



Assembly Committee told environmental crime at the heart of serious criminality

Criminal Justice Inspection has urged members of the Assembly Committee on the Environment to consider recommending that the DoE become a full member of the Organised Crime Task Force (OCTF).

CJI's Chief Inspector Kit Chivers made the suggestion as he gave evidence to the committee with colleagues Brendan McGuigan and James Corrigan on the findings of the Inspectorate's report on Enforcement in the Department of the Environment.

"Environmental crime is not marginal but is actually at the heart of a lot of serious criminality as the people who commit highly lucrative environmental crime are often also engaged in other organised crime," he told the Committee.

During his presentation, James Corrigan stressed that a main finding of the inspection was the weaknesses of the current



Pictured outside Parliament Buildings prior to giving evidence to the Assembly's Environment Committee are (L-R) James Corrigan, Kit Chivers and Brendan McGuigan.

regulatory approach in deterring hard core offenders engaged in profit motivated environmental crime.

He also indicated the report had recommended strong leadership from the DoE Management Board and the establishment of a single

enforcement unit within the Environment and Heritage Service (EHS).

James also told the Committee of the commitment and dedication of staff that Inspectors had observed during the course of the inspection. He suggested that staff knowledge could be

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further enhanced through development of criminal justice skills in areas such as investigation and the preparation of cases for prosecution.

In response to questions on illegal dumping and more effective sanctions for offenders, James stated that more collaboration with other law enforcement agencies was needed.

“A joined-up enforcement approach, including better sharing of information, more joint operations and full utilisation of available sanctions can deliver a much needed deterrent,” said James.

Brendan McGuigan told the Committee that the high level of road deaths and serious injuries in Northern Ireland was appalling.

“Road users and children in particular are far more likely to die on the roads here compared to other jurisdictions,” he said.

Committee members noted the delay by Government in establishing recognition of disqualified drivers and mutual recognition of penalty points between Northern Ireland and the Republic of Ireland.

In conclusion, the Chairman of the Environment Committee Patsy McGlone MLA thanked CJI for its presentation and invited Inspectors back to address the Committee after the Roads Policing report is published, and after an action plan was submitted by the DoE in response to the recommendations contained in the report. ■

Youth Conferencing delivering ‘an effective and useful service’

In February CJI published its inspection report into the Youth Conference Service (YCS), which is part of the Youth Justice Agency (YJA).

While the inspection was predominantly positive with the YCS delivering an effective and useful service, Inspectors found the organisation was operating at the boundary of its capacity under its present structures and resources.

The inspection team found that staff and management were very focused on providing a restorative system that worked for the young offenders as well as for victims. They were also focused on getting the balance right between the needs of offenders and victims.

Two separate elements of the YJA, Community Services (CS) and the YCS, had had to work more closely together even though their approach to youth justice differed. Inspectors found that this alliance had caused some initial difficulties mainly in Belfast, but that the organisation had begun to address these issues.

Inspectors found that the YCS had developed effective partnerships with statutory agencies and with organisations from the voluntary and community sector. They also found that referrals from both the courts and PPS had increased after initial difficulties with the new referrals system were resolved.

Inspectors also found that there was some overlap between the



Photo courtesy of the Youth Justice Agency

work of the YCS and the probation service (PBNI) as often they had been dealing with the same young persons.

When dealing with offences of a sexual nature, Inspectors stated that more support and training for YCS staff would be essential to ensure sensitive cases were handled correctly, especially as the number of such cases is likely to increase when expected amendments are made to legislation in 2008.

The effectiveness of conferencing persistent offenders where a young person had already experienced multiple conferences was an issue. Inspectors recommended that data should be gathered to effectively examine this area of concern.

At the time the inspection was carried out, there were no reliable figures to show how effective conferencing is in reducing re-offending compared to the conventional justice system, however, Inspectors were convinced in principle of the value of the restorative approach to criminal justice. ■

Tell us what matters to you

Criminal Justice Inspection Northern Ireland launched a new community engagement initiative when it recently unveiled its online 'what matters' public survey.

The survey – which was publicised in local newspapers across Northern Ireland during Criminal Justice Week (18-22 February) – urged members of the local community to tell the Inspectorate what the main issues concerning crime and how it is dealt with that were of interest to them.

“Since 2004 when CJI was set up we have endeavoured to engage with the public and find out what areas they felt we should be inspecting. As we are now entering a new corporate planning cycle and mapping out the work CJI will undertake from 2009 onwards, we felt it was timely to try to engage with the public,” said Kit Chivers.

“We want members of the public, especially those who we would not normally come into contact with during the course of our work, to know that CJI is interested in the areas that are of concern to them,” explained Kit.

“Criminal Justice is an ever changing and developing area. It is something that impacts on every age group and people from all walks of life, that’s why we wanted to give everyone the opportunity to take part in this survey,” continued Kit.

He stressed that as well as offering a genuine opportunity for members of the public to

influence the future work programme of the Inspectorate, the community engagement survey also raised the public profile of CJI.

“CJI has built up good communication channels with the representatives of the various statutory criminal justice agencies and with organisations from within the voluntary and community sector that work in the area of criminal justice.

“The Inspectorate is well known as an organisation in this field and its reports are circulated

widely, however we want to ensure that the role we play and the work we undertake is just as well known by the local community,” said Kit.

The survey is currently set to run until the beginning of April but may be extended if demand warrants it.

“We look forward to examining the feedback we receive and where possible working to ensure the issues raised are incorporated into our future inspection programme,” concluded Kit. ■

Criminal Justice Inspection
Northern Ireland
a better justice system for all



COMMUNITY Engagement Survey

- **Do you have a view on crime in your area?**
- **What are the big issues that concern you?**
- **Where do you feel improvement is most needed?**

Criminal Justice Inspection Northern Ireland (CJI) wants the public to help shape its future inspection programme by finding out what is important to local people.

To take part in the survey, log onto CJI's website www.cjini.org or phone **028 9025 8000** to request a form.

For further information on CJI, please visit our website or write to CJI, 6th Floor, 14 Great Victoria Street, Belfast, BT2 7BA.

Youth Justice Agency highlights role of youth conferencing

Brendan McGuigan was invited to give a brief outline of the main findings of CJI's inspection report on the Youth Conference Service at a mock conference hosted by the Youth Justice Agency during Criminal Justice Week in 2008.

The event was designed to provide an invited audience of MLAs, lay magistrates, young people and victims, with an insight into the conference process and a taste of the tensions and feelings experienced by the young person and victim that often come to the surface during a conference setting.

Speaking prior to the start of the role play, Brendan said he was delighted to participate in the event and share the main findings of CJI's report with the audience on the day of publication.

"CJI found youth conferencing to be an effective and useful service which is supported by committed and enthusiastic staff. We view the work being carried out by the YCS to be important, and recognise that it represents a real way forward for everyone – young people and victims," he said.

"We are also delighted that data has now become available



Brendan McGuigan hands over a copy of CJI's inspection report on the Youth Conference Service to Bill Lockhart and Alice Chapman.

that supports the concept of youth conferencing and shows the impact it can have on re-offending behaviour as it represents the final piece of the story," he added.

During the role play session, members of the audience discovered the role of conference coordinator is key to ensuring a balance is maintained between the needs of the victim and the young offender.

They also discovered that everyone taking part in the conference had both a voice and a responsibility in determining the most effective outcome for the young person and the victim.

Among those who took part in the initiative was Jeffery Donaldson MLA who took on the role of the 'community representative' for the duration of the event. ■



CJI website development commences

As reported in the last edition of *The Spec* CJI has begun work to overhaul its current website.

A web development plan drawn up by CJI's IT Systems Administrator John Gallagher is being taken forward in partnership with Belfast-based web development firm Biznet.

As part of this work CJI is completely redesigning its site to make it more visually impactful and easier to navigate.

"When completed the new site will be eye-catching, quick to load and accessible for everyone," said John.

"We are hoping to introduce new sections such as 'Latest News' and 'Frequently Asked Questions' so that anyone visiting the CJI website will find that information is but a click away," he added.

A new intranet area is also being developed in tandem with the new website. This will provide a online communication tool for CJI staff members to access and download electronic documents including publications and forms.

"This is an exciting time in the development of our website which will when finalised, deliver a cutting edge communication tool," said John. ■

CJI unveils 2008-09 Business Plan

This month CJI presented its Business Plan for 2008-09 to the Secretary of State for Northern Ireland and the Attorney General for their approval.

The plan follows the outline of the 2006-09 Corporate Plan, but also reflects the learning from completed inspections by the Inspectorate and helpful consultation with interested parties at the Stakeholder Conference in January 2008.

Criminal Justice Agencies have expressed a desire for the Inspectorate to give greater prominence to thematic inspections, as they believe that the themes and single-agency inspections should be undertaken on the basis of assessed risk.

The plan contains an outline of the inspection programme for the 2008-09 year. The Inspectorate also retains some capacity for undertaking any additional work that may be requested by Government.

The plan also reflects the Government's aims and objectives for the criminal justice system and demonstrates how CJI will contribute to those through the inspection programme.

It explains how CJI will be resourced and how it will manage its budget.

The Business Plan concludes with a set of selected targets reflecting key objectives for the year ahead and the risk management plan to ensure delivery.



Brendan McGuigan reviews the 2008-2009 Business Plan.

Copies of the 2008-09 Business Plan can be downloaded from the CJI website – www.cjini.org

Martina prepares to swap her ball point pen for a builder's hat!

CJI's Martina White is preparing to undertake the challenge of a lifetime when she swaps her role as a Business Support Officer for a builder's hat in South Africa as part of a team of volunteers undertaking the 2008 Niall Mellon Township Challenge.

"I will be one of 2000 volunteers from across Ireland from all walks of life who will be travelling to Khayelitsha in Cape Town on 28 November for a seven day building blitz. While I'm there I will be helping to create as many homes as possible for the people who live in the township," said Martina.

"I was persuaded to take part in the challenge by my brother Chris who heard about the challenge through work colleagues. I was inspired to take part because I felt it



was very worthwhile and a great opportunity to help others who are not as well off as me.

"I also felt it would be an interesting experience to be pushed out of my comfort zone to such a degree as at the minute, I have no building experience!," said Martina.

As part of the challenge Martina has committed herself to raising €5000 (approx £3500) to fund her travel and expenses and buy her

building supplies for the seven days she's in South Africa.

"My first fundraising event will be taking part in this year's Belfast Marathon as I will be joining my family, running in the relay event," she said.

"CJI has been very supportive and I look forward to seeing my colleagues at the various fundraising events I will be holding in the months to come," she said.

Anyone interested in sponsoring Martina or learning more about the Niall Mellon Township Challenge should log onto the official website **www.irishtownship.com** and fill in Martina's name in the 'sponsor a volunteer' area in the donations section of the website.

Watch out for more updates from Martina in future editions of The Spec as we follow her progress! ■

CJI hosts fifth successful Stakeholder Conference

Criminal Justice Inspection Northern Ireland held its fifth annual Stakeholder Conference on 17 January 2008 at the Stormont Hotel, Belfast.

While the purpose of the conference was to enable CJI to consult stakeholders on its proposed 2008-09 work programme, the Inspectorate also used the event to encourage debate surrounding plans for the devolution of policing and criminal justice matters in Northern Ireland.

The conference was opened by the Attorney General the Rt. Hon. Baroness Scotland QC. Other speakers who addressed the conference were the Rt. Hon. Elish Angiolini QC, Lord Advocate of Scotland and Sir Patrick Cormack, chairman of the Northern Ireland Affairs Committee.

They were joined by Steve Costello, Chairman of the Consumer Council for Northern Ireland and Aideen Gilmore from the Committee on the Administration of Justice.

In his speech to over 140 invited delegates, Chief Inspector Kit Chivers spoke of the Inspectorate's pleasure at giving evidence for the first time to an Assembly Committee.



Kit Chivers pictured with the Rt. Hon Elish Angiolini QC, Lord Advocate of Scotland; the Rt. Hon. Baroness Scotland, Attorney General; and Sir Patrick Cormack, chairman of the Northern Ireland Affairs Committee.

“We now at last see a real customer for our reports and for the advice we could give off the back of them,” he said.

The Chief Inspector said that while the devolution of policing and criminal justice would present challenges for everyone, not least in terms of budget allocation and increased accountability, there was a need to proceed as “long term, policies on policing and criminal justice cannot be separated from the rest of social policy.”

He concluded his remarks by reflecting on the improvements that were still required as many of the criminal justice agencies still need to become more self-critical and more customer-focused.

“Presently, the system remains too inward-looking, too preoccupied with its own interests, and too little prepared to see itself as a servant of the community. Maybe now the time has come to start talking about the ‘criminal justice *service*’, rather than ‘system?’” said Mr Chivers. ■



Policing Group

The group discussed proposed inspections of policing related issues in the context of possible devolution of policing and criminal justice.

Mixed views were expressed in relation to CJI's proposed inspection of police training as some saw it as a critical area to inspect whilst others felt that an inspection of operational police culture and its effect on officers' skills development was more important.

Members of the group felt that CJI's inspection programme should be aligned as far as possible to any future devolution of policing and criminal justice to ensure it was fit for purpose and delivered added value.

Cross cutting thematic inspections were suggested as a way forward for the inspectorate. An inspection focusing on relationships between criminal justice organisations was seen by

the group as having the potential to yield positive results in improving cohesiveness.

The group were asked to prioritise what CJI should deal with during the forthcoming year. The most popular issues raised by the group were:

- public confidence/quality of service/customer service;
- alignment of the inspection programme;
- relationships/interdependencies;
- risk-based inspection;
- police training;
- retaining capacity to deal with emerging issues/flexibility; and
- sanctions/compliance with CJI recommendations.

Members of the group also indicated they would welcome more information and communication from CJI as to the process of how our inspection programme is developed. ■

Custody and Human Rights Group

This group comprised 12 participants from nine organisations, including CJI.

The range of issues discussed included:

- the value of CJI inspections for voluntary sector agencies as an opportunity to comment on partnerships and influence future direction of services;
- methods of providing post-inspection feedback;
- the volume of recommendations and their impact on provider morale;
- inspection terminology;
- the benefits of publishing reports on good practice; and
- inspection of other forms of custody such as police cells and immigration detention facilities (which should be addressed by CJI's anticipated OPCAT role).

The benefit of unannounced inspections was recognised by all and welcomed by custodial providers.

There was a suggestion to mix unannounced inspections with short notice thematics which give time to make staff and documentation available.

Some future inspection themes were identified. These included looking at issues linked to life-sentenced prisoners and foreign national prisoners. ■



Al Hutchinson, Police Ombudsman for Northern Ireland pictured with Brendan McGuigan and Kit Chivers.

Legal Issues Group

The initial discussion focused on CJI's work plan for the coming year including the proposed inspection on disclosure.

It was noted that the inspection was following quite closely on a detailed baseline inspection of the PPS and the additional work this might create for the PPS as they were trying to implement the recommendations of the baseline inspection. There was discussion about the need for the inspection to involve other agencies because of their role in the disclosure issue.

Some group members suggested the inspection should examine third party disclosure, particularly from medical practitioners. The role of the

defence was also discussed because of the importance of defence statements to the appropriate discharge of the disclosure duty.

In relation to the proposed inspection of Serious and Organised Crime, it was pointed out that as new legislation would be coming into effect in the spring 2008, it may be prudent to wait for this new legislation to "bed down" before an inspection took place.

There was also a discussion about the possibility of conducting inspection work focusing on children and young people but extending beyond the formal criminal justice system and looking at the family courts, education and health.

Participants in the group recognised this would probably have to be done in conjunction with other Inspectorates but that in the context of devolution, it would be a useful exercise both in terms of the increased pressure on funding and the more joined-up government that might be expected.

It was pointed out that in Britain following the Victoria Climbié inquiry, there have been two yearly reviews called "Safeguarding Children" which are conducted by a range of inspectorates including HMCPSP, HMIC, OFSTED and the Health Care Commission.

Generally, the group felt that there was more to be gained from "helicopter view" type work across the system than the large numbers of discrete pieces of work which CJI currently undertake, especially with the advent of devolution. ■





Probation and Youth Justice

The discussion group included delegates from PBNI, YJA, NIACRO, Include Youth, Challenge for Youth, NISOSMC and the NIO.

Initially delegates discussed the proposed inspection programme for 2008-09 and focussed on a variety of issues surrounding the inspection of mental health.

Delegates suggested the need for an inspection of the policy-making capabilities within the NIO, NGOs and CJAs in preparation for devolution, although many felt it may be too early in the 2008-09 programme. Comments were also made about the capacity of agencies to support the inspection programme.

A general discussion occurred around the topic of inspection priorities and timing with delegates indicating a range of views. Some participants felt CJIs took on too many inspections, while others felt the

number of reports was impressive and they were of good quality. Others indicated that the inspections on certain issues (e.g. sex offenders) were particularly beneficial to organisations and helped drive forward change and improve public confidence.

The discussions concluded with comments surrounding the inspection methodology adopted by CJI. The benefits of producing a thorough self-assessment were noted and the cognisance during the inspection process of the views of the VCS was welcomed.

A need for better communication with regards to CJI reports was highlighted from CJI, the NIO and agencies involved, both with stakeholders and 'the man on the street'.

It was also suggested that CJI should follow up the effectiveness of report recommendations by seeking the views of young people and adults who were within the criminal justice system. ■

CJI receives positive feedback from delegates

In an effort to gauge satisfaction levels among those attending CJI's Stakeholder Conference, the Inspectorate included a feedback form in its 2008 delegate pack.

"We were pleased to find that of the delegates who took the time to complete the evaluation form everyone indicated they would recommend the event to others and would attend the conference again," said Assistant Inspector Ian Craig.

"The majority of respondents were also satisfied with the contents of the conference pack, the duration of the talks, the relevance of the material presented, the relevance of the discussions in the discussion groups, the opportunity to provide their views, and the opportunity to provide suggestions for future inspections."

Ian added that suggested improvements such as the allocation of more time for discussion on the proposed inspection programme and the need to attract more speakers from Northern Ireland would be considered during the planning stages for future events.

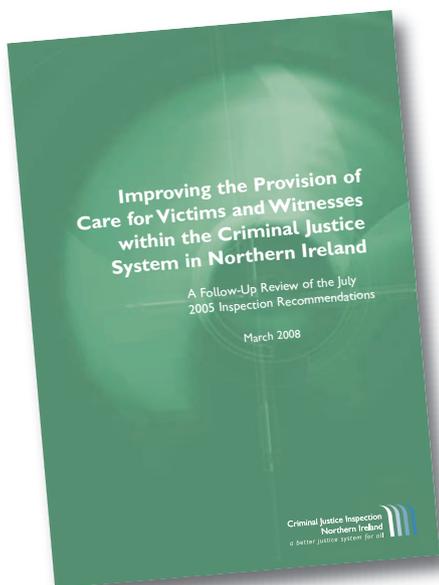
"We were pleased to have a return rate of over 30% for the feedback forms. It is encouraging and much appreciated by CJI that so many people who attended the conference took the time to complete the evaluation form," said Ian. ■

Follow-up to the Victims and Witnesses Thematic Inspection

In keeping with its ethos of reviewing progress made by the various agencies in the criminal justice system following an inspection report, CJJ has carried out a follow-up review of its report on *Improving the Provision of Care for Victims and Witnesses within the Criminal Justice System in Northern Ireland*.

Following the publication of CJJ's original report in 2005, the Criminal Justice Board (CJB) tasked the Victims, Vulnerable or Intimidated Witnesses Steering Group (VVIW), a sub-group of the CJB, to develop processes to address the findings of the Inspectorate.

This group, which includes representatives from the main criminal justice agencies, Victim Support NI and NSPCC, facilitated the co-ordination



Lord Chief Justice Sir Brian Kerr, Criminal Justice Minister Paul Goggins, Kit Chivers and Susan Reid, Chief Executive Victim Support NI pictured at the 2007 launch of the Victims and Witnesses five-year strategy.

of efforts to improve service delivery.

“The follow-up review has been guided by the work of VVIW and the development of the action plan in response to the inspection report, which was copied to CJJ in April 2006 and later updated in July 2007,” explained Lead Inspector John Shanks.

“Further inspection activities were undertaken with individual agencies and other stakeholders to confirm the status of progress,” he said.

The follow-up review found that despite some slippage with implementation of the recommendations, there has been

significant strategy, policy and procedural work undertaken by the agencies, which has helped to improve service delivery.

“The development and publication of the five-year Victims and Witness Strategy last September, by the Criminal Justice Minister, Paul Goggins MP (which was covered in the November 2007 edition of *The Spec*), has been the most significant achievement to date,” added John.

Copies of the follow-up review, which comments on the status of each of the original 37 recommendations, can be downloaded from the CJJ website – www.cjini.org.

CJI Inspector visits prisons and probation services in Estonia & Finland

CJI Inspector Tom McGonigle recently travelled to meet with the Estonian Justice Ministry and Finnish Criminal Sanctions Agency. The purpose of his visit was to examine probation and prison practice in countries which have developed, or are in the course of developing advanced correctional systems.

During his stay Tom met with chief probation officers and other senior officials in both countries. He also visited two prisons in Estonia and five in Finland.

In this article he describes the systems in place in the two countries he visited and the differences he observed.

“Both Finland and Estonia accord significant priority to their external affairs and commitments. They publish annual reports and statistical data in English, accept a small number of Balkan war criminals in their prisons, and have officials dedicated to developing international relations.

“The pace of change in Estonia is impressive. The Justice Ministry embarked on a rapid programme of prison reform after independence, and this was accelerated upon joining the EU in 2004. Modern cellular prisons are being constructed to replace the old ‘Soviet-style’ military prisons. The agenda is challenging, as the probation

service is working to establish alternatives to custody in an environment where none previously existed.

“While the Finnish crime rate is similar to that of the UK, the Finns have a much more progressive penal system. Less than 10 children per year under the age of 17 are held in custody and every prison provides sauna and conjugal visiting facilities. I found the atmosphere in the prisons to be peaceful – even in the maximum security facility – and excellent work, education, self-catering, gym and recreational facilities were provided.

“The Finnish policy is to provide small local prisons so that prisoners can be held close to their family. Progression from closed institutions is the norm, and 23% of prisoners are held in open establishments. There are liberal arrangements for early release, and a range of offending programmes. All of this is provided at an annual cost per prisoner place of £34,639 – less



Tom McGonigle pictured at the Finnish Probation HQ with (L-R) Maija Kukkonen, Tina Vogt-Airaksinen, and Virva Ojanpera-Kataja at the headquarters of the Finnish Probation Service.

than half that of Northern Ireland.

“Both Estonia and Finland still have correctional issues to address. These include integration of the prison and probation services, Romany and Russian minorities, lack of in-cell sanitation in some prisons, imprisonment of fine defaulters and lengthy isolation periods (stipulated by courts) for some remand prisoners. There is also scope for a more developed criminal justice NGO sector to supplement the work of the statutory organisations in both countries.

“Nonetheless the numerous prisoners whom I met in Finland were complimentary about their treatment and opportunities. There was evident mutual respect between them and staff, who were genuinely concerned for the welfare of prisoners and their families. The main lesson learned from these visits was that a progressive correctional system can flourish if it has the support of a liberal government and society.” ■



Tom McGonigle pictured with Miiko Vainer outside Tallinn Prison in Estonia.

Chief Inspector attends Presidential reception

In January Chief Inspector Kit Chivers was among a group of Ombudsmen and leaders of Human Rights agencies invited by the Information Commissioner, Marie Anderson, to represent Northern Ireland at a reception hosted by the Irish President Mary McAleese at Áras an Uachtaráin in Dublin.

The reception was prompted by a conference of Information Commissioners from all parts of these islands which was being held in the Irish capital.

Among the party attending the event were Al Hutchinson, the Police Ombudsman, Monica McWilliams of the Human Rights Commission and Eleanor

Gill from the Consumer Council.

Speaking after the event Kit said he was delighted to be able to attend the reception.

“Áras an Uachtaráin is a lovely residence set in the middle of Phoenix Park which has a really relaxed atmosphere. The President’s staff were extremely kind and welcoming, and it was a



Irish President Mary McAleese.

delight to meet the President herself and her husband Dr Martin McAleese, who showed great interest in the work of those attending,” he said. ■

CJI gives evidence on draft Criminal Justice Order

In December CJI gave oral evidence to a Committee of the Assembly for the first time.

It was the Ad Hoc Committee which had been set up, under the chairmanship of Alban Maginness, to consider the draft Criminal Justice Order.

The Order will abolish automatic 50 percent remission for offenders and will introduce extended and indeterminate sentences for certain categories of dangerous offenders. It will convert the Life Sentence Review Commissioners into Parole Commissioners, responsible for

checking whether these dangerous offenders are yet safe to be released.

CJI recommended legislation on these lines in its 2005 report on the management of sex offenders.

In his evidence, however, Kit Chivers noted that when similar legislation had been introduced in England too many indeterminate sentences had been issued, often for relatively minor offences with a short minimum tariff.

Where the tariff was short it was impossible for the Prison Service to provide the necessary

courses and assessments in time for the Parole Board to consider the case for release. As a result there had been legal challenges to the system.

Kit said that he believed the draft Order had addressed those problems.

The new sentences would be reserved for more serious offences attracting longer sentences. But he emphasised that the sentences would nevertheless place new demands on the resources of the Prison and Probation Services, and it would be very important that they should be properly resourced for the task. ■