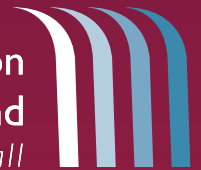


Summary of Criminal Justice Inspection Northern Ireland Report Findings

January – December 2010

Criminal Justice Inspection
Northern Ireland
a better justice system for all



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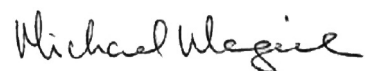


Introduction

Criminal Justice Inspection Northern Ireland (CJI) is a unique organisation that cuts across all aspects of the justice system from policing and prosecution to the courts, prisons, probation and youth justice among others. Our inspection agenda is designed to provide assurance to the community in Northern Ireland that the justice organisations are subject to independent scrutiny. In addition, we seek to highlight good practice as well as focus on areas which require improvement. In all our inspections we want to work with justice organisations in their development.

2010 was again a very busy year for CJI. This brief document attempts to give the reader an overview of the breadth of work undertaken by the Inspectorate and its key findings. The inspection work is a mix of organisation – specific studies, follow-up work on previous inspections and thematic inspections that involve more than one organisation.

All our work is undertaken to meet the objectives of CJI. Full reports are available on our website www.cjini.org.



Dr Michael Maguire
Chief Inspector of Criminal Justice in Northern Ireland

Police Service of Northern Ireland

PSNI Training Strategy (March 2010)

- Much work has been done in relation to the development of a Training Strategy for the PSNI, particularly in relation to the development of the Police College. The purpose of the training strategy is to set out the objectives of training and development within the PSNI to ensure the delivery of effective training.
- As only 60% of the training budget was covered by the Training Strategy (the remainder is delivered within District Commands) the PSNI cannot be assured that the training provided across the organisation, is directly aligned with the strategic intent of the organisation or that it is focused on areas of greatest need.

Roads Policing Follow-Up Inspection (November 2010)

- The PSNI make a valuable contribution to road safety through education and enforcement.
- The PSNI is commended for the steps it has taken and the introduction of driver education and speed awareness courses as an option for motorists who are detected committing lower level speeding offences.
- Limited and recent progress made to improve arrangements for the investigation of fatal and serious road traffic collisions.
- Collision Investigation needs the full support of the Assistant Chief Constable.
- The resourcing of Collision Investigation Units should be monitored on an on-going basis.

Northern Ireland Courts and Tribunals Service

Management of Jurors: An inspection of the management of jurors by the Northern Ireland Court Service (April 2010)

- The overall message from the inspection was a positive one.
- The Northern Ireland Courts and Tribunals Service was meeting the demands of the criminal justice system by providing sufficient numbers of jurors to ensure the smooth running of criminal trials.
- The ethos of 'customer service' was apparent in how the Courts Service dealt with prospective jurors – 93% of jurors surveyed in the inspection described it as 'good'.
- The inspection made recommendations aimed at improving jury utilisation.

Northern Ireland Prison Service

Magilligan Prison Inspection (August 2010)

- Overall, this was a positive report on an improving prison and we pay tribute to the governor for his evident determination to deliver change.
- There was insufficient primary mental health provision to meet the evident need.
- There needs to be solid support from Prison Service Headquarters, not least to deal with the seemingly intractable problem of poor industrial relations.

Northern Ireland Prison Service Mistaken Prisoner Releases (November 2010)

- Inspectors attended all core meetings of the Enquiry Team and provided oversight, challenge and comment on all discussions we considered to be appropriate.
- The NIPS Enquiry Team made a number of recommendations which were agreed by Inspectors.
- Additional sampling checks were carried out to ensure that errors identified in this work had not been repeated in other cases.
- One area of concern raised by Inspectors involved a delay in initiating disciplinary procedures.

Northern Ireland Prison Service

Northern Ireland Prison Service Corporate Governance arrangements (December 2010)

- The report showed that deep seated problems exist in the Prison Service.
- It is unable to deliver better outcomes for prisoners in terms of time out of cell, access to work, education and other purposeful activity, or to address the need for more constructive engagement between prison officers and prisoners, which can be critical in helping to reduce re-offending and make communities safer.
- The Prison Service has at its disposal 1,883 uniformed grade officers and almost 400 civilian grade staff members. Yet, local working practices create insufficient staffing levels to deliver an effective service.

Probation Board for Northern Ireland

Inspection of the Probation Board for Northern Ireland Community Service Scheme (March 2010)

- The work undertaken under the Community Service Scheme is positive, socially useful and of benefit to the community.
- The Community Service Scheme is well managed against Northern Ireland standards. There are no evident concerns about public safety or undue risks associated with the scheme.
- The Probation Board does need to consider the hours worked by participants and to reduce the delay in the period from the Community Service Order being made to the offender starting work.

Other Justice organisations

Youth Conference Service Follow-up Review (April 2010)

- Overall a positive response, out of 14 recommendations, eight have been completed, four were partially completed and in the future would be completed. Two of the recommendations are unlikely to be completed due to budget, resource allocation and issues with legislation.
- The key recommendation which called for a system-wide review of current practices within youth offending, had been completed. This recommendation was aimed at developing a clearer, more integrated system with restorative practice at its core.
- The review of services had resulted in a close partnership being developed between the Youth Conference Service and the Probation Board for Northern Ireland. As a result, a two-year priority youth offending pilot that places restorative practice at its core had been developed.
- Appropriate training was secured for the Youth Conference Service staff who deal with sexually offending behaviour and there is better provision of information to conference co-ordinators to enable them to formulate effective conference plans for young people.

Northern Ireland Alternatives Follow-up Review (February 2010)

- Although the numbers of individuals referred through the protocol have been low, Northern Ireland Alternatives has done everything expected of it. Northern Ireland Alternatives has become an important part of the voluntary and community sector landscape in Northern Ireland and its reputation for dealing with difficult and troubled young people continues to grow.
- It was evident to CJI that Northern Ireland Alternatives is now operating at a different level than observed three years ago and Inspectors were pleased to note that all of the recommendations made by CJI in its original report had been achieved.

Thematic studies

Avoidable Delay (June 2010)

- Despite efforts to reduce avoidable delay across the justice system since CJI's previous inspection in 2006, the length of time it takes to process individuals through to disposal by a court is too long.
- A step change is required in the performance of justice organisations if they are to meet the challenge of reducing avoidable delay. This means:
 - the need for justice organisations to work more closely together;
 - addressing directly the causes of delay within each of the justice organisations; and
 - an improvement in Ministerial oversight of performance.

Thematic studies

The Use of Consultants by the Criminal Justice System (March 2010)

- Consultants are expensive resources and CJI found evidence that robust systems were in place in relation to the authorisation, approval and monitoring of expenditure on consultancy work.
- Inspectors found there was less focus on monitoring spending when external consultants were used to provide support under staff substitution arrangements.
- The inspection revealed that while the amount spent in relation to traditional consultancy has declined, expenditure on staff substitution within the criminal justice system had increased during the same period between 2005-06 to 2007-08.
- There were some issues around the letting of individual contracts and the need to sharpen practice as a consequence.
- A need to widen the pool of suppliers for the justice system by removing where possible, any barriers such as security vetting and the application of 'relevant experience' that may exist.

Prisoner Escort and Court Custody arrangements in Northern Ireland (October 2010)

- Court custody and transport arrangements operate to an acceptable standard.
- The quality of court facilities was extremely variable.
- In line with practice elsewhere, we suggest there would be benefits in undertaking a full market test of the court custody services currently undertaken on behalf of the Prison Service, PSNI and the Youth Justice Agency.
- Prisoners should not be routinely handcuffed when travelling in secure vehicles unless individual risk assessments demonstrate a high level of risk.
- Male and female prisoners should always be transported separately.
- This service was delivered within budget however, the cost of sick absence within the Escort Service was in the order of £300,000 per annum.

Thematic studies

The Enforcement of Fines (March 2010)

- Fines are by far the most frequently used penalty in Northern Ireland's Courts, with over 35,000 fines imposed in 2008.
- Northern Ireland currently imprisons more people for fine default than most other countries with defaulters making up nearly 30% of prison admissions which is a burden on the Prison Service.
- The enforcement of small fines places a burden on the PSNI, which sees it as a poor use of a police officer's time.
- Inspectors believe the role of the Courts and Tribunals Service can be enhanced, and welcome the initiatives already taken by the Courts and Tribunals Service to improve compliance, and the effectiveness of fine collection in the early days, after the time for payment has elapsed.

Hate Crime Follow-Up Inspection (July 2010)

- Of the 19 recommendations in the original report 12 had been achieved, three were partly achieved and four were not achieved.
- These events project a negative image of Northern Ireland onto a world stage.
- A hate crime strategy has yet to be developed.
- It is essential that the criminal justice system plays its part in dealing with the problems of hate crime in Northern Ireland.

Thematic studies

A thematic inspection of the handling of domestic violence and abuse cases by the Criminal Justice System in Northern Ireland (December 2010)

- Tackling incidents of domestic violence is a complex problem for which there are no easy answers.
- The inspection identified some good practice including the links between the justice agencies and the voluntary and community sector and the service provided by Domestic Abuse Officers in the PSNI.
- From an improvement perspective there is a need for greater consistency in the service and support provided by the PSNI, a need to improve the quality of prosecutions presented to the Court and the need for Independent Domestic Violence Abuse Advisors to advocate for and provide greater support to victims throughout the process.
- PPS statistics for 2008-09 indicated that in just over half of these cases (52.9%), a 'no prosecution' decision was taken as the cases were found not to have met the Test for Prosecution.

Thematic studies

A thematic inspection of the handling of sexual violence and abuse cases by the Criminal Justice System in Northern Ireland (July 2010)

- Crimes of sexual violence are notoriously difficult to investigate and prosecute successfully.
- The inspection identified some excellent examples of good practice within the justice system including the work of the police investigation teams and support given to the establishment of a Sexual Assault Referral Centre (SARC).
- The inspection also highlighted a number of areas where practice could be improved including:
 - the need to provide greater support and information to the victim throughout the process as their case progresses from one organisation to another;
 - improving the speed with which cases are dealt with; and
 - continually reviewing why cases do not progress through the justice system.

Thematic studies

Not a Marginal issue - Mental Health and the Criminal Justice System in Northern Ireland (March 2010)

- 16% of individuals in custody meet one of more of the assessment criteria for mental disorder.
- 78% of male prisoners and 50% of female prisoners are personality disordered - this figure is seven times higher than the general population.
- There are a range of deficiencies in mental health provision across the justice system as agencies struggle with the demands of dealing with those with mental health issues and experience difficulties in accessing expert services.
- Earlier screening and assessment is required and where possible offenders with mental health issues should be diverted away from custodial care;
- For those imprisoned the quality of care needs improved.
- Greater collaboration between the justice agencies is required to provide a more connected service and the relationship between the Departments of Health and Justice needs to be stronger.

Thematic studies

An inspection of the handling of the Donagh sexual offences cases by the Criminal Justice System in Northern Ireland (November 2010)

- The inspection was requested by the Minister of Justice to see how criminal justice agencies fulfilled their responsibilities in relation to cases of sexual offences involving the McDermott brothers from Donagh, Co Fermanagh.
- The report examined the circumstances surrounding the investigation, prosecution, management and disposal of the cases.
- The inspection sought to understand the views of survivors and the wider Donagh community on their experience of the justice system and handling of the cases.
- It commented on the PSNI investigation; handling and decision making by the PPS; the administrative arrangements undertaken by the NICTS; inter-agency co-operation and communication between the survivors and the individual justice agencies.
- No structured opportunity was available for the survivors/community to explain the impact of the brothers continuing to live locally.
- Department of Justice recommended to assess the operation of community impact statements.

Other organisations

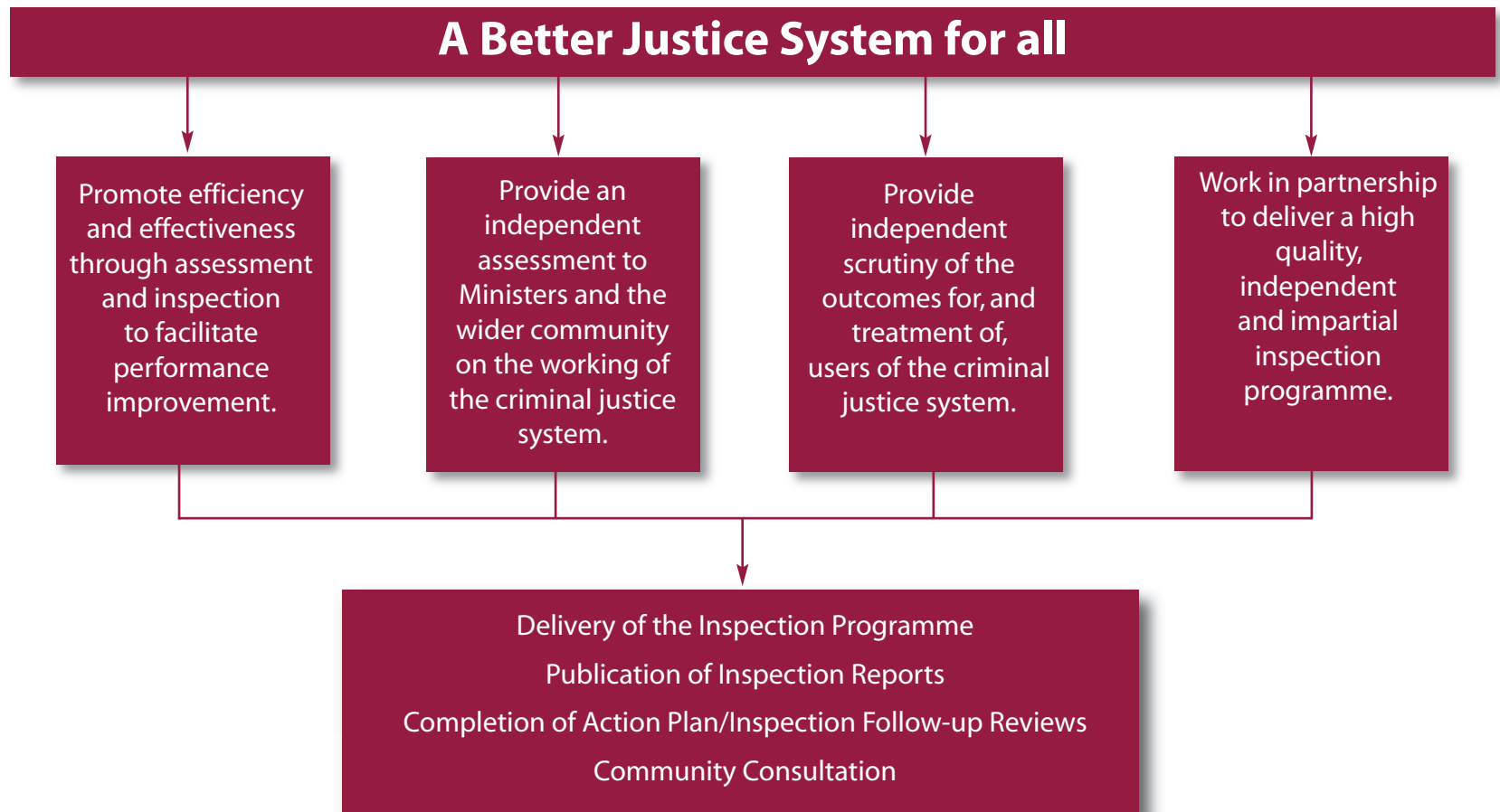
Belfast Harbour Police Follow-Up Review (May 2010)

- Seven of the 13 inspection recommendations were completed. Four to be completed by the end of 2010 and one unlikely to be completed due to legislation purposes.
- Work between Belfast Harbour Police and PSNI needs to continue to help clarify roles and responsibilities for both organisations.
- New officers joining Belfast Harbour Police are undertaking their initial training alongside student officers from the PSNI which incorporates firearms and personal safety training.

Royal Mail Follow-Up Review (June 2010)

- Initially a positive report with seven recommendations, two have been completed and four partially completed with a solution to complexities between the PSNI and the Public Prosecution Service using Service Level Agreements.
- Establishing a more direct process where files can be transferred directly from Royal Mail investigators to the Public Prosecution Service rather than via the PSNI would help reduce the risk of delay in progressing cases.
- Progress made to establish a Memorandum of Understanding between Royal Mail investigators and the PSNI to improve co-operation between the two organisations.

CJI objectives



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