PROTOCOL

BETWEEN

CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND (CJI)

and

PROBATION BOARD FOR NORTHERN IRELAND

January 2014
Introduction
The purpose of this protocol is to agree working arrangements that support effective joint working on the conduct of inspections and delivery of agreed recommendations.

Aims and Objectives of the Protocol
- To describe the agreed working arrangements between CJI and the main criminal justice organisations;
- To strengthen partnership working;
- To ensure there are effective lines of communication so that each organisation can fulfil their roles and responsibilities;
- To provide clarity of roles and responsibilities; and
- To facilitate the legitimate and secure sharing of information.

Criminal Justice Inspection
The Office of the Chief Inspector of Criminal Justice in Northern Ireland was established as an executive Non-Departmental Public Body under section 45 of the Justice (Northern Ireland) Act 2002. The remit of CJI is set out in section 46 of the Act. CJI's mission is to work closely with the inspected organisations in a professional and mature way by producing relevant, respected inspection reports that add value to the criminal justice system and enhance the public's experience of contact with every part of the criminal justice system.

The objectives of CJI are to promote efficiency and effectiveness through assessment and inspection; to provide an independent and impartial assessment to Ministers and the wider community on the working of the justice system; to provide independent scrutiny of the conditions for, and treatment of users of, the justice system; and to work in partnership to deliver high quality independent, impartial inspection reports.

CJI inspects for improvement in the pursuit of excellence. Inspection processes examine organisations for strengths and areas for improvement with a focus on strategic and outcome focused recommendations for performance improvements. Action plans, prepared by inspected organisations, provide the detail on how recommendations will be delivered with progress assessed through follow-up reviews.
Probation Board for Northern Ireland

The Probation Board is a Non-Departmental Public Body sponsored by the Department of Justice; its statutory responsibilities are set out in the Probation Board (NI) Order 1982. The mandatory functions of the Board are to:

- Secure the maintenance of an adequate and efficient probation service;
- Make arrangements for persons to perform work under Community Service Orders;
- Provide such probation officers and other staff as the Department of Justice considers necessary to perform social welfare duties in Prisons and Young Offender Centres; and
- Undertake such other duties as may be prescribed.

The discretionary functions of the Board which it may enter into with the agreement of the Department of Justice are to:

- Provide and maintain probation hostels and other establishments for use in connection with the supervision and assistance of offenders;
- Provide and maintain bail hostels;
- Make and give effect to schemes for the supervision and assistance of offenders and the prevention of crime; and
- Make arrangements with voluntary organisations or any other persons (including Government Departments and public bodies) to: provide and maintain such hostels and other establishments as mentioned above; and give effect to schemes for the supervision and assistance of offenders and the prevention of crime.

The main strands of the Probation Board’s work are to:

- Assess convicted offenders and prepare reports to assist decision-making in the criminal justice process
- Supervise approximately 4,400 offenders at any given time
- Provide a range of services to offenders in prisons
- Provide behavioural change programmes
- Offer a Victim Information Scheme
- Work with partner organisations to manage the risk posed by the most serious offenders as part of the Public Protection Arrangements.
All of the work conducted by the Probation Board seeks to reduce offending and help keep Northern Ireland safer.

**Inspection methodology**

**Design and Planning**

The Chief Inspector conducts meetings with the agencies and stakeholder organisations to inform the priorities for inspection. A draft inspection programme is discussed with agencies and stakeholders before submission to the Minister and publication in the CJJ annual Business Plan.

Pre-inspection research is undertaken by Inspectors to better inform the Terms of Reference including the scope of the inspection. This may also include a range of meetings with key staff in relevant criminal justice organisations. A draft of the Terms of Reference is shared with the inspected organisation(s) for comment.

The Chief Inspector will write formally to the Director of PBNJ to inform them of the intention to conduct an inspection and requesting advance material. A copy of the Terms of Reference for the inspection is enclosed at this stage.

**Delivery of Inspection**

A self assessment of the current situation, or progress made against recommendations in follow-up reviews, may be requested from the inspected organisation(s). Support from CJJ will be provided where requested and feasible.

A fieldwork plan, to include the timing of meetings with the inspected organisation(s) will be prepared by the Lead Inspector in conjunction with liaison and other nominated contact points in criminal justice organisations. The nominated contact point in PBNJ is the Head of Business Planning and Development.

An end-of-fieldwork review meeting is held with head(s) / functional lead(s) of inspected organisation(s) to discuss emerging findings.

**Analysis and drafting of report**
The analysis and drafting of the report is undertaken by the Lead Inspector in compliance with the CJJ internal quality assurance management system. This includes an internal peer review process together with ongoing discussions with the inspected organisation(s).

The final draft report is approved by the Chief Inspector for release to inspected organisation(s) for a factual accuracy check. The response to the factual accuracy check is expected within 4 weeks. A tracked document of amendments is prepared by CJJ to reflect changes to the draft report and then shared with inspected organisation(s).

**Pre-Publication**

The Chief Inspector or Lead Inspector will request the inspected organisation(s) to complete an action plan within 3 weeks to address the recommendations and where possible this will be published alongside the final report. Where the inspection is assessed to be complex in nature, the Chief Inspector may agree a longer timeframe for the preparation of an action plan.

The final report will be shared under embargo in advance of the publication date with the relevant Senior Officer of the inspected organisation(s).

CJJ will share its intended press release with the inspected organisation and where appropriate the relevant sponsoring government department and expects the organisation or department to reciprocate.

**Post-Publication**

The Chief Inspector will seek an explanation from the relevant Senior Officer of the inspected organisation(s) on any recommendation not accepted.

The relevant Senior Officer of the inspected organisation(s) will provide an update on performance against each of the accepted recommendations at an agreed interval(s) between publication and commencement of a follow-up review.

PBNJ has performance reporting mechanisms in place internally to report on progress against accepted Inspection recommendations on a quarterly basis (to the Audit Committee of the Probation Board), and can provide a six monthly or annual report of progress to CJJ.
CJI and the inspected organisation(s) will work towards the delivery of all accepted recommendations.

**Information and data sharing**

It will be the responsibility of the signatories to this agreement, when Personal Data is being shared, to ensure that there is full compliance with all relevant legislation including the Data Protection Act 1998 and all internal NICS (DOJ) Data Sharing Protocols. Information must only be transmitted / shared in line with the appropriate policy applicable for the protective marking on the document. The relevant information will be retained by the party to whom it is disclosed until it is no longer required for the purpose for which it was shared and must be kept no longer than necessary.

Information discovered to be inaccurate or inadequate for the specified purpose will be brought to the notice of the originator of the data. The originator will be responsible for the correcting the information. The data must only be used for the purpose of factual accuracy. It cannot be used or disclosed for any other reason.

**Information Assurance**

CJI and PBNI endorse the Information Assurance requirement to promote an environment in which the Confidentiality, Integrity and Availability of systems and processes are protected. Each of the parties to this agreement is responsible for ensuring that they have appropriate security arrangements in place. Information to be shared must be protectively marked under the HMG Protective Marking Scheme. CJI and PBNI will comply with updated guidance on information sharing.

**Escalation and resolution**

Any disagreements or disputes arising out of these protocol provisions should be escalated to the relevant Senior Officer in PBNI and the Deputy Chief Inspector Criminal Justice for resolution. Where agreement is not reached in the above instances, issues may be escalated to be resolved by the Chief Inspector and the Director of the PBNI.

**Review arrangements**
This protocol will be reviewed as necessary but at least every three years. The Chief Inspector and the heads of the criminal justice organisations are the designated reviewing officers, but may delegate authority to do so to appropriate staff as agreed. Such reviews will be ratified by the Chief Inspector and the heads of the criminal justice organisations in the course of routine liaison.

**Review of the Protocol**

This Protocol will be reviewed after 3 years.

Signed: [Signature]
Dated: 16/1/14

Brendan McGuigan
Chief Inspector
Criminal Justice Inspectorate
7th Floor, 14 Great Victoria Street
Belfast
BT2 7BA

Signed: [Signature]
Dated: 15-1-14

Cheryl Lamont
(Acting) Director
PBN
80-90 North Street
Belfast
BT1 1LB