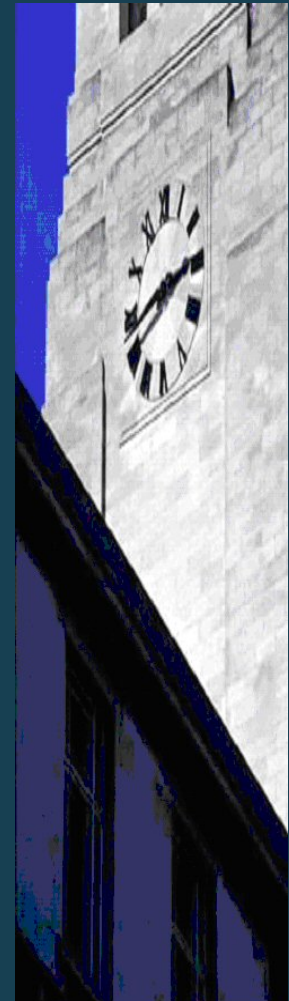


British Criminology Society Conference  
2005

*A new Criminal Justice  
Inspectorate in Northern Ireland*

Marie Smyth & Ian Craig

12 – 14 February 2005



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



# History of Criminal Justice in Northern Ireland

- Formation of state of Northern Ireland 1921;
- Creation accepted by majority Protestant population while contested by Catholic minority
- Since 1921 more Protestant staff within the Criminal Justice System for example, Police (over 90% Protestant) therefore less acceptance from minority Catholic population.
- Criminal justice reform a key issue in peace agreement.
- Changes to the Police – 50:50 recruitment, name, uniform
- Creation of the Police Ombudsman, Human Rights Commission, Criminal Justice Inspection



# Origins of CJI

- Belfast Agreement (Good Friday) 1998
- Criminal Justice Review 2000
  - Importance of Inspection
  - Single, independent CJI for Northern Ireland
- Justice (Northern Ireland) Act 2002 – gave legislative effect
- Kit Chivers - Criminal Justice Inspection NI



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



# Justice (NI) Act 2002

- “Must inspect” a list of 20 organisations
- Omits courts, criminal legal aid, Community Safety Partnerships and Revenue Departments
- May employ other Inspectorates
- Not to inspect where there is an adequate inspection regime already in place e.g. HMIC for Police



# The Inspectorate

- One of a suite of independent NDPBs in NI
- Independent, but reports to Secretary of State
- Not part of the Civil Service ('corporation sole')
- Separate Budget
- Wide-ranging powers
- Must not investigate individual cases – do not have the resources



# Core organisations

- Police Service of Northern Ireland
- Public Prosecution Service
- Prison Service
- Probation Board for Northern Ireland
- Youth Justice Agency
- Police Ombudsman for Northern Ireland
- Forensic Science Northern Ireland
- State Pathologist's Department.



## But also...

- Health and Social Services Boards & Trusts (in specified areas only)
- Northern Ireland Child Support Agency
- Northern Ireland Tourist Board
- Health and Safety Executive
- Royal Mail Group plc
- Belfast International Airport
- Port of Larne, etc



# Capacity of CJI

- **Chief Inspector** (former Chief Inspector of Courts in England and Wales)
- **Deputy Chief Inspector** (former Police [RUC and PSNI] Area Commander)
- **Five inspectors**
  - Law
  - Auditing court service
  - Police race and diversity
  - Probation and youth justice
  - Business & management
- **Two assistant inspectors**
  - Criminal justice Policy and Practice
  - Research



# Partner Inspectorates

- HM Inspectorate of Constabulary
- HM CPS Inspectorate
- HM Inspectorate of Prisons
- HM Inspectorate of Probation
- HM Inspectorate of Courts Administration
- Social Services Inspectorate for Northern Ireland
- Benefit Fraud Inspectorate



# Ethos

- not inspecting for blame
- not taking sides
- inspecting *with* the agencies
- ‘grown-up’ inspection, assuming good motivation
- process interactive and agreed at every stage



# The 'common core'

**Openness**: Is it an open and accountable organisation?

**Partnership**: Does it operate in a joined-up way with the CJS?

**Equality**: Does it promote equality and human rights?

**Learning**: Does it seek feedback and manage change well?

**Results**: Does it deliver performance and outcomes?



# The 'common core'

Strategic planning, management and reporting to the community and other stakeholders

Customer focus and the customer interface

Operations and processes

Finance and fixed asset utilisation

Management of human resources



# The 'common core'

	<b>Openness</b> Is it an open and accountable organisation?	<b>Partnership</b> Does it operate in a joined-up way with the CJS?	<b>Equality</b> Does it promote equality and human rights?	<b>Learning</b> Does it seek feedback and manage change well?	<b>Results</b> Does it deliver performance and outcomes?
<b>Strategic planning, management and reporting to the community and other stakeholders</b>	A1 Plans and reports are addressed to the community. Political and media environment handled well	B1 Planning is conducted in consultation with partners in the CJS and the community	C1 Planning gives priority to addressing equality and human rights issues	D1 Constantly updates its plans and manages change effectively in dialogue with the community	E1 Sets challenging targets in collaboration with the community and delivers results against them
<b>Customer focus and the customer interface</b>	A2 Holds itself accountable to users of the Criminal Justice System and designs services to meet users' needs	B2 Works with other agencies to ensure that service to customers is seamless	C2 Ensures even-handedness and respect for human rights in the service provided	D2 Learns from customer feedback and responds professionally to changing demands	E2 Delivers good service to those experiencing the criminal justice system as a user
<b>Operations and processes</b>	A3 Reports meaningful statistics about its operational performance, demonstrating where value is added for customers and stakeholders	B3 Works with other agencies to optimise CJS combined efficiency and effectiveness	C3 Maintains systems to confirm even-handedness and non-discrimination	D3 Benchmarks performance and responds to technical innovations	E3 Continually improves efficiency of processes and quality of services
<b>Finance and fixed asset utilisation</b>	A4 Proper corporate governance, proper accounts and audit with independent review of processes and controls for value for money	B4 Takes into account resources of CJS partners in financial and business plans	C4 Is prepared to devote resources to equality and diversity issues	D4 Monitors financial trends and is ready to invest in new processes	E4 Manages its budget and its assets to optimise value for money
<b>Management of human resources</b>	A5 Staff reporting and other HR practices are open and transparent	B5 HR plans and practices facilitate joint working with partners	C5 HR practices guarantee no discrimination in recruitment or promotion	D5 There are regular surveys of staff attitudes and values and results are acted upon	E5 Manages its human resources economically to support effective operations

**Partnership**: Does it operate in a joined-up way with the CJS?

Customer focus and the customer interface

**B2**  
Works with other agencies to ensure that service to customers is seamless



# Work in Progress

## Completed

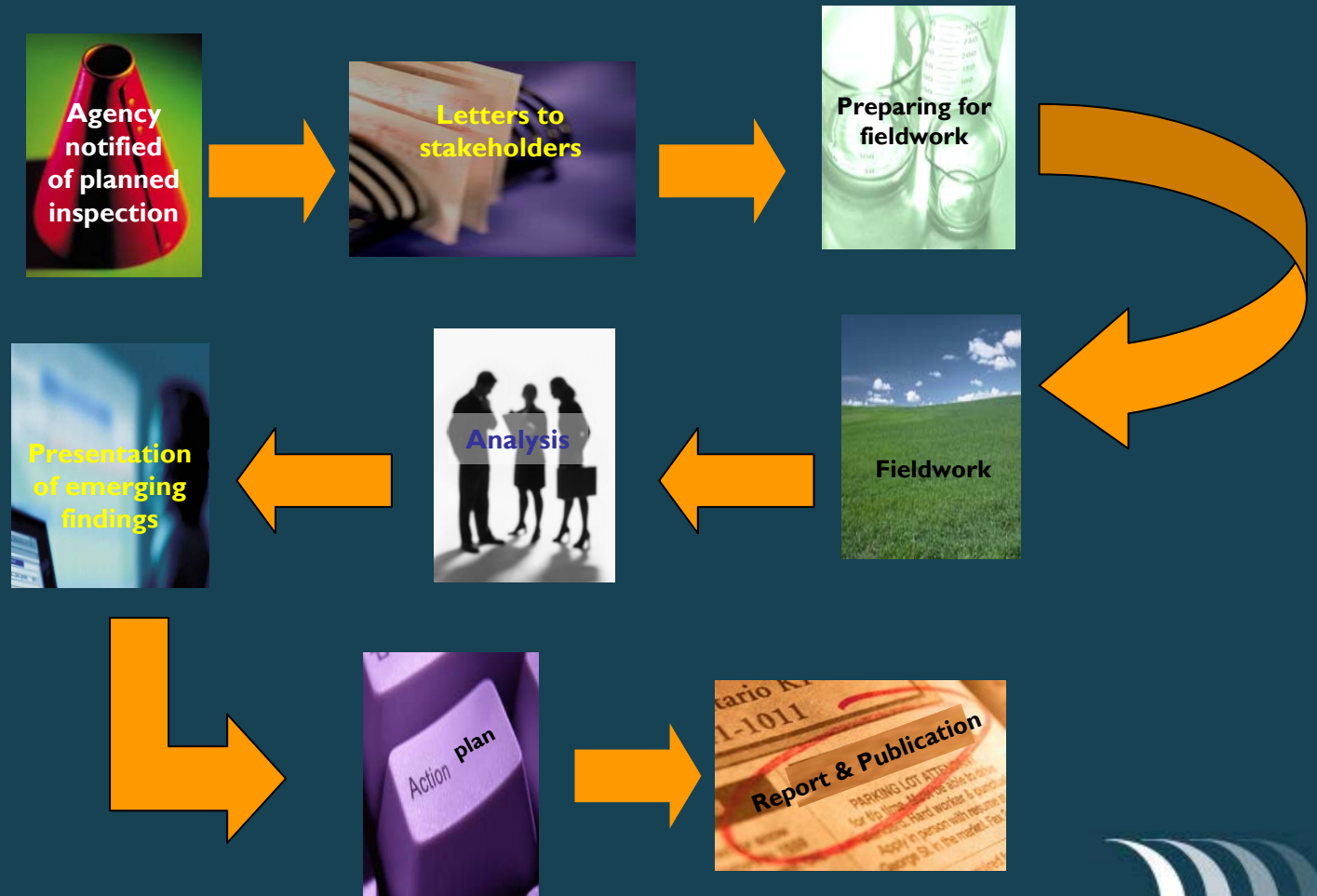
- **MASRAM:** Help and advise the agencies involved in managing sex offenders.
- **Magilligan:** Inspection of prison by CJI, Prison inspectorate, and Adult Learning and Education and Training.
- **Juvenile:** Children's prison inspected by CJI working with social services, education and training, healthcare specialists and building engineers.
- **State Pathology:** Inspection found department providing valuable service.
- **Ash House:** Unannounced inspection of prison for women.

## Ongoing

- **Victims:** Thematic review of current policies and practices with regard to victims and witnesses of crime across the CJS.
- **Police Ombudsman:** Inspection of Police Ombudsman for NI
- **Forensics:** Inspection of the forensic Science NI



# Inspection process



# Agency notified of planned inspection

- **Leading Inspector**
  - Relevant experience and availability
  - Common core
  - Timescales and staff available
- **Letter to agency**
  - Date of inspection and lead inspector
  - Supply relevant documentation and self assessment
  - Arrange early meeting usually 'informal' and identify Liaison Officer
  - Design 'terms of reference' and possibly create a steering group
- **Unannounced Inspection** – Ash house
- **Details of inspection programme** – Website

## Challenges

- **Designing a letter to inform the agency of the inspection and their expected co-operation.**
- **Making an impression at first contact**
- **Reassure – here to help not to find fault**
- **Experience (if any) of past inspection in NI**
- **Maintain independence from Gov. dept e.g. NIO**
- **Agency to produce relevant information not 'everything but the kitchen sink'**



# Letter to stakeholders

- **Distribution**

- Best people to contact - usually twelve letters
- Advice from agency
- Offer face-to-face or telephone interviews – home or away
- May add own contacts
- Keep a record for final report
- Enclose leaflet

## Challenges

- **Engaging the community in the CJS**
- **Time management**
- **Wording of the letter**
- **Deadline for replies and reminders**
- **Details of respondents**
- **Ensuring replies from ‘main’ stakeholders**
- **Monitoring sense of exclusion**
- **How to share stakeholder feedback with agency?**



# Preparing for fieldwork

- **Hypothesis meeting**
  - Based on the gathered stakeholder information
  - Agreed with Chief Inspector and Deputy Chief Inspector
- **Benchmarking**
  - Based primarily on England and Wales, Scotland and Republic of Ireland
  - How relevant is the information to Northern Ireland?
  - Are there any existing standards or expectations?
- **Programme**
  - Plans sent to liaison officer for agreement
  - Agree timetable to conduct fieldwork
  - Based on research the lead inspector prepares a set of checklist and questions

## Challenges

- **Getting the right hypothesis**
- **Minimum disruption to agency**
- **Base of operations within agency location**



# Fieldwork

## Information gathering

- Interviews, focus groups, statistical data, and reports
- Introduction outlining purpose, importance and 'on the record'
- Nothing attributed to the interviewee except Chief Executive
- Open-ended questions
- Leaflet and feedback form
- Re-alignment of interview schedule

## • Recording the findings

- Regular feedback from inspectors
- Writing up interviews hence two inspectors required
- Budgeting the inspection
- Daily de-briefs

## Challenges

- **First impressions - creating a suitable atmosphere**
- **Note taking, checking process**
- **Issuing and collating the feedback forms**
- **Remaining neutral across agencies**
- **Dealing with request for instant feedback/Anxiety**
- **Access to interview notes**



# Analysis

- During fieldwork
  - De-briefs and discussions
  - Recording of emerging issues

## Analysis

- Collating the issues
- Matching to the common core
- Matching to the hypothesis

## Challenges

- **Critical mass of opinion or concern**
- **Triangulation – two or more comments**
- **Retrieval of data for evidence**
- **‘Filling in the gaps’ with other data.**



# Presentation of emerging findings

- **Draft Recommendations**
  - Recognition to management of the agencies co-operation
  - Present main conclusions and findings
  - Use of PowerPoint
  - Chief Inspector or Deputy Chief Inspector in attendance
  - Agency invited to feedback to CJI

## Challenges

- **Clear and concise presentation of feedback**
- **Dialogue during discussions with sensitive findings**
- **Dealing with initial reactions**
- **Ensuring factual accuracy and impartiality**
- **Developing from feedback – Ombudsman**
- **Discrepancy in perception to summary report**
- **Codes/standards v reality**

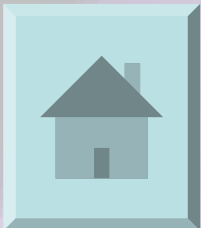


# The Action Plan

- **Agree action plan**
  - Agency invited
  - Submitted to Chief Inspector within one month
  - Lead inspector liaise with agency
  - Eventual action plan agreed

## Challenges

- **Achieving agency acceptance of recommendations**
- **Incorporating an action plan within the report?**
- **Negotiation with aggressive/assertive/defensive individuals**
- **Agency take ownership of the action plan**



# Report and Publication

- Contents

- Describe organisation, functions and objectives
- Key statistics in annex
- Explain findings and build public confidence
- Identify good practice
- Methodology, supporting statistics and reference documents into annexes
- Key recommendations
- Action plan – if available
- Draft submitted to Chief Inspector for approval

## Challenges

- **Wording of recommendations**
- **Managing media coverage**
- **Report accessibility**
- **Consistent style of report**
- **Short and concise reports**
- **Deadlines for publication**
- **Dissemination**



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