

An inspection of community supervision by the Probation Board for Northern Ireland

May 2013

Criminal Justice Inspection
Northern Ireland
a better justice system for all





An inspection of community supervision by the Probation Board for Northern Ireland

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List of abbreviations

ACE	Assessment, Case Management and Evaluation
CJI	Criminal Justice Inspection Northern Ireland
ETE	Education, Training and Employment
DoJ	Department of Justice
HMI Probation	Her Majesty's Inspectorate of Probation (in England and Wales)
IDAP	Integrated Domestic Abuse Programme
NIPS	Northern Ireland Prison Service
NISRA	Northern Ireland Statistics and Research Agency
OMI 2	Offender Management Inspection 2 (HMI Probation inspection programme)
PBNI	Probation Board for Northern Ireland
PPANI	Public Protection Arrangements Northern Ireland
PSNI	Police Service of Northern Ireland
RA1	Risk of Serious Harm to Others assessment
RATSDAM	Rapid Assessment Treatment Service for Drugs and Alcohol Misusers
RoH	Risk of Harm
RoSH	Risk of Serious Harm
YJA	Youth Justice Agency

Glossary

(Definitions are taken from the Probation Board for Northern Ireland's (PBNI's) Best Practice Framework and Risk of Serious Harm Procedures).

<p>Assessment</p>	<p>The individual, and often complex nature of offending behaviour requires a rigorous and thorough assessment to take place. The current PBNI approved assessment tools are the Assessment, Case Management and Evaluation (ACE) and the Risk of Serious Harm to Others assessment (RA1).</p> <p>Both ACE and RA1 separately and together, promote a searching enquiry into, and evaluation of, the offender's past and present offending; present circumstances; experiences; relationships; behaviours; attitudes; habits; social supports strengths; resilience and protective factors. PBNI staff apply additional risk assessment tools for specific types of offences or offenders.</p>
<p>ACE</p>	<p>Assessment, Case Management and Evaluation is a structured assessment tool used by the PBNI, in conjunction with professional judgment, to assess the likelihood of general reoffending within a two-year period. Included within the ACE is a Risk of Serious Harm (RoSH) filter which triggers a RoSH assessment in cases where such concerns exist.</p>
<p>Level of Application</p>	<p>Not every case requires the same degree of assessment, planning, intervention and review. Adhering to the risk principle¹ the application of the <i>Northern Ireland Standards</i> and <i>Best Practice Framework</i> requires the appropriate Level of Application i.e. Lower, Standard and Higher to be determined for each case based on:</p> <ul style="list-style-type: none"> • professional judgement; • clear criteria relating to the level of application; and • minimising risks to the community and to others.
<p>Public protection</p>	<p>In certain violent and serious sexual offence cases the risk assessment shall be informed by, and inform the Public Protection Arrangements Northern Ireland (PPANI) through the local area Public Protection Panel.</p>
<p>RA1 assessment</p>	<p>The RA1 is a structured process used by the PBNI for assessing the RoSH (see below) through gathering, verifying and evaluating a wide range of relevant information, including details from the ACE. The eventual decision as to whether or not an offender is considered a significant RoSH is taken at a Risk Management meeting.</p> <p>The RA1 assessment shall be completed on all cases where the current or previous offence is listed below. As a guideline, and the list is not exhaustive, the following offences are considered to involve serious harm** (involves inchoate, for example, attempts, conspiracy, aiding and abetting):</p> <p style="text-align: right;"><i>continued over</i></p>

¹ The level of intensity and duration of intervention should be matched to the level of risk with more intensive and extensive interventions targeted at those offenders who have been assessed as posing the most risk. Assessing risk in the context of PBNI practice refers both to the likelihood of reoffending and to the Risk of Serious Harm to Others that an offender may pose.



	<ul style="list-style-type: none"> • murder; • abduction/kidnapping; • unlawful imprisonment; • manslaughter; • grievous bodily harm with intent to endanger life; • malicious wounding; • serious sexual or violent offences against adults or children; • serious/repeat driving offences; • use of weapons; and • arson/criminal damage. <p><i>**Serious Harm - 'death or serious personal injury, whether physical or psychological' (as defined in Criminal Justice (Northern Ireland) Order 2008 Article 3(1)).</i></p> <p>A RA1 assessment shall be completed on all cases where the ACE RoSH filter has recorded at least one 'yes' response, unless the following exemption applies. Where all the following apply, a RA1 assessment is not required at the pre-sentence report stage; or initial/review stage of any case:</p> <p>The index offence(s) is not one of those listed above:</p> <ul style="list-style-type: none"> • the only 'yes' response(s) triggering a full RA1 relates to current and/or previous offence(s) listed, or now listed, as serious and/or specified within the Criminal Justice (Northern Ireland) Order 2008; and • there are no concerns about the RoSH.
Risk Management	<p>The process of addressing the RoSH posed by an offender by the formulation of a robust Risk Management Plan, which targets specific risk factors through lawful, necessary, adequate and proportionate actions.</p>
Risk Management meeting	<p>The purpose of a PBNI Risk Management meeting is to:</p> <ul style="list-style-type: none"> • share information; • identify risk and protective factors (if present) and outline evidence to support the assessment; • decide on whether or not an offender poses a significant RoSH; and • draw up a Risk Management Plan to address the identified risk factors. <p>The initial Risk Management meeting is chaired by an area manager.</p>
RoSH	<p>The PBNI RoSH assessment is an evidence based judgement as to the risk level of an offender committing a further offence, causing serious harm. The PBNI assesses an offender to be a 'significant RoSH' when there is a high likelihood that an offender will commit a further offence, the impact of which is serious harm.</p>
Victims	<p>The victim is central to the offence and it is therefore essential for all those involved in the assessment and management of offenders to keep a victim perspective in focus, including the integration of any information received from the PBNI Victims Unit. Please note: this inspection also considers the impact on <i>potential</i> victims as well as actual victims.</p>



Chief Inspector's Foreword

Supervising offenders in the community represents a significant proportion of the overall work of the probation service, and is carried out by probation officers and probation service officers across the whole of Northern Ireland. A small number of these offenders when released from prison continue to pose a significant risk to the community, and it is essential that they are being supervised effectively to support their rehabilitation. This inspection assessed the performance of the Probation Board for Northern Ireland (PBNI) in supervising offenders in the community.

The inspection also sought to ensure that there was a legacy of both personal and organisational learning by involving probation managers and probation officers/probation service officers in the review of case files, together with the assessors from Her Majesty's Inspectorate of Probation (HMI Probation). We also sought to benchmark the performance of the PBNI in comparison with other probation services and practice in England and Wales.

The inspection shows the PBNI to be an effective organisation which delivers its services against challenging standards which compare to, and on many occasions exceed, those being delivered in England and Wales. The results of the case file reviews, feedback from stakeholders from within the criminal justice system and third sector, as well as offenders and victims, reflects the approach of an organisation which understands and accepts its role in delivering public safety and reducing offending.

This is one of the most positive reports that Criminal Justice Inspection Northern Ireland (CJI) has produced on any criminal justice agency since the establishment of the Inspectorate in 2004. It is a testament to the hard work and commitment of the leadership and staff within the PBNI that it has developed its practice in this area to such high standards.

Probation can be rightly proud of what they have achieved, and yet they will be the first to recognise that they cannot afford to be complacent in their challenge of keeping us safe and reducing offending. The report makes a small number of recommendations designed to further reduce risk and deliver practice completeness.

This inspection was led by Rachel Lindsay and Derek Williamson of CJI with support from HMI Probation, particularly Yvonne McGuckian. I am grateful to all those who participated in the inspection and for the assistance provided by PBNI area managers who worked with CJI as local assessors during the case reviews.



Brendan McGuigan

Chief Inspector of Criminal Justice in Northern Ireland
May 2013



Executive Summary

This inspection covered the work of the PBNI in relation to the way offenders are supervised in the community. This is the first such comprehensive inspection of probation practice by CJI, looking at the totality of community supervision since established, and for around 15 years previously. The inspection was undertaken at a time when the PBNI was experiencing a continuing increasing demand for their services, with an increase of 11% in the number of orders made at court to be supervised by the PBNI in 2011-12. The PBNI was continuing to operate in a challenging financial environment at the time of inspection, with reductions in budget allocation from the Department of Justice (DoJ). The PBNI also engage in various multi-agency partnerships, in which they hold a significant level of risk in managing offenders.

CJI, with support from HMI Probation and local assessors from the Probation Board, undertook a case review of 100 cases being supervised by the PBNI on community orders or released from prison on licence. Quantitative data was collected, using a methodology adapted from that used by HMI Probation in England and Wales (Offender Management Inspection or OMI 2 programme), supported by qualitative information obtained from probation officers and probation services officers managing the case. Feedback was also sought from stakeholders within the criminal justice system, from the third sector as well as offenders and victims.

This report provides percentage scores for each of the 'practice criteria' essentially indicating how often each aspect of work met the level of quality we were looking for. Accordingly, CJI are able to provide a score that represents how often the Risk of Harm (RoH) to others and Likelihood of Reoffending aspects of the cases assessed met the level of quality we were looking for, which are summarised here:

Headline scores

	Scores from the English and Welsh regions inspected in OMI 2*			Scores for the PBNI
	Lowest	Highest	Average	
RoH to others' work <i>(action to protect the public)</i>	64%	84%	75%	80%
Likelihood of Reoffending work <i>(individual less likely to reoffend)</i>	62%	82%	74%	86%
Compliance and enforcement work <i>(individual serves his/her sentence)</i>	69%	86%	79%	91%

* Data was obtained from the OMI 2 inspections for comparative purposes, but this should be used with caution due to the differences in general between Probation Trusts in England and Wales and the PBNI (for example in terms of legislative requirements) and the resulting use of different questionnaires.

Taken as a whole, the inspection findings provide the 'best available' means of measuring, for example, how often each individual's RoH to others is being kept to a minimum. It is never possible to completely eliminate RoH to the public, and a catastrophic event can happen anywhere at any time - nevertheless, a high RoH score in one inspected location indicates that in principle, it is less likely to happen there than in a location where there has been a low RoH inspection score. In particular, a high RoH score in this inspection indicates that usually



practitioners are doing all they reasonably can to minimise such risks to the public, in our judgement, even though there can never be a guarantee of success in every single case.

Overall this is a positive report which reflects an effective approach to practice in the main by probation officers and probation service officers in the PBNI. CJI found the PBNI's own *Best Practice Framework* and *Northern Ireland Standards* to be an effective document which clearly sets out the expected approach to practice and was well utilised by staff. There are three recommendations and five areas for improvement, but these are matters of operational practice in terms of implementing the PBNI *Best Practice Framework* and *Northern Ireland Standards*, rather than strategic issues which require wholesale or fundamental change.

Leadership and management

In general, staff were positive about the leadership and management in the Probation Board. They felt that managers were skilled to fulfil their responsibilities and that the organisation supported them in terms of their own training and development needs. Workloads were, in general, judged to be fairly distributed, although time constraints were highlighted as an issue when delivering effective supervision. The process for sharing the findings from Serious Further Offences or Serious Case Reviews was felt to be in need of some improvement by about a quarter of staff and therefore a mechanism for highlighting lessons learnt should be developed. Staff diversity needs were well catered for.

Assessment and sentence planning

Probation officers undertook assessments of RoH and Likelihood of Reoffending in line with the PBNI *Best Practice Framework*. In general these assessments were completed in a timely fashion and considered the relevant factors. Where issues arose these mainly related to cases which were screened or a full RoSH analysis was completed, but these did not ultimately result in the case being categorised as such. In these cases risks generally related to previous offences or convictions, however there is still a need to assess these thoroughly and quality assurance procedures should ensure this is the case.

Cases which required some form of multi-agency involvement (for example public protection arrangements or child safeguarding) were usually identified as such. In some cases there needed to be a greater level of management oversight. Case plans were developed effectively, in consultation with the offender, and included reference to the relevant factors. Plans were holistic and incorporated the views of offenders as well as meeting the requirements of the sentence. Actions to manage RoH and child safeguarding could have been outlined more effectively in some cases and CJI recommends steps are taken to improve these.

Case planning also included references to referrals to third sector providers for addiction, community or education, training and employment support. Diversity needs appeared to be considered when deciding on offenders' suitability to engage but this was usually implicit rather than explicit in the case files. The PBNI should consider how this can be recorded more effectively in future.

Delivery of interventions

There was implementation of actions identified in case planning and in supporting the offender to change. Effective use was made of both in-house PBNI programmes and referrals to third sector providers. Offenders found programmes helpful and informative. The PBNI had clear procedures relating to contact with offenders and in the vast majority of cases these were followed appropriately. Attendance was monitored appropriately and where there were absences, the procedures in the *Best Practice Framework* were implemented with a



graduated response applied. Offenders were clear what was expected of them and what the implications for non-compliance were.

Community service placements were appropriate and took account of risk levels. Reviews were usually undertaken at the appropriate time, but some were not as thorough as they could be in terms of considering changes to all relevant factors. This was particularly an issue where there had been a significant change to the case, for example in terms of breach or recall, or where further offences had been committed. Whilst the *Best Practice Framework* makes provision for bringing forward a review after a significant change, there is a need to ensure this is implemented more consistently.

Record keeping was good and documents reflected the work carried out. Multi-agency arrangements were operated effectively with criminal justice and other statutory partners. In most cases appropriate priority was accorded to victim safety, but in some cases where there was evidence of previous or current domestic abuse this could be improved. There were low numbers of victims registered with the Victim Information Scheme which impacted on the ability to undertake direct victim work. It is hoped that proposed changes to this process for registering will improve this. Victims surveyed were generally happy with the service provided by the PBNI Victim Information Scheme.

Home visits were conducted in all cases and used to manage RoH. Where breach or recall was initiated, procedures were implemented effectively and in a timely fashion. Management oversight was generally effective but could be improved in child safeguarding cases, particularly when social services were not involved. Supportive and protective factors were identified and offenders were supported with referrals to Employment, Training and Education (ETE) organisations and other community-based providers to encourage constructive interventions. Victim awareness work was undertaken and offenders had experience of discussing the consequences of their actions on others.

Diversity needs of offenders were considered in delivering interventions with arrangements made to support those with particular needs. There was evidence of positive and supportive working relationships between offenders and all those involved in their case, and probation staff were clearly committed to assisting people to move away from offending.

Achieving and sustaining planned outcomes

Initial outcomes were positive, with implementation of the objectives set in the case plan apparent. In 98% of cases the offender had complied with the order or the sentence had been properly enforced. This should be reassuring to the public that the PBNI are delivering an effective service to the community. Where action had been taken to promote compliance this was usually effective, but where it was not breach or recall was initiated. RoH to actual and potential victims was managed effectively in about two-thirds of cases; where it was not this usually followed on from an initial assessment which did not fully consider all the risks. Just under half of these cases relate to issues in a domestic context and there is a need to re-emphasise the importance of managing these risks appropriately to probation staff.

In most cases there was continuity of delivery even where more than one member of probation staff had supervised the offender. Interventions delivered were those which targeted the relevant factors relating to offending. Some or good progress against relevant factors had been made in about two-thirds of cases. Offenders were positive in their views about their future likelihood of not reoffending.



Recommendations and Areas for Improvement

- The PBNI should ensure quality assurance procedures include effective qualitative analysis so that RoH and RoSH assessments take into account all available sources of information and previous relevant behaviour (paragraph 3.5).
- The PBNI should implement procedures to ensure all appropriate case plans include some actions to manage RoH to others (paragraph 3.20).
- Where child safeguarding issues are identified, the PBNI should implement procedures to ensure all appropriate case plans include some actions to address these issues (paragraph 3.21).

Areas for Improvement

- Findings from Serious Further Offences and Serious Case Reviews should be shared and discussed with staff where lessons learnt and practice learning have been identified (paragraph 2.12).
- A mechanism for identifying and recording diversity needs should be developed during the review of documentation in preparation for the implementation of the new information management system (paragraph 3.28).
- The PBNI should take further steps to ensure probation officers understand the importance of bringing forward and completing a thorough review following a significant change in the case, in order to address risk and likelihood of reoffending, and that quality assurance processes ensure this is reflected in operational delivery (paragraph 4.29).
- The PBNI should develop a process whereby area managers routinely quality assure all cases in which there are identified child safeguarding issues (paragraph 4.60).
- The PBNI should take steps to reinforce the need for all probation officers to assess, and if appropriate manage interventions to address issues of domestic abuse in cases where there are current or previous concerns. Area managers should ensure issues of domestic abuse form part of their quality assurance processes (paragraph 5.10).

Section



Inspection report

CHAPTER 1:

Introduction

The Probation Board for Northern Ireland (PBNI)

1.1 The PBNI is a non-departmental public body of the DoJ. Its purpose is 'to make local communities safer by challenging and changing offenders' behaviour.'² The main strands of the PBNI's work³ are to:

- assess convicted offenders and annually prepare over 9,700 reports for Courts, Parole Commissioners and others;
- supervise over 4,600 offenders subject to a range of court orders and sentences at any given time;
- deliver behavioural change programmes for offenders in custody and in the community covering areas such as violent offending, sexual offending and drug and alcohol misuse;
- provide a Victim Information Scheme to any person who has been the direct victim of a criminal offence where the offender is subject to supervision by the PBNI; and
- work alongside statutory and other partners to minimise the RoH posed by offenders.

1.2 The Probation Board supervises:

- probation orders;
- community service orders;
- combination orders;
- custody probation orders;
- determinate custodial sentences;
- extended sentences for public protection;

- indeterminate sentences for public protection;
- Juvenile Justice Centre orders;
- licences (persons subject to licence on release from custody); and
- other orders (for example, supervision and treatment orders and Community responsibility orders).

1.3 In the PBNI's 2011-12 Annual Report it was outlined that there was an 11% increase in the number of orders made at court to be supervised by the PBNI, including a 19% increase in the numbers of community service orders. The daily caseload had also increased to 4,441 people under supervision at 31 March 2012. There continued to be around 150 new referrals annually to the Victim Information Scheme. The PBNI also work with over 300 community partners. In addition, the Board provided almost £1.4 million in community development funding in the year 2011-12 and oversaw 186,588 hours of unpaid work through the community service scheme.

1.4 The increases in case load were evident despite the PBNI continuing to operate in a challenging financial environment. In 2011-12 the Probation Board received a budget allocation from the DoJ of around £20.2 million. In 2012-13 this was reduced to around £19.6 million and it would further reduce to £19.3 million in 2013-14. In response to this pressure the DoJ allocated an additional £1.05 million in October 2012 for 2012-13 and 2013-14.

² See www.pbni.org.uk.

³ Statistics sourced from PBNI Corporate Plan 2011-2014 publication as reproduced on PBNI's website www.pbni.org.uk.



1.5 The Director of Probation is the Chief Officer and Accounting Officer and is responsible to the PBNI. There are two Deputy Directors for Operations, as well as a Deputy Director for Finance and Corporate Services. Reporting to one Deputy Director (Operations) are Assistant Directors for Risk and Prisons and the Head of Psychology. Reporting to the second Deputy Director (Operations) are Assistant Directors for Belfast and Rural regions and the Head of Business Planning and Development. The PBNI has 28 service delivery centres and eight reporting centres across Northern Ireland, as well as staff based in the three prisons, headquarters, the Learning and Development Centre and in specialist teams such as the Victims Unit and Programme Delivery Unit.

1.6 The PBNI employed on average 385 staff in 2011-12, of which 261 were probation staff. Probation officers are qualified social workers but the PBNI also employs operational support staff, for example, community service supervisors and probation service officers, as well as staff in organisational support functions such as administration, finance, information technology and human resources. The average days sick absence per employee for the year 2011-12 was 11 days (10 in 2010-2011). The PBNI has stated that the reduction of sickness absence levels remains a key priority.

1.7 As at 30 September 2012, there were 4,323 people subject to 4,678 orders being supervised by the PBNI. At 90%, males accounted for the vast majority of those under supervision, with females accounting for 10%. Approximately two-thirds (68%) of those under supervision were males aged 20 to 39 years.

1.8 The PBNI are engaged through a number of multi-agency partnerships such as the PPANI, Reducing Offending in Partnerships and Multi-Agency Risk Assessment Conferences (to address the safety of victims of domestic violence and abuse). Particularly through the public protection arrangements, the Probation

Board manage a significant level of risk in supervising Category 3 and Category 2 sexual offenders, people who commit offences against children and those posing serious risks to victims and the wider public.

PBNI Best Practice Framework and Northern Ireland Standards

1.9 The PBNI's *Best Practice Framework* incorporating the *Northern Ireland Standards* (2011) took effect on an interim basis from 17 October 2011 and was fully implemented on 1 April 2012. This new approach introduced four key changes to the *Northern Ireland Standards*:⁴

- introduction of a Best Practice Framework;
- three different Levels of Application - Lower, Standard and Higher, across the PBNI's task and functions;
- development of Best Practice Guidance to support professional judgement in the application of Standards; and
- an enhanced focus on measuring effectiveness including inputs, outcomes and the PBNI as a learning organisation.

1.10 The *Framework* also states that:

'PBNI is committed to working effectively with offenders to reduce their opportunity and motivation to commit crime. The framework takes into account existing models of practice and research findings, including those from research into desistance and what is effective practice' (p9).

It also focuses on three important principles which research has highlighted underpin effective practice with offenders:

- **risk** - matching level of intensity and duration of intervention with level of risk
- **need** - distinguishing between those needs which are related to offending (criminogenic) and those which are not linked to offending (non-criminogenic). Those interventions that target criminogenic needs are likely to be more effective in

⁴ See page 1 of the PBNI *Best Practice Framework* available on-line at www.pbni.org.uk.

reducing reoffending; and,

- **responsivity** - the need to take into account individual characteristics including: preferred learning style, gender, age, culture, maturity and development, motivation and readiness to change, and the offender's views and perspectives.

1.11 In April 2012 the PBNI began piloting a revised *Area Manager Monitoring Guide* which aimed to give area managers further guidance on how to undertake quarterly monitoring in relation to practice quality. Area managers were required to complete a monitoring spreadsheet in which judgements would be recorded. This was to be returned to Assistant Directors for oversight. This approach was then rolled out across the entire organisation from October 2012.

Desistance theory

1.12 McNeill (2006⁵) explains desistance as being 'necessarily about ceasing offending and then refraining from further offending over an extended period'. Farrell (2002, as cited in McNeill, 2006) states that 'the desistance literature has pointed to a range of factors associated with the ending of active involvement in offending. Most of these factors are related to acquiring 'something' (most commonly employment, a life partner or a family) which the desister values in some way and which initiates a re-evaluation of his or her own life'. There is a growing body of research evidence which supports desistance theory and the role that probation practice can play in supporting desistance (see Maruna et al, 2012⁶).

1.13 The PBNI had been using the desistance approach for some time in relation to their practice. The *Best Practice Framework* outlines (see page 11) that:

'While there is not an agreed 'operational definition' of the term desistance, it is used within this Framework to refer to the 'absence of criminal

behaviour' and is directly linked to PBNI's purpose. The following are key messages from research on desistance:

- *staff need to be aware of what supports desistance;*
- *assessment, case plans and interventions need to be individualised; each offender has a unique combination of risk, needs, strengths and responsivity issues;*
- *include offender and social network strengths and opportunities for offender to develop, practice and demonstrate new learning and skills;*
- *opportunities for change have to be seen as such by offenders, for example how work will help reduce likelihood of reoffending;*
- *need for practical support to deal with social problems;*
- *initial stages may require a more active role for a supervising officer in supporting desistance; to carry and sustain the belief and hope that change is possible;*
- *as supervision and desistance progresses the offender can be helped to take on more responsibilities;*
- *'personal redemption' in the sense of making amends can be an important element to desistance and can include helping others to stop offending and positive offender reparation opportunities;*
- *importance of generating, enhancing and sustaining motivation; tapping in to what they are;*
- *motivated to do (approach goals) as well as what they are not motivated to do (repel goals);*
- *importance of incentives to reinforce and sustain change;*
- *importance of the relationships in supporting desistance including that between offender and worker; and*
- *importance of significant others and resources to support desistance including engaging families.'*

5 A desistance paradigm for offender management, McNeill, F. (2006), *Criminology and Criminal Justice*, vol 6, no 1, pp 39-62.

6 *Desistance research and probation practice: knowledge exchange and co-producing evidence based models*, Maruna, S. McNeill, F. Farrall, S. and Lightowler, C. (2012), *Irish Probation Journal*, vol 9, pp 42-55.



The CJI inspection

- 1.14 This was the first comprehensive inspection of probation practice since CJI was established, and for around 15 years previously by previous Inspectorates. In developing the methodology for this Inspection, CJI consulted with its partner Inspectorate in England and Wales, HMI Probation. In September 2009 HMI Probation commenced the OMI 2 programme. Over a three-year period the Inspectorate visited all National Offender Management Service areas and Probation Trusts. The primary purpose of the inspections was to assess the quality of offender management, both in custody and the community, against HMI Probation's published criteria. The Inspectorate assessed the quality of work in relation to assessment, interventions and outcomes by examining a selected sample of cases. The team of HMI Probation Inspectors and Assessors included staff from the Probation Trust itself, who had been trained as 'local assessors'. After reading information on the case as contained in the electronic information management system and/or paper records, the assessor conducted an interview with the offender manager (probation officer). The inspection of cases was then used as the primary source of evidence for the OMI 2 programme.
- 1.15 The methodology and criteria for the inspection of community supervision by the PBNI was based on the OMI 2 model, but the criteria was adapted to the Northern Ireland context to take into account the different legislative, organisational and practice context. This therefore provided an opportunity to assess the PBNI in respect of the quality of work it does with offenders based on a common framework, which enables comparisons with England and Wales, but keeps firmly in mind the differences in the jurisdictions. The terms of reference for this inspection are contained in Appendix 1.

- 1.16 The broad aim of the inspection was to assess the approach to community supervision by the PBNI. The inspection therefore assessed practice against a number of criteria (based on the OMI 2) as outlined below. Where elements from the OMI 2 criteria has been excluded this has been indicated:

- *Section 1: Assessment and sentence planning*

- 1.1 Preparing for sentence (excluded).⁷
- 1.2 Assessment and planning to minimise RoH to others.
- 1.3 Assessment and planning to reduce the likelihood of reoffending.
- 1.4 Assessment and planning for offender engagement.

- *Section 2: Implementation of interventions*

- 2.1 Delivering the sentence plan.
- 2.2 Delivering restrictive interventions.
- 2.3 Delivering constructive interventions.
- 2.4 Managing diversity and maximising offender engagement.

- *Section 3: Achieving and sustaining planned outcomes*

- 3.1 Achievement of initial outcomes.
- 3.2 Minimising RoH to others.
- 3.3 Reducing likelihood of reoffending.

- *Section 4: Leadership and strategic management*

- 4.1 (excluded).⁸
- 4.2 Effective deployment of resources makes good quality community supervision of offenders more likely.
- 4.3 Effective workforce planning and development makes good quality community supervision of offenders more likely.

- 1.17 The fieldwork methodology was based on the model used for OMI 2 as outlined above. A full description of the methodology is illustrated at Appendix 2. An inspection team

⁷ This element covers pre-sentence reports which have previously been inspected by CJI in its 2011 inspection report. See www.cjini.org.

⁸ This element covers strategic planning, partnership working and public protection arrangements. Public protection has been inspected previously by CJI, most recently in 2011. The governance arrangements of PBNI will be covered in a forthcoming inspection of the relationship between the Youth Justice Agency and PBNI (as outlined in the CJI Corporate Plan 2012-15).

was identified comprising of CJJ Inspectors, HMI Probation Associate Inspectors and local assessors from the PBNI (area managers selected for the role). Training in the case review process was provided by HMI Probation. The inspection team undertook individual reviews of 100 probation cases.

1.18 In undertaking the case reviews the assessors completed a questionnaire, based on the OMI 2 model but adapted for the PBNI. Scores were derived by totalling all the positive responses (i.e. where an assessor had selected 'yes' in response to a question) and dividing by the total number of positive responses in an area. Overall the report therefore provides percentage scores for each of the 'practice criteria' essentially indicating how often each aspect of work met the level of quality CJJ were looking for. Accordingly, the report is able to provide a score that represents how often the RoH to others and Likelihood of Reoffending aspects of the cases assessed met the level of quality the team were looking for, which is summarised in the Executive Summary.

1.19 Scores were also obtained in relation to individual aspects of the three areas of assessment and planning, delivery of interventions and achieving and sustaining planned outcomes and overall for each area. Data was obtained from the OMI 2 inspections for comparative purposes, but this should be used with caution due to the differences in general between Probation Trusts in England and Wales and the PBNI (for example in terms of legislative requirements) and the resulting use of different questionnaires.

1.20 A case sample was selected based on specific criteria designed for the OMI 2 inspection. The PBNI provided CJJ with a full list of cases within the appropriate timeframe, and from this CJJ selected the 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 final selection comprised of 35 licence cases and 65 community order cases where

predominantly the offender had been released from custody or sentenced to a community order at the start of 2012. Only those over 18 years were included in the sample (to avoid overlap with the work of the Youth Justice Agency (YJA)).

1.21 In addition, meetings were held with stakeholders from the Northern Ireland Prison Service (NIPS), the Police Service for Northern Ireland (PSNI), the DoJ, representatives of the Judiciary and from voluntary and community sector organisations who receive referrals from the PBNI. CJJ also consulted with offenders under supervision in the community, both individually and at group programmes. Finally, a survey was undertaken of those registered with the Victim Information Scheme.

Case sample information

1.22 The final case breakdown was as outlined below in Table 1.

Table 1: Case type and level of application breakdown for case sample

Case type	Number (%)
Community order cases (including probation orders, community service orders, combination orders)	65 (65%)
Licence cases (including determinate custodial sentences, extended sentences for public protection, indeterminate sentences for public protection)	35 (35%)
Level of application	
Higher	25 (25%)
Standard	59 (59%)
Lower	16 (16%)

1.23 Appendix 3 provides an overview of the demographic details of the 100 cases in the sample. The data illustrates that:

- In the majority of cases the offender was male (87%) and white (96%).



- There was a fairly equal split between the community backgrounds of the offenders (43% Catholic, 40% Protestant and 4% Other, although the community background was not known in 23 cases)⁹.
- Only two cases in the licence sample had victims registered with the Victim Information Scheme.
- Over three-quarters of offenders were unemployed at the start of their sentence or order.
- Over half of the cases contained an order requirement or licence condition to address substance misuse. This was greater than the proportion of offenders who were convicted of specific drugs offences (15%), which illustrates that probation officers were effectively identifying the key criminogenic factors that contribute to offending at the pre-sentence report stage, and highlighting these to the sentencing Judge to enable them to order appropriate conditions or requirements.
- Fifteen percent of offenders had been subject to electronic monitoring at some stage during the period of supervision being considered.
- There were a range of index offences of which the individual had been convicted; the largest of these being for violence against the person (31%) and then drug offences (15%).
- In 33% of cases there was evidence that the offender had previously been or was currently a perpetrator of domestic abuse.
- Thirty-two percent of cases contained some evidence of child protection concerns and the offender was the source of these concerns in 94% of the relevant cases.
- In 32% of cases there were concerns about vulnerability or risk of suicide.
- Nine of the offenders were involved with the PSNI Reducing Offending Units having been identified as a priority or prolific offender.
- Six of the offenders had been resident in approved premises during the period of supervision being considered.

⁹ The community background was sourced either by information obtained from the PBNI equality data, or from the probation officer/probation services officer supervising the offender.

CHAPTER 2:

Leadership and strategic management (overall score: 84%)



- 2.1 Each probation officer/probation services officer was asked a series of questions in order to seek their views as to the way in which the PBNi manages and leads its staff to enable them to practice effectively. A total of 73 different probation staff were interviewed in this part of the inspection. The questions related to a number of different criteria as outlined below.
- 2.2 Comparisons were undertaken of staff depending on which Assistant Director in the PBNi they reported to in relation to these questions. There were a very small number of staff attending for interview who were based in prisons or under the Assistant Director for Risk, but similar numbers based in the Belfast region (35) and the rural region (31). Staff views were similar for most questions across the two regions but differences could be seen for some areas. Where these arose they are highlighted below.

Effective resource deployment makes good quality offender supervision more likely - score: 78%

Deployment of resources contributes to public protection and reduction in likelihood of reoffending.

- 2.3 Interviewees were asked if they felt they had access to sufficient resources to deliver community supervision of offenders. Sixteen percent felt they had excellent access and 59% felt access was sufficient. Twenty-three percent felt this access was insufficient and one member of staff (1%) stated this was poor.

Some staff commented during the inspection that accessing services in rural areas was more challenging than in urban areas. In contrast to what would be expected however, more individuals based in the Belfast region responded negatively to this question (32%) than based in the rural region (16%). This question however also refers to internal resources as well as services in the community. Some staff highlighted the issue of having sufficient time themselves to spend with offenders because of their caseloads, for example one commented that 20 minutes once a week was insufficient to deal with complex individuals.

- 2.4 Eighty percent of staff felt that workloads were monitored and managed in a fair and transparent way. In small number cases where the staff member answered negatively it was emphasised that they felt workloads were monitored and managed in a fair and transparent way across their own team, but that they felt there was not an equal spread of work across different teams within the organisation. The PBNi evidenced that they took proactive steps to try and manage this where issues arose, for example during the period of inspection they were in the process of changing the boundaries for some of the Belfast teams and creating a new team with a new area manager. This type of issue has to be managed carefully to ensure continuity of supervision for the offender. With rising numbers of cases to be managed each year managing resources will be an ongoing challenge.



Effective workforce planning makes good quality offender supervision more likely - score: 85%

There is a workforce strategy that promotes the development of all staff to meet service delivery outcomes.

- 2.5 Just under three-quarters (74%) of staff stated that planned absences were managed in such a way as to minimise the impact on continuity of supervision. Similarly 73% of staff stated that unplanned absences were managed in the same way. The PBNI operate a cover system whereby a probation officer is allocated to meet with offenders where their allocated probation officer is on leave or absent due to sickness. The cover system appears to be the most appropriate way of managing absences in order to ensure that the requirements for contact are maintained.
- 2.6 The PBNI have employed a number of 'bank' staff on fixed term contracts (for example, staff who had recently achieved their social work qualification) during the last few years, and Inspectors heard that some 'bank' staff had had their contracts extended in order that the PBNI could continue to meet demand. The Probation Board confirmed that they had recently recruited around 26 new probation officers who would help meet this demand once they had completed their induction and had a period of time to develop in the role.
- 2.7 In most cases staff had their work countersigned by a middle manager. Ninety-six percent of staff felt that their manager had the skills to countersign their work, 92% felt they had the skills to assist them to develop their work, 95% felt they had the skills to support them in their work and 90% felt that their manager actively supported them in their development.
- 2.8 Staff were asked whether they would describe countersigning/management oversight as an active process. Sixty-eight percent confirmed it was active and that their manager often discussed their work and 'roll back' assessments etc. if required. Twenty-one percent said that countersigning/management oversight was sometimes active and that this seemed about right. Eleven percent said that it was not active enough and felt that their manager should discuss their work and 'roll back' assessments etc. if required more often.
- 2.9 Eighty-four percent of staff reported that, on average, in the last 12 months they had received formal supervision on a monthly basis. Sixty percent of staff felt that the quality of supervision had definitely promoted improvements in their practice with 31% stating that this was the case to some extent.
- 2.10 Staff were asked about how well their training and development needs were met to do the job they were currently in, and for future development. In terms of their current role, 14% felt the needs were met excellently and 79% sufficiently. Five percent felt this was insufficient and 1% poor. For future development, similarly 10% felt their training and development needs were met excellently, 74% sufficiently, 12% insufficiently and 4% poorly. Where staff responded insufficient or poor they were asked why this was. Fifty-eight percent stated this was because there were insufficient relevant training or development opportunities and 44% stated that they had insufficient time to take advantage of the opportunities on offer.
- 2.11 Formal opportunities to discuss practice issues were described as excellent by 18% of probation officers/probation services officers, sufficient by 56%, insufficient by 22% and poor by 4%. The process for disseminating the findings from Serious Further Offences or Serious Case Reviews was described as excellent by 8% of staff interviewed, sufficient by 64%, insufficient by 25% and poor by 3%. Of those who stated it was insufficient or poor they described how information was circulated by email and they would welcome the opportunity to discuss how findings were relevant to their practice or the implications for their own work.



2.12 An example of this was given by one member of staff who had supervised offenders involved in a Serious Further Offences. The staff member commented that there appeared to be an information vacuum with a great deal of activity at the time of the offence to collate information, which was time consuming and stressful for all involved, but then limited follow-up or feedback afterwards. It is important that, where applicable, lessons are learnt by all staff in terms of their practice and that such information is shared appropriately. Given the proportion of staff who felt that the process for disseminating these findings was insufficient or poor ***findings from Serious Further Offences and Serious Case Reviews should be shared and discussed with staff where lessons learnt and practice learning have been identified.***

2.13 Staff were asked how well the culture of the organisation promoted learning and development. Eighteen percent of staff stated this was excellent, 65% sufficient, 14% stated it was insufficient and 3% stated it was poor. Finally staff were asked the extent to which any diversity needs they had were reasonably met by the PBNI. Thirty-five members of staff stated that they did not have any diversity needs. Of the remaining 38 officers 26% responded with excellent, 63% with sufficient, 8% insufficient and 3% (one person) poor.

CHAPTER 3:

Assessment and sentence planning (overall score: 81%)



Assessment and planning to address RoH to others - score: 75%

RoH is comprehensively and accurately assessed. Plans are made to keep to a minimum the individual's RoH to others.

- 3.1 An explanation as to how the PBNi assess RoH and RoSH is provided in the glossary at the outset of this report. Assessors considered the documentation associated with these assessments in the case file and discussed them with the probation officer involved.

RoSH assessments

- 3.2 At the start of the sentence or licence only nine cases were classified as being RoSH. The vast majority of these were the appropriate classification. In 93% of cases the RoSH screening was completed. In 88% this screening was completed on time and in 82% of cases it was accurate. In one example where issues arose the assessment had not been conducted fully and 'not RoSH' had been written in the relevant box on the RA1 form. In another couple of cases issues which should have contributed to the risk assessment were missed. In one case it was recorded that the offender had previously caused death by dangerous driving, but this did not trigger the RoSH screening until later in the course of supervision. Similarly in another case, the RA1 did not provide sufficient analysis of a previous conviction for child abduction and threats to kill a previous partner, albeit they had occurred some years ago.
- 3.3 A full RoSH analysis was completed in 76% of the 46 relevant cases. In 63% of cases a full

RoSH analysis was completed on time and in 49% the analysis was deemed by the assessor to be of sufficient quality. Many of the issues in these cases led on from the cases highlighted above, where the screening had not been completed accurately. In other cases the assessment did not appear to sufficiently consider offences that the offender had been convicted of previously (for example patterns or repeated incidences of previous convictions relating to driving offences), or allegations of other issues or offences which may not have resulted in a conviction at that time but had the potential to pose serious RoH to others. It should be noted that where issues arose, these mainly related to cases which were ultimately deemed not to be RoSH.

- 3.4 Of the relevant cases assessed, it was considered that the RoSH analysis accurately reflected RoH to children in 64% of cases, the general public in 67%, known adults in 60% and staff in 67%. Where the analysis was not felt to accurately reflect RoH this appeared to reflect risks to potential victims (for example where children may be present during domestic abuse issues). This was also apparent where risks related to previous offences or convictions, (for example where there was evidence of previous offences related to dangerous driving or domestic abuse). Again it should be noted that where issues arose these mainly related to cases which were ultimately deemed not to be RoSH. As highlighted above, assessors agreed with this classification in the vast majority of cases, which emphasises that the correct decision was arrived at, albeit that in some cases the evidence of how the decision was made could be improved.



RoH assessments

- 3.5 Similarly, assessors considered the RoH assessment drew sufficiently on all the available sources of information in 64% of cases and previous relevant behaviour was considered and taken into account in 66% of cases. Again the information that assessors felt was not sufficiently considered, largely related to previous convictions or harm to potential victims. **Inspectors recommend that the PBNI should ensure quality assurance procedures include effective qualitative analysis so that RoH and RoSH assessments take into account all available sources of information and previous relevant behaviour.**

Plans to manage risk

- 3.6 In three-quarters of the 20 cases where a full RoSH analysis was undertaken a risk management plan was completed. This was completed in time in 70% of cases, but was only considered to be comprehensive in 40% of cases. Where issues existed, these included for example the minutes of the meeting not containing a comprehensive risk management plan, the risk management meeting being held two months after an order had been made and relevant risks not being discussed during the meeting.
- 3.7 One offender subject to a community order and 18 offenders released on licence were subject to restrictive requirements (such as a curfew, electronic monitoring, a requirement to reside in approved premises accommodation etc.). In the vast majority of cases, these restrictions were proportionate to the RoH and to the protection of victims.
- 3.8 Nine of the cases in the sample met the criteria for PPANI at some time during the order or licence. Of these, three were initially managed at Category 1 and four at Category 2. In two cases the requirement to make a PPANI referral had not been identified by the PSNI at an early stage and this oversight was then not picked up by the probation officer; both of

these related to offences in a domestic setting. In all referred cases the initial category of PPANI management was felt to be appropriate.

- 3.9 The document *Co-operating to Safeguard Children*¹⁰ provides the following explanation of child safeguarding:

'Child abuse occurs when a child is neglected, harmed or not provided with proper care. The primary responsibility for safeguarding children rest with parents, however some parents cannot always ensure this, and it may be necessary for statutory agencies to intervene to ensure a child is adequately protected'.

- 3.10 Three-quarters of the management involvement in RoH assessment and planning was deemed to be effective, but there was a lack of management involvement in eight cases in relation to child safeguarding issues. These cases tended to be where issues had arisen with regard to safeguarding issues being missed or not acted upon, as outlined previously, and there was no evidence of management oversight or guidance in decision making.

Assessment and planning to address the likelihood of reoffending - score: 86%

The likelihood of reoffending is comprehensively and accurately assessed. Plans to address offending related factors to reduce the likelihood of reoffending.

Assessment of likelihood of reoffending

- 3.11 In 95% of cases they were allocated to the correct Level of Application at the start of the sentence or release from custody. Where there was a departure from the expected level in most cases a reason was recorded to explain this. The case was allocated to a probation officer within the required time limits specified in the *Best Practice Framework* in 97% of cases.
- 3.12 The PBNI use the ACE tool in order to assess likelihood of reoffending. This is completed at the pre-sentence report stage and then reviewed as per the time periods set out

¹⁰ *Co-operating to Safeguard Children*, Department of Health, Social Services and Public Safety, 2003.



in the *Best Practice Framework*. A review was undertaken of the use of ACE by the PBNI in 2012.¹¹ This confirmed that the predictive validity of ACE (i.e. the extent to which it can predict likelihood of reoffending) was good at both initial and final stages, but that it was more accurate for assessing high risk offenders than low risk. The report highlighted a series of recommendations including refresher training for staff in the use of ACE.

3.13 Assessors reviewed the assessments of likelihood of reoffending (contained in the ACE report) at the start of the sentence, on release from custody on licence, or on transfer into the PBNI supervision or across areas. Of the 35 licence cases the majority (32) were deemed by assessors (and as required in the *Best Practice Framework*) to require an assessment of likelihood of reoffending prior to release from custody on licence. Of the community order cases about four-fifths were deemed to require an assessment of likelihood of reoffending prior to starting the sentence.

3.14 Assessors considered the extent to which these assessments were completed, were completed on time and were sufficient. Of the 83 cases which required this assessment of likelihood of reoffending, 94% of these were completed, with 88% being completed on time and 77% being considered to be sufficient. In some of the licence cases the ACE was not updated once the offender was released from custody, where factors affecting the likelihood of reoffending (such as associating with peers who may be a negative influence, access to drugs and alcohol etc.) may be much increased on release into the community.

3.15 Inspectors acknowledge that the PBNI standard is for an ACE to be completed initially at pre-sentence report stage and then reviewed at least every 16 weeks (for standard level of application cases) or at least every 16 weeks or at shorter intervals where required (for higher level of application cases) in the community.

However in cases where offenders are released into the community from custody, or time has elapsed between the ACE being completed for the pre-sentence report and the start of the order, Inspectors believe that an assessment of likelihood of reoffending should be undertaken to ensure it is accurate at the start of the supervision process. This issue will be discussed further in Chapter 4 when considering the subject of reviews.

Case planning

3.16 Probation officers are expected to draw up a case plan (sometimes also referred to as a sentence plan) in discussion with the offender at the start of their sentence, on release from custody on licence, or on transfer to the PBNI. The case plan sets out the objectives to be worked towards during the period of supervision, and are not required for those only undertaking community service. The PBNI *Best Practice Framework* outlines case plans as operating 'within the parameters of:

- *securing compliance with the sentence of the court;*
 - *targeting factors which are intended to reduce the likelihood of reoffending and those that will support such a reduction and related harm;*
 - *integrating the risk management plan with the case or sentence plan;*
 - *including, where appropriate and necessary, restrictive interventions designed to reduce and minimise risks relating to serious harm;*
 - *utilising strengths and supports, and positive opportunities for the offender to better integrate and become a more responsible citizen.'*
- (page 14).

3.17 An example of practice in this area from one case demonstrates how these aspects feature in the case plan. A male offender had severe alcohol problems and a list of offences to fund his habit. Though he wanted to be 'clean' this did not translate into sustained motivation to address his entrenched pattern of binge drinking. Nor was he particularly interested in

¹¹ RSM McClure Watters (2012) *An evidence assessment of the use of the ACE risk assessment tool in Northern Ireland*, Department of Justice and Probation Board for Northern Ireland.



the effect of his offending on the victims of his shoplifting. His probation officer worked with him to identify what was important to him, which was gaining more access to his children, and being a good father. These became central to his case plan and, as both required being sober and offence free, the probation officer was able to use these motivations to help him look at his alcohol use, together with its impact on the children and his relationship with and access to them. This then enabled the probation officer to use these motivations to help him consider his behaviour, motivations and his support needs.

- 3.18 In 90% of the cases assessed a case plan was completed at the start of the sentence or on release, and in 82% of cases completed in the required timescales. In 88% of cases the case plan was assessed as being informed by relevant assessments and in 89% of cases appropriate to the purposes of sentencing. Whilst there is no requirement on probation officers to record how elements of the case plan will be prioritised, verbal evidence from staff demonstrated their focus on prioritising key issues initially. Eight-five percent of cases were therefore assessed as including a logical sequencing of objectives and activities. Seventy-nine percent of case plans contained outcome focused objectives (for example that 'X will be abstinent from drug use'). The remaining cases focused on the process to be undertaken rather than the outcome (for example that 'X will engage in a substance misuse programme'). Ninety-three percent of cases described levels of contact in terms of both appointments at the probation offices and home visits.
- 3.19 Case plans were generally holistic in approach, including elements of both actions to control and change behaviour and those to support the offender, drawing in many cases on protective factors identified. There was evidence of case plans showing consideration of diversity needs of offenders, for example in terms of age, gender and background factors. For example, in one case there was evidence that a female offender had become institutionalised due to a long history of time in care, secure care and

then prison as an adult. She had also been diagnosed with a personality disorder. The probation officer utilised a range of methods and resources to engage and reduce her criminogenic needs, such as using the Women's Support Network, mental health support from the NIACRO. Assisting People and Communities project, art therapy and alternative therapies. In another a young man, who was released on licence, indicated to his probation officer that he wanted to play for his local football team. The probation officer ensured this was written into his case plan and arrangements were made for probation to maintain contact with a named individual present at the football training who was able to monitor his attendance and behaviour.

- 3.20 Of the nine cases categorised as RoSH, seven included objectives to manage RoH in the case plan. However case plans for those not assessed as RoSH often did not include objectives to manage RoH to others. The case plan form used by the PBNI has a box for this purpose (entitled 'Risks relating to Harm/Serious Harm'). This box was often completed with the phrase 'not RoSH' and nothing else. It is important that RoH is managed in all cases where appropriate, not just for the few who are deemed to be at the highest levels of risk. **It is recommended that the PBNI should implement procedures to ensure all appropriate case plans include some actions to manage RoH to others.** This could be incorporated into the Area Manager Monitoring guide.
- 3.21 Of the 21 cases where there was evidence of child protection concerns at an early stage of supervision, eight case plans (38%) did not contain any objectives to manage child protection safeguarding. In some of these the child protection issues had not been identified. In others, a referral had been made to social services but the case had not met the threshold for intervention by them. The assessor still felt however, that in these cases that the probation officer could have addressed these by objectives in the case plan. **It is recommended that, where child**



safeguarding issues are identified, the PBNI should implement procedures to ensure all appropriate case plans include some actions to address these issues.

This could also be incorporated into the Area Manager Monitoring Guide.

- 3.22 The PBNI does not have a policy of sharing case plans in their totality with others involved in the case, however in the majority of cases, there was evidence that relevant information had been shared. Feedback from third sector providers to whom the PBNI referred offenders, confirmed that information was shared with them as necessary. This would be initially provided via a standardised referral form and could be followed up by telephone or face-to-face contact with the relevant probation officer. In some areas, staff from third sector providers provided services from within probation offices (for example, undertaking evening ‘clinics’) and therefore there were opportunities to discuss cases with probation officers prior to, or after, meeting clients. Feedback was provided that suggested probation officers were very open to contact from other staff involved in the case to share appropriate information. Other staff from within probation (such as programmes staff, area managers) were able to access the case plan via the probation information management system or by contact with the supervising probation officer as necessary.

Assessment and planning for offender engagement - score: 80%

Individual diversity needs are taken fully into account at the earliest opportunity. Plans are put in place to minimise the impact of potential obstacles to engagement.

Assessing and identifying motivating factors

- 3.23 In most cases assessors felt that full attention had been paid to the methods likely to be most effective with the offender. In one example seen, the offender had mental health issues and a degree of autism. His probation officer therefore recognised his difficulties in communication and in particular discussing his

family and relationships. The probation officer used a mixed box of different buttons of different colours shapes and sizes to represent the important people in his life and created a picture to represent this. The colours and shapes therefore reflected his views and relationships with people. They discussed why he had chosen the particular shapes or colours. The offender enjoyed the exercise and it was a useful in establishing good communication and his engagement, as well as gaining insight into his attitudes.

- 3.24 Also in the vast majority of cases, there was evidence that the case planning took into account the offenders level of motivation and their capacity to change. In 83% of cases there was clear evidence that the offender was actively and meaningfully involved in the case planning process. The PBNI requires that offenders sign their case plan, but evidence from probation officers also demonstrated how case plans were drawn up in consultation with offenders in order to meet their own needs as well as those of the court. In addition, in 89% of cases it was also clear what contribution the offender had to make to achieve the objectives of the case plan. Interviews with offenders also indicated that they had been involved in drawing up their case plans and knew the contents of them, including attendance on a programme or a referral to a service where appropriate.

Education, Training and Employment (ETE)

- 3.25 There is no requirement on PBNI staff to carry out an assessment of ETE at the start of the offenders sentence, unlike in Probation Trusts in England and Wales. Despite this however, there was evidence that in two-thirds of cases, probation officers identified that ETE was an issue for the offender and planned some element of work in relation to this (such as a referral to a third sector provider with skills in this area). Given the large proportion of the offender population that is unemployed this is helpful in addressing the factors impacting on offending in a holistic way. Some probation officers also described the need for the offender to have purposeful activity in their



lives, which may prevent them from engaging in offending, alcohol abuse or drug taking, and ETE offers an opportunity to provide this. Third sector providers who offer such ETE services confirmed that referrals were appropriate and that there was open communication with probation officers about the services they could offer and attendance of offenders.

Diversity

- 3.26 The PBNI does not expect probation staff to undertake a formal diversity assessment, but there was evidence of consideration towards diversity issues, discriminatory/disadvantaging factors, and other individual needs in the majority of cases during the assessment and planning stage. In 59% of cases such factors were identified and 29% of the offenders were identified as having some sort of disability (seven in relation to physical impairment, eight in relation to learning difficulty and/or disability and 16 relating to mental health/emotional state¹²). In 91% of cases where needs were identified, action was taken to minimise the impact of these factors or included reference to them in planning documentation.
- 3.27 Practice in one area also illustrated the consideration that probation staff gave to the impact of probation supervision on offenders. In endeavouring to encourage attendance, pick-ups for work placements for those on community service were not generally the PBNI office (as in most areas). Rather, these were rotated around known landmarks (for example the car park of a local supermarket) so as not to bring these offenders under notice or to create any sense of embarrassment for them.
- 3.28 Possibly due to the lack of a single document on which diversity issues are recorded, the assessment of diversity was generally gleaned from discussions with the probation staff present rather than on the case management system. The assessment of diversity appeared therefore to be implicit rather than explicitly stated. This was sufficient for the purposes of

this inspection and it was clear probation staff in general considered diversity issues in each case. This also meant that probation staff consider issues as they arise, rather than a formulaic process driven by a tick-box form. The implicit approach could however create difficulties if the case was transferred from one member of probation staff to another, or if a member of staff was absent for an unplanned reason, such as sick leave. Diversity issues can also act as a barrier to engagement with the supervision process and therefore it is important to assess and, if necessary, manage any issues that arise. It was also unclear how management information on the diversity needs of offenders was collated. ***A mechanism for identifying and recording diversity needs should be developed during the review of documentation in preparation for the implementation of the new information management system.***

¹² In two cases the offender was identified as having more than one type of disability.

CHAPTER 4:

Implementation of interventions (overall score: 89%)



Delivering the case plan - score: 90%

Interventions are delivered in line with the requirements of the sentence and meet prescribed standards.

Delivery of interventions overall

- 4.1 Assessors considered how the interventions which were identified in the initial case plan were delivered. In 91% of cases interventions were delivered according to the requirements of the sentence, and in 90% delivered in line with the objectives defined in the case plan. The first of these relates to requirements set out by sentencers such as undertaking a programme, residing in a specific location (such as approved premises) or receiving mental health treatment. Interventions were delivered in a timely manner in 91% of cases according to RoH and in 89% of cases according to likelihood of reoffending. Where there was more than one intervention delivered these were sequenced in 82% of cases according to RoH and in 91% of cases according to likelihood of reoffending.
- 4.2 These findings evidence that in the majority of cases probation staff gave priority to interventions which have the most impact on the offender's RoH and likelihood of reoffending. In many cases interventions were commenced promptly, either by probation staff or in partnership with third sector providers. Where cases were felt not to be sequenced according to RoH this usually followed through from a less effective assessment of RoH at the start of the sentence which did not identify the key risk issues.

- 4.3 Offenders were referred to a variety of providers by their probation officer. This included employability schemes (as provided by Extern and NIACRO via Jobtrack), addiction services (such as Addiction NI and Breakthru), and restorative justice schemes (such as Community Restorative Justice Ireland and Northern Ireland Alternatives). In addition, PBNI staff worked in partnership with other voluntary and community organisations to support offenders with specific requirements or needs such as providers of approved premises and organisations who provide services for women or young people.

Delivery of programmes

- 4.4 At the time of inspection the PBNI delivered four accredited programmes and four approved programmes. Accredited programmes are research based programmes developed by the Interventions and Substance Misuse Group. This is part of the National Offender Management Service, an executive agency of the Ministry of Justice for England and Wales. These programmes are accredited by the Correctional Services Accreditation Panel which is a non-statutory body that helps the Ministry of Justice to develop and implement high quality offender programmes. Approved programmes are programmes targeted at offenders with specific needs, for example violence, alcohol and substance abuse and/or anger management. Some of these programmes were complemented by, or followed on from programmes undertaken in prison. In addition, PBNI staff could refer offenders who had a requirement to undertake an alcohol or drug treatment programme to a third sector provider (such as Addiction NI or Breakthru) who provided a number of sessions of addiction counselling.



Accredited Programmes	Approved Programmes
Community Sex Offender Group Work Programme (C-SOGP)	Adapted Sex Offender Treatment Programme
Integrated Domestic Abuse Programme (IDAP)	Anger Management
Internet Sex Offender Treatment Programme (I-SOTP) (The I-SOTP forms part of the suite of C-SOGP programmes for men who commit sexual offences)	Cognitive Self Change (violence)
Think First	Managing Alcohol*

* During fieldwork of this inspection the PBNI were piloting a substance misuse programme which, if implemented, would replace the current managing alcohol programme and include misuse of both alcohol and drugs.

- 4.5 The offenders in the case sample had been referred to a number of programmes by probation staff, including Think First, and programmes focusing on substance misuse, sexual offending, domestic abuse, anger management and violence. In some cases, offenders had been referred to more than one programme or intervention, and probation staff explained how these had been prioritised (for example a substance misuse programme initially to address their addiction issues prior to undertaking Think First).
- 4.6 In 17 of the relevant cases (63%) the timing of the programme was consistent with the case plan. In nine cases (33%) the programme had not yet been delivered by the time inspection fieldwork took place. In one of these cases this was due to a lack of weekend provision, in two cases because the programme was not run frequently enough, and in five cases due to issues with the offenders ability to engage (for example because they had been recalled to prison or had breached their order). It is important to commence a programme as soon as possible after the start of an order or release on licence when motivation is at its highest, but obviously if the offender is unwilling to engage or has been involved in other offending then this is more challenging to manage.
- 4.7 Inspectors asked offenders on three PBNI programmes (Think First, Integrated Domestic Abuse Programme (IDAP) and anger management) when they became aware that they would undertake the programme. The vast majority of those spoken to were aware at court or prior to sentencing that they would be expected to attend the programme with one being referred on release from prison on licence. One highlighted that he had been due to commence the programme during a daytime session earlier in his sentence, but then obtained employment during the day. His start had been postponed by his probation officer until a place on an evening programme was available in order to facilitate his employment.
- 4.8 There is clearly a challenge for the PBNI in terms of meeting the demand for places on the full range of courses across Northern Ireland. This is particularly challenging in rural areas where a balance needs to be made between delivering programmes in a range of locations which are accessible to offenders, whilst ensuring programmes have sufficient numbers of attendees in order to make the group work meaningful and constructive, as well as ensuring the best use of resources. Inspectors saw evidence of programmes being arranged to meet these demands, for example an Anger Management programme being run in Newry for four offenders rather than require them to travel to Armagh or further afield.
- 4.9 The use of third sector providers to support offenders through one-to-one programmes to address addiction issues was clearly positive,



compared to accessing services through mainstream health provision (i.e. via a local doctor to a community addiction team). The service level agreements between the PBNI and the third sector providers contain clear deadlines for providing a place to an offender, and this was generally achieved within a couple of weeks. The programme delivered by Addiction NI was designed to be delivered over eight sessions. Similarly the Breakthru programme was for a minimum of six sessions with an additional two available in consultation with both the offender and the probation officer.

- 4.10 Addiction NI delivered services to around 500 offenders per year in the Greater Belfast area (400 who were mandatorily required to undergo a programme and approximately 100 attending on a voluntary basis in consultation with their probation officer). Breakthru delivered services across a number of PBNI offices in mid-Ulster and the West and North West of Northern Ireland. They were contracted to deliver sessions to 182 individuals. The challenge for the PBNI and its partners is managing the number of referrals required to meet demand within the limited budgets available.

Induction

- 4.11 In 94% of cases the offender was offered a full and timely induction following sentencing to a community order or after release from custody on licence. The PBNI's standard for this induction for community orders is within five days for lower and standard levels of application, and within one day for higher level of application. For those released from custody, an induction must be completed on the day of release. The vast majority of cases met or exceeded this standard. There was evidence that the offender had clearly been informed of expectations regarding their behaviour throughout the sentence in 97% of cases, and also of their responsibilities and rights in relation to their sentence in 97% of cases.
- 4.12 The PBNI had a standard document outlining expectations and responsibilities which

probation staff used during the initial induction. These were available on the probation information management system with evidence that the offender had read and signed the document. All offenders recalled having an induction and knew what was expected of them. They were all clear that a breach of these expectations could ultimately lead to them being taken back to court or being recalled to prison.

Contact

- 4.13 The PBNI standard for contact with the offender varies according to the level of application and at what stage they are in their order or licence. These standards therefore take into account the risks posed by the offender. All PBNI contact involved both appointments at a probation office (and in some cases attendance on a probation programme) as well as visits by the probation officer to the offender's home. The standards expected were clearly set out in the *Best Practice Framework*.
- 4.14 In 96% of cases the level of contact arranged met the Northern Ireland standard and facilitated the requirements of the sentence. The frequency of contact took full account of the level of RoH in 97% of cases and of the likelihood of reoffending in 98% of cases. In 96% of cases the frequency of contact arranged promoted the achievements of the sentence plan objectives. This is an example of how the standards outlined in the *Best Practice Framework* and *Northern Ireland Standards* were driving operational practice.
- 4.15 The vast majority of offenders spoken to were able to describe the level of contact with their probation officer and how, in some cases, this had reduced as they had progressed during their sentence, or were also engaged on a probation programme.

Use of resources

- 4.16 Assessors determined that appropriate resources were allocated throughout the sentence to address RoH in 91% of cases; likelihood of reoffending in 95% of cases; the purpose of the sentence in 97% of cases; and



relevant diversity needs in 93% of cases (where diversity needs had been identified).

- 4.17 Where more than one worker was involved in the case (for example, other probation staff or third sector organisations) the probation officer was assessed as effectively co-ordinating their input in 94% of cases. In 94% of cases the probation officer ensured all elements of the sentence plan were delivered. To support delivery of the sentence plan objectives, there was evidence of good communication between the probation officer and other workers in 93% of cases and evidence of good communication between all workers and the offender in 91% of cases.

Monitoring attendance and ensuring compliance

- 4.18 The probation officer monitored offender attendance across all interventions in 95% of cases. In 65 of the 69 cases where it was necessary (94%), effective action had been taken to secure compliance with all interventions (for example by checking reasons for absence, giving the offender a written warning etc.). In 75 cases there were one or more absences by the offender (at an appointment with their probation officer, or at a session on a PBNI programme, or with a third sector provider). The *Best Practice Framework* sets out the specific actions to be taken in the case of an absence or inappropriate offender behaviour (depending on whether this is a first or subsequent appointment, the risk posed by the offender, how many absences there have been so far etc.). Where absences occur, probation staff issue warnings unless there has been an acceptable reason given prior to, or immediately after an absence. Judgements about acceptability and other offender behaviour were assessed to be appropriate in 93% of cases, consistent in 98% of cases and clearly recorded in 96% of cases.

- 4.19 Where circumstances are such that PBNI staff determine that breach or recall should be instigated they are required to provide a breach

report for the court (for community cases), or request a recall via the DoJ Offender Recall Unit to the Parole Commissioners (for licence cases). Breach action or recall was required in 29 cases. In 27 of those (93%) the breach action or recall was instigated on all occasions when required. Ninety-seven percent of these were instigated in time with required timescales and 93% were resolved in line with required timescales.

- 4.20 Feedback from most stakeholders suggested that instigation of breach or recall was generally appropriate, with probation staff making efforts to retain the offender in the community and motivate them to meet the requirements of their order or licence, but making decisions at an appropriate time where they could no longer be managed safely. The decision to breach or recall will always require professional judgement in order to effectively manage risk.

- 4.21 Figures from the DoJ Offender Recall Unit show that in a high proportion of cases the Parole Commissioners recalled the offender on the basis of the request by Probation Board staff. Where requests for recall were made, 92% of these were granted in 2010, 81% in 2011 and 85% between January and the middle of November 2012. Overall figures since licences were introduced in 2010 showed a 30% recall rate for those on determinate custodial sentences and 58% for those on extended custodial sentences, giving an overall recall rate of 31%. Figures from England and Wales between 1999 and March 2012 indicate that the recall rate has been around 24%.¹³ These figures illustrates the challenging task of supervising these offenders in the community.

Community service placements

- 4.22 Of the 22 cases where the offender was ordered to undertake community service the placement was matched to the offender in all cases. Additionally in all cases work placements were deemed to be sufficiently demanding and to be of benefit to the local community.

¹³ *Offender Management Statistics Quarterly Bulletin January to March 2012, England and Wales*, Ministry of Justice Statistic bulletin (July 2012). It should be noted that these figures include those recalled from determinate and indeterminate sentences as well as life sentences.

4.23 The community service placements appeared to take account of the offenders RoH in 95% of cases. In one example of this, a young man was given 60 hours of community service for assaulting a police officer by spitting on him. He had been accused of sexual offences with an under-age girl previously but these were withdrawn at court and therefore he had not been convicted. However, in arranging the community service placement the probation services officer took this information into consideration so that there would be no contact with other children.

4.24 Although there is no requirement on the PBNI to ensure community service placements facilitate skills development and/or educational attainment, this opportunity was evident in 12 of the 16 relevant cases (75%). This illustrates how offenders can gain skills which may provide future training or employment opportunities.

Reviews

4.25 The PBNI *Best Practice Framework* clearly sets out the standards expected for reviewing the ACE documents (to review likelihood of reoffending), the RA1 (to review RoH) and the case plan (to review progress against the objectives set at the start of the sentence and any additional requirements). Assessors considered whether these reviews were undertaken thoroughly, in line with required timescales and where there was a significant change in the case, (for example if the offender reoffended, was released from prison or relocated to another area; see further explanation below).

4.26 A thorough review of the assessment of likelihood of reoffending was completed in 83% of the cases where it was required. A thorough review of the assessment of likelihood of reoffending was completed in half of the cases following a significant change. The RoH assessment was reviewed thoroughly in line with required timescales in two-thirds of the relevant cases, and following a significant change in half of the cases where this occurred. The case plan was reviewed in line with required timescales in 86% of the relevant cases and in

56% of the cases where there was a significant change.

4.27 Where issues arose with planned reviews, these were largely relating to the quality and thoroughness of the review rather than the timeliness of it. Assessors saw a couple of examples where review ACEs were cloned from previous versions of the document, with little or no record of what factors had changed. This is an inappropriate approach to assessing likelihood of reoffending. In addition in some cases where the initial ACE had been poor this was not sometimes improved in subsequent reviews.

4.28 The *Best Practice Framework* states that:

'A review can be brought forward where significant change occurs'. It further outlines that the 'ACE review, including screening review, shall be brought forward without delay where there is a significant change in the offender's circumstances, behaviour and/or attitude, or new information or event, which could have a bearing on the assessed likelihood of reoffending and/or RoSH as well as the Level of Application for the case.'

Finally it explains that:

'Significant changes (applicable to all Levels of Application) may include:

- *where there are increased concerns about risks relating to re-offending and/or serious harm to others;*
- *significant event, for example, the death of a parent or spouse of partner; break up of a relationship; loss of accommodation/employment; self harm;*
- *further arrest, police questioning, charge, remand or conviction;*
- *receiving a further order/licence;*
- *non-compliance resulting in a warning;*
- *transfer, variation, discharge or breach or recall action.'*

4.29 In most of these cases where reviews were not brought forward following a significant event, this was where the offender had reoffended,



come to police attention, had received a further conviction or a decision had been made to recall them to prison. It is important that reviews are undertaken at this point with full reference made in the ACE and RA1 documents to ensure that actual or potential victims are identified and action can be taken to promote their safety. It is also important that the offender is clear, through the case plan, of the impact of these new issues and how they may affect the objectives to be achieved during the remainder of their sentence. ***The PBNi should take further steps to ensure probation officers understand the importance of bringing forward and completing a thorough review following a significant change in the case, in order to address risk and likelihood of reoffending, and that quality assurance processes ensure this is reflected in operational delivery.***

- 4.30 In three quarters of cases, reviews of the likelihood of reoffending were used to inform case plan reviews and prioritise objectives appropriately. Similarly in three quarters of cases, reviews of RoH were used to inform case plan reviews and prioritise objectives appropriately. The offender was able to participate in the case plan review in 84% of cases; in the majority of those where they were not able to participate this was because they were in custody having been breached or recalled or remanded on other offences.
- 4.31 Offenders spoken to individually confirmed that they had discussed progress against their case plan with their probation officer. Some had not yet had the opportunity to do so, but knew that it would happen about four months after they had commenced supervision. Some had already experienced this on one or more occasions.

Transfers

- 4.32 Only six cases were transferred between the Probation Board offices and four into/out of Northern Ireland (one between Northern Ireland and the Republic of Ireland, and three between Northern Ireland and England and Wales). In all cases where the transfer was between offices in Northern Ireland, and in all

but one where the transfer was between Northern Ireland and another jurisdiction, there was provision of up-to-date assessments, case plans and the Risk Management Plan (where appropriate) provided by the transferring office. In these cases an appointment was made with the offender in the new area within five days and a home visit was made to the offender's new address, for RoSH cases, within 10 days of notification of them living in the area. In one case which was transferred in from England there were issues about the appropriateness of the transfer in, and the manner in which it was managed, which did not appear to be in line with the *Best Practice Framework*.

Case management information

- 4.33 In the majority of cases the overall case record was well organised (93%), contained all relevant documents (85%) and the recording of information was clear (95%), timely (94%) and reflected the work carried out (90%). Some probation staff commented that they found the probation information management system difficult to navigate. However in the main, Inspectors found that most information was easily accessible and probation staff were able to upload and store relevant documents. This also enabled others, such as programmes staff and managers, to access information on the case. Generally standardised forms provided probation staff with clear structures to follow and there had been improvements to these in the last couple of years. The PBNi are planning replacing the current electronic management system in the future.

Delivering restrictive interventions - score: 82%

All reasonable action is taken to keep to a minimum the individual's RoH.

Addressing RoH

- 4.34 In order to protect the public where there were potential and/or actual changes in RoH factors they were anticipated by probation staff in three-quarters of cases. Of the ten cases where the changes in RoH factors were not anticipated, they should have been in half of

them. Where there were changes in RoH factors these were identified swiftly in 81% of cases and acted on appropriately in 81% of cases.

Multi-agency partnerships

4.35 The four cases managed under PPANI procedures were operated effectively by probation and there was effective input by other agencies. Decisions taken within the public protection arrangements were clearly recorded, followed through and acted upon and reviewed in all cases. All relevant staff contributed effectively to public protection arrangements. Although based on very few cases, these findings support previous comments from CJI in respect of public protection arrangements.¹⁴

4.36 Multi-agency child safeguarding procedures were used in 11 cases where child protection concerns had been identified. In all cases the procedures had been operated effectively. Decisions taken within multi-agency safeguarding procedures were clearly recorded in nine of these cases; in two cases there was no documentation regarding the child protection plan on the file. In all but these two cases, the decisions taken had been reviewed appropriately. Finally, in all except one case, decisions were followed through and acted upon (in one case the minutes had not been received by the probation officer so actions had not been addressed). In all cases however probation officers and other relevant staff had contributed effectively to multi-agency child safeguarding procedures. Inspectors saw examples of co-operation and sharing of information between probation officers and social workers.

4.37 Nine cases were also included in the Reducing Offending Unit arrangements. The Reducing Offending in Partnership approach has been developed by PSNI in recent years as a new way of working for them and their partners, and it is being rolled out across Northern Ireland. This approach encompasses three elements:

- prevent and deter - early identification and intervention;
- catch and control - establishing a proactive approach by police and partners in dealing those who persist in offending behaviour; and
- rehabilitate and resettlement - a joint approach by all agencies to provide a gateway out of crime.

4.38 The PBNI are involved primarily in the latter element and Inspectors asked staff about the impact on their work of the offender being managed by the Reducing Offending Unit. Probation officers highlighted that the main benefit of this approach was much improved communication with PSNI officers. They advised that the fact one police officer was responsible for managing the offender they were supervising, and therefore had knowledge of all their offences, had led to much improved communication. The probation officer found it easier to contact the PSNI as they had a named contact in the Reducing Offending Unit and could therefore check information more easily (for example to verify information about arrests, cautions or convictions, or obtain further information).

Monitoring of restrictive requirements

4.39 In all but one case which contained restrictive requirements (such as electronic monitoring, a curfew or a requirement to reside in approved premises) the restrictive requirements were monitored fully.

Victims

4.40 In 80% of relevant cases appropriate priority was accorded to victim safety by the probation officer and other workers. Where it was not, in most cases this related to potential or previous actual victims of domestic violence and abuse. In many cases the risks to the victim had not been sufficiently assessed at the start of the supervision, and this then followed on to an insufficient focus on the safety of these victims. This issue is discussed further in Chapter 5.

¹⁴ See CJI's most recent report on Public Protection Arrangements Northern Ireland, published June 2011.



4.41 The PBNI provide funding through their community grants to Women's Aid in Northern Ireland for the provision a Women's Safety Workers service for partners or ex-partners of men convicted of domestic abuse offences, who have been ordered to undertake the IDAP programme. The Women's Safety Workers make contact with the woman (who may or may not have been subject to the domestic abuse) to explain about the IDAP and discuss safety issues with her.

4.42 CJI consulted with Women's Aid during this inspection who were complimentary about the effective working relationships between themselves and the PBNI. Probation officers were said to be effective at making referrals to Women's Aid and provided sufficient information about the RoH and the progress of the offender on the IDAP, within agreed parameters. The role of the Women's Safety Workers was an expanding one as IDAP had been rolled out, with a full-time worker alongside the PBNI Intensive Supervision Unit. Funding was also a challenge for this scheme as it was allocated from within the community grants funding. The Probation Board are in discussions with the DoJ as to how this funding can become part of core mainstream funding which would place it on a more secure footing. CJI would welcome this development as Women's Safety Workers are a key requirement of the IDAP.

4.43 In only two of the 35 licence cases was a victim registered with the Victim Information Scheme, which represents a very small minority of the cases supervised by the PBNI. In the OMI 2 programme in England and Wales, cases requiring statutory victim liaison were 47% of appropriate cases (i.e. licence and custody cases). This difference can be attributed to the manner in which victims are approached regarding victim liaison. In England and Wales the system is such that victims opt-out i.e. that the police or Witness Care Unit pass the victim's details to the Victim Liaison Service

unless they do not want them to. The victim will then be sent a letter from the victim liaison officer introducing the service and asking if they would like contact. At this stage they can decline and opt-out of the service.

4.44 At the time of inspection in Northern Ireland however, the system was one of 'opt-in' whereby the PSNI ask the victim if they are willing for their details to be passed to one of the victim schemes (which are currently managed separately by the NIPS for offenders in custody, by PBNI for offenders in the community and by the DoJ in respect of mentally disordered offenders). This therefore results in a much lower take-up rate than in England and Wales.

4.45 The DoJ undertook a consultation on the five-year strategy entitled *Making a difference: improving access to justice for victims and witnesses of crime* in late 2012/early 2013¹⁵ which included two strategy actions directly relating to this area:

- 'We will review the operation of the post sentence victim information schemes (Prisoner Release Victim Information Scheme, operated by the Northern Ireland Prison Service, the Probation Board for Northern Ireland's Victim Information Scheme and the Mentally Disordered Offenders' Victim Information Scheme operated by the Department of Justice) with a view to streamlining the service provided;
- We will explore the scope for improved sharing of victims' information between the criminal justice organisations and also with our voluntary sector partners (based on a recommendation by the Justice Committee stating 'An opt-out system regarding being approached by Victim Support Northern Ireland and the Probation Board should be developed to replace the current opt-in system').'

The first of these actions was instigated as a result of a recommendation in the CJI report on victims and witnesses in 2011.¹⁶ It is to be

15 The consultation information is available on-line at <http://www.dojni.gov.uk/index/public-consultations/current-consultations/making-a-difference-improving-access-to-justice-for-victims-and-witnesses-of-crime.htm>.

16 *The care and treatment of victims and witnesses in the criminal justice system in Northern Ireland*, CJI, 2011.



hoped that the latter action will address the low numbers of registered victims which should have benefits in terms of information provided to victims, victim safety and the opportunity for victims to have direct or indirect restorative contact with the offender.

4.46 In the meantime, the PBNI had been exploring other ways in which they may develop a greater level of victim-focused work. The PBNI consider victims as central to their service and emphasise the importance of offenders addressing the harm they have caused. The *Best Practice Framework* references ‘*personal redemption*’ in the sense of making amends can be an important element to desistance and can include helping others to stop offending and positive offender reparation opportunities. The PBNI had engaged with probation services in other jurisdictions to explore additional methods of working with victims.

4.47 In only one instance in the case sample was there evidence of contact with the victim. In that case an offer was provided of face to face contact within 40 days of sentence. The contact then proceeded and there was regular and accurate information exchange between the probation officer and the Victim Liaison Officer and between the probation officer and prison staff.

4.48 The PBNI refers offenders to restorative schemes in order to undertake victim awareness work which may, in some instances, lead to direct reparative/mediation work with victims, but only where approved by PBNI Victims Unit area manager. There is no linkage between this work and the overall number of victim registrations. However the schemes highlighted the low numbers of victims registered with the Victims Unit as a problem for them, as they felt limited in their ability to engage offenders in this direct victim work. This was a source of frustration, particularly where staff at the schemes knew the victim from being involved in the community, but could not contact them because they were not registered. The schemes provided an opportunity for offenders to be re-integrated

into their community and where there was no registered victim other methods were utilised such as letters, use of surrogate victims or community work. The growth of restorative work with victims is an area that the PBNI hopes to develop.

4.49 As part of the inspection fieldwork CJI surveyed the views of victims. A short paper-based survey was circulated to 102 victims registered with the Probation Board’s Victim Information Scheme and a total of 14 responses were received. Obviously this is a small proportion of the number of registered victims (13%), but gives an indication of how the PBNI Victim Information Scheme is viewed. In general responses were positive about the Scheme. Victims who responded were generally satisfied with the following:

- that sufficient information was provided (from the PSNI) to enable them to find out about the Victim Information Scheme and how to register;
- that initial contact was easy to understand, explained why they were being contacted and was appropriate to their needs;
- that circumstances and needs were taken into account for contact with victim liaison staff;
- that relevant information was provided regarding the type, general requirements, length, additional requirements, or conditions and variations of terms and conditions of supervision the offender was subject to; how victim concerns may inform PBNI/multi-agency management of the offender; and how to contact other victim organisations (for example, Victim Support Northern Ireland).

4.50 Victims were less satisfied however with the following:

- that relevant information was provided regarding how to be involved (on a voluntary basis) in direct or indirect restorative contact with an offender;
- that in life sentence or indeterminate custodial sentences they got the chance to discuss their concerns about the offender’s eventual release and risk;



- that if they reported any concerns to the PBNI, they were satisfied that these informed the offender's risk management; and
- that overall they felt safer as a result of contact with the PBNI.

However it should be noted that a small number of written comments attached to these questions related to the work of other agencies such as the police service, or the sentence handed to the offender which is outside of the control of the PBNI.

4.51 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 2.9 which suggests that generally the Probation Board is meeting the needs of victims through the scheme. Some of the comments made by respondents were as follows:

- *"The staff do a thankless job for which I would like to say thank you for keeping me informed!"*
- *"The PBNI seem to be limited as to the amount of information they can give based on the length of custodial sentence."*
- (In response to whether the victim felt safer as a result of contact) *"No the Probation Board cannot be with the offender 24hrs a day. The offender is allowed to drive past my house when he wants but this is not the Probation Board's fault as the court was not strong enough with its restrictions even though there are a number of schools in my area and even one in my street."*
- *"A family member made contact with PBNI on my behalf and information (limited) and some leaflets."*

Home visits

4.52 The PBNI *Best Practice Framework* gives clear guidance on the requirement to conduct home visits for all offenders, except those on community service orders (where visits are

conducted to the work site). The expectation generally for all levels of application is that there will be one home visit during the first four weeks of supervision (unless conducted at pre-sentence report stage for lower levels of application). In all but one (89%) RoSH cases and in 88% of child safeguarding cases an initial and purposeful home visit was carried out. In 83% of other cases where it was appropriate, an initial and purposeful home visit was carried out.

4.53 In 77% of cases the initial home visit was timely. Whilst, at the time of inspection fieldwork the PBNI *Best Practice Framework* did not place any requirement on staff to undertake a home visit in RoSH cases any sooner than within the first four weeks, best practice would suggest that there is a need to prioritise these cases and undertake a home visit within ten working days after release of sentence. In two of the nine RoSH cases a home visit was conducted outside of this timeframe. In the remainder of the cases where the initial home visit was not timely, this was outside of the four week timescale outlined by the PBNI. Subsequently in November 2012, the Assistant Director for Risk issued a Practice Note following a Serious Further Offence case implementing a practice change to the *Best Practice Framework*. This stated that *'for RoSH cases, the initial home visit shall take place within seven working days of release or commencement of an order. Please note the circumstances of an individual case may require a home visit prior to the seven working days stipulation.'*

4.54 In one case a home visit was not conducted because recall proceedings had already commenced and the offender's children had been placed in foster care which addressed the child safeguarding issues. In another, the probation officer felt threatened by the offender, although the assessor felt that a joint home visit should have been conducted earlier. In other cases a home visit was not conducted or was not timely because of staffing issues (for example, staff shortages, annual leave or a heavy workload).



4.55 Home visits were repeated as part of a regime to manage RoH in 89% of cases, and to monitor child safeguarding issues in 85% of relevant cases. In 98% of other cases as appropriate home visits were repeated. This suggests that in general the PBNI standard for home visits is being used appropriately to supervise and monitor offenders. The home visits included a mixture of announced and unannounced, depending on the Level of Application, and some probation officers described prioritising a home visit where the offender had moved during the course of the supervision.

4.56 In the six cases where the offender was required to reside in approved premises, this was used effectively as a restrictive intervention to control RoH. CJI undertakes regular inspections of, and has previously published a report on, approved premises in Northern Ireland.¹⁷ Staff within them have consistently made positive comment about their relationships with probation officers.

Recall and breach proceedings

4.57 In 10 cases recall was requested of offenders on licence back to prison due to RoH posed. In all these cases, recall was instigated by the probation officer promptly. Following recall in all of these cases, where it was possible, clear explanations were given to the offender as to the reason for their re-imprisonment, and in all but one case efforts were made to re-engage the offender with the case plan. In one case the offender had only been recalled the day before the interview for the inspection and therefore there had been no opportunity to re-engage him. In another there had been no case plan created for the offender.

4.58 In 14 cases breach action was initiated for offenders on community orders due to risks of harm posed. In all these cases breach action was instigated by the probation officer promptly. Following this, in all but one of these cases,

where it was possible, clear explanations were given to the offender as to the reason for the breach action. In two cases the offender had disengaged from the process so it was not possible to re-engage them with the case plan following the breach action.

4.59 Inspectors saw evidence that probation staff attempted to engage offenders during the breach process and use it in a way that would motivate them as well as ensure compliance. In one example a female offender had a history of alcohol addiction and struggled to engage due to her drinking. Breach was initiated due to her failure to attend appointments with an addiction service and with the PBNI. The probation officer explained that the offender had told her she was scared of returning to court. She thought that the requirement to attend at court for the breach action to be dealt with may encourage the offender to re-engage and address her ongoing addiction. It was therefore recommended in the breach summons to the court that she be allowed to continue with her probation order. The order continued and the offender re-engaged with both probation and addiction services.

Management involvement

4.60 Of the nine cases which were RoSH there was effective structured management involvement in seven (78%). Of the 21 cases which involved child safeguarding issues there was effective structured management involvement in 13 (62%) of these cases. Management involvement was not effective in two cases due to the long-term absence of an Area Manager in the team. In the rest it tended to be that there was a lack of evidence of managerial oversight or that risks missed by the probation officer, particularly to children, were not picked up by the manager. ***The PBNI should develop a process whereby area managers routinely quality assure all cases in which there are identified child safeguarding issues.***

¹⁷ See CJI's report on approved premises published in July 2008 at www.cjini.org.



Delivering constructive interventions - score: 86%

Interventions are delivered that address offending related factors and the reduction of likelihood of reoffending.

Supporting offenders in the community

4.61 In 96% of cases supportive and protective factors were identified by probation officers after sentence. This was evident in the ACE documentation, in case plans and in the general approach to the sentence by the probation officer. In 98% of cases where it was relevant, the probation officer ensured that the offender was sufficiently supported in retaining or developing community ties and relationships throughout the sentence. Community integration is a key area for the PBNi and the organisation has links with many community organisations, both formally through its community grants and work with the community sector, but also because of probation offices being located in the heart of the communities in which they operate.

4.62 Some offenders gave examples of being linked into organisations within their community such as Sure Start, an ex-prisoners' organisation, floating support, Men's Action Network or Women's Aid. Some also explained they had been referred to specific organisations to support them, for example with addiction issues, or to counselling or suicide prevention services. One highlighted that their probation officer had been supporting them with their family relationships.

ETE

4.63 Assessors saw evidence that probation officers were addressing learning and skills needs via interventions. Information, advice and guidance was provided to the offender regarding ETE by probation or a third sector provider in most cases and arrangements were made for relevant interventions to be delivered. In about half the relevant cases an intervention had been delivered. Often this was not possible however, due to the behaviour of the offender (for example leaving them subject to recall or

breach action) or reluctance of the offender to engage.

4.64 Many offenders spoken to confirmed that they had been referred to an ETE provider. Some stated that they did not wish to engage in ETE at that time but others provided examples of support they had received, for example regarding skills to write their curriculum vitae or in obtaining work placements.

4.65 In some cases probation officers did not appear entirely appraised as to what activities the offender had been undertaking with the third sector ETE provider. Providers advised CJI that they gave regular feedback, in line with service level agreements, to probation officers. It may be these are used more for the purposes of monitoring attendance by probation officers, than by considering the contents and that information on activities is not recorded. Further discussion with the offender about these experiences may be useful in terms of modelling pro-social behaviours or encouraging purposeful activities and structured routine.

Delivering constructive interventions

4.66 In most cases the intervention was proportionate to the offender's need, relevant to the offender's abilities and aspirations, and delivered in line with the case plan objectives. In 93% of cases sufficient work was directed at overcoming practical obstacles to community integration and promoting and achieving key life skills. An example of how community service was used to assist, whilst considering the needs of the offenders involved, was seen in the case outlined below.

4.67 The offences in the case related to fraud to fund an addiction habit the offender had developed whilst suspended from her employment due to a health condition. The probation services officer met her at the pre-sentence report stage and described her as being emotionally fragile, suspended from her employment due to current matters and that she had become socially isolated. He considered her mental health difficulties when deciding on potential placements; he wanted to



ensure the placement was achievable for her, to be non-threatening, but also have positive benefits for her. After sentencing he proposed she volunteered with a telephone support service for elderly people, as this was relatively anonymous work reducing the potential stigma she may have felt and it did not involve a lot of interaction with other people. However vetting was required for this which would take some time, so the officer needed to commence her in another placement initially.

4.68 The probation services officer suggested she work in a charity shop and she was able to start in the 'back room' which was not as threatening for her. When the vetting came through the offender then asked if she could do both placements; she was enjoying the charity shop work and was gaining confidence. As a result of the two placements her hours were completed in three months. The probation services officer regularly monitored the two placements to ensure it was realistic for her. At this stage the offender was confident enough to work 'front of shop', she was interacting well with other volunteers and customers, and the increase in her self esteem was evident. The officer spoke to her more recently, six months after she completed her community service, in the charity shop where she had continued to volunteer and she informed him that she now felt well enough to begin the process of re-entering the employment market.

4.69 In 92% of relevant cases the constructive interventions encouraged and challenged the offender to take responsibility for their actions and decisions related to offending. Assessors heard examples from probation officers about the ways in which they had done this, in some cases despite a lack of support from the victim or family of the offender, but in others they used their experiences to challenge the offender to face up to their actions. One example of this was in relation to a man convicted of a sexual assault. The first home visit was undertaken with his wife and daughter present. They were open with regard to how they were affected by his sexual offending and the probation officer felt this made him more

open in office appointments to consider the consequences of his offending. The probation officer provided the wife and daughter with information about supervision process and they were able to share how the offending had affected them.

Victim awareness work

4.70 In 67% of appropriate cases there was evidence that victim awareness work was undertaken. Of those cases where victim awareness work did not appear to have been started, four of the 24 were because the offender had been recalled, remanded or had transferred out of Northern Ireland. Where victim awareness work had not yet commenced it may be possible that this was something the probation officer planned to address later in the sentence or was planned to be addressed via a formal programme. It is advisable to undertake some element of victim focused work as soon as possible in the supervision process, particularly where it relates to risk and likelihood of reoffending, but it may be that probation officers do this intrinsically and therefore do not record it as such.

4.71 Just under three-quarters of offenders spoken to individually confirmed that the work with their probation officer had made them more aware about victims of crime. A couple had commenced their probation supervision fairly recently and therefore had not covered this area as yet. Those on group programmes also explained that the programme included discussion around victims' issues. In both settings, several mentioned the concept of the consequences of their actions, both on the victim of the crime themselves, as well as their own family and friends, who may be impacted by their behaviour more generally.

4.72 As outlined above the number of victims registered with the Victim Information Scheme was very low and this therefore impacted on the ability of probation officers to engage the offender in direct victim work. As mentioned earlier, restorative justice schemes, who have a focus on restorative work with victims, raised this as an issue which hampered their ability to



maximise the benefits of this approach. They confirmed however that they believed the proposed changes planned to the method of registration with the Victim Information Scheme, as highlighted, would be hugely beneficial in this area. These changes will have an impact on not only the administrative elements of the Scheme but for the way in which probation officers are able to undertake victim focused work in many cases. The PBNi will be paying close attention to the outcome of the consultation.

Preparation for interventions

4.73 In 94% of cases arrangements were in place to prepare offenders thoroughly for interventions. In one example a probation officer described how she had prepared a female offender, who had previously been the victim of abuse, for attendance on a Think First programme on which most participants would be male. The probation officer discussed with the offender how best to conduct herself and how to deal with any issues that arose. Offenders on programmes spoken to, in general, confirmed that their probation officer had discussed with them the nature of the programme and the expectations around attending, prior to them commencing. Third sector providers also confirmed that, in general, offenders were prepared for the referral but that they also undertook their own induction and preparatory work to ensure the offender understood what the service entailed. In 83% of cases where new learning and/or skills had been gained by the offender these were reinforced by probation staff.

Managing diversity and maximising offender engagement - score: 94%

The management of offenders' diversity needs facilitates effective engagement with the sentence.

Taking account of diversity issues

4.74 Where the offender had diversity issues, arrangements for interventions took account of these in 88% of cases. Probation staff ensured that all relevant staff were aware of the

diversity needs of the offender in 86% of cases where this was identified. Third sector providers confirmed that probation staff were aware of, and communicated issues of diversity during the referral process. Of the six cases where the offender was required to reside in approved premises, the diverse needs of the resident were met in five of the cases.

4.75 Offenders were asked about how the Probation Board supported them in terms of diversity issues. Many confirmed that they had received a travel warrant to enable them to access public transport to attend appointments or programmes. Some gave examples of other issues probation staff had taken into account, such as caring responsibilities, healthcare appointments or work, when arranging appointments.

Working relationships with offenders

4.76 There is a growing body of evidence that an effective working relationship between the probation officer and the offender can have a positive impact on offending. Working relationships therefore feature heavily in desistance theory. In one study of assisted desistance, Rex (1999; as cited in McNeill, 2006¹⁸) explored the experiences of 60 probationers (offenders under probation supervision). She found that those who attributed changes in their behaviour to probation supervision described it as active and participatory. Probationers' commitments to desist appeared to be generated by the personal and professional commitment shown by their probation officers, whose reasonableness, fairness and encouragement seemed to engender a sense of personal loyalty and accountability.

4.77 From this inspection in 98% of cases there was sufficient evidence that the supervising probation officer/probation services officer had demonstrated commitment to their work with the offender. There was evidence they had motivated and supported the offender throughout their sentence in 97% of cases and reinforced positive behaviour in 94% of cases, even in cases where there was little positive

¹⁸ McNeill (2006). *Op cit.*



behaviour evidenced by the offender.

4.78 In 98% of cases there was also sufficient evidence that other workers in the case (from probation or third sector providers) had demonstrated commitment to their work with the offender. Similarly there was evidence they had motivated and supported the offender throughout their sentence in 97% of cases and reinforced positive behaviour in 95% of cases where positive behaviour had been evidenced. Probation staff were very positive about the role of third sector providers in affording specific services to offenders and using their expertise to support offenders with their particular needs. Offenders also spoke positively about the role of these providers, with one stating that they had been *'linked with the right people'*.

4.79 In 94% of cases there was sufficient evidence that a positive and productive working relationship with the offender had been developed by the probation officer/probation services officer. In 95% of cases where other workers were involved, there was evidence of this same positive and productive working relationship. Offenders were in general positive about their probation officers and most stated that they felt they had a good working relationship with their probation officer and that they listened to what they had to say.

4.80 These findings demonstrate that probation staff, and other staff who work with offenders referred to them, are fully committed to supporting and encouraging them to change their lives. These findings support the social work ethos of the PBNi and that they work towards an approach based on desistance theory. It was clear in many cases that offenders had been difficult and challenging to manage, but that the probation staff continued to work with them in ways that would motivate them to addressing their offending.

4.81 In 40 cases there was evidence that the offender was vulnerable in some way; for example because of previous experience as a victim, a history of self-harm or suicide

attempts, or by virtue of their substance misuse or offending. In 93% of these cases issues of offender vulnerability were clearly communicated to all staff involved in the case. Where it was needed, in 91% of cases appropriate arrangements were put in place to support and, where possible, protect the offender.

4.82 In one example a case plan was put in place to protect and support an offender who had heroin addiction problems. The probation officer set up a process to check on her welfare should she fail to attend her appointment with probation or her keyworker at the addition service she was attending. There was a contingency plan in place to contact the local pharmacy where she was being issued with substitute medication to check if it had been collected. If not, then a quick response was initiated to check on her safety and welfare.

CHAPTER 5:

Achieving and sustaining planned outcomes (overall score: 80%)



Achievement of initial outcomes - score: 77%

Probation staff adhere to the prescribed standards for delivering, promoting, and where necessary enforcing the order or licence.

- 5.1 In 98% of cases the offender had complied with the order or the sentence had been properly enforced. This should be reassuring to the public that the PBNI are delivering an effective service to the community. In 98% of cases the reporting instructions given were sufficient for the purpose of carrying out the sentence of the court.
- 5.2 In 48% of cases the offender complied with the requirements of the sentence, without the need for the probation officer or probation services officer to take action to promote compliance. The PBNI *Best Practice Framework* sets out the process to be undertaken where an offender does not comply (for example in failing to attend appointments without an acceptable reason). This enables probation staff to take a graduated approach to compliance; in the first instance by issuing a formal written warning and in the second by issuing a final written warning before moving to initiate breach action or apply for recall if compliance is not secured. Professional judgement is key to these decisions and immediate action can be taken to protect others by initiating breach or requesting recall when necessary where there is escalating risk which cannot be safely managed in the community.
- 5.3 For the 50 cases where there was a need for the probation officer or probation services officer to

take action to promote compliance, the assessor considered how effective this was. Table 2 below sets out the assessments of the case reviews as to whether action was taken and how effective it was.

Table 2: Action taken to promote compliance

Has action been taken to promote compliance?	Number	Percentage (excluding 'other')
No - and immediate breach/recall action needed to be taken	3	6%
No - and there should have been action taken to promote compliance (breach/recall was subsequently required)	0	0%
Yes - and was successful in that the offender then complied	20	42%
Yes - but was not successful and breach /recall was subsequently required	25	52%
Other	2	-

In the cases where action had not been taken and immediate breach/recall action was needed, these were emergency breach/recall actions where there had not been previous compliance issues but where there was a need to protect others as outlined above. In the two 'other' cases the offender was imprisoned in relation to other offences.

- 5.4 In 93% of cases breach/recall was undertaken as required. Neither of the two cases where this was required but not undertaken were RoSH cases. Overall, the vast majority of cases (94%) were not terminated early for good progress. Three orders were appropriately terminated early; these were all community services orders where the offender completed their hours within a short timescale. In most cases the



offender had not been convicted, cautioned or charged with another offence committed since the start of the sentence or received another type of disposal related to their behaviour during the duration of the sentence.

- 5.5 The most recent reoffending rates for Northern Ireland are from 2007. A DoJ *Consultation on a Review of Community Sentences* in 2011 highlighted the following:

*'When reoffending rates are compared with the rest of the United Kingdom, current arrangements in Northern Ireland appear to work successfully. In Northern Ireland, the overall one year reoffending rate in 2007 for community disposals was 28.6%, for custodial discharges 38.1% (in England and Wales for 2007 the comparative figures were 36.1% community disposals and 47.2% custodial discharges). Scotland does not have directly comparable figures, but there, the overall two year reconviction rate (for custody and community) was 44% compared to an overall one year reoffending rate of 31.3% for Northern Ireland.'*¹⁹

- 5.6 Probation staff advised a recent development they found incredibly helpful was a system of notification by the PSNI of reportable incidents. In this process the Criminal Records Office in the PSNI advised a single point of contact in the Probation Board of any incident where officers have been in contact with an offender currently under supervision by the Board. This includes where the offender had been stopped by police, arrested, interviewed or even involved with police as a victim. Probation staff advised that this had filled an information vacuum where previously they had been required to rely on information from their own sources within probation or the community, or from the offender themselves. This provided them with an opportunity to discuss the issues with the offender and either offer support or challenge depending on the circumstances. This is evidence of positive and effective inter-agency co-operation and communication.

Achievement of restrictive interventions - score: 82%

All reasonable action has been taken to keep to a minimum the individual's RoH.

- 5.7 Assessor's judgements determined that in 90% of cases all reasonable action had been taken to keep to a minimum RoH. Of the 33 cases where there was evidence that the perpetrator had previously been, or was currently a perpetrator of domestic abuse, the PSNI had received call outs in relation to domestic abuse in 10 (30%) with no calls in relation to 15 (45%). In a quarter of cases (eight) where there had been evidence of domestic abuse however, it was not known by the probation officer/probation services officer whether there had been any further call outs. Whilst there may not be current concerns about domestic abuse in these cases, it would be sensible to verify this with the PSNI where possible. In most cases however, a notification of further issues would now be received via the PSNI reportable incident system as outlined above.
- 5.8 In 67% of the 51 cases where there was an identifiable victim or an identifiable potential victim there was evidence that the RoH to them had been effectively managed. In the 17 cases where the RoH had not been effectively managed, many of the issues related to the fact that the RoH had not been identified in the initial assessment and planning stages. Just under half of these cases related to risks in a domestic context to either adults or children where there was evidence of current or previous offences or allegations.
- 5.9 This issue relates to a small number of cases in the overall sample, but illustrates that where risks are not identified at the start of the sentence, they can be missed later in the supervision process. Domestic abuse is a difficult issue for the criminal justice system in general to deal with and those difficulties have been outlined previously in a CJI report on domestic violence and abuse.²⁰ Whilst this

¹⁹ *Consultation on a Review of Community Sentences*, DoJ, 2011.

²⁰ *Domestic violence and abuse: a thematic inspection of the handling of domestic violence and abuse cases by the criminal justice system in Northern Ireland*, CJI 2010.



report did not extensively cover all the work of the PBNI, the same issues around domestic abuse apply here, for example where there may be allegations of abuse which are later retracted when the two parties reconcile. Nevertheless, there is a clear need to protect actual and potential victims, particularly if they wish to continue to reside with the perpetrator. The role of the Women's Safety Worker is an important element in this protection.

- 5.10 Specialist probation staff working in the Intensive Supervision Unit are clearly focussed on dealing with issues in high risk domestic abuse cases where the offender has been convicted of an offence in a domestic setting. It appears, from the cases identified above however, that there may be some issues in relation to domestic abuse where the offender has not been convicted of a domestic offence in this order or licence, and it is not immediately obvious that there is a risk to victims. ***The PBNI should take steps to reinforce the need for all probation officers to assess, and if appropriate manage interventions to address issues of domestic abuse in cases where there are current or previous concerns. Area managers should ensure issues of domestic abuse form part of their quality assurance processes.***

Achievement of constructive interventions - score: 81%

There is a measurable reduction in the likelihood of reoffending and/or the achievement of other positive outcomes that are known to promote the reduction of likelihood of reoffending.

- 5.11 The case plan objectives had been achieved fully in 21% of cases and partly in 50% of cases. In 29% of cases objectives had not been achieved. There was a range of reasons for this, but in most cases the offender had been breached, recalled or remanded for other offences and therefore was in custody. These figures are similar to findings from the OMI 2 inspections in England and Wales where objectives had been achieved fully in 18% of cases, partly in 55% of cases and not achieved in 27% of cases.

- 5.12 Including the writer of the pre-sentence report, 24% of cases were managed by only one officer, around half of the cases (47%) had been managed by two probation officers and 29% by three or more. In some cases the pre-sentence report had been written by one officer in the team before being allocated to another for the period of supervision, in some Belfast cases it had been written by a probation officer working in the Assessment Unit before being allocated to the appropriate team, and in others it was written by a probation officer but passed to a probation services officer who supervised the hours of community service. Comparisons with England and Wales figures from OMI 2 programme indicate that slightly more cases in Northern Ireland are managed by three officers (in OMI 2 33% of cases were managed by one officer, 47% by two officers and 20% by three officers).

- 5.13 The PBNI do not regard the preparation of a pre-sentence report and supervision as the same case (two distinct pieces of work), and would therefore not tend to count such cases as transfers. The same would apply in respect of community service orders, in which a probation services officer is responsible for overseeing the completion of unpaid work. However for the purposes of this inspection, assessors considered how many probation staff had been involved in the case in its totality and the consistency of approach. Where there had been a change of probation officer, in 91% of cases delivery of the case plan had been maintained. This reflects the findings earlier where plans were developed effectively, stored appropriately and all staff were made aware of the relevant parts of them.

- 5.14 Assessors made judgements as to the factors which made the offender more likely to reoffend at the start of the sentence or release. They then made judgements as to whether sufficient progress had been made, at that point in the sentence, in relation to each factor. The figures for progress made are based on 45 cases, as in 29 cases it was identified that no sufficient progress had been made on any factor and 16 cases only involved community service. The percentages of applicable cases for each factor is



also listed below. Additionally, the factors are ranked to illustrate which were most impactful at the start and against which progress has been made for most cases.

Table 3: Factors making reoffending more likely and progress made against those factors

Factor	Start of sentence/release		Sufficient progress made at this point in the sentence	
	% of applicable cases	Rank	% of factor	Rank
Accommodation	35%	9	62%	4
ETE	45%	8	29%	9
Financial management and income	29%	10	33%	10
Relationships	48%	6	38%	6
Lifestyle and associates	63%	2	32%	8
Drug misuse	58%	5	51%	2
Alcohol misuse	61%	3	47%	3
Emotional wellbeing	48%	7	40%	5
Thinking and behaviour	77%	1	49%	1
Attitudes	60%	4	24%	7

5.15 It can be seen from the information in the table above that there is a good sense of alignment between the factors impacting on reoffending and the progress made. This suggests that probation staff are identifying the key issues via the use of ACE and then delivering interventions to address these.

5.16 Offenders who Inspectors met with on an individual basis were asked about the factors they had received support with from their probation officer. Table 4 contains their responses. The findings support those highlighted above; particularly that thinking and behaviour and attitudes are key issues to be addressed by the PBNI and that drug and alcohol misuse are a feature of many offender's lives.

Table 4: Offenders' views on what support they received from probation staff

Factor	Number	Percentage
Accommodation	2	13%
ETE*	10	67%
Financial management and income	2	13%
Relationships	3	20%
Lifestyle and associates	7	47%
Drug misuse**	7	47%
Alcohol misuse	12	80%
Emotional wellbeing	6	40%
Thinking and behaviour	13	87%
Attitudes	15	100%
Health	2	13%
Too early in sentence to say	1	-
N/A community service only	1	-

* One offender stated that he had been offered a referral to an ETE organisation but had declined.

** One offender stated that he had been offered support with drugs but did not think it was an issue for him.

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- 5.17 Additionally, assessors considered whether sufficient overall progress had been made by that stage in the sentence in relation to the factors identified as making the individual more likely to reoffend. In 21% of cases there was good progress on the most significant factors and in 43% progress on some of the most significant factors, but not all. In 27% of cases there had been insufficient progress on the most significant factors and in 8% of cases there was evidence of deterioration in relation to the significant factors related to offending. In these latter two categories, as outlined above, in several cases the offender had been recalled, breached or was in custody for further offences and this was a significant feature where insufficient progress had been made. None of the cases where there was evidence of deterioration were RoSH cases.
- 5.18 Inspectors asked third sector providers about outcomes and how these were fed back to the PBNI. As outlined above, under the service level agreement, providers were required to send feedback sheets after each session with the offender which outlined what had been covered in that session, progress and any issues arising. Addiction NI had also undertaken longitudinal analysis of outcomes for offenders engaged through their Rapid Assessment Treatment Service for Drugs and Alcohol Misusers programme (RATSDAM). The most recent 19 month review (based on data from July 2010 and January 2012) indicated reductions in alcohol and drug dependency levels and depression levels after treatment. Reductions in drug dependency levels were greater for those at high risk of reoffending. There were also significant improvements in positive assessments of self-reported personal/background factors (for example, personal responsibility, social contact/networks, crime and community safety, relationships). These results show the positive benefits that addressing alcohol and drug addictions can have on other aspects of the individuals life. The 10 year results of RATSDAM will be available in early 2013. Breakthru were working with the PBNI to develop outcome data for their addiction services.
- 5.19 Of the 49 cases where the offender had been engaged with an ETE provider there was evidence in 41% that the offender had made progress in relation to their learning and skills development. This included for example, work experience gained by undertaking community service as required by a community service order or obtained through a third sector provider.
- 5.20 The NIACRO's Jobtrack scheme received a large number of referrals for employability services (a target was set for 650 referrals per year but this had been exceeded with around 900-1,000 referrals received). Their outcome analysis suggested that 21% of leavers had accessed employment and a further 11% to 12% had accessed training (exceeding their target of 30% having positive outcomes) in the first six months of the current contract (April to September 2012).
- 5.21 An external evaluation of the Jobtrack programme was carried out by de Witt and Mercer during the previous contract, for the period April 2008 to March 2010. In March 2010 the Northern Ireland Statistics and Research Agency (NISRA) carried out a reconviction study which compared rates of reconviction for those involved in Jobtrack, with those for the general population of offenders²¹. This showed that recidivism rates in Northern Ireland were almost 43%, but that of a sample of Jobtrack leavers in 2007-08, 24% were reconvicted within 18 months of leaving the programme. More up-to-date evidence of the impact on reoffending was difficult to obtain due to the lack of more recent reoffending data available from the DoJ.
- 5.22 The case review indicated that during the course of their sentence 8% of the offenders secured employment for up to 16 weeks, and 10% sustained employment for 16 weeks or more. Eleven percent had already been employed prior to the start of their sentence and continued this or were unable to work. Seventy-one percent however remained unemployed.

21 *Digest of Information on Northern Ireland Criminal Justice System 10*, NISRA on behalf of Jobtrack March 2010.



- 5.23 Unemployment was clearly an issue for the United Kingdom (as well as many other jurisdictions including the Republic of Ireland and others in Europe and further afield) as a whole, whilst experiencing economic difficulties at the time of the inspection. It is however apparent that the rate of unemployment is greater for offenders than in the general population. The PBNi staff made efforts to support offenders with their employability but this can only have a limited impact on those under supervision. There is therefore a need for a more joined up approach across the justice and education and employment sectors to address this in a more strategic manner.
- 5.24 Resources were used efficiently to achieve the outcomes planned for the offender in 93% of cases. In 68% of the relevant cases action had been taken or there were plans in place to ensure that positive outcomes were sustainable beyond the end of the sentence. In 53 cases this was not relevant (for example, because the offender was in custody) or it was too early in the sentence to make a judgement. These are positive findings and reflect the committed approach shown by probation staff.
- 5.25 Offenders were also asked for their opinion about the impact of probation supervision. Offenders on the three PBNi programmes were asked whether they felt the programme had made a difference to how they think or may behave in the future. Generally offenders felt that the programme was helping them change their behaviour and think about things differently. Offenders met individually were asked whether working with the PBNi had made them think about their offending and how they might avoid it in the future, and if they felt they were less likely to offend in the future. Nearly all offenders gave positive responses, with many saying “*definitely*” in response to the questions. Some cited alcohol as a key problem for them and said that they needed to avoid it in order to avoid reoffending. Some offenders also stated that being under probation supervision was better than being in prison and one stated “*If I didn’t have my probation officer I would be back in jail*”.

Section



Appendices



Appendix 1: Terms of reference

An inspection of community supervision by the Probation Board for Northern Ireland

Terms of reference

Introduction

Criminal Justice Inspection Northern Ireland (CJI) proposes to undertake an inspection of community supervision 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 reoffending and ensuring the safety of the public.

Context

The main strands of work for the PBNI are to:

- assess convicted offenders and annually prepare over 9,700* reports for courts, Parole Commissioners and others;
- supervise over 4,600* offenders subject to a range of court orders and sentences at any given time;
- deliver behavioural change programmes for offenders in custody and in the community covering areas such as violent offending, sexual offending and drug and alcohol misuse;
- provide a Victim Information Scheme to any person who has been the direct victim of a criminal offence where the offender is subject to supervision by PBNI; and
- work alongside statutory and other partners to minimise the risk of harm posed by offenders.

**Statistics sourced from PBNI Corporate Plan 2011-14 publication as reproduced on PBNI's website www.pbni.org.uk.*

This inspection is particularly focussed on the areas of work in relation to supervising offenders in the community, delivering interventions and working to minimise risk of harm. The PBNI's *Best Practice Framework* incorporating the *Northern Ireland Standards (2011)* took effect on an interim basis from 17 October 2011 and was fully implemented on 1 April 2012. This inspection therefore focuses on the standards expected by the PBNI as set out in this document.

This inspection also touches on areas CJI have already inspected in previous reports or are on CJI's inspection programme. Efforts will be made to take cognisance of these previous reports and not repeat this work unnecessarily. Relevant reports undertaken by CJI include the inspections of PBNI community service scheme (March 2010), pre-sentence reports (June 2011), public protection arrangements (June 2011), life sentence prisoners (July 2012), persistent offenders (fieldwork pending), approved premises (fieldwork pending) and the interface between PBNI and the Youth Justice Agency (fieldwork pending). The inspection will focus on work with those aged over 18 years in order to avoid overlap with this latter inspection.



Aims of the inspection

The broad aims of the inspection are to assess the approach to community supervision by the PBNI using the criteria developed by Her Majesty's Inspectorate (HMI) of Probation in undertaking their offender management inspections 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.

This assesses practice in the following areas:

- *Section 1: Assessment and sentence planning*
 - 1.1 Preparing for sentence (excluded).
 - 1.2 Assessment and planning to minimise risk of harm to others.
 - 1.3 Assessment and planning to reduce the likelihood of reoffending.
 - 1.4 Assessment and planning for offender engagement.
- *Section 2: Implementation of interventions*
 - 2.1 Delivering the sentence plan.
 - 2.2 Delivering restrictive interventions.
 - 2.3 Delivering constructive interventions.
 - 2.4 Managing diversity and maximising offender engagement.
- *Section 3: Achieving and sustaining planned outcomes*
 - 3.1 Achievement of initial outcomes.
 - 3.2 Minimising risk of harm to others.
 - 3.3 Reducing likelihood of reoffending.
- *Section 4: Leadership and strategic management*
 - 4.1 (excluded).
 - 4.2 Effective deployment of resources makes good quality case management of offenders more likely.
 - 4.3 Effective workforce planning and development makes good quality case management of offenders more likely.

This inspection will not cover preparation for sentence as this has previously been covered in the CJI inspection of pre-sentence reports (published June 2011).

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 offender management inspections in England and Wales as per the criteria above. This methodology will be tailored for use in Northern Ireland in consultation with the PBNI. The following methodology is therefore proposed.

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 with particular cognisance given to the approach taken in England and Wales and the inspection methodology used by HMI Probation. The PBNI will be asked to supply relevant documentation including policy, procedure and guidance documents for review, for example:

- organisational structure chart;
- PBNI's latest Business Plan;
- diversity strategy and/or equality scheme;
- training plan and latest review; and
- public protection strategy and procedures (including Public Protection Arrangements Northern Ireland and child protection procedures).

Delivery

Stakeholder consultation

The major stakeholders are partner agencies working alongside the PBNI, as well as community and voluntary organisations who work with and/or provide support for offenders and their families. The stakeholder organisations will include:

- Crown Court and District Judges;
- Department of Justice (including Offender Recall Unit);
- Northern Ireland Prison Service;
- Police Service of Northern Ireland; and
- victims and/or their representatives.

Development of fieldwork plan

The fieldwork will cover the following elements:

- a case sample review of approximately 100 cases for offenders being managed in the community via a review of the case file and an interview with the probation officer/probation service officer (see below);
- interviews with stakeholders and representatives from partner organisations;
- interviews with senior managers in the PBNI;
- interviews/focus groups with PBNI clients;
- interviews with providers of services to PBNI clients (also using evidence collected during CJI's inspection of the voluntary and community sector); and
- interviews with victims and/or their representatives.

Case sample review

A case sample review will be undertaken week commencing 8 October 2012. The inspection will involve assessing the quality of practice undertaken with a representative sample of cases, through file reading and interviews with probation officers/probation service officers about individual cases under their supervision. Assessors involved from CJI and PBNI will receive training in the assessment process the previous week. A selection of approximately 100 cases will be selected by CJI based on the sample selection guidance. This will include approximately 35 licence cases and 65 community order at various risk levels. 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 case managers during the primary inspection week.



Analysis of data

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

Initial feedback to agency

Feedback arising from the interviews with case managers will be discussed on a one-to-one basis during the course of the interview with a view to developing practice. Alerts or concerns arising during this process will be escalated during the case review week in line with the guidance provided and developed by HMI Probation. Overall initial feedback will be given to senior management 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 draft report will be developed and subject to CJI internal quality assurance processes. A draft will then be shared with the PBNI for factual accuracy checking purposes prior to finalising the report. It is anticipated this will be shared with the PBNI by the end of December 2012.

Publication and closure

The final version of the report will be forwarded to the Minister for Justice for his 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 2: Inspection methodology

Desktop research and development of inspection terms of reference and question areas

Research literature and guidance documentation was reviewed in relation to the probation work and inspections of probation in England and Wales. This included the inspection documentation available from HMI Probation for the Offender Management Inspection 2 (OMI 2 inspection) programme.

Document review

A review was conducted of documentation and data provided by the PBNI including the PBNI *Best Practice Framework* including the *Northern Ireland Standards*, policy and procedure documents, multi-agency procedure documents and the PBNI Corporate and Business Plan.

Fieldwork

Case Review

The PBNI were requested to provide a long list of cases in line with the following case sample specification guidance:

Sample	Specification
Sample 1 Licence cases	Please provide details of all cases <u>first</u> released from custody on licence (excluding re-release following recall) during the period 1 January 2012 - 28 February 2012.
Sample 2 Community order cases	Please provide details of all cases sentenced to community orders during the period 1 January 2012 - 31 January 2012. However, orders where the <u>only</u> requirement is an attendance centre, or an electronically monitored exclusion or curfew requirement, should be excluded.

Note: Each of the samples should exclude any case where the client is aged under 18 years. Otherwise, there should be no exclusions and, in particular, do not exclude transferred-in cases.

A sample of 100 case files was selected by the Lead Inspector in line with the following guidance:

LICENCE CASES

We require a total of 35 cases in this sample, broken into: 20 lower/medium Level of Application cases; and 15 higher Level of Application cases.

Lower/medium Level of Application: Start selecting those cases with a date of release from the first date of the specification and work forward until 20 cases have been selected.

Higher Level of Application: Select the first 11 high risk cases from the first date in the specification. If you do not have enough higher Level of Application cases by the end of the specification add in any higher level cases which are not high risk.



COMMUNITY ORDER CASES

We require a total of 65 cases in this sample, broken down into: 13 lower Level of Application cases; 38 medium Level of Application cases; and 14 higher Level of Application cases.

Lower Level of Application: Start selecting lower level cases with a date of sentence of the first day of the specification and work forward until 13 cases have been reached.

Medium Level of Application: Select medium level cases in the same way as lower level cases until 38 cases have been selected.

Higher Level of Application: Select the first 11 high risk cases from the first date in the specification. If you do not have enough high risk cases by the end of the specification add in any higher level cases which are not high risk.

Where insufficient cases were available of a specific type the Lead Inspector liaised with the PBNI Statistician to identify additional cases.

A timetable was then drafted, in accordance with HMI Probation methodology, in order to enable the inspection team to read and discuss the case with the relevant probation officer/probation service officer during the week of the case file fieldwork.

The PBNI were asked to identify five local assessors (four plus one reserve) who would be involved in the inspection. Training was delivered to the local assessors and five CJI Inspectors in advance of the case reviews in using the inspection framework and specific inspection tools. Three associate Inspectors from HMI Probation made up the remainder of the team and were briefed about the specific context of the Probation Board's work, local issues and the PBNI *Best Practice Framework* including the *Northern Ireland Standards* prior to the inspection. The case reviews were then undertaken across five probation offices with probation staff attending from across a wide range of PBNI teams.

Once completed the data was provided to the information team at HMI Probation who collated and analysed the data to provide overview and detailed responses to the question items. This quantitative data in addition to qualitative information collected by assessors during the case reviews via the Lead Inspector information sheets was used to inform judgements about practice. A debrief was held with local assessors at the end of the fieldwork to identify key areas.

Stakeholder, offender and victim feedback

The questions used during the stakeholder fieldwork for this inspection were developed in line based on those used by HMI Probation Inspectors for the OMI. These were then developed for use in Northern Ireland and to pick up on key issues to be covered.

One-to-one and focus group interviews were conducted with a range of personnel within the relevant organisations and agencies. Interviews were also conducted with stakeholders and service providers who worked alongside the PBNI or received referrals from them. Representatives from the following organisations were interviewed during the fieldwork:



Department of Justice:

- Offender Management Unit.

Northern Ireland Prison Service:

- Psychology Services, Headquarters;
- Psychology, Hydebank Wood Young Offenders Centre and Women's Prison; and
- Psychology, Maghaberry Prison.

Police Service of Northern Ireland:

- Strategic lead for public protection; and
- Operational lead for reducing offending in partnership.

Probation Board for Northern Ireland:

- Chair and Deputy Chair;
- Chief Probation Officer;
- Deputy Director of Probation;
- Assistant Director, Rural;
- Assistant Director, Belfast;
- Assistant Director, Risk; and
- Head of Business Planning and Development.

Stakeholders:

- Addiction NI;
- Breakthru;
- Community Restorative Justice Ireland;
- Extern;
- Northern Ireland Alternatives;
- Northern Ireland Association for the Care and Resettlement of Offenders;
- The Northern Ireland Judiciary; and
- Women's Aid.

Inspectors spoke to 41 individuals who were under probation supervision in the community; 17 of these were spoken to individually as they attended probation appointments and 24 in a programme group.

Offenders were spoken to at the following locations:

- Antrim Road, Belfast;
- Crawford Square and Limavady Road, Derry/Londonderry;
- Newry (Anger Management Programme);
- Ormeau Road, Belfast;
- Portadown;
- Programmes Unit, Ballymena (Thinkfirst Programme);
- Programmes Delivery Unit, Belfast (Thinkfirst Programme x 2, Integrated Domestic Abuse Programme x 1).

A survey was developed for those registered with the PBNI Victim Information Scheme. CJI passed the surveys to the PBNI for them to contact the victims as appropriate and name and address them. A total of 102 surveys were posted and 14 responses were received which represents a 13% response rate.

Appendix 3: Demographic details of case file sample*

* Percentage illustrated represents proportion of cases for which the question was answered.

Gender	Number	Percentage
Male	87	87%
Female	13	13%

Race and ethnic origin	Number	Percentage
White	80	96%
Irish Traveller	1	1%
Black and Minority Ethnic Groups	2	2%
Other Ethnic Group	0	0%
Refusal	0	-
Not Known	17	-

Type of case	Number	Percentage
Licence	35	35%
Community Order	65	65%
Suspended Sentence Order	0	0%

Community Background	Number	Percentage
Catholic	43	56%
Protestant	31	40%
Other	3	4%
Not Known	23	-

Is this a case in which the victim has registered for services?	Number	Percentage
Yes	2	6%
No	33	94%

Employment Status at start of order or licence (or immediately prior to sentence for custody cases)	Number	Percentage
Unemployed	79	79%
Employed	12	12%
Full time education or training	2	2%
Other non-employed	7	7%



Level of application at the start of order or licence	Number	Percentage
Higher	25	25%
Standard	59	59%
Lower	16	16%

Order Requirements / Licence Conditions	Number	Percentage (of cases)
Residence	22	22%
Activities	26	26%
Mental Health Treatment	6	6%
Substance misuse	52	52%
Supervision	19	19%

Has the offender been subject to the electronic monitoring of any requirement during the period being assessed?	Number	Percentage
Yes	15	15%
No	84	85%

Was this monitoring of:	Number	Percentage
Curfew	14	93%
Any other requirement	1	7%

Offence	Number	Percentage
Violence against the person (including affray, violent disorder and abusive and threatening behaviour)	31	31%
Fraud and forgery	4	4%
Sexual Offences	6	6%
Criminal damage (excluding arson)	3	3%
Burglary	8	8%
Arson	1	1%
Robbery	5	5%
Drug Offences	15	15%
Theft and handling stolen goods	9	9%
Motoring inc: drive whilst disqualified	2	2%
Motoring inc: drive with excess alcohol	6	6%
Other	10	10%

Is there evidence this offender has currently and/ or previously been a perpetrator of domestic abuse?	Number	Percentage
Yes	33	33%
No	67	67%



Are there child protection concerns in this case?	Number	Percentage
Yes	32	32%
No	68	68%

Is this offender a source of these protection concerns?	Number	Percentage
Yes	30	94%
No	2	6%

Are there concerns about vulnerability or risk of suicide in this case?	Number	Percentage
Yes	32	32%
No	68	68%

Is this offender a prolific or other priority offender (i.e. being managed through the PSNI Reducing Offending Unit)?	Number	Percentage
Yes	9	9%
No	90	90%
Missing	1	1%

Has this offender been a resident in approved premises for at least 6 weeks during the period being assessed?	Number	Percentage
Yes	6	6%
No	94	94%





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