



HM Inspectorate of Probation

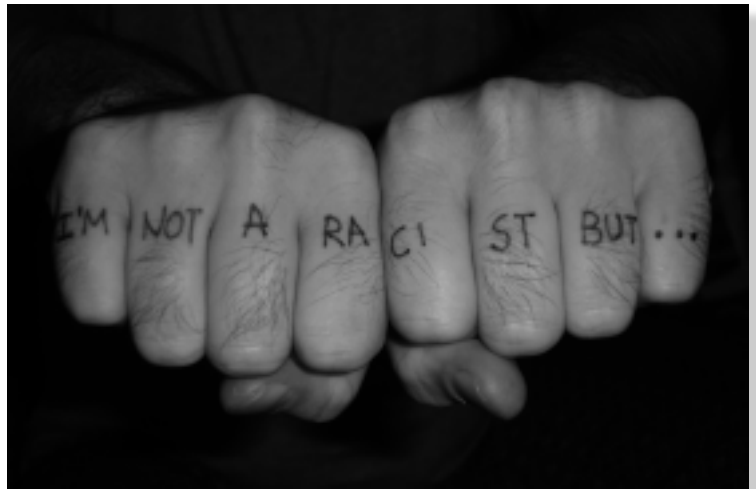
Inspection Findings 1/05

“I’m not a racist, but...”:

A Thematic Inspection

This bulletin describes the key findings from our Thematic Inspection: *“I’m not a racist but...” An Inspection of National Probation Service Work with Racially Motivated Offenders.*

In this thematic inspection we examined how the National Probation Service (NPS) aims to reduce the risk of harm (RoH) and likelihood of reoffending (LoR) of racially motivated offenders (RMOs).



Summary of Findings:

- Although probation areas had worked hard on drawing up RMO policy and practice, the lack of clear strategy at national level meant that areas had not prioritised work with RMOs and Boards and senior managers did not always know if local area policy was followed.
- Overall human resource practice in probation areas supported the aims of RMO policy. For example, investment had been made in staff training. In some instances training needed to be targeted better to ensure that all relevant staff were confident in dealing with RMOs. With closer working together of probation and prison staff, and the creation of the National Offender Management Service, the fact that prison service but not probation staff are prohibited from membership of organisations deemed to be racist is an anomaly that needs addressing.
- There were some good examples of probation areas working with community safety partners to develop constructive responses to the problems of racist crime in communities. These types of initiatives required a significant amount of management time and not all areas were able to commit sufficient resources to this activity.
- Whilst a minority of areas had implemented specific interventions for RMOs, most areas had relied on general interventions. This meant that there was variable practice in areas in relation to the inclusion of RMOs in accredited programmes.
- Many RMOs were not challenged by case managers about their racist behaviour or attitudes. A number of case managers did not take into account the importance of the Macpherson enquiry report definition of a racist incident that emphasises the impact of the incident on the victim as being of paramount importance. This led to poor assessments of RoH, LoR and limitations in supervision planning.

CONTEXT & OBJECTIVES

- The Crime and Disorder Act 1998 created a new offence to tackle the problem of racial violence and harassment. In the ensuing years there has been a steady rise in the number of reported racial incidents and of prosecutions for racially aggravated offences. The tragic events surrounding the death of Stephen Lawrence and the subsequent Macpherson Inquiry report led all criminal justice agencies to examine their policies and practice in relation to racially aggravated crime.
- The National Probation Service for England and Wales has a responsibility to work with the perpetrators of racist crime in order to reduce their RoH and LoR. The service also has an obligation to work with other agencies in contributing to the reduction of racist crime.
- The number of RMOs that come into contact with the NPS are relatively small. However, the impact of racist offending has a wide impact on individuals, families and communities and demands an effective response.
- This inspection therefore aimed to examine how well the NPS was in dealing with RMOs. The inspection was undertaken within our programme of area inspections, the Effective Supervision Inspection (ESI) programme.

METHODOLOGY

- We visited seven probation areas: Cumbria, Greater Manchester, Merseyside, Norfolk, Northumbria, Suffolk and West Midlands.
- A set of standards and criteria in relation to RMOs were drawn up to evaluate:
 - Quality of Management
 - Quality of Assessment
 - Quality of Interventions
 - Quality of Initial Outcomes.

- This approach is based on our belief that offenders are effectively supervised if they are assessed well, receive good quality interventions and achieve some identifiable initial outcomes. Furthermore, certain management criteria need to be met to support this front line process.
- Our aim was therefore to assess whether the selected sample of offenders had experienced good quality assessments and interventions, and whether they were achieving initial outcomes. We also sought to identify whether management arrangements supported effective work with RMOs.
- Accordingly we collected the following evidence for this inspection. A total of 102 cases were analysed for the Quality of RMO Assessments, Interventions and Initial Outcomes criteria, we collected the evidence for the Quality of RMO Management criteria from the senior management team in each area, and interviewed a range of local staff and partners. Additional evidence was gathered from the National Probation Directorate (NPD).

KEY FINDINGS

OVERALL FINDINGS FOR QUALITY OF RMO MANAGEMENT

Strengths

- All areas had or were working towards policy and practice guidance on RMOs.
- Senior managers demonstrated a commitment to racially motivated offending work despite a lack of national policy direction, targets and performance measures.
- There was evidence of effective links with other agencies involved in reducing racist crime.
- There was a commitment to staff training and development in working with RMOs.

Areas for improvement

- There was little evidence nationally or in local probation areas of a strategic approach to racially motivated offending work.
- Senior managers had difficulty in ascertaining if RMO policy and practice guidance was followed.
- Little management information was available about RMOs and areas did not have robust systems for the identification and monitoring of these offenders.
- There was confusion amongst staff, and a lack of clarity amongst managers, regarding the desirability of including RMOs in accredited programmes.
- Protocols regarding the preparation of court reports on RMOs lacked clarity.
- There was little communication with sentencers about racially motivated offending work.

OVERALL FINDINGS FOR QUALITY OF RMO ASSESSMENT

Strengths

- In the majority of cases, where the level of RoH had been clearly identified, the assessed RoH classification was appropriate.
- There was corroboration of offences using Crown Prosecution Service (CPS) documentation, and victim ethnicity was confirmed.
- LoR was clearly indicated and good use was made of assessment tools when assessing this.
- Offenders understood the requirements of their order/licence.
- Recording of information was clear and sufficient.

Areas for improvement

- RoH assessments were generally unsatisfactory in terms of both quality of content and timeliness.
- Improvements were needed to the content and

timeliness of initial supervision plans.

- Appropriate interventions to address racially motivated offending were not always planned.
- High/very high RoH cases needed more consistent management in accordance with national standards.

OVERALL FINDINGS FOR QUALITY OF RMO INTERVENTIONS

Strengths

- Race equality and wider diversity issues were taken into account when making arrangements for RMO interventions.
- Interventions were delivered with sensitivity to race equality and wider diversity issues.
- In relevant high/very high RoH cases home visits were taking place.
- Interventions delivered were appropriate to the assessed level of RoH.

Areas for improvement

- Racially motivated offending related interventions were not delivered in a timely way resulting in delays or work not being carried out sufficiently.
- Case managers were not proactive in liaising with others delivering interventions.
- Victim issues required far greater prominence and attention.
- There was little evidence of reinforcement of learning.
- There was a lack of consistency regarding the inclusion of RMOs in accredited programmes.

OVERALL FINDINGS FOR QUALITY OF INITIAL RMO OUTCOMES

Strength

- Most offenders had not been reconvicted.

Areas for improvement

- There was room for improvement with regard to offender attendance and their compliance with additional conditions or requirements.
- Progress on relevant criminogenic factors was limited, as was improvement in community ties and social circumstances.

Recommendations

The NPD should ensure that:

- areas develop local policy and plans based on a national RMO policy and strategy
- systems are established for the effective identification and monitoring of RMOs
- the quality of assessment and risk management planning improves
- areas consider the use of the one-to-one programme as their chosen programme for working with RMOs, supported by good quality case management
- guidance is issued on standards of practice with RMOs
- policy on the suitability of different types of court report for RMO cases is clarified
- the effectiveness of interventions with RMOs is evaluated

- policy on NPS staff membership of political parties and other organisations is reviewed.

Boards should ensure that:

- all relevant staff have appropriate levels of racially motivated offending related knowledge, understanding and skills
- protocols with courts, regarding report preparation, include RMOs and sentencers are aware of the interventions available for these offenders.
- protocols are established with relevant community safety partners to make sure that staff use all sources of information and advice when assessing and planning interventions with RMOs
- supervision plans on RMOs contain SMART objectives
- victim issues are given greater prominence in RMO work
- outcome measures for RMO work are clear
- the importance of the Macpherson definition of a racist incident is reaffirmed
- all RMOs are subject to an individual risk assessment before referral to a programme, enhanced community punishment (ECP) project or any other resource.

The full report of the inspection is published in *I'm not a racist but ... An Inspection of National Probation Service Work with Racially Motivated Offenders*, available on HMI Probation's website (see below).

HM Inspectorate of Probation is an independent Inspectorate, funded by the Home Office and reporting directly to the Home Secretary.

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