

# **PROTOCOL**

**BETWEEN**

**CRIMINAL JUSTICE INSPECTION NORTHERN IRELAND  
(CJI)**



**and the**

**PROBATION BOARD FOR NORTHERN IRELAND**



**July 2020**

## **Introduction**

The purpose of this protocol is to agree working arrangements between Criminal Justice Inspection (CJI) and the Probation Board for Northern Ireland (PBNI/the Board) 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 PBNI;
- 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 Hydebank Wood Secure College 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.

PBNI's corporate objectives subject to Ministerial approval of their draft Corporate Plan 2020-23 are:

- Strategic Priority 1: shaping and influencing criminal justice policy and practice
- Strategic Priority 2: delivering an innovative and problem solving approach to reducing reoffending through partnership and collaboration
- Strategic Priority 3: demonstrating effectiveness and efficiency
- Strategic Priority 4: valuing and developing our people
- Strategic Priority 5: building awareness and confidence in communities about the professional role of PBNI

The delivery of these objectives include the following key functions and services:

- Risk Assessment of people convicted of criminal offences;
- Prepare approximately 8,500 reports annually, to assist decision-making in the criminal justice process;
- Supervise people who have offended
- Provide a range of services to individuals in prisons;
- Provide behavioural change programmes;
- Maintain a Victim Information Scheme; and
- Work with partner organisations to reduce reoffending, and make Northern Ireland a safer place.

## **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 CJI 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 PBNI for comment.

The Chief Inspector will write formally to the Chief Executive of the PBNI 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 PBNI. Support from CJI will be provided where requested and feasible.

A fieldwork plan, to include the timing of meetings with the PBNI 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 the PBNI is the Director of Operations.

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 CJI internal quality assurance management system. This includes an internal peer review process together with ongoing discussions with the PBNI.

The final draft report is approved by the Chief Inspector for release to the PBNI for a factual accuracy check and an action plan to address the recommendations. The factual accuracy check is for matters of factual accuracy only and should not suggest the rewording of Inspector's analysis or point out typographical errors.

The response to the factual accuracy check and the action plan is expected within four weeks and the PBNI should aim to meet that timescale. 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.

#### Pre-Publication

The Chief Executive of the PBNI will receive a copy of the final report under embargo in advance of the publication date.

CJI will share its intended press release with the PBNI and where appropriate the relevant Department of Justice sponsor team and expects the PBNI and Department of Justice to reciprocate.

#### Post-Publication

The Chief Executive of the PBNI will work towards the implementation of all accepted recommendations.

The Chief Inspector will seek an explanation from the Chief Executive of the PBNI on any recommendation not accepted.

The Chief Executive of the PBNI 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.

The PBNI has internal performance reporting mechanisms to report on progress against accepted inspection recommendations on a quarterly basis (to the PBNI Audit Committee) and can provide a six monthly or annual report of progress to CJI.

#### **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 2018, General Data Protection Regulation and all internal NICS and Department of Justice Data Sharing Protocols. Information must only be transmitted or 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 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 the 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 Her Majesty's Government Protective Marking Scheme. CJI and the PBNI will comply with updated guidance on information sharing.

### **Escalation and resolution**

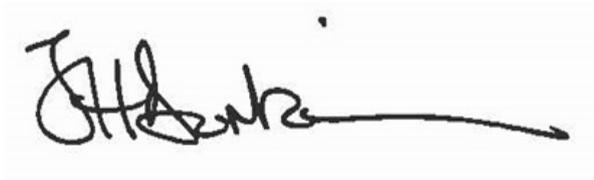
Any disagreements or disputes arising out of these protocol provisions should be escalated to the PBNI Chief Executive Officer and the Deputy Chief Inspector Criminal Justice for resolution. Where agreement is not reached in the above instances, issues may be escalated to be resolved by the Chief Inspector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

### **Review arrangements**

This protocol will be reviewed as necessary but at least every three years. The Chief Inspector of CJI and the Chief Executive of PBNI 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 Chief Executive in the course of routine liaison.

## Review of the Protocol

This Protocol will be reviewed in 2023.



**Date: 30 July 2020**

**Signed:**

**Jacqui Durkin**  
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**Signed:**

**Date: 17 September 2020**

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