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Notes	For more information please contact Jo Easton at jo.easton@magistrates-association.org.uk

The Magistrates Association (MA) is a national charity accountable to its members with a mission to provide a voice for magistrates, support its members in administering the law and educate people on the role of the magistracy in England and Wales. The MA promotes magistrates' work, the interests of justice and the sound administration of the law.

Consultation questions

1. Question – Do the revised domain one standards link sufficiently to service delivery?

We support the approach to provide assessment of the connection between organisational structures and policy and practice on the ground.

2. Question – Will our revised questions and prompts allow us to judge the quality of victim work as opposed to only assessing whether processes have been followed?

It is positive that the review will now include data to measure what information on domestic abuse and child safeguarding is being provided to the court.

It might be helpful if the review included a wider range of questions about the experience of victims as this would assist in judging the quality of the victim work being undertaken. However, it is important to recognise that victims needs and perceptions will change over time, and it is not clear how this could easily be captured.

3. Question – Will our revised questions and prompts allow us to judge those elements of unpaid work that are important to desistance?

While we appreciate that it may be helpful to assess the rehabilitative impact of unpaid work, it is important to remember that unpaid work is often used as a punitive element to a sentence, and therefore its effectiveness in relation to rehabilitation or deterrence is not necessarily the only indicator of quality.

We also note that many of the questions about the meaningfulness of unpaid work are subjective, so it may be helpful for there to be accompanying guidance on gathering more objective measurements of what meaningful means?

It would be helpful if there was a specific question about the appropriateness of transport arrangements in place to take offenders to and from unpaid work.

4. Question – How can we best measure progress in areas where geographical boundaries or providers have changed?

This is obviously going to be very challenging. We would suggest that the primary focus should be using the area that most significantly relates to the previous boundaries as a basis of comparison. But it would also be helpful to identify previous indicators in other areas now incorporated into the new area.

It will also be important to ensure there is clear guidance about the approach taken to measure progress, so that providers can understand any differentials in data, and make their own comparisons.

5. Question – What will be the impact on providers of inspecting in this way?

No comment

6. Question – (CRCs) What is the best way to capture those elements of domain one that are not in the direct control of CRCs at a provider level but have impact on delivery?

It is not clear which elements might need capturing that are not in the direct control of CRCs but if the issue relates to local service providers working with CRCs, then their service will definitely have an impact on CRC delivery outputs. It is important that where 3rd sector or other small, local groups are used to deliver an element of a CRC service, that no unnecessarily onerous requirements are put on them in relation to feedback or provision of data.

7. Question – Will our proposed methodology allow us to make a judgement of the quality of unpaid work provision?

It might be useful to specifically ask whether the impact of unpaid work on dependent children is considered under 4.1.1 and whether there is specific provision available for those with child care responsibilities to carry out unpaid work.

It would also be useful to ask whether there is adequate provision to ensure safety for different cohorts (such as female offenders) under 4.1.2.

We welcome the inclusion of specific questions on the promptness of commencing unpaid work, and the appropriateness of enforcement. An additional question might be to assess the timeliness of enforcement actions.

In order to collect data on the rehabilitative element of unpaid work, qualitative questions will be useful. Any meaningful outcome will be specific to the individual, so this needs to be measured as a subjective factor.

8. Question – How will our proposed unpaid work methodology impact on providers in a practical sense?

N/A

9. Question – How can we best access the views of service users in a meaningful and valid way?

N/A

10. Question – Are there any disadvantages to inspecting co-terminously?

No