision/Licence Completion: January 2018 - March 2019, Internal document, p.1.

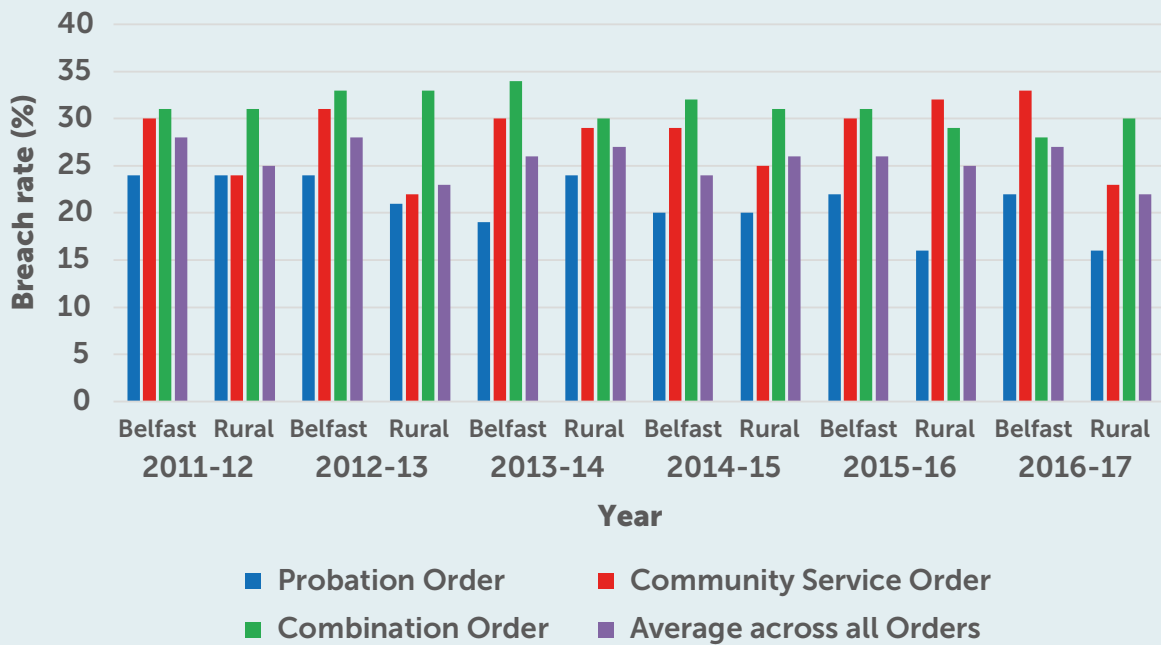
83 PBNI Statistics and Research Branch: Supervision/Licence Completion: January 2018 - March 2019, Internal document, p.1.

84 PBNI Statistics and Research Branch: Supervision/Licence Completion: January 2018 - March 2019, Internal document, p.2.

85 PBNI Statistics and Research Branch: Statistical Brief: Analysis of Breach Rates 2016-17 Cohort, October 2018. Internal document.

4.12 One-year breach rates by region for the 2016-17 period showed a higher breach rate in Belfast compared to Rural teams for Probation Orders and Community Service Orders, but no statistically significant difference for the Combination Order. Data for previous years suggested further scrutiny may be needed in relation to the difference in breach rates between regions for the Probation Order and Community Service Order. In both 2015-16 and 2016-17 there had been a greater difference in Probation Order breach rates between regions than in previous years; for the Community Service Order the difference in breach rate between Belfast and Rural teams had increased from 2% in 2015-16 to 10% in 2016-17 (see Figure 4).

Figure 4: One year breach rates (%) by order and region



Source: PBNI, Statistics and Research Branch: Statistical Brief: Analysis of Breach Rates 2016-17 Cohort, October 2018. Internal document. (Appendix 1: Breach Rate Information 2011-12 - 2016-17)

4.13 The one-year breach rate increased with ACE category for each type of order as follows.

Table 3: One-year breach rates by order type and ACE: Orders commencing in 2016-17

Order Type	(% type of Orders)		
	Low	Medium	High
Probation Order	9%	17%	30%
Community Service Order	16%	33%	50%
Combination Order	14%	25%	44%
Average across Orders	14%	23%	38%

4.14 Exploratory analysis from the PBNI 2012-13 cohort study had reported ACE factors associated with a higher level of breach in respect of community supervision. This showed medium/large problem scores for accommodation, community, employment education and training, family and personal relationships, alcohol, drugs, aggression/temper, boredom/need for excitement, impulsiveness/risk taking, and responsibility/control. Boredom/need for excitement was not associated with higher level of breach for custody releases but finances, emotional well-being and reasoning/thinking were additional factors for this group.

Serious Further Offences and learning outcomes

4.15 As required by the PBNI Serious Further Offences Procedure, an annual summary report was presented to the Senior Leadership Team. This showed a slight decrease in serious further offences notifications over the last three years from 21 in 2017-18 to 17 in 2018-19 and 16 in 2019-20. Senior Leaders identified to Inspectors the amount and changing nature of drug misuse in society as a potential explanation for a number of the incidents.

4.16 The annual summary report had disaggregated serious further offences by offence, operational area, risk assessment profile, sentence, and the stage in supervision when the alleged serious further offences occurred. Consequent actions were also identified. Independent reviews commissioned by the PBNI, cases referred to PPANI Strategic Management Board, and those subject to the Safeguarding Board for Northern Ireland (SBNI) procedures were also reported.

4.17 Child protection training delivered to all operational staff had highlighted learning from a number of cases, and Practice Standards had been amended in respect of contact between the PBNI and the HSCTs. Two practice notes had also outlined general learning for operational staff. These covered a range of practice areas including case plan reviews, contact with external agencies, recording and timing of breach action. The PBNI had been involved in multi-agency review processes including with the SBNI and PPANI and participated in dissemination of learning events. Senior Leaders reported that these arrangements had worked well.

Problem Solving Justice initiatives

4.18 *Enhanced Combination Order*: Some stakeholders told Inspectors that the reduction in prison numbers was the critical indicator of the Enhanced Combination Order's longer term viability, although other associated beneficial quality of life outcomes were recognised. A March 2019 evaluation⁸⁶ reported that the number of custodial sentences of 12 months or less, imposed by Courts involved in the Enhanced Combination Order pilot, decreased by 20.7% between 2015 and 2017. It was noted that while there was also a 3.4% reduction in the overall number of short term sentences across all Northern Ireland courts, *'this was significantly lower than across the pilot areas and it was suggested therefore that Enhanced Combination Orders were being given to those for whom the courts are minded to impose a short prison sentence'*.⁸⁷

86 NISRA, *The Enhanced Combination Order October 2015 to November 2018, March 2019.*, available online at: https://www.pbni.org.uk/wp-content/uploads/2019/06/2019-ECO-Evaluation_Final-Report.pdf

87 As above, p. 3.

- 4.19 In other respects, the March 2019 evaluation had been encouraging. In just over a three year period, this showed 106 out of 295 service users had successfully completed their Enhanced Combination Order, 150 were still actively engaged and 38 had been revoked.⁸⁸ In the main, service users had been male (94%). The evaluation had not reported any gender comparisons and this was likely due to the small number of female participants (19). Nevertheless, the particular experiences of female participants was an important part of understanding Enhanced Combination Order outcomes.
- 4.20 The majority of participants were medium to high risk of reoffending with ‘violence against the person’ having been the offence in over one third of cases. There was a reduction in risk of reoffending as determined by a statistically significant decrease between the service users’ ACE score recorded at the start and end of the Order at an overall level. Ability to understand the impact of their own behaviour (86%), family having access to support services (85%), improved knowledge of parenting or caring (79%) and improved self-esteem (69%) had improved for the majority of recipients.
- 4.21 It was also found that completion of unpaid work, referrals to the PBNI Psychology service and referrals to the Barnardo’s parenting programme had been working well. Additional requirements attached to the Order, mainly drug and alcohol counselling, Thinking Skills and Treatment Programmes were evident for over one third and said to have been addressed with a range of courses.
- 4.22 Securing restorative placements proved more challenging. VSNI, although supportive of the Enhanced Combination Order, expressed concern at the low number of referrals. It appeared that more work was required to ascertain if this was because appropriate cases were not being referred or if the number with an identifiable victim was low⁸⁹. The PBNI explained to Inspectors that it was because there were low numbers of Enhanced Combination Order cases where there was an identifiable and appropriate victim, which explained the perceived low referral rate. It was the Inspectors’ view that this was an area of focus, which could be considered within strategic recommendation 2 (Chapter 2) regarding restorative justice strategy.
- 4.23 Challenges reported by participants in the evaluation included the potential to do too much with service users at the start of the Order and the need to sequence interventions to prevent service users becoming overwhelmed. The PBNI highlighted during this inspection that as a direct alternative to a period of imprisonment Enhanced Combination Orders are intentionally an Order of high intensity. The PBNI was required to balance this against ‘setting people up to fail’, and the independent evaluations confirmed this. The evaluation also noted that

88 One service user had passed away.

89 As above, p. 13.

completion of community service for service users in employment was also an issue, as it was reported that some had struggled to arrange this around work. This was supported to a degree during Inspectors' case assessments and interview fieldwork, and it is important that any future roll-out of Enhanced Combination Orders takes appropriate account of the staging and manageability of its interventions.

- 4.24 Mostly, participants had been positive about their experience on the Enhanced Combination Order. Over nine in 10 said they were satisfied with the support they received and would recommend the Enhanced Combination Order to someone else:⁹⁰

"The people involved in this programme were all very helpful and gave me hope for the future".
(Service User).

"[Named Probation Officer] is dead on. She does care. She asks how you're getting on. She's very genuine although you couldn't pull the wool over her eyes".
(Service User).

- 4.25 A similar proportion reported that the Enhanced Combination Order had helped them address their offending behaviour. One service user was quoted as saying, *"I thought it was just going to be the same as orders I've been on before but this has given me a chance to give it another go. There's a year gone and I'm sweet. It's helped me stay out of trouble."*⁹¹ Support with mental health, addiction, integration with family and confidence was also reported.
- 4.26 A separate study on the economic impact of Enhanced Combination Orders identified a net benefit of £5.7m to £8.3 million per year if rolled out to all court districts.⁹² This figure was premised on a broad range of factors. Running costs compared to short term prison sentences, expected changes in reoffending and associated costs of crime, the monetary value of unpaid work undertaken and tax benefits due to improved employment prospects were all considered. Other important qualitative benefits were highlighted too including benefits for service users' families such as improved life chances for children.

90 As above, service user views as reported at page 14.

91 As above, p.18.

92 DoJ, *Problem Solving Justice - the economic impact of Enhanced Combination Orders (ECOs)*, Gareth Hetherington, G., Victor, K. and Park, A. Ulster University Economic Policy Centre, May 2019.

4.27 The Independent Reporting Commission⁹³ had commended the work of the Aspire Project describing it as ‘an exemplar of diversionary work’ and important in ‘addressing the needs of vulnerable young people.’⁹⁴ Aspire had two main elements, statutory⁹⁵ and non-statutory referrals⁹⁶ with an age criteria of 16 to 30 years of age for each. A March 2019 evaluation⁹⁷ covering a one-year period showed a breakdown of referrals across the two main types, with a fairly even distribution of statutory and non-statutory referrals between a total of 552 (Table 4, quoted from the NISRA evaluation):⁹⁸

Table 4: Total number of referrals made and accepted to Aspire

Referrals	Statutory		Non statutory
	Aspire referrals*	Adult mentoring*	Community engagement**
Number referred	171	111	270
Number accepted	148	104	250

*Data from PBNI Aspire administration records.
 **Data supplied by NIACRO.

4.28 Of the referrals accepted by the Aspire team, almost two-thirds were still active and a fifth had completed. Almost a fifth had been breached or recalled (Table 5, quoted from the NISRA evaluation).⁹⁹

Table 5: Aspire Team Referrals position at 1 September 2018

Position	Aspire Referrals*	
	No.	%
Active	85	60.3
Successfully completed	28	19.9
Recalled	19	13.5
Breached	9	6.3
Total**	141	100

* Data from PBNI Aspire administration records.
 ** Does not add to 148; four service users disengaged and three passed away.

93 The IRC was established by ‘A Fresh Start: A Stormont Agreement and Implementation Plan’, 17 November 2015 between the UK and Irish Governments and the Northern Ireland parties, available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/479116/A_Fresh_Start_-_The_Stormont_Agreement_and_Implementation_Plan_-_Final_Version_20_Nov_2015_for_PDF.pdf.

94 IRC, *Second Report, November 2019*, p.93, available online at: https://www.ircommission.org/sites/irc/files/media-files/IRC%20-%202nd%20Report%202019_1.pdf.

95 Statutory referrals - those subject to PBNI supervision (if meeting all criteria this meant supervision for 26 weeks by an Aspire Probation Officer and NIACRO mentoring for 16 weeks; if meeting most criteria, it entailed supervision by the community Probation Officer plus NIACRO mentoring for 16 weeks).

96 Non-statutory referrals - those previously involved or not yet involved in criminality (this involved NIACRO mentoring for 16 weeks; or Community Restorative Justice Ireland or Northern Ireland Alternatives support for 16 weeks).

97 NISRA, *Evaluation of Aspire, September 2017 to September 2018, March 2019*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/11/Aspire-Evaluation-8th-May-2019-Final.pdf>

98 NISRA, *Evaluation of Aspire, September 2017 to September 2018, March 2019*, p.14, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/11/Aspire-Evaluation-8th-May-2019-Final.pdf>

99 As above, p. 14.

- 4.29 Three quarters of statutory service users had a high likelihood of reoffending (High ACE) and almost 10% had been assessed as a SROSH. Signs of success therefore included statistically significant reductions in pre and post ACE scores among the 28 service users who had successfully completed and been supervised by an Aspire Probation Officer.
- 4.30 Evidence from across the range of Aspire service users showed that the support had been valued, as one said, *"Mentors are top notch, they are great at what they do."*¹⁰⁰ General themes were that Aspire had targeted the right people. In this respect, it was reported that *'almost three quarters were living in one of seven areas identified as having entrenched paramilitary influence and around two thirds said they had been threatened or attacked.'*¹⁰¹ Positives were also that it was intensive, adaptable and flexible and had provided practical and emotional support.
- 4.31 For most, the focus of engagement had been in relation to drug or alcohol addiction (79%). 'Training, employment, education, and/or sport activity' was a focus for three quarters and mental health or trauma work for two-thirds. Benefits for service users and wider society ranged across mental health, addiction, housing, training, employment and parenting:

"This is the longest I've stayed out and it's because of Aspire. Otherwise I'd have no home and be on the streets".
Service user.¹⁰²

"They helped me get on with my family more. I got put out of Ballymena. They helped me get back to my family. I want to get a job and start working. They are helping me go down a different road".
Service user.¹⁰³

- 4.32 Suggestions for development by participants in the research included exploring the possibility of additional activities and courses being made available. Due to the often chaotic nature of service users' lives, it was recommended to consider the 'distance travelled' in relation to reoffending as a better marker of progress rather than reoffending rates alone. There was also a recommendation to explore Probation Officer training in restorative work to deliver services to statutory service users. How best to utilise probation staff restorative justice skills also emerged as an issue during this inspection (see Chapter 2, Strategic Recommendation 2).

Equality and diversity

- 4.33 There was some evidence that the PBNI had included diversity factors within its measurement of outcomes. Analysis of sentence completion and breach rates had included analysis by gender and age. For example, the PBNI's analysis showed no statistically significant difference in breach rate over the 2016-17 period by gender (Table 6) and a progressively decreasing breach rate with age (Table 7).¹⁰⁴

100 As above, p. 34.

101 As above, General Themes, p.5.

102 As above, p. 27.

103 As above, p. 29.

104 PBNI Statistics and Research Branch, *Statistical Brief: Analysis of Breach Rates 2016-17 Cohort, October 2018. Internal document.*

Table 6: One-year breach rates by order type and gender: Orders commencing in 2016-17

Order Type (% of Orders)	Female	Male
Probation Order	24%	19%
Community Service Order	21%	30%
Combination Order	18%	30%
Average across Orders	22%	26%

Table 7: One-year breach rates by order type and age group*: Orders commencing 2016-17.

Order Types (% of Orders)	Under 20 yrs	20-24 yrs	25-29 yrs	30-39 yrs	40+ yrs
Probation Order	35%	27%	21%	16%	10%
Community Service Order	31%	33%	40%	26%	12%
Combination Order	43%	42%	26%	25%	14%
Average across Orders	35%	32%	30%	22%	11%

*Age at start of Order

4.34 Internal analysis of reoffending rates for adults subject to probation (from the DoJ Analytical Services Group 2015-16 cohort) had also been considered, showing a higher rate of reoffending among adult males (30%) than females (25.4%), and a decreasing rate of recidivism by age (41.7% for 18-19 years; 11.3% aged 50+).¹⁰⁵ As noted above, the PBNI memorandum on practice amendments had considered gender and age differentials. There had also been reference to particular needs such as disability and mental health.

4.35 A demographic profile of service users from the PBNI 2019 survey showed that:

- 60% identified as having a disability including just over a third who identified as having a mental health condition;
- 43% identified as Catholic, (down 7% from 2015 survey) 40% Protestant (up 5% from 2015), 13% none (5% increase) and 5% other; and
- ethnicity had changed slightly since 2015 with 97% identifying as white and 3% other (98% in 2015).

Inspectors considered a greater range of categories for service users to identify their ethnic group would be of benefit (reported within the survey as 'white' or 'other').

105 PBNI, *Reoffending Rates Analysis 2015-16 Cohort*, November 2018, p.2. Internal document.

4.36 There has also been evidence of the PBNI supporting gender specific programmes. Start360's *Engage Women's Project* was a regional service funded by the PBNI. One to one and group work had been provided. Data for 2019-20 showed 84 service users had completed the programme and 39 were still active. Although not subject to formal evaluation it demonstrated PBNI's intention to support particular services for women with a range of diversity needs.

4.37 Nevertheless, there was scope for the PBNI to integrate a greater range of equality factors in its scrutiny of outcomes. Its analysis had not routinely demonstrated outcomes for the range of equality groups. For example, linked to the nature of support that Aspire provided, accommodation, education and employment status, health issues including mental ill health and alcohol or/and drug misuse and whether the service user had children had been set out. But integration of diversity factors into the assessment of outcomes would have been beneficial. Although the service user survey recorded demographic information, survey outcomes linked to across the different equality groups was not available.

4.38 Inspectors heard about increased need related to mental health, learning disability and substance misuse during the inspection. Also, anecdotally, there had been an increase in non-UK and Irish service users in rural teams but evaluation documents tended not to include any information about these particular groups' experiences. Consideration by the PBNI of a broader range of equality factors including racial or ethnic group, and better integration of diversity in assessing outcomes was important and Operational Recommendation 1 (Chapter 3) refers to this.

Service user and victim feedback

4.39 A PBNI action plan for engagement and annual review of the Service Users' Strategy was implemented and completed in 2018-19. As of December 2019, there were eight 'offender' service user involvement groups and one victim user group. At the time of inspection, a second victim user group had been formed. Involvement groups had almost 60 service users participating overall. Recorded areas of work, feedback provided and actions completed by the groups had been reported internally. At the time of inspection, the VIU was revising material including the VIS registration leaflet with plans to consult victims albeit the nature of participation would be influenced by the circumstances arising from the Coronavirus Covid-19 public health pandemic.

Service users

4.40 The PBNI undertook a survey of service users in February/March 2019 as part of its 2018-19 Business Plan action to increase service user satisfaction.¹⁰⁶ Key findings were positive in the main, with 89% being satisfied with the service received. Participants were mostly positive about the relationship with their Probation Officer. At least nine in 10 agreed this had a positive impact on their behaviour, had made them realise change was possible and they would now think before acting.

106 PBNI, *Statistical Brief: Service User Survey 2019 - Headline Results, May 2019. Internal document.*

Twenty six per cent on probation or post custody Licence said they were unaware if there was a case plan and a further 9% said they did not have one. However, over nine in 10 agreed their Supervising Probation Officer had set out clearly what they were expected to achieve. An action plan to address areas of learning had included actively involving service users in case planning, with how to improve this forming a focus of service user involvement groups.

4.41 Inspectors attended two service users groups where members commented positively about their Probation Officer, being aware of the conditions and boundaries of their order or licence, and having a plan in place for supervision that was structured and well-paced. The flexibility of probation staff to take account of their personal circumstances, including childcare, employment and transportation to probation appointments was also noted. All perceived good opportunities to raise issues and said feedback was always provided, *“you’re not talking to the wall, they’re going to act”*.

4.42 A booklet for service users listing local services, support available and contact details had been developed by one group and was being undertaken by another. Members talked about a good Probation Officer being someone who *“looks at your personal circumstances and gives you help based on you”*, and *“actually cares”*. Some were keen to stress that Probation Officers had *“saved lives”*. There was overwhelming consensus that the forums provided good support without judgement.

Victim feedback

4.43 CJI’s inspection of *the care treatment of victims and witnesses by the criminal justice system in Northern Ireland*¹⁰⁷ reviewed the views of victims in greater detail than this inspection was able to. The 2017-2020 PBNI Corporate Plan stated that focussing on victims had arisen as a theme during its consultation process. The plan included a key outcome *‘to have better informed and supported victims, through increased usage of the Victim Information Scheme’* with a corresponding indicator being the number of users of the VIS. Increased victim satisfaction rates of victims had also been included.¹⁰⁸ It reported 1,364 victims had been provided with a service through the VIS since its establishment.¹⁰⁹ The PBNI consultation document for corporate planning 2020-23 recorded 173 new registrations on the Scheme during 2018-19, 13% higher than the 153 in 2017-18.¹¹⁰

107 CJI, *The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland, July 2020*. Available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2020/July-September/Victims-Witness>.

108 PBNI, *Corporate Plan 2017-2020 (draft document pending Ministerial approval)*, p.31. Available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/PBNI-Corporate-Plan-2017-20-draft-document-pending-Ministerial-approval-06.07.17.pdf>.

109 PBNI, *Corporate Plan 2017-2020 (draft document pending Ministerial approval)*, p.15. Available online at: <https://www.pbni.org.uk/wp-content/uploads/2015/02/PBNI-Corporate-Plan-2017-20-draft-document-pending-Ministerial-approval-06.07.17.pdf>.

110 PBNI, *Corporate Planning 2020-2023*, p. 7. Available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/08/PBNI-Corporate-Planning-2020-2023-Consultation-document.pdf>.

Victim satisfaction rates had not been reported publicly although the PBNI confirmed that a survey of registered victims conducted by them in 2018-19 had received positive responses in relation to satisfaction with the service provided, initial contact and clarity of information provided.

- 4.44 The 357 individuals registered with the VIS were sent a letter by CJI inviting them to take part in this inspection with a survey enclosed. Forty nine (14%) questionnaires were returned and a number provided further detail on requesting contact from an Inspector (for further detail on responses see Appendix 3). Victims who responded reported high levels of satisfaction with the nature of communication and information provided on initial contact. Ninety per cent of those who responded to the question (37 of 41) confirmed that the way they were initially contacted by the PBNI was appropriate to their needs and 77% of those answering (33 of 43) confirmed that their circumstances and needs were taken into account for any contact (by letter, telephone or face-to-face meeting) with Victim Liaison staff. Comments such as *“very personable and understanding, empathetic in nature”* and *“all my needs met to a high standard, felt at ease and felt supported, never felt pressured into making any decisions”* reflected some of these positive responses.
- 4.45 Levels of satisfaction decreased somewhat in relation to subsequent information particularly regarding variation in the offender’s conditions, how their concerns informed offender management and how to be involved in restorative interventions. In relation to life sentences and Indeterminate Custodial Sentences, 41% (12 of 29 responding) reported an opportunity to discuss concerns about release and risk management and 54% (20 of 37 responding) said they felt safer as a result of contact with the PBNI. Inspectors acknowledge various factors may influence feelings of safety, however, in developing its work with victims suggest this, as well as the findings from the victims and witnesses report, is an area for the PBNI to further explore.
- 4.46 Overall, respondents were asked to rate how satisfied they were with the service provided to them by the Probation Board on a scale of one (not at all) to four (completely). The average of these ratings was 2.8, which was similar to victims’ reported satisfaction levels during CJI’s previous inspection¹¹¹ and suggested that generally the PBNI was continuing to meet the needs of some victims who responded to the survey through the VIS. For a small number dissatisfaction was related to a sense that the offender’s rights had been prioritised, with one referring to the extent of services accessed by them compared to limited support available to the victim; another noted *“the system is for the offender, not for us, it’s about keeping the offender safe”*. Discontent about geographical restrictions had also been cited. These concerns were often beyond the PBNI’s direct influence but nevertheless matters it could seek to understand more about and raise with partners.

111 Overall, of the 14 respondents to CJI’s 2012 survey, the average rating was 2.9 (how satisfied are you with the service provided to you by the Probation Board on a scale of one (not at all) to four (completely); see CJI, *An inspection of community supervision by the Probation Board for Northern Ireland, May 2013, p.28*, available online at: <http://cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>.

- 4.47 Most reported that the VIU had been very helpful. Comments on further contact with Inspectors included that staff had been “*very good and thought they explained everything well to me*”; and had been “*very happy with how PBNI handled the case and how they communicated with me*”. Those who were less positive about the service had expected more contact, greater detail in letters, and a quicker response to reported concerns or alleged breaches of offender conditions. Being connected to appropriate services rather than just signposted was highlighted along with a number of instances of the paperwork being hard to navigate and understand.
- 4.48 Stakeholders supporting victims reported the PBNI was willing to listen to victims and had increased its partnership approach with victim support organisations. One stakeholder talked about a Probation Officer having been seconded to the organisation, which had increased victim knowledge and was an example of innovation. Probation staff had attended a course delivered by a voluntary/ community organisation to answer victims’ questions. It was said that where victim participation was envisioned as part of an initiative, for example the Enhanced Combination Order, its nature needed to be well-defined and its effectiveness understood. Time and training to engage with victims needed factored in. Stakeholders who had engaged with the VIU were positive about it but highlighted the importance of victim engagement being a focus for probation and not dependent on individuals or staff within the VIU.
- 4.49 Notably, victims had been involved in PBNI’s review of its victim awareness intervention, which had been highlighted in the Irish Probation Journal, ‘*The impact of having victims involved in the design of interventions has been positively noted by both victims and practitioners. It is an area of work that PBNI should seek to develop further in improving service delivery.*’¹¹² Action plan objectives following an internal file audit of victim awareness work in 2017-18 had been completed.¹¹³

FEEDBACK FROM STAKEHOLDERS, PARTNERS AND STAFF

Sentencers

- 4.50 A Sentencer survey had been completed in January 2018.¹¹⁴ Key findings were largely positive with Sentencers reporting high levels of satisfaction with the quality of court reports and contact with staff. Areas for improvement related to Probation Officer presence at courts, faster reports and improved detail on underlying issues for risk assessment. There was an internal action plan and memorandum to Area Managers to support delivery evidencing how the PBNI had used the survey results to develop its practice. Actions had been related to enhancing engagement with Sentencers, training for report authors, and scoping work on the potential to develop a Magistrates’ Court Report type format for Crown Courts.

112 Montgomery, G. *Delivering Victim Services: An Overview of Practice in the Probation Board for Northern Ireland*, Irish Probation Journal, Vol. 16, October 2019, p.92, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/12/Delivering-Victim-Services-An-Overview-of-Practice-in-the-PBNI.pdf>.

113 PBNI, *Annual Report 2018-19*. Copies of the relevant documentation was provided to CJI as part of the inspection.

114 PBNI, *Statistical Brief, 2017-18 PBNI Stakeholder Survey: Sentencers, March 2018* Internal Document.

4.51 Findings largely echoed what Inspectors found on speaking to Sentencers who stated that the PBNI was very receptive to feedback and proactive in its engagement. A high level of trust in its work was reported. It was said that the PBNI had been keen to engage through seminars, had been responsive to discussions about enhancing community sentences, and that staff appeared well prepared. In respect of a problem solving justice initiative, the skills and dedication of all involved was noted.

4.52 To help measure the PBNI business plan objective to increase the level of community sentences, there had been further internal analysis of Magistrates' Court activity in November 2018. This reported 10.1% of sentences in 2017 had been community based, compared to 10.8% in 2016. There had, however, been an overall increase from 2014 when the proportion was 8.7%. Actions had been developed for Area Managers and report authors and for measuring outcomes locally.

Feedback from staff

4.53 The PBNI had undertaken a culture survey with staff and had developed an action plan and work streams arising from that. This was discussed in greater detail in Chapter 2 of this report. It was positive that staff formed a key focus of the Corporate Plan proposed for 2020-23. The PBNI also involved staff in its annual business planning process. The Strategic Risk Register had included a risk related to temporary funding with the wording having been changed during 2019-20 to recognise concern that this was destabilising the profile of the PBNI workforce. This matched a key source of concern for staff.

4.54 Nevertheless, as already covered in previous chapters, there remained a sense among staff that their feedback had not been taken seriously or acted on. Inspectors therefore found disconnect between senior management intentions to address staff concerns and staff morale. For this reason, while CJI acknowledges developments in relation to the proposed Corporate Plan, this was an area of concern in response to which Strategic Recommendation 3 has been made (see Chapter 2).

Stakeholders and partners

4.55 Statutory and non-statutory partners reported good collaborative working with the PBNI. Commitment to partnership working in respect of PPANI was noted and it was said that the PBNI was well respected as a member of the social work family. Developing links with police units other than public protection units was thought to be an area for focus, for example, the Reducing Offending Unit. The PBNI Senior Executive Team considered partnerships important noting it was a member of the SBNI, safeguarding panels within HSCTs, and PPANI, and that it met regularly with courts and maintained connections with the voluntary and community sector.

- 4.56 Overall non-statutory partners reported an engaging and learning culture within the PBNI. Mostly those involved in delivering programmes or interventions said the PBNI met regularly and was responsive to feedback. From those Inspectors spoke to and particularly in respect of organisations providing services in partnership, the opportunity to provide feedback including communication by the PBNI about how this had been taken on board was important.
- 4.57 Challenges for non-statutory partners related to the short-term nature of funding, which made it difficult to develop long term plans for the benefit of service users. A reported decline in information sharing was also a key issue especially at the point of referral (see Operational Recommendation 4 in Chapter 3).

Staff performance

- 4.58 Against the strategic outcome to ensure sentence compliance, the PBNI Annual Report 2018-19 cited its Wellbeing Plan having been implemented and there had been a reduction of sick absence of 30.5% against a target of 5%. CJI would expect to see greater detail in future Annual Reports relating to staff performance following the proposed 2020-2023 strategic priority 'valuing and developing our people', *'We will develop our people and ensure they are trained and skilled to carry out their jobs effectively. We will create a culture where wellbeing and learning are at the forefront of what we do. We want to empower staff to have the skills, empathy and ability to engage in transformative change. We want to have professional staff across all grades and disciplines and skilled practitioners that can effectively manage behavioural change.'*
- 4.59 Routine monitoring of staff performance occurred within community teams, project teams and specialist areas (for example, Intensive Supervision Units and Inspire). Monthly performance such as ACEs overdue, number of letters submitted to courts and number of cases where victim awareness work had commenced was supplemented by learning (discussed above) arising from specific areas of inquiry, for example, Serious Further Offences and deaths of service users. A SROSH audit had also been undertaken with Assistant Directors tasked to review cases where there was no evidence of case monitoring or delay in monitoring, with follow-up evidenced and recorded.
- 4.60 Area Manager monitoring also covered Orders and Licences, SROSH cases, community service and reports completed. There was some detail on quality in respect of the ACE. Staff understood the need for monitoring but would have welcomed greater qualitative detail. There was a similar view within senior management that greater focus on quality was needed. With a 'Performance, practice and research unit' proposed it was hoped that qualitative monitoring of staff performance could form part of its focus and CJI looked forward to the outcomes of its work. Learning from staff performance was evidenced in respect of the PBNI training plan, which included ACE and pre-sentence report training due to issues relating to quality and consistency having been identified.

Informing strategy, policy and practice through performance measurement and benchmarking

- 4.61 The proposed 2020-23 Corporate Plan included a priority on: *'Shaping and Influencing Criminal Justice Policy and Practice,'* which noted *'We know the factors that lead to offending behaviour and we know that in order to effectively rehabilitate people we must deal with those factors. Therefore in the coming 3 years PBNI through a range of initiatives will focus on tackling drug/alcohol related offending; poor mental health; and building opportunities to enhance people's education, employment and parenting skills. PBNI cannot do this work alone and that is why a partnership approach will be adopted.'* This echoed Inspectors' discussions with a number of stakeholders where increasing need in respect of mental health and learning disability had been raised. While cases may have presented below thresholds required for formal diagnosis, there was potentially a greater role for the PBNI in evidencing and raising awareness about the need for services.
- 4.62 The PBNI had engaged with staff and partners in the development of its revised Practice Standards, which were subject to further consultation one year post implementation in November 2019. Through its measurement of completion rates and engagement with Sentencers it had also sought to increase the proportion of sentences with a community service element. As already noted above, 10.1% of sentences in the Magistrates' courts in 2017 had been community based. The PBNI 2018-19 Annual Report stated that it had continued engagement with the DoJ Reducing Offending Directorate and Sentencing Policy Review. The DoJ reported positive relationships with the PBNI and good opportunities to engage at business planning events and the PBNI annual conference.
- 4.63 The PBNI had been a key influencer in advancing criminal justice practice in Northern Ireland. It engaged with probation services in England and Wales and the Republic of Ireland through attendance at regular meetings. The British Psychological Society Award for Innovation in Practice had been presented to the Director of Rehabilitation for new approaches to criminal justice, specifically problem-solving justice initiatives.¹¹⁵ A Winston Churchill Fellowship awarded in 2017 had facilitated direct engagement with problem solving courts in New York. From this learning had been disseminated to help further problem-solving justice in Northern Ireland.¹¹⁶ This included innovative plans to extend the problem solving justice court model to the area of mental health, which had been furthered through discussions with the DoJ and the Lord Chief Justice.¹¹⁷

115 <https://thepsychologist.bps.org.uk/volume-33/april-2020/towards-smart-justice>.

116 O'Hare, G., *Problem-Solving Justice and Problem-Solving Courts: What Northern Ireland Can Learn from the US Experience of Mental Health Courts*, *Irish Probation Journal*, Vol. 15, October 2018, available online at: https://www.pbni.org.uk/wp-content/uploads/2018/11/OHare_-_Geraldine_IPJ.pdf.

117 PBNI, *Annual Report 2018-19*, p.16. *Unpublished document*.

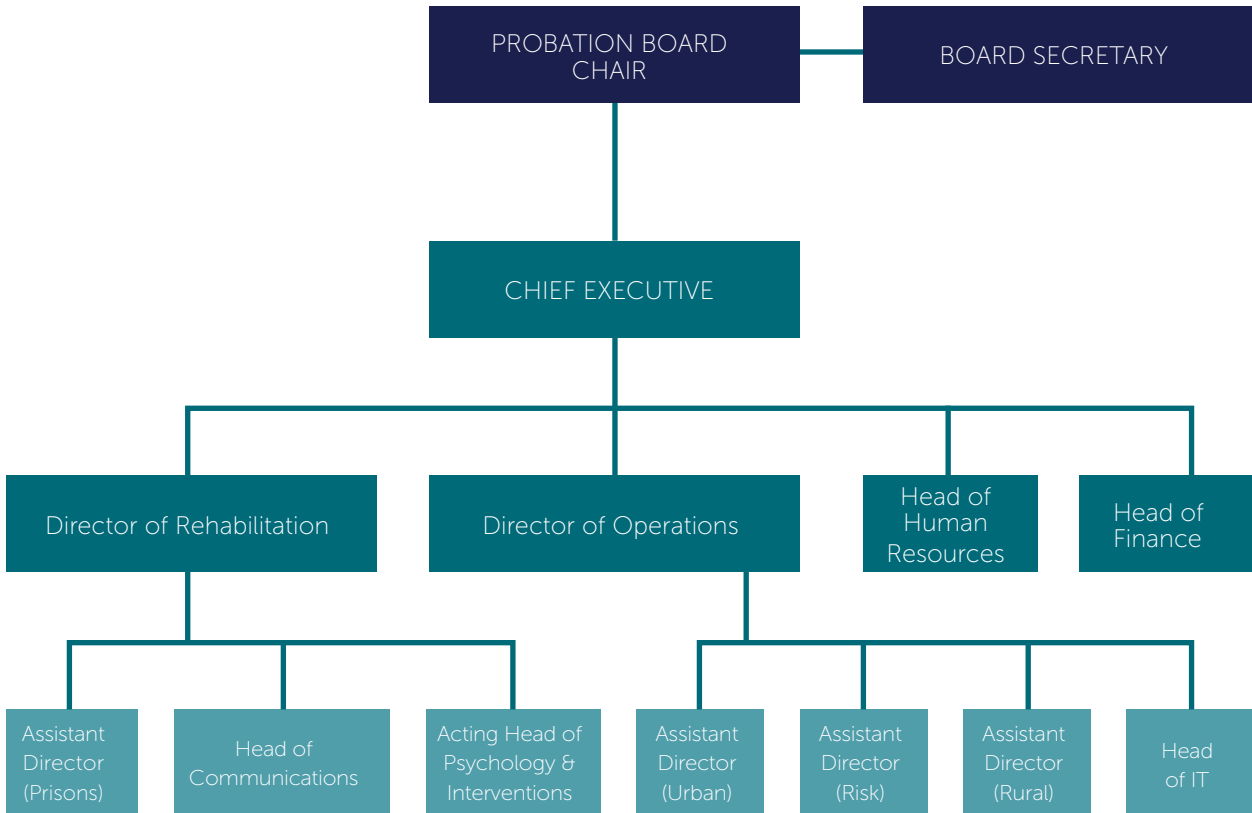
Communicating results

- 4.64 It was clear that the PBNI had endeavoured to communicate the successes of its work. It had a communication and engagement strategy for 2017-20 with progress against annual action plans reported at Board meetings. Its focus had included increasing digital communication channels, using storytelling to engage audiences, developing a service user app, developing brand identity, enhancing engagement with staff through regional staff days, a staff awards ceremony to reward and recognise achievements and developing engagement with external stakeholders and service users.
- 4.65 In response, service user involvement groups for victims and those subject to probation supervision had been established as discussed previously. The service user app 'Changing Lives' had been launched with a positive evaluation and it was well publicised by the PBNI on its website and literature that it had achieved the DANI 'App of the Year Award' twice running in 2017 and 2018.¹¹⁸ Other staff achievements and programme awards had been reported in the PBNI newsletters as outlined in Chapter 2¹¹⁹. The Irish Probation Journal was a joint initiative of the Irish Probation Service and the PBNI. It often featured articles by probation staff focusing on specific areas of its work and initiatives.
- 4.66 The 2018-19 Annual Report noted '*recommendations from the review of communications have been implemented. With DoJ, PBNI have developed a communications strategy for PSJ [problem-solving justice] and two Probation seminars have taken place*'. Indicating PBNI's continued commitment to developing its communications and engagement, the proposed Corporate Plan for 2020-23 had a priority on, '*Building Awareness and Confidence in communities about the professional role of PBNI*' which included developing a comprehensive engagement and communications strategy.
- 4.67 During the inspection several stakeholders were positive about the PBNI's performance in respect of communication. The PBNI newsletter was noted, as was its social media presence with one stakeholder representative stating the PBNI was a credit to the criminal justice system in this respect. Its outreach to courts and at other public events such as conferences and seminars was said to be impressive. Others perceived room to improve in PBNI's public messaging, online presence and using the voice of service users to help in educating and raising public awareness that probation was not an 'easy option.' Some felt probation outcomes and partnerships could be better publicised. The PBNI had engaged with a wide range of audiences on its new Corporate Plan including political representatives.

118 PBNI, *Probation Works: Sentencer Newsletter, Issue 6, September 2018* at p.6, available online at: <https://www.pbni.org.uk/wp-content/uploads/2018/10/PBNI-Sentencers-Issue-6-Final.pdf>. The DANI awards celebrate digital expertise, talents and commitment in Northern Ireland, see <https://thedaniawards.com/about/>.

119 PBNI, *Probation News, Issue 11, November 2019* at pp. 3 and 4 respectively, available online at: <https://www.pbni.org.uk/wp-content/uploads/2019/12/PB-News-External-Issue11-Final.pdf>.

APPENDIX 1: PROBATION BOARD FOR NORTHERN IRELAND ORGANISATIONAL CHART (OCTOBER 2019)



APPENDIX 2: METHODOLOGY

Desktop research and development of inspection Terms of Reference and question areas

Research literature and guidance documentation was reviewed in relation to probation services. A Terms of Reference was developed, based on CJI's inspection framework and the methodology used by HMI Probation for their inspections of England and Wales. Other documents and information relevant to the inspection topic were sourced.

Development of methodology and assessor training

CJI, HMI Probation and the PBNI worked in partnership to develop the case assessment and assessor training information. These were based on the methodology used by HMI Probation but adapted for use in Northern Ireland. Assessors from CJI and the PBNI who were to be involved in the case inspection were trained by HMI Probation in the case assessment methodology.

Document review

The PBNI were asked to provide a range of supporting strategy, policy and procedure documents, reports and other relevant information relating to the three areas of CJI's inspection framework; strategy and governance, delivery and outcomes. A review was undertaken of the documentation provided to cross-reference information against the framework. This was used also to inform interview questions during the fieldwork phase.

Fieldwork

One-to-one and focus groups interviews were conducted with a range of personnel within the relevant agencies. Interviews were also conducted with stakeholders from across the voluntary and community sector and statutory partner agencies.

Stakeholder consultation

Stakeholders who are partners of the PBNI or provide services to those under probation supervision were consulted with. CJI Inspectors met with representatives from the following organisations:

- Addiction NI;
- Approved Premises (who provide hostel accommodation for those released from prison);
- Community Restorative Justice Northern Ireland;
- Department of Justice;
- Health and Social Care Board;
- Extern;
- NIACRO;

- Northern Ireland Alternatives;
- Northern Ireland Prison Service;
- Northern Ireland Social Care Council;
- Police Service of Northern Ireland;
- Representatives of the Judiciary;
- Victim Support Northern Ireland; and
- Women’s Aid.

Case inspection

Case sample selection

A selection of 84 cases to be assessed was selected by CJI and HMI Probation based on the sample selection guidance from a long list of cases provided by the PBNI. The breakdown of the case types can be seen in the box below.

Case type	Case sample breakdown
Licence	13
Order	62; of which 11 were Enhanced Combination Order cases, and 3 were Aspire cases
Problem Solving Justice	9; of which 5 were Substance Misuse Court cases, and 4 were non-adjudicated domestic violence cases
Registered Victim	14 of the 84 cases had a registered victim

Specific case types in the sample (details correct at time of writing report)

Enhanced Combination Order

Probation commenced the Enhanced Combination Order scheme on 1 October 2015, as part of the problem solving justice approach. This pilot is running in the Ards and Armagh and South Down Court areas, and is an option open to sentencers in those areas as an alternative to custodial sentences of less than 12 months. These orders are enhanced with a greater focus on rehabilitation, reparation, restorative practice and desistance. The period of probation supervision can last from one to three years. The community service part of the Order can range from 40 to 100 hours and must be carried out at an accelerated pace and intensively supervised by a Probation Officer.

There are several requirements to such an order, namely:

- intensive offending focussed work with a Probation Officer;
- unpaid work;
- psychology assessment (and intervention where required);
- accredited programme if appropriate;
- restorative intervention, if appropriate (through which victim issues are addressed); and
- parenting/family support work.

Aspire

'Aspire', is an initiative to work with marginalised young men aged between 16 and 30, who are at risk of becoming involved or further involved in criminality, including paramilitary influence. The project has been running since September 2017. The participants will be a mix of young men, some of whom are subject to statutory supervision, and some who are not. It has three constituent parts:

- a dedicated probation team for young men under probation supervision;
- a mentoring programme for young men, under probation supervision, leaving prison or those in the early stages of community supervision. This service is provided by NIACRO; and
- for young men who are not in the formal criminal justice system, a range of community based interventions. NIACRO also deliver this service, working closely with accredited restorative justice organisations - Community Restorative Justice Ireland and Northern Ireland Alternatives.

Problem Solving Justice

Problem Solving Justice comes under Strategic Priority 3 of the PBNI's Corporate Plan 2017-2020: '*Promoting an innovative and problem solving approach to reducing re-offending*'. The problem solving approach to justice aims to tackle the causes of crime and deal with many of the societal problems such as addictions, domestic abuse and poor mental health which are dealt with at every point in the criminal justice system.

The inspection included a sample of problem solving justice cases; non-statutory orders, both non-adjudicated domestic violence cases, and Substance Misuse Court cases.

The **Substance Misuse Court** pilot was launched at Belfast Magistrates' Court in April 2018, as an alternative approach to tackle the root causes of offending behaviour. The primary aims of the Substance Misuse Court are to reduce reoffending and substance misuse among participants and to facilitate their rehabilitation. A multi-agency Supervision and Assessment Team will deliver medical and other services as part of an individually tailored intervention package. The Supervision and Assessment Team comprise of Probation and Addiction NI staff. Work carried out will include detailed assessment, motivational work and assessment report preparation. There will be up to 18 weeks for integrated case management, therapeutic intervention and social support, with 12 weeks in the social support transition phase.

The pilot brings together the judiciary, solicitors, probation staff, treatment staff and Northern Ireland Courts and Tribunals Service staff in a collaborative approach to address the service user's underlying substance misuse. The PBNI co-ordinated interventions seek to address several offending related issues including accommodation, drug substitute programmes, counselling, stabilising emotional and mental health, problem solving, employment or constructive use of time and crisis management. Additionally, progress is reviewed with regular court adjournments and drug testing.

Non-adjudicated domestic violence programme

The PBNI is centrally involved with two multi agency domestic violence and abuse projects to deliver problem solving justice and provide early intervention in tackling the underlying causes of offending behaviour. Both projects are funded by the DoJ and link to Indicator 1 (*'reduce crime'*) under the draft *Programme for Government*, which recognises the need to reduce crime by addressing its causative factors through prevention and detection.

During 2018-2019 the PBNI delivered a pilot domestic abuse intervention Promoting Positive Relationships Programme for the Western HSCT for 30 men known to social services who have displayed concerning behaviour within a domestic context but who have no convictions for domestic abuse offences. This programme commenced in March 2018 and ran for one year. The probation domestic abuse problem solving team have been working with both the Western HSCT and Londonderry Magistrates' Court to deliver the Promoting Positive Relationships Programme and the Respectful Relationships Intervention. These are delivered for individuals assessed as low, moderate or high need of intervention.

Cases must be identified by the HSCT six - eight weeks prior to the groups commencing. Referral is made by a social worker to a single point of contact in the HSCT; the HSCT lead co-ordinates referrals and sends them to the PBNI single point of contact. The PBNI complete a B-Safer assessment to inform if an intervention is required, based on assessed level of need.

The PBNI provide regular modular reports for social workers and feedback through six weekly practitioner meetings attended by the Partner Support Worker, social worker, Trust Lead and programme facilitators.

Cases with a registered victim, with involvement from the Victim Information Scheme (VIS)

Each Monday morning, the Public Prosecution Service provide victim details (name and address) to the PBNI VIS. These are victims of sentences imposed involving PBNI in the previous week. The PBNI write to each victim inviting them to register with the VIS; legislatively the service is 'opt in', so PBNI are unable to provide information to victims if they do not register. Once registered, victims will receive information about the sentence type, any breaches or recalls, and any changes to the sentence.

During 2017-18, there were 153 new registrations to the VIS, 42% higher than 2016-17. As at 31 March 2018 there were 291 victims registered on the PBNI VIS.

Case assessments





The Inspection Team (comprising four CJI Inspectors, four HMI Probation Inspectors and four PBNI Area Managers working as local assessors) conducted 84 case assessments over a one-week period, examining service user files and interviewing Supervising Probation Officers. The cases selected were those of individuals who had been under community supervision for approximately seven to nine months (either through a community sentence, following release from custody, or engaged in a problem solving justice initiative). This enabled the assessor to examine work in relation to assessing, planning, implementing and reviewing. Where necessary, interviews with other people closely involved in the case also took place.

Data analysis and reporting

On conclusion of the case inspection week, analysis of the data was undertaken by HMI Probation and a report on its findings was provided to CJI.

HMI Probation scoring mechanism explained

As this inspection was developed to be bespoke to the PBNI the HMIP standard ratings were adapted. The bandings given equate to the individual rating for each key question, as follows:

Banding (key question level)	Rating
Minority: less than (<) 50%	 Inadequate
Too few: 50-64%	 Requires improvement
Reasonable majority: 65-79%	 Good
Large majority: 80%+	 Outstanding

PBNI fieldwork

Interviews and focus groups were held with the following individuals and groups within the PBNI.

- Board Chair, Vice Chair and Board members;
- Chief Executive;
- Director of Operations;
- Director of Rehabilitation;
- Head of Human Resources;
- Head of Finance;
- Assistant Director focus group;
- Area Managers Belfast focus group;
- Area Managers Risk focus group;
- Area Managers Rural focus group;
- Probation Officer Belfast focus group;
- Probation Officer Risk focus group;
- Probation Officer Rural focus group;
- Probation Services Officer focus group;
- Representative of National Association of Probation Officers; and
- Representative of Northern Ireland Public Services Alliance.

Service Users

Focus groups were held with the Service User Forums in Armagh and Portadown to seek the views of service users who were being supervised by the PBNI.

Victim survey

A questionnaire survey was developed by CJI, and agreed with the PBNI, to seek the views of those registered with the VIS. CJI provided a cover letter, a questionnaire and a pre-paid envelope for the PBNI to send to registered victims. Survey documentation was sent to 357 victims registered with the VIS in September 2019. A total of 49 responses were received of whom 13 requested an additional interview with CJI.

APPENDIX 3: TERMS OF REFERENCE

AN INSPECTION OF PROBATION PRACTICE BY THE PROBATION BOARD FOR NORTHERN IRELAND

Terms of Reference

Introduction

Criminal Justice Inspection (CJI) proposes to undertake an inspection of probation practice by the Probation Board for Northern Ireland (PBNI).

The management of those released from custody under licence or conditions, or those who have been subject to non-custodial sentences which require supervision in the community, is critical for the rehabilitation of offenders, reducing the risk of re-offending and ensuring the safety of the public.

HMI Probation have agreed to assist with this inspection. This will provide an external benchmark of the quality of practice against standards which were developed through consultation and have been applied to all inspections in England and Wales over the last year.

Context

The main strands of work for PBNI, as outlined in the 2017-18 Annual Report¹²⁰, are:

- Risk Assessment of people convicted of criminal offences;
- Prepare approximately 8,164 reports annually, to assist decision-making in the criminal justice process;
- Supervise offenders (4,147 offenders at 31 March 2018);
- Provide a range of services to offenders in prisons;
- Provide behavioural change programmes;
- Maintain a Victim Information Scheme; and
- Work with partner organisations to reduce re-offending, and make Northern Ireland a safer place.

PBNI's Practice Standards (2018) took effect on 1 November 2018. The PBNI Practice Standards provide clear expectations of what is required, and by whom, in relation to all aspects of Probation practice. They are organised according to:

¹²⁰ Probation Board for Northern Ireland, *Annual Report 2017-2018, July 2018*, available online at: <https://www.pbni.org.uk/wp-content/uploads/2018/08/PBNI-Annual-Report-17-18-Final-Print-Version.pdf>

- Assessment;
- Reports;
- Community Service and Supervised Activity Order;
- Case Management (community);
- Case Management (custody);
- Psychology; and
- Transfers.

The quality of Assessment and Case Management (community) will be considered in relation to each case in the inspection sample. The PBNI's contribution to Problem Solving Justice initiatives will also form part of the review, in appropriate types of case. The inspection therefore focuses on the relevant standards expected by PBNI as set out in this document.

CJI published a report on community supervision by PBNI in May 2013¹²¹. The inspection will not be a comparable inspection against the 2013 report as the PBNI's financial and operational landscape has changed significantly since the last report.

Other recent CJI reports¹²² have also covered the work of the PBNI including Resettlement (May 2018); Equality and Diversity in the Criminal Justice System (September 2018); Without Witness: an inspection of the handling of cases of sexual violence and abuse in the criminal justice system (November 2018) and Equal Partners? An inspection of the voluntary community and social enterprise sector's engagement with the criminal justice system in Northern Ireland (May 2019).

In addition inspection work is ongoing or not yet published in relation to domestic violence and abuse; public protection arrangements; and the treatment of victims and witnesses. Efforts will be made to take cognisance of these previous reports and not repeat this work unnecessarily.

Aims of the inspection

The broad aims of the inspection are to assess probation practice by the PBNI in the three areas of strategy and governance; delivery; and outcomes. In assessing the areas of strategy and governance and outcomes CJI will utilise its usual inspection framework (see Appendix A to Terms of Reference).

In order to assess the delivery of probation work CJI will work in partnership with Her Majesty's Inspectorate (HMI) of Probation and the PBNI to develop a bespoke methodology for reviewing casework across the four areas of case supervision. This methodology will be based on HMI Probation's Standards for inspecting probation services which is utilised in England and Wales. The criteria will be adapted to the Northern Ireland context to take into account the different legislative, organisational and practice context as outlined in the PBNI Practice Standards.

121 CJI, An inspection of community supervision by the Probation Board for Northern Ireland, May 2013, available online at: <http://www.cjini.org/TheInspections/Inspection-Reports/2013/A/Community-supervision-by-the-Probation-Board-for-N>

122 Available online at www.cjini.org

CJI will use the findings from the inspection of case supervision to inform the inspection of the areas of strategy and governance and outcomes.

Scope of the inspection

The case assessment fieldwork for this inspection will focus predominantly on Case Management.

The PBNI Case Management Standards apply to all sentences supervised by the PBNI with the exception of Community Service Orders, Supervised Activity Orders, Juvenile Justice Centre Orders, Enhanced Combination Orders and Aspire. These Orders have specific standards associated with them, as set out in the 2018 Practice Standards.

The inspection will draw on a sample which includes the following types of cases:

- Probation Orders; and
- Licences.

This will include Enhanced Combination Orders, cases with problem solving initiatives and cases with Victim Information Scheme involvement. Inspection of these aspects of delivery will be incorporated into the inspection of all relevant cases. The case sample selection processes will ensure that these cases are identified and that some are in the selected sample.

Where the psychology department is involved with a case, the inspection will consider whether the department has provided consultation, advice and support in line with the standards set out in the PBNI standards. However, the inspection team will not have the resources to evaluate in depth the quality of this input.

The inspection will focus on work with those aged over 18 years.

The inspection will not cover preparation for sentence as this has previously been covered in the CJI inspection of pre-sentence reports (published June 2011). The inspection will not review the case management of cases currently in custody.

There will be a focus on registered victims in both relevant case files, and in a specific review of cases. There will also be consideration, both via case files and in more general terms, about problem solving justice initiatives.

Methodology

The inspection will cover aspects of the CJI approach outlined in the Operational Guidelines; The Inspection Management Checklist; and the CJI Inspection framework.

The specific fieldwork methodology will be based upon that used by HMI Probation in undertaking their Probation Standards inspections in England and Wales. That is, the identified cases will be reviewed by access to case records and in discussion with the Probation Officer responsible for the case.

The methodology will be tailored for use in Northern Ireland in consultation with PBNI. It will not however be possible to provide direct comparisons with probation work in England and Wales given the different structures for delivery of probation services and the different standards in place.

HMI Probation Standards assess the following areas:

Domain 1.

Organisational delivery

- 1.1 Leadership;
- 1.2 Staff;
- 1.3 Services; and
- 1.4 Information and facilities.

Domain 2.

Case supervision

- 2.1 Assessment;
- 2.2 Planning;
- 2.3 Implementation and delivery; and
- 2.4 Reviewing.

Domain 3.

Sector specific work

- 3.1 Court reports and case allocation;
- 3.2 Statutory victim work;
- 4.1 Unpaid work; and
- 4.2 Through the Gate.

The four areas of Domain 2, Case supervision to be assessed will therefore be as follows:

- 2.1 Assessment;**
- 2.2 Planning;**
- 2.3 Implementation and delivery; and**
- 2.4 Reviewing.**

The fieldwork stage of the inspection of PBNI will take place in two stages:

Stage 1:

HMI Probation will support CJI in undertaking an inspection focused on 'Domain 2' of HMI Probation's inspection standards (that is, quality of assessment, planning, implementation and delivery and reviewing). This inspection will produce data about the quality of case supervision, which CJI will be able to use to inform Stage 2 of the fieldwork.

Stage 2:

CJI will review the findings from the inspection of case supervision, and use these as information to inform further fieldwork in relation to the three areas of CJI's inspection framework; strategy and governance (akin to 'Domain 1' of HMI Probation's Standards); delivery (including case supervision as well as wider aspects of delivery); and outcomes. This part of the inspection will be conducted by CJI.

The various stages of the inspection will take place as follows:

Design and Planning

Preliminary research

Initial meetings have been held with representatives from the PBNI to discuss the inspection and agree the inspection methodology.

Benchmarking, research and data collection

Research will be undertaken into the current approach to managing offenders in the community in Northern Ireland and other jurisdictions and the findings from other inspection reports both of the PBNI and other probation services. The PBNI will be asked to supply relevant documentation including policy, procedure and guidance documents for review.

Delivery

Stakeholder consultation

In undertaking the strategy and governance, delivery and outcomes aspects of the inspection CJI will consult with stakeholders about the delivery of probation services. The major stakeholders are partner agencies working alongside the PBNI at strategic and operational levels as well as community and voluntary organisations who work with and/or provide support for offenders and their families. The organisations will include:

- Addiction NI;
- Community Restorative Justice Northern Ireland;
- Department of Justice;
- Health and Social Care Board;
- Extern;
- NIACRO;
- Northern Ireland Alternatives;
- Northern Ireland Prison Service;
- Northern Ireland Social Care Council;
- Police Service of Northern Ireland;
- Representatives of the Judiciary;
- Victims and/or their representatives;
- Victim Support Northern Ireland; and
- Women's Aid.

Case Assessments

Design of Standards

HMI Probation will draft inspection standards, aligning as far as possible the PBNI Practice Standards with the quality measures used by HMI Probation.

The draft standards will be reviewed in a workshop with CJI and the PBNI, led by HMI Probation, on 22 and 23 July 2019 in Belfast.

The agreed standards will be signed off by CJI.

The standards will form the basis of the case assessment tool, which will be designed by HMI Probation.

Case assessment methodology

HMI Probation inspect two cases each day. This approach will form the basis for the resourcing of the inspection of PBNI.

HMI Probation will provide two HMIs and two Assistant Inspectors to work alongside four CJI Inspectors.

PBNI will be invited to nominate four of their Area Managers to work as part of the inspection team, with a reserve staff member also trained. HMI Probation use 'Local Assessors' as part of the inspection team in inspections of divisions of the National Probation Service. This approach provides a legacy to the organisation, with a small group of staff trained to use the HMI Probation benchmark of quality.

Training

HMI Probation will provide training to CJI and the PBNI staff who will form part of the inspection team. This will ensure that all the team are familiar with the case assessment tool and the required standard for case supervision. This training will take place on 19 and 20 August 2019 in Belfast.

Case sample specification

Probation Order: cases sentenced to a Probation Order which includes six-nine months of probation work within it; and

Licence: cases released from custody on Licence which includes six-nine months of probation work within it.

The exact dates for the case file sample will be notified to the PBNI closer to the inspection fieldwork.

Development of fieldwork plan

The fieldwork will cover the following elements:

Case assessments:

This component will be undertaken by HMI Probation, CJI and PBNI staff:

- An inspection of approximately 80-85 cases for offenders being managed in the community, via a review of the case file and an interview with the supervising Probation Officer (see below);

Strategy and governance, delivery and outcomes:

This component of the inspection will be undertaken by CJI:

- interviews with stakeholders and representatives from partner organisations;
- interviews with senior managers in PBNI;
- interviews with representatives of the PBNI Board;
- interviews/focus groups with PBNI clients, including PBNI Service User Forums; and
- interviews with providers of services to PBNI clients.

Case inspection

An inspection of the selected cases will be undertaken week commencing 7 October 2019. The inspection will involve assessing the quality of practice undertaken with a representative sample of cases, through file reading and interviews with Probation Officers about individual cases under their supervision.

A selection of approximately 80-85 cases will be selected by CJI based on the sample selection guidance. This will include approximately 40% licence cases and 60% Probation Orders, including Enhanced Combination Orders, at various risk levels. The sample size will include some Aspire cases and cases that fall under the Problem Solving Initiatives, for example the Substance Misuse Court and non-adjudicated domestic violence cases. The sample will not include cases where the offender is aged under 18 years to avoid overlap with the work of the Youth Justice Agency. CJI will inform the PBNI of the list of cases selected in order that appropriate arrangements can be made to interview Supervising Probation Officers the primary inspection week.

Analysis of data

The qualitative findings from the fieldwork interviews (as conducted following the case assessment element of the inspection) will be combined with the quantitative data from the case assessment for data analysis purposes. This will enable a balanced and evidence based analysis to be presented in the report.

Initial feedback to agency

Feedback to Supervising Probation Officers will be provided on a one-to-one basis during the course of the interview, with a view to highlighting areas of good practice and suggesting areas for improvement. The content of individual case inspections will be treated in confidence, except where there are concerns about issues relating to public protection or vulnerability that need immediate attention. These matters will be brought to the attention of a PBNI manager in line with the guidance provided and developed by HMI Probation.

Initial indicative feedback will be given to the Chief Executive and senior colleagues by CJI by way of a verbal briefing in order to provide an opportunity to discuss issues arising from the inspection at an early stage.

Drafting of report

A report will be prepared for CJI by HMI Probation following the Stage 1 fieldwork. The aim of this report will be to summarise the findings from the case inspections, and to provide the basis for CJI to follow up on key findings as part of the inspection of strategy and governance, organisational delivery and outcomes.

The full inspection report will then be prepared by CJI and subject to usual CJI internal quality assurance processes. A draft will then be shared with the PBNI for factual accuracy checking purposes prior to finalising the report.

Publication and Closure

The final version of the report will be forwarded to the Minister for Justice/Permanent Secretary Department of Justice for permission to publish. Once permission is received a draft press release will be developed and shared with the PBNI. Publication of the report will be agreed with the PBNI.

APPENDIX A: CJI INSPECTION FRAMEWORK



The tables below illustrate what may be evidence for each of the three inspection criteria. Evidence outlined is not meant to be exhaustive and organisations may produce other evidence of good practice in each of the areas.

Framework Area	Possible Evidence
<p>Strategy and Governance</p> <p>Inspectors will be looking for:</p> <ul style="list-style-type: none"> evidence of good governance; how strategy sets the direction of the organisation; how leadership supports and promotes strategy; and how shared understanding is created and maintained. 	<ul style="list-style-type: none"> Governance is based on recognised and appropriate standards and principles. Governance is based on clear and transparent processes and structures. Compliance with governance arrangements is monitored and reported on. Structures are integral to the overall strategy in support of the mission, vision and values. Strategy provides a medium to long term organisational focus and sets out clear unambiguous targets. Long term developments that may impact on strategy are anticipated and planned for. Strategy is developed and updated based on meaningful consultation with all relevant stakeholders. Strategy is monitored and updated to take account of change. At all levels managers/leaders are role models and promote high standards of behaviour, fairness and equality. Managers/leaders recognise achievements and take appropriate action when behaviour falls below standards. Finances are appropriately managed in support of the overall strategy Business planning supports the organisational strategy. The planning process reflects the overall strategy and priorities of the Criminal Justice System (Justice and Policing department).

Framework Area	Possible Evidence
<p>Delivery</p> <p>Inspectors will be looking for:</p> <ul style="list-style-type: none"> evidence of effective and efficient delivery against objectives. 	<ul style="list-style-type: none"> Delivery is based on the present and future needs and expectations of stakeholders and customers. Appropriate standards for delivery of services and products are identified, implemented, monitored and developed. Delivery is customer focused and inclusive of diversity. Customer relationships are managed and improved. The approach to delivery takes account of information from performance measurement, research, and learning (internal and external). Information from staff, stakeholders, customers, and partners is managed to improve delivery. There is a programme of continuous reviews, development, and updating. Resources are planned, managed and improved to deliver against targets. Technology and systems are managed in a way that enhances delivery. Finances are used effectively and efficiently in support of delivery objectives. Staff and service deliverers are enabled, empowered and supported. Fixed assets are utilised in support of delivery objectives. Process improvements are delivered.
<p>Outcomes</p> <p>Inspectors will be looking for:</p> <ul style="list-style-type: none"> quantitative data to support assertions of outcomes; and evidence of managing performance to deliver objectives and targets. 	<ul style="list-style-type: none"> Outcomes are measured and evaluated against objectives and targets. Measurement of outcomes integrates diversity issues to ensure fairness and equality. Customers' perceptions of organisational performance are measured. Performance indicators are monitored and used to understand, predict and improve outcomes. Feedback from stakeholders, partners, and staff is used to improve outcomes. Performance indicators are monitored and used to monitor, understand, predict and improve staff performance. Performance measurement is analysed and used to improve strategy and policy. Performance is benchmarked against appropriate organisations. Results are published, made freely and widely accessible and actively communicated to stakeholders.

APPENDIX 4: CJI REGISTERED VICTIM SURVEY RESPONSES

Questionnaire surveys were sent to 357 victims registered with the Victim Information Scheme (VIS). A total of 49 responses were received in total although one victim declined to complete the questionnaire and instead spoke to an Inspector. Responses are therefore based on 48 completed questionnaires (13% response rate). Respondents did not all respond to every question as indicated below. The responses to the questionnaire survey were as follows:

On initial contact:

- Out of 48 responses, 81% stated they were provided with sufficient information to enable them to find out about the VIS;
- out of those that answered 75% (33 of 44 respondents) said initial contact from the PBNI was easy to understand;
- 93% (a total of 39 of 42 respondents) said the PBNI explained reasons for the contact;
- 90% (a total of 37 of 41 respondents) said that the manner of contact had been appropriate to their needs.

On subsequent information provided and contacts:

- 77% (33 of 43 respondents) said their circumstances and needs had been taken into account in any contact with VIU staff;
- Of those that answered the degree to which victims agreed they were provided with relevant information varied on:
 - the type of supervision offender subjected to (69%, 31 of 45 respondents);
 - the general requirements of the supervision (73%, 32 of 44 respondents);
 - the supervision length (65%, 30 of 46 respondents);
 - any additional requirements or conditions (65%, 28 of 43 respondents);
 - any variations of terms or conditions (57%, 24 of 42 respondents);
 - how victim's concerns informed the manager of the offender (55%, 24 of 44 respondents);
 - how to contact other victim support organisations (76%, 34 of 45 respondents);
 - how to be involved on a voluntary basis in restorative interventions (48%, 21 of 44 respondents); and
 - in respect of Life sentence/Indeterminate Custodial Sentence 41% (12 of 29 respondents) said they did get chance to discuss concerns about release and risk management.

On feeling safer:

- 57% (20 of 35 respondents) said on reporting concerns to the PBNI they were satisfied these informed risk management; and
- 54% (20 of 37 respondents) felt safer as a result of contact with the PBNI.



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