



Chief Inspector's Speech

Making change happen – making a difference

Minister, Distinguished Guests, ladies and gentlemen it is a pleasure to speak with you this morning at what is my second annual Stakeholder Conference. This is a unique event that brings together people from across the justice system. I believe we have a record number of people here today and I would like to thank you all for coming.

To begin I would like to thank the Minister and Officials within the Northern Ireland Office and the justice organisations themselves, for their support with the inspection programme over the past year.

I would like to thank those organisations and individuals that we have worked closely with in 2009. We have benefited greatly from the assistance provided by Her Majesty's Inspectorates of Prisons, Constabulary, Courts Administration and the Crown Prosecution Service. Thanks also to Education and Training Inspectorate, the Regulation and Quality Improvement Authority and the Northern Ireland Audit Office.

I would also like to thank the team within the Inspectorate who have worked extremely hard in delivering a series of quality reports and observations into the criminal justice system. Inspectors and support staff have worked together to deliver and publish an impressive body of work. In addition they have made a huge effort to make today's event a success.

The Stakeholder Conference provides an opportunity to say something about the work undertaken by CJI and to highlight some of the issues moving forward.

2009 was a busy year for us. During the year we published 15 separate studies involving 10 justice organisations. Broadly speaking, this involved organisation specific studies, follow-up reviews and thematic studies across the justice system.

Our work in 2009 offered some quite specific recommendations aimed at improving the service provided by individual justice organisations.

In particular, while noting the steps taken to engage with the community by the PSNI, we highlighted the challenges remaining to implement the objective of making community policing central to the work of every police officer and every police station – including more effective call management. It was a clear message from our inspection that the community in Northern Ireland want to engage with the police.

We also examined the services provided to vulnerable prisoners within the Northern Ireland Prison Service. While noting that the service had worked to address many of the issues arising out of the death of Colin Bell, we highlighted our

concerns around the regime at Maghaberry Prison and the continued disconnect between strategic intent and reality on the ground in relation to the delivery of progressive prison policy.

Slightly away from the mainstream we also examined the work of the West Belfast Community Safety Forum. We concluded that the Forum had made a positive contribution to community safety. We also noted that any consideration of the future of the Forum should be made in the context of decisions around other agencies involved in similar work.

We also completed a number of follow-up studies on the extent to which recommendations from previous inspections had been implemented. We noted the positive improvements made by PSNI in relation to Volume Crime and Scientific Support Services; the considerable progress made by the Coroners Service in providing support to bereaved families; and the strengthening of Forensic Science Northern Ireland as an organisation.

In relation to the Public Prosecution Service, we highlighted the progress made since our baseline review and noted the work yet to be completed in the management agenda and in the treatment of victims and witnesses.

Our highest profile report related to the follow-up inspection of Maghaberry Prison. The unannounced inspection noted that Maghaberry was not performing well in any of the healthy prison tests and, there had been disappointing follow through on the previous inspection recommendations.

Finally, we conducted a number of thematic studies. In relation to the management of life sentence prisoners we found that the approach taken in Northern Ireland compared well with other jurisdictions.

In relation to the implementation of Section 75 across the justice system, however, further work was required to ensure accurate and timely monitoring information.

Looking at the reports published last year, there is much that was identified of a positive nature. I am thinking particularly about our reports on police custody, coroner's service, volume crime and police bail, the work of the forensic science service and the management of life sentence prisoners. These reports show how sustained effort and commitment can make a difference.

At the same time, we are starting 2010 with many of the issues we began with in 2009 including:

- the need to improve policing with the community;
- the need for prison reform and to focus more on the reduction in re-offending;
- the need to improve how we engage with victims and witnesses;
- the need to reduce delay in the justice system;
- the importance of proper governance and accountability in delivering real change.

Inspectors - as you will know - are impatient. There will always be a mismatch between the speed in which organisations can change and the speed with which we think change should be delivered. This is a healthy tension.

Looking to the future, however, change is likely to be a constant as there are a number of pressures that will shape how business is undertaken.

The first is budgetary. In a future landscape budgetary pressures will not go away.

One of the consequences of this will be to challenge the ways in which services are delivered.

In my experience all too often the desire to develop a new approach or function has been met with the demand of additional resources.

As budget pressures increase, organisations will be challenged to develop new ways of doing business within existing or indeed fewer resources.

Learning to get more from less will be a clear factor in making change happen.

The second clear pressure for change will be political. One of the main benefits of the devolution of policing and justice is that we will have local accountability for the justice system here. Increased local political interest will also put on pressure to change the ways in which business is done.

It is clear from the experience of devolved Government to date that there will be a demand for a '*devolution difference*' – to demonstrate that things are better under a devolved Government compared with direct rule.

This year alone we have already seen significant interest from local politicians in the work of the Inspectorate. I welcome this interest and look forward to the Inspectorate making a balanced and measured contribution to the debates on policing and justice that will occur.

The question I ask myself is what difference these issues will make for the justice system? In my view, there will be a much greater focus on delivery and a much greater challenge to the status quo.

A response to this requires a new approach and a different way of thinking about getting things done if a '*devolution difference* is to be delivered'.

Looking across our body of work it is possible to make some general observations on those areas that have made life difficult for organisations.

Firstly, many of the rubbing points remain in relation to the '*interface*' areas between organisations.

More explicitly I believe that there can be a degree of unnecessary preciousness and protectionism within organisations that undermine attempts to collaborate and develop joint working. There is a risk that an entirely appropriate focus on '*professional boundaries*' would be at the expense of service delivery.

Speaking about the civil service generally, the head of the CBI said: "*Northern Ireland used to launch ships now we launch strategies*". While overstating the point, I think there is a degree of truth in the remark.

Looking at the justice system from outside I do not get the sense that there is a lack of clarity on what needs to be done. Across the system there are some excellent strategic insights into what is required within each of the services.

A problem exists - highlighted in the work we have undertaken - in turning this strategic insight into *reality* on the ground.

In looking at the overall implications of our work, we see that organisations tend to focus on what they were comfortable with in relation to service delivery – there is nothing particularly surprising in this.

As I have said on other occasions, this becomes a challenge when the impact of ‘*the way in which things are done around here*’ works against the development of a new approach and new and improved ways of delivering services.

It emphasises the importance of leadership and the development of a clear view on the art of what is possible. Having a sense of purpose and being clear about what success looks like are essential ingredients.

Linked to this discussion on service delivery is the question of delivering successful outcomes.

Processes can triumph over outcomes – at the expense of the victim who remains disconnected from the justice system; the community frustrated at the failure to deal with anti-social behaviour; or the prisoner locked up for too long in a cell.

Measuring meaningful outcomes for end users is critical in beginning to change the way in which services are delivered. A continued focus on outcomes – turning intent into reality – will be an on-going challenge and one which we will consider more explicitly in our inspection work.

This brings me to the agenda for today’s conference. There are a number of objectives.

The first point is to provide an opportunity to consider – directly from practitioners – how they have made a difference in the work that they do.

Secondly, I think we can use the opportunity to reflect on the connections within the system and the ways in which we can work more closely together to deliver better outcomes.

Thirdly, we have an opportunity to learn what has worked elsewhere and think about how this can be applied back at the ranch.

Finally, I would like the conference to stimulate some fresh thinking around the operations of the justice system

I want to conclude by saying something about the role of CJI and the context within which it operates.

There is a view, which I am sure some people in this room share, that the justice system is subject to over scrutiny and there are too many bodies producing too many recommendations to be meaningful.

This is not conducive to achieving real change as in the words of a farming friend “*you don’t fatten a cow by weighing it*”.

There is some validity in this argument as scrutiny and oversight on its own does not drive change. There is no doubt that the architecture of regulation and scrutiny reflects our past as much as the structure and operations of the organisations we inspect.

This architecture was created for a certain time and a place. As Northern Ireland in general and the justice system in particular matures, I would like to think that the number of oversight bodies will diminish.

We need to hold the mirror up to ourselves as much as we hold it up to the organisations we review. This is necessary to ensure that the oversight mechanisms continue to be fit for purpose. CJI is happy to contribute to this debate and highlight the value that we add.

The argument that there is too much oversight and too much scrutiny should not, however, go unchallenged as:

- organisations can add to the burden themselves by commissioning their own studies when an inspection might have met their purpose;
- recommendations can be accepted without any real confidence that they will be delivered; and
- all too often, organisations can become consumed with the sheer weight of recommendations as if they were of equal value. If everything is a priority, then nothing is a priority.

There is though a tension at the heart of the work of CJI. On the one hand we genuinely want to work closely with organisations in helping them to improve performance. We want our agenda to be relevant to their business needs and look to add value to the challenging management tasks they have to undertake. In that sense, we are truly part of the justice system as we strive to work together to make it ‘a better justice system for all.’

At the same time, I also have to provide an objective and independent assessment of performance to Ministers and the wider community on the working of the justice system.

We have an obligation to publish our work openly and transparently - to praise good practice as we find it, and to highlight the areas for improvement.

To do otherwise risks the accusation that as Inspectors, we have been asleep at the wheel.

This then raises the question about the publication of our reports.

All of us have had the experience of getting complex and difficult messages into the public domain when:

- there were occasions where the published story bore little relation to the core of the inspection report;
- the reports highlighting the positive areas of the justice system were often ignored; and

- when there was, however, no difficulty in getting a negative sound bite.

The work of the Inspectorate, I think, reflects the state of the justice system as it exists today. Parts of it work very well; other areas require improvement.

Getting this message out is not always easy and often leads to a distorted picture of the justice system and indeed the work of the Criminal Justice Inspectorate.

As we have seen this last year alone – the consequences of our work in terms of publicity can reverberate around the system. I am not sure how many “damning” reports the media have said I have published this year but there have been a few!

This can lead to suspicion within organisations that we have an agenda, or, we are out to seek publicity for the sake of it.

Let me say now this is not the case. I believe we are impartial, objective and independent. I would expect feedback to the contrary if people thought this not to be the case. I want the Inspectorate to be the trusted critical friend of the justice system.

I believe the Inspectorate has shown it can walk the tight rope between being part of the system *AND* an independent commentator on its operations. To make this work requires an honest and respectful understanding of the roles that each of us plays. I believe we have this. Whatever environment we move into, the Inspectorate will work with *all* involved in the justice system to help make change happen

As I said earlier, I look forward to the Inspectorate continuing to make a balanced and measured contribution.

Thank you all for coming and I hope that you will have an interesting and indeed, challenging day.

Thank you.

Dr Michael Maguire

Chief Inspector of Criminal Justice in Northern Ireland