

# **Standard Methodology for Joint Thematic Inspections**



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## Introduction

The criminal justice joint inspection (CJJI) programme delivers two main types of inspection, namely:

- Core programmes, which are a series of localised ‘rolling’ inspections each year on the same core subject (for example, joint inspection of police custody conditions) with individual reports for each inspection; and
- Joint thematic inspections, which are usually a one-off, bespoke inspection visiting several localities in quick succession to contribute to a single final report on a ‘thematic’ issue (for example, rape investigation and prosecution).

This document provides guidance on the planning and delivery of criminal justice (CJ) joint thematic inspections. It is designed to assist inspection leads and team members by providing a menu of options and points to consider. By being published, it also provides transparency for those who may be subject to inspection.

### The purpose of joint inspection

These are laid out in the CJJI Joint Inspection Framework 2014–16:<sup>1</sup>

“We work together to address issues that involve more than one criminal justice agency and have a direct impact on the public who use the justice system. Working together produces a more rounded examination of issues that cut across the system and enables us to achieve more than if just one inspectorate acted alone. We support democratic accountability, local transparency and the drive to reduce bureaucracy.

Joint inspection particularly provides a unique focus on:

- Systemic issues within the criminal justice system (CJS);
- Identifying and driving cost from the system;
- Addressing risks and public safety;
- Looking at the system end-to-end and the role individual agencies play;
- Universal issues, standards and constraints within the CJS; and
- Public reassurance and confidence.”

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<sup>1</sup> [www.justiceinspectors.gov.uk/cjji](http://www.justiceinspectors.gov.uk/cjji)

Joint thematic inspections are singly led, but jointly-owned; each work stream in the joint programme is allocated to a lead inspectorate which takes responsibility for its planning, management and delivery, and subsequently for report authoring and publication. Other inspectorates involved provide inspection team members and resources, make written contributions and agree the final report and any recommendations. The final report is published in the name of all inspectorates involved and signed off by each participating chief inspector.

This approach avoids creating any additional support structures or bureaucracy and reduces training requirements for inspection team members. However, it may also potentially lead to different approaches and to unnecessary re-invention of elements of the methodology or duplication of effort. It is hoped that this methodology will assist those involved in the joint inspection process in ensuring that inspections are undertaken as effectively and efficiently as possible.

### The principles that govern joint inspections

There are ten overarching principles of inspection that are prescribed in the Government's Policy on Inspection of Public Services (2003)<sup>2</sup> on public sector inspection providers and on the departments sponsoring them. These principles form the building blocks of joint inspection work. They include:

1. The **purpose of improvement**. There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection.
2. A **focus on outcomes**, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.
3. A **user perspective**. Inspection should encourage innovation and diversity and not be solely compliance-based.
4. **Proportionate to risk**. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider.
5. Inspectors should encourage rigorous **self-assessment** by managers. And in turn, challenge outcomes, take them into account in the inspection process, and provide a comparative benchmark.
6. Inspectors should use **impartial evidence**, which is validated and credible.
7. Inspectors should **disclose the criteria** they use to form judgments.
8. Inspectors should be **open about their processes**, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
9. Inspectors should have regard to **value for money**, their own included.

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<sup>2</sup> The Prime Minister's Office of Public Services Reform

10. Inspectors should **continually learn from experience**, in order to become increasingly effective.

## Setting standards

In addition to the overarching principles governing any inspection, it is important to ensure a corporate approach for each inspection which is understandable, simple, transparent and practical. It should allow full understanding of critical problems and ensure the consistent gathering of evidence against which robust judgments can be made.

In order to set the standards, the inspection approach should adhere to the following principles:

- The inspection will be based on a consistent and corporate methodology and approach which will be applied by the team.
- The inspection team will work to a common set of minimum standards and clear criteria which will enable the organisations being inspected to know exactly what is expected of them.
- Where judgments are made, these will reflect the current state, i.e. what current practice looks like against minimum standards.
- The inspection will aim to identify areas for improvement and causes of concern and may make recommendations for improvement. Equally, it should aim to identify excellence and to share this as good practice.
- Professional judgment will be applied based on a firm evidence base which will be transparent, focused, recorded and triangulated.
- Reporting and feedback will be consistent, transparent, professional and understandable.
- The inspection team will be professional and will have the appropriate skills.
- Moderation processes and quality assurance will be applied at all stages of the inspection.

## Inspection phases

Although every joint inspection has a unique subject focus, the organisation and implementation of the inspection will normally follow standard approaches and involve very similar phases, namely:

1. Development
2. Planning
3. Inspection
4. Report writing
5. Publication
6. Post-publication

This document provides detail on each of these phases. Its aim is to establish a standard practical framework for lead inspectors and others involved, and to guide them quickly and efficiently through these common processes.

The guidance in this document is not prescriptive. Rather, it is to be taken as the initial default position for those who plan inspections, from which they may deviate if the specific circumstances of the subject under scrutiny require. It is intended as an aid to consistency but, above all, is meant to avoid the need to re-invent tried and tested processes. This guidance draws from recent, current and planned joint thematic inspections and brings together guidance from all criminal justice inspectorates.



## Development phase

### Initial requirements for inclusion

The development of individual inspection work streams is considered within the context of the overall criminal justice joint inspection (CJJI) programme.

Joint programme development begins when the Criminal Justice Chief Inspectors' Group (CJCIG) selects suitable topics for joint inspection. The selection process is set out in the CJJI Joint Inspection framework document 2014–16.<sup>3</sup> The key points are as follows:

- Any inspection activity must focus on assessing aspects of four high-level processes (e.g. community safety, bringing offenders to justice, offender management, custodial conditions) and three cross-cutting issues (e.g. victim and witness experience, equality and diversity, achieving efficiency).
- The qualifying criteria for inclusion are that proposed areas of inspection must relate to cross-cutting work involving at least two criminal justice inspectorates, have a clearly defined scope and purpose and meet the key principles of public sector inspection.
- Prioritisation of those areas deemed suitable for inspection is assessed against three qualifying elements: any pre-existing commitment to delivery; current priority factors; and some additional considerations, possibly including an area which would not otherwise be expected to come to prominence, as a result of a high-profile incident or series of incidents.

When deciding the final balance of the joint inspection programme, a comprehensive assessment is made of the risk posed by competing elements; this is informed by intelligence and data gathered during the consultation process.

Each year, chief inspectors review the overall balance and focus of the joint programme and its continued validity in an environment where the justice landscape is subject to rapid and fundamental challenge and change. They also discuss potential new work streams and decide how many will be included in the projected programme.

### Further development

When new subjects are identified for consideration, they are generally defined only at a very high level, for example investigation and prosecution of cases of domestic abuse. Before chief inspectors can take a decision on inclusion in the joint

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<sup>3</sup> [www.justiceinspectorates.gov.uk/cjji](http://www.justiceinspectorates.gov.uk/cjji)

programme, each potential subject area undergoes a process of further development. Prospective joint work streams may require a project brief setting out the high-level definition of the subject to be addressed and the basic business case for carrying out the work proposed. The project brief needs to take account of risks and the context for consideration of the core issue.

A balance has to be struck between investment in the project brief and the need to get the inspection off the ground so the findings can be published in a timely manner. For some more straightforward thematic inspections, once the topic is agreed it may be preferable to go straight to scoping stage without the need for a separate project brief phase.

## Project brief

The content of each project brief will vary according to the subject under consideration, but the key requirements are:

- **Inspection question** – problem, definition and focus
- **Justification** – assessment of risks/context driving the focus, taking the following into consideration:
  - whether the agencies recognise that there is a problem;
  - the prospect of solving that problem;
  - whether the problem is likely to be short-lived or enduring;
  - whether potential systemic failures expose the public to serious harm;
  - whether systemic failures undermine the legitimacy of the system in the eyes of the public; and
  - whether there are financial issues to be addressed due to inefficiency, poor value for money or unnecessary bureaucracy. (This is increasingly becoming a key motivation to inspect because of the austerity measures in place.)
- **Value for money implications**
- **Inspectorates** – lead and supporters
- **Scope** – range of the inspection
- **Scale** – estimate of resources
- **Timescales** – any relevant timing issues

The project brief is not expected to be comprehensive. It requires sufficient detail to inform an initial decision by chief inspectors on the merits of its further

consideration and will usually consist of one or two pages. As there is increasing pressure on inspectorates and regulators to explain the reasons for interventions, the justification statements need to clarify why an inspection is the most appropriate action, having due regard to risk and context.

The decision to inspect and the subsequent level of inspection intervention is informed by an understanding of the risks to the CJS as a whole as well as to individual agencies. Inspectorates are well placed to collect data to assist in this assessment by examining trends, using research and existing consultation networks, and applying professional judgment to answer these questions. Such activity will also provide useful underpinning analysis for a more developed scoping study and to assist the inspection phase itself.

## Scoping paper

The purpose of the scoping paper is to:

- define the problem or issue which is to be subject of inspection;
- identify the importance of the subject in the context of Government, CJS and CJI priorities, and highlight risks;
- explain why joint inspection is an appropriate intervention;
- highlight any synergies or conflicts with other ongoing or planned work;
- set out the proposed scope of any inspection; and
- identify the resource commitment required from each inspectorate.

The scoping paper should build on the project brief, but remain a concise document that can provide the foundation for later project planning. It should explain what the inspection is about and provide a succinct summary of the key issues. It would be expected to include the following elements:

- From project brief:
  - Inspection question – definition of problem
  - Justification – risks, context and importance
  - Value for money implications
  - Inspectorates
  - Scope and scale (summaries)
  - Timescales
- Aims and objectives
- Research and analysis
- Methodology
- Resources
- Relevant stakeholders
- Governance
- Risk management

- Outputs
- Review and sign-off arrangements

Scoping papers commissioned by chief inspectors to help them reach a decision on inclusion will be presented to the CJCIG for the decision to be taken. Scoping papers for subjects already accepted into the programme will be returned to the CJCIG for formal sign-off only.

In either case, the CJCIG sign-off represents an important stage for individual inspections. It represents formal delegation of authority to the nominated lead inspectorate to progress that work stream, only needing to refer to the CJCIG if additions or changes to policy require further joint endorsement.

For all work streams confirmed in the programme, the scoping paper is developed into a full project plan, expanding on the existing content and forming the basis for delivery and ongoing project management, which is monitored by the CJCIG Development Group on behalf of the CJCIG.

## Planning phase

### Project planning

Project planning involves consideration of the following:

- what the inspection is trying to achieve;
- how it is going to achieve it;
- when it will be completed;
- the design of the likely product;
- the manner in which evidence will be gathered and retained; and
- the resources required to complete the task.

There is no fixed template for a project plan but there should be a suite of documents that support the evolution of the project beyond the scoping stage. The following should be considered for inclusion:

- Risk register/matrix (if appropriate)
- Equality impact assessment
- Reporting style
- Resourcing information
- Communications strategy
- Plans for debrief and evaluation

### Monitoring the programme

Work streams approved for the programme appear in the annual Joint Inspection Business Plan (see current year's plan at [www.justiceinspectorates.gov.uk/cjji](http://www.justiceinspectorates.gov.uk/cjji)) and are subject to programme oversight by the CJCIG Development Group.

The Development Group deals with the detail and tactics of inspection rather than strategic direction. The Group meets quarterly, meetings are minuted and progress on the programme is logged in a report. The project plan is the basis for programme oversight by the Development Group. While delivery follows the plan, the Development Group has a largely passive role. However, any major deviation from this document could have an impact on other work streams and therefore will need to be raised for discussion at the Group meeting; in exceptional cases, the Group might decide to refer an issue back to the CJCIG.

## Developing the inspection format

### Initial activity

Using the project plan as the basis for the inspection, the lead inspector will form a planning team and begin the detailed planning work. The team will start by:

- developing the inspection framework – a set of high level inspection criteria supported by more detailed criteria against which evidence will be sought during the inspection;
- considering whether the inspection will be announced or unannounced – this decision should be rationalised clearly within the project plan; and
- ensuring that everyone involved in the inspection has a shared understanding of the methodology to be applied, the timescales for progress and any expectations of individual inspectorates involved.

### Developing the inspection framework

The inspection lead will develop lines of enquiry from the scoping exercise and define high level criteria in relation to each element of the work. Detailed specific criteria, and if necessary sub-criteria, can then be developed to provide the focus for the inspection team.

The criteria and sub-criteria should be clear and focused, with consideration given to any established standards against which services are assessed and any expectations or guidance already in place.

At an early stage, the lead inspector should consider the potential shape of the final report and marshal the criteria accordingly. As a general rule, there should be a limited number of high level criteria, each supported by more specific sub-criteria.

As the project develops, these criteria should be developed into questions which will form the basis of the evidence-gathering process. Indicators (also called 'look fors') are the practices that show that the responsibilities of the organisation are being discharged. They are the link between the questions and gathering the evidence.

The following are principles for the indicators:

- The indicators are not designed for the public. Their wording should be such that they can be readily understood by inspection staff.
- There should be a clear and explicit link between the indicators and the main question. This will often mean establishing a clear link between a process and a responsibility or, in some cases, an outcome. This should be done through

academic research, agreed standards (ideally evidence-based), such as the College of Policing’s Authorised Professional Practice (APP), legal compliance or some other robust and authoritative source.

- The methodology for gathering information against the indicators will be consistent, coherent and co-ordinated.
- Overlap of indicators will be minimised, but will in some cases be inevitable.

**Figure 1: Example of inspection question framework**

<b>Inspection question</b>	<b>Core question</b>	<b>Diagnostic question</b>	<b>Sub-diagnostic question</b>
How effective is the police and CPS response to disclosure for volume Crown Court cases?	1. How effective is the police and CPS response to initial disclosure?	1.1 How effective is the police response to initial disclosure?	1.1.1 How effective is the police response to initial disclosure of non-sensitive material?  1.1.2 How effective is the police response to initial disclosure of sensitive material?

Some suggested indicators (‘look-fors’) under 1.1.1:

- Do the police understand how to schedule non-sensitive material?
- What training have they had?
- How effective is IT support for scheduling non-sensitive material?
- Is there supervision of the process?

In the interests of transparency and fairness, the framework of inspection criteria is routinely made available to those subject to inspection. It could also provide a helpful checklist for all CJS areas to use for self-inspection.

### **Assessment of the evidence**

Following the inspection, there may be some form of grading or judgment of the evidence against a defined set of standards. The terminology of the grades should be agreed before the inspection fieldwork starts, as it may cause inconsistency and confusion if more than one system of grading is used between inspectorates

or between different types of inspection activity, such as case file reviews and fieldwork.

Establishing the nature of the evidence required that supports each grade, and ensuring agreement, is also critical to success. Assessments may be subject to challenge or potentially to judicial review, which is why the evidence-collection process and recording decisions are so important. Assessment criteria must adhere to a number of important principles to ensure clear and robust descriptions of what good and poor performance mean. Inspection leads have responsibility for drafting the assessment criteria for their core questions and relevant areas.

The assessment criteria to support inspections should:

- draw on authorised practice where it exists; this may include adherence to statutory requirements, including the Human Rights Act 1998 and the Equality Act 2010;
- be clearly communicated to organisations prior to inspection; and
- not be used as a checklist.

**Figure 2: Example of graded judgment taken from HMICFRS PEEL Vulnerability Inspection (2015)**

<b>Diagnostic question</b>	<b>Outstanding</b>	<b>Good</b>	<b>Requires improvement</b>	<b>Inadequate</b>
How well does the force identify those who are vulnerable and assess their level of risk and need?	The force has <b>clear and consistently applied processes</b> in place to identify repeat and vulnerable victims. It <b>takes a systematic approach</b> to the assessment of victims' risks and vulnerabilities.	The force has <b>clear processes</b> in place to identify repeat and vulnerable victims. It <b>takes a sufficient approach</b> to the assessment of victims' risks and vulnerabilities.	The force has <b>limited processes</b> in place to identify repeat and vulnerable victims, and <b>takes an inconsistent approach</b> to the assessment of victims' risks and vulnerabilities.	The force has <b>unreliable and ineffective processes</b> in place to identify repeat and vulnerable victims, and <b>takes a poor approach</b> to the assessment of victims' risks and vulnerabilities.



## Choice of fieldwork sites

Inspectors on thematic joint inspections routinely visit between four and eight localities to explore or illustrate specific issues relevant to the subject in question. Questions to consider when deciding where to conduct fieldwork include:

- What other inspection activity, if any, are other inspectorates undertaking during the planned fieldwork period? This is to avoid undue pressure being placed on those being inspected.
- Is the potential fieldwork site reported to be an example of particularly good or poor practice?
- Is there something different in the potential fieldwork site that might add to the sum of knowledge?
- Is there sufficient range within the fieldwork sites, e.g. rural versus metropolitan, large versus small?
- How many localities should be selected?
- Do the places selected provide a reasonable and fair cross-section from which to draw conclusions?
- Are there any data, such as crime data, which may indicate a problem at a certain site, or conversely, data which are favourable, which may indicate good practice?

There may also be a good reason to include Wales and/or London because of issues relevant to their respective national and local governance arrangements.

Sites selected may want to know why they have been included; therefore, a clear response should be developed and agreed by the lead inspector before sites are informed.

## Use of a pilot inspection

The purpose of a pilot or trial inspection is to test the criteria and methodology to inform any adjustments prior to rolling out the full programme of inspections. Careful selection of the trial site is therefore an important part of the decision-making process. Potential problems in question sets and gaps in fieldwork may be identified; it may also highlight other questions that need to be asked to ensure the correct evidence is obtained and assessed. The benefit to those subject to a trial inspection is to receive informal feedback about their work without fear of published criticism. Any significant areas for improvement would be fed back informally, while examples of good practice could feature in the final published report, if appropriate. A re-visit could occur later in the fieldwork programme to look at changes and progress following the trial inspection. Only the findings of this later inspection should be commented on in any published report.

## Role of a reference group

Whatever the specific subject under scrutiny, there will be experts in one or more aspect whose opinion and experience will be useful and who could help shape the inspection. In addition, individuals who have national or regional responsibility for the subject can make a valuable contribution.

Such experts and stakeholders can be consulted individually, but experience has shown that it is more productive to bring these individuals together to form an 'expert (or external) reference group'. The benefit of consulting a reference group should be determined for each individual inspection.

It is advisable to constitute any inspection reference group at an early stage and then reconvene at critical milestones throughout the course of the inspection. The purpose of a reference group is to:

- represent the key stakeholders in the area of activity under scrutiny;
- provide advice to the inspection team on strategic, technical and/or operational issues associated with the service under inspection;
- facilitate direct links into the organisations or groups which the members represent for consultative purposes, including supporting victim engagement;
- comment on the emerging findings and final recommendations; and
- encourage relevant organisations or bodies to accept responsibility for recommended action and to drive implementation.

If there are time constraints to the process, it may be beneficial to set up a 'virtual reference group', i.e. the use of email exchange to consult people individually and jointly, without the need to bring everyone together for a formal meeting.

Reference group meetings or consultations should be considered at key stages throughout the process, including:

- during the preparatory phase, to test the proposed scope of the inspection and establish relevant contacts and information sources for research purposes;
- during fieldwork, to provide advice and comments on emerging findings and advise on any proposed extension or reduction in scope;
- at draft report stage, to give detailed comments on the draft report and proposed recommendations prior to publication; and
- post-publication (if necessary), to help initiate the process for implementation.

It is important to strike the right balance of role for the group. The members will usually be highly knowledgeable and partisan in terms of the subject under

scrutiny. This will help commitment but can also produce conflicts of interest and disagreement with inspection findings or recommendations. The group is advisory, it is not a steering group with executive authority. Therefore, it is important that the group has clear and agreed terms of reference.

## Methodology

As part of the early planning stage, the lead inspector should consider what evidence (and of what type and quality) will be needed to enable defensible judgments to be formed. There are a number of tried and tested techniques used by inspectors to gather evidence for the inspection report. The list below should not be considered exhaustive and every inspector should consider new and innovative ways of gathering evidence. The following are useful techniques:

- Data retrieval
- Background research
- Focus groups
- Specialist workshops
- Interviews
- Reality testing
- Case file examination
- Surveys
- Victim engagement

These techniques are discussed in more detail under Methodology in the Inspection phase.

## Timescales

The timescales for all elements of the inspection should be cross-referenced with the project plan. In practical terms, the lead inspector needs to consider the publication date proposed by the CJCIG and then work backwards to determine how much time is needed to accomplish a task, thereby defining the target milestones.

Dates for fieldwork should be discussed with programme managers and agreed as early as possible, bearing in mind the demands of other scheduled inspections. Any significant changes to the inspection timetable must be relayed to the Development Group and a decision made as to whether the changes should be referred to the CJCIG. While such referral might only occur in exceptional circumstances, the main reasons for referral are likely to be because the changes

affect resourcing or cause clashes with other major events, for example the publication of other reports or significant events for organisations or ministers.

### **Advance communications**

It is important in the early planning stage to identify key individuals and organisations who need to be informed of, or consulted about, the inspection; a communication strategy and timeline for all communications and notifications should be incorporated into the project plan.

There are generally three levels of communications:

- National – to individuals or national organisations that represent agencies which will be subject to inspection;
- Local – to the heads of agencies and/or partnerships to be inspected; and
- Local liaison – directly to individuals who will make the detailed arrangements.

#### 1. National notifications

The CJI Joint Inspection Business Plan will normally signal the intention to conduct inspections and this will also be set out within the formal consultation.

However, the timing and full scope of each inspection will not be widely known and so, in the interests of transparency, early in the development process a letter in the name of the lead chief inspector, on behalf of the CJCIG, should be sent to the national leads for each of the agencies to be inspected explaining the scope of the inspection.

## Local notifications

Once localities to be visited have been decided, a more specific letter may be sent to the relevant chief officers and/or chief executives outlining the dates of inspection, and giving more detail of the terms of reference and objectives.

### 2. Local liaison arrangements

Once official communication has been established with the local agencies to be inspected, each agency will be invited to provide a point of contact who the inspection team can liaise with to arrange fieldwork activities.

## Risk management

In the context of risk management, risk is defined as “uncertainty of outcome, whether positive opportunity or negative threat.” An issue is “something that will threaten the delivery of the inspection’s benefits, to agreed time, cost and quality.” In the context of inspections, issues have already happened – and risks may have materialised.

In inspection planning, although issues are important in helping to shape the overall approach, risks are more dynamic in nature and so managing them will be more directly relevant to delivering the work stream successfully.

Depending on the individual inspection, it may be necessary to enhance the initial risk that has been logged through populating a formal risk register; in certain circumstances, this may also require calculation of risk against a formalised risk matrix, especially where the inspectorates have recognised particularly high risks or sensitive issues.

## Equality impact assessment

In the context of joint inspections, an equality impact assessment (EIA) involves assessing the likely or actual effects of inspections or their outcomes (e.g. recommendations) on people in respect of ‘equality issues’ (including disability, gender, age, race, sexual orientation, religion or belief). It helps to make sure the needs of people are taken into account when a new inspection methodology is developed and implemented or when changes to current practices or services supplied by inspected bodies are proposed.

Procedures must be built into the project plan to assess equality impact. There are two stages to producing an equality impact assessment:

- Stage 1 – screening to see if a full EIA is required; and (if so)
- Stage 2 – carrying out an EIA.

An example of a stage 1 assessment is attached at **Annex A**. If it is decided that there are no groups that are disadvantaged by the inspection process or methodology there is no need to go to stage 2. Where stage 2 is required, sample EIA documents are available on all Government websites. Further examples and information for England and Wales are available at:  
[www.equalityhumanrights.com/en/advice-and-guidance/equality-impact-assessments](http://www.equalityhumanrights.com/en/advice-and-guidance/equality-impact-assessments)

## Resources

The projected level of resources required to deliver each inspection work stream is set out in the CJI Joint Inspection Business Plan, approved by the CJIG. As individual project plans are developed, the projected resource requirements are refined and monitored by the Development Group.

The lead inspector for each work stream will discuss with the other inspectorates involved the allocation of their staff to the team. The size and composition of the team is clearly set out for each stage of the inspection. Each inspectorate generally agrees to provide their staff for the inspection at their own cost (pay, accommodation, travel and any incidental expenses incurred), but any deviation from this must be included within the project plan and formally agreed by the Development Group.

There are occasions where it may be necessary to buy in specific expertise for the inspection. The project plan should include start and finish dates (or at least the estimated duration of their contribution to the work) and job descriptions. In some circumstances, opportunities to take part in a thematic joint inspection may need to be advertised. Selection processes should be conducted fairly and in accordance with employment legislation.

## Training

It is essential that time is set aside at the start of the thematic inspection to brief the team members.

This process should include:

- some background detail from the scoping paper to aid understanding of the rationale for the inspection work;
- results of any pre-inspection work;
- methodologies to be adopted and the chosen method of obtaining data and gathering evidence;
- timetable for the inspection;
- intended site visits;

- logistical arrangements.

Most team members will have been chosen for the existing skills they bring to the inspection. However, having briefed the team members, it may be necessary to provide specific training, for example on the use of a database to record evidence and statistical data.

### **Data collection and storage**

Good governance and responsibility for data collection and storage is essential. Prior to the start of inspection, it must be clear how evidence and data collected during the inspection will be recorded, shared and retained. Depending on the sensitivity of the data, it is often beneficial to use a cloud-based collaboration service that enables organisations to jointly store, access and share files securely.

This can also prove particularly useful during fieldwork when remote access to an inspectorate's systems may be restricted by lack of connectivity; the cloud-based system can be accessed securely by all staff who have an account via a search engine through their own private internet access or through the inspected organisations' systems.

As far as possible, information that identifies an individual should not be included in documentation (although an information source is required for an audit trail). It is essential that inspection staff ensure all data is held securely.

Subject to the inspection agreements, following publication of the report, team members should destroy all records of evidence and data, including that held electronically in individual drives, in accordance with their own inspectorates' data retention policies.

## Inspection phase

### Team structure

The number and composition of the inspection team will be dependent on the type of work required. A thorough analysis of the resource requirements may be undertaken as part of the scoping exercise and included in the project plan.

Resourcing proposals must be carefully considered by each inspectorate. It is important that the Development Group members for each inspectorate involved are consulted about proposed staffing levels before they are finalised. If individual work stream resourcing affects staff availability for other work streams, the Development Group will need to discuss prioritisation.

### Logistics

Each inspectorate has different administrative support arrangements. Efficient support for inspection teams is critical to the smooth running of the thematic inspection. The inspection lead is responsible for identifying what logistical support is needed, including accommodation, transport and IT support. Though logistical arrangements such as hotel and transport bookings may be undertaken by the separate inspectorates, it is important that the arrangements take account of the overall needs of the inspection to ensure team cohesion, especially during fieldwork. For example, it is always preferable for the whole team to stay in one location; this improves team identity and makes briefing arrangements and travel to and from fieldwork sites easier.

### Methodology

Inspection leads will tailor their use of different evidence-gathering techniques to suit the requirements of each individual inspection and may use some or all of the following:

#### Data retrieval

If possible, the inspection lead will identify a dedicated analyst who should be appointed to the inspection as early as possible as every inspection will involve some level of data retrieval. Early consultation with the analyst will establish the most relevant data sets available and a decision can be made as to what information will be gathered for further analysis.

In essence, there are two ways to retrieve the data sought:

- by remote means, including open source information, government departments, charities and non-governmental bodies;



- by a direct approach to the inspected body (subject to whether the inspection is unannounced). There should be absolute clarity on what information is requested to avoid placing an undue burden on the organisation.

Data analysis should be carried out throughout all stages of the thematic inspection to assist in assessing the weight given to any evidence gathered.

### Document review

In addition to a data request, a document request may be made to organisations before the fieldwork schedule begins, again dependent on whether the inspection is announced or unannounced. Prior to any request, the inspection lead should be mindful that many documents may already be available on the organisation's website.

Every document supplied by an organisation should be logged with the date of receipt, who provided it, the title and the government protective marking scheme classification<sup>4</sup>.

### Background research

Research will potentially provide:

- contextual background to the thematic topic;
- findings from previous research in the subject area;
- guidance to prevent unnecessary work in a field or area that has previously been extensively researched;
- a list of experts in the field to be inspected who may provide advice or support;
- insight into the type of data that a study is likely to provide; and
- assistance in explaining the results acquired from data analysis.

This background research should already have been carried out at the scoping stage, but further research should occur periodically during the whole inspection process to obtain any new material that may have been released into the public arena.

The salient points of any document review should be entered onto an evidence-gathering template (EGT) as points of reference to help the report writer at the report-writing stage.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/715778/May-2018\\_Government-Security-Classifications-2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/715778/May-2018_Government-Security-Classifications-2.pdf)

## Surveys

Surveys can be used to obtain data on which to base subsequent inspection activity and as part of the inspection itself. They are particularly useful for gathering relatively straightforward information from a wide range of people.

In using surveys, the following should be considered:

- The aims of the survey should be clear and questions should be strictly relevant, direct and jargon-free.
- Where possible, simple 'closed' (tick box) questions should be used. This enables aggregation and quantification of responses. 'Open-ended' questions should only be used when there is no alternative way of obtaining the information required or when specific detail or explanation is required.
- Assistance with the questionnaire design and analysis of the returns should be sought from qualified researchers when possible.
- A database, spreadsheet or similar should be designed to record and facilitate analysis of the returned questionnaires.
- If possible, the questionnaire should be piloted on a representative sample of the target audience before use to ensure the questions are understood and it gathers the information and data intended.
- A professional agency should be used for a survey of the public. Surveys and questionnaires can prove costly and the costs should be agreed at the outset.

## Victim engagement

It may be beneficial to commission research and produce a report from the perspective of victims for certain inspections. The tender specification should be circulated to specialist organisations or academic institutions that specialise in the relevant areas, and subsequently assessed by an appropriate panel.

Crown Commercial Services will need to give advice at the earliest opportunity to confirm funding is available for commissioning work.

## Case file examination

Case file examination is often the key focus for the inspection. It may be carried out in advance of fieldwork or when the team is on site, and it can be carried out in a number of ways. However, when a review of case files is conducted, the inspection must be clear as to:

### **How many case files will be reviewed**

The number of cases reviewed will influence the weight which can be apportioned to findings, so it is important to take account of lost, unsuitable or potentially

restricted files when considering the minimum number of files required as a viable sample number.

### **How the cases are selected**

It may also be worthwhile testing a sample of case files during the pilot stage. This gives an opportunity to test the assessment process for the files, the effectiveness of the evidence-gathering template and the time taken to review each case for timetabling purposes.

### **Who selects the cases**

The lead inspector as part of the development stage will determine the make-up of the case file sample and request files. In some instances, if an organisation is asked to select its own case files, the criteria for selection will be clearly laid out, for example victim or offender type, offence or incident type, location of offence or incident, and date and time parameters for the offence or incident.

### **Where the review will take place**

If inspectors are required to review files within an organisation it is important to ensure that suitable rooms are reserved, ideally with suitable access to the organisation's databases if this is required. Any requests for access should be made well ahead of planned activity to allow organisations sufficient time for this to be authorised and set up, and equally sufficient time for the inspectors to receive suitable training to enable them to navigate the relevant databases effectively.

### **Whether the inspected organisation has to be involved in the process of review**

Ideally, a member of the inspected organisation should not be present during a case file review as this may limit the candid nature of any discussion linked to a particular case.

It may be a useful exercise for inspected organisations to be given the opportunity to conduct their own case file reviews for comparison and contrast with the same cases reviewed by inspectors. The advantages of this are two-fold: firstly to enable the organisation itself to identify areas of practice or procedure in need of improvement, a far more insightful method than simply being made aware of areas of weakness; secondly, where there are differences in assessment of the same case (often with the inspected organisation grading outcomes too positively), to enable organisations to understand the minimum standards required for a case file to be graded as good or outstanding or equivalent.

### **How the case files are to be assessed**

It can be beneficial for inspectors from each inspectorate to undertake each case file review as a paired team. Those selected will know how a case should progress from the perspective of their organisation and, importantly, when lead responsibility for a case may move from one organisation to another. This also enables any issues identified at the interface between two or more organisations to be assessed jointly for their effectiveness and efficiency.

The inspection lead should draw up a question set following consultation with the team, any reference group and other interested parties to ensure that all relevant criteria are identified for assessment. An Excel spreadsheet is ideally suited to act as a case file review template, as it includes the ability to create drop-down menus and has a filter system to enable isolation of particular questions or sub-questions across case files for contrast and comparison purposes and to assist in the identification of common themes.

Some form of grading or similar should be considered against an agreed model response, for example Fully Met (FM), Partially Met (PM), Not Met (NM), Not Applicable (NA). An additional comments box should be available on any template for qualifying comments that may be helpful in the report-writing stage. Equally, the comments box could be used to highlight examples of good or poor practice, which could be used as sanitised examples to add colour to the report.

Certain questions may be weighted to ensure that an organisation cannot achieve a certain grade if it is not of a sufficient standard in a particular area deemed of critical importance, no matter whether all other areas are deemed to be of a good or outstanding level or equivalent. In such circumstances, it is important that when there are separate case reviews in different units, regions or forces, inspectors are aware of this requirement when it comes to making their overall judgment, in order to reduce differences of opinion at any subsequent moderation process.

Master sheets for case reviews should be accessible to all team members, such as through a cloud-based system, to enable team leaders at different inspection sites to reassure themselves that assessments are based on the same criteria and weighting across all sites.

A copy of the template should be kept in a central repository as it can be easily used or adapted for use in other case file reviews during future inspections.

### **Self-assessment**

Organisations may be asked to complete a self-assessment in advance of fieldwork. This is useful because it can identify particular areas of concern as a focus for fieldwork and may also suggest additional questions to be asked on site. The inspection lead develops the template, which should have a narrow focus to avoid placing undue burden on inspected bodies, and so the range of information is comparable. Organisations will need time to complete and return the self-assessment, which will add to the inspection timetable.

### **The key lines of enquiry (KLOE) process**

The KLOE process is intended to identify knowledge gaps so fieldwork activity can be better focused. It usually comprises a pre-fieldwork briefing and a gap analysis document.

### **Pre-fieldwork briefing**

The inspection lead chairs the pre-fieldwork briefing. Attendees should include the analyst who developed the data pack, the inspection planning lead or their

representative and key members of the fieldwork team. Material available for discussion should include the findings from the data analysis, document review, and force self-assessment and available survey results, ideally already presented in an evidence-gathering template. This material should be discussed against the inspection question set with a view to establishing emerging findings and gaps in knowledge ahead of the fieldwork.

### **Gap analysis document**

As a result of the discussion, the inspection lead will populate a gap analysis document which will guide the type, length and depth of inspection activity during fieldwork; it brings together in one document all the information known about an organisation's performance in a set of findings that are relevant to the core and diagnostic questions. The gap analysis is an important and organic document, helping the inspection lead highlight those diagnostic questions which have already been fully or partially completed, potentially enabling reduced or no further work to be conducted in the area. For those areas where only limited information is known, the inspection lead will then direct fieldwork to take place to gain a better understanding. (See Annex B for an example of a KLOE gap analysis document.)

The inspection lead will use the gap analysis document to brief and direct the activities of the team at the start of the fieldwork. During subsequent daily debriefs, the document will be developed as emerging findings are identified, allowing the inspection lead to identify easily where evidence gaps still exist and direct inspection activity accordingly. The document will assist the final debrief and judgment discussion by the team by bringing all the evidence into one place in summary form.

### **Pre-inspection activity**

Pre-inspection activity entails inspection activity within an organisation which is similar to fieldwork, but more limited in scope. For example, it may entail attendance to observe one meeting or activity which cannot be arranged during a planned period of fieldwork.

### **Fieldwork**

Fieldwork will involve team members operating on site within an organisation observing, examining documents, carrying out interviews with key individuals, staging workshops and holding focus groups.

### **Types of fieldwork**

1. Observation  
This will entail observation of activities such as meetings and briefings or operational activities.
2. Examination of documents  
This could include a review of literature on official notice boards to check for its relevance, accuracy and whether it is up to date. Photos may be taken as supporting evidence.
3. Interviews and focus groups

## **Preparation**

It is good practice for only two members of the team to take part in each interview or focus group (unless additional observers are present for training, assessment or oversight reasons), with one leading on the questions and the second taking notes and undertaking supplementary questioning as appropriate. After the session, the pair should briefly review the interview and agree the key points to go into the evidence-gathering template as well as issues that require further investigation.

It is worth considering using mixed teams across various inspectorates, with the lead interviewer from the inspectorate relevant to the organisation being interviewed, and supported by a team member from another inspectorate acting as note-taker and ancillary interviewer. This approach fosters effective team working and gives the possibility of another perspective when questioning.

At the start of any interview or focus group, an agreed 'form of words' should be used to provide reassurance regarding anonymity, covering the fact that no one will be named or directly cited in feedback or the final report, but that notes will be taken of discussions and individuals may be identifiable if these are subject to disclosure requirements.

## **Interviews**

Interviews with key individuals will form a critical part of the evidence-gathering process. Different methods may be considered when creating a timetable of interviews.

The first option is the use of a 'top-down' approach, where strategic managers are interviewed first to obtain the senior view of how operations are conducted, followed by middle managers and then by frontline workers.

Preparation for senior interviews is important, particularly where, based on the gap analysis and hypotheses, the interviewer intends to identify weak performance in an area. This means that the area must be well researched and data should be to hand, if required, to remind the interviewee about the evidence.

Interviewers will then move on to middle managers. In these interviews, it is more likely that the interviewer will be seeking information about structures and processes and how policy and strategy are being implemented

Finally, frontline workers, or their equivalent in the support function, may be interviewed to identify whether the strategic thinking and policies are matched by practical application. This may occur as a focus group or reality testing rather than through an interview.

A second option is the use of a 'bottom-up' approach if pre-inspection work has established significant issues regarding the practical application of a strategy (e.g. through surveys, open source material or data review) which inspectors wish to track upwards before questioning strategic managers. Again, focus groups or reality testing may be preferable to an interview.

Wherever possible, documentary evidence and performance data should be obtained to support or refute the statements of those interviewed.

**Focus groups**

A focus group is a representative group of staff with some common characteristic. The purpose of using a focus group is to obtain a cross-section of views from staff within a common area of work. It allows the opportunity to hear and validate a variety of views in one interview. The lead inspector should be explicit in determining the make-up of the group in terms of skill levels and rank or grade within the organisation.

Focus groups should normally consist of between six and eight people. More becomes unmanageable; less may not provide enough of a range of views. However, it may be that the size of the focus group will be limited by a need to speak to specialists.

### **Specialist workshops**

A cost-effective alternative to staging a number of interviews of functional leads in several different localities (e.g. six heads of a specific specialist department) is to bring them together into a centrally located single workshop. This allows for a more free-flowing examination of the key issues and encourages everyone to react to each other's comments and views.

It is important that such workshops are well planned and structured to get the most from the participants. It is useful to send attendees reading material in advance, perhaps including relevant framework questions and criteria so they are well prepared for the workshop.

Notes should be made as a record of the workshop and, if possible, circulated to participants for their comments and additional thoughts.

### **Reality testing**

While fieldwork is being undertaken, some inspectors may conduct reality testing. In essence, this is to confirm or refute the evidence or assertions provided, for example in order to check whether particular information is widely available to staff or whether communities have direct access to particular services.

It is essential that it is made clear where inspectors are able to go, both practically and legally. The host organisation should be informed at the outset that reality checks will be undertaken and ensure that any restrictions placed on the inspectors are clear. Reality checks often invoke a strong reaction from the host organisation, so any comments made must be confined to the evidential observations of the inspectors, rather than opinion.

When engaging with staff during reality testing, care should be taken to put them at ease as the interview is not planned or scheduled. Introductions should be made and explanations given as to why inspectors are there, stressing the confidentiality of any response given. Equally, consideration should be given to the fact that the person is being extracted from their day job in an unplanned way, so time spent with them should be kept to the absolute minimum required.

### **Welfare concerns**

Sometimes, an interviewee will disclose information which leads the interviewer to be very concerned about their welfare and wellbeing. An interview with an inspectorate might be the first opportunity the person has had to explain their feelings of having no positive influence over what is happening in an organisation or how stressed they feel. It is not unusual for interviewees to become emotional.

Should this happen, the interview should be paused and potentially stopped while inspection officers provide immediate support. They should then ensure that the person speaks to their line manager or an equally trusted supervisor; this



commitment should be obtained before the interviewee leaves. In the case of a detained person who is being interviewed becoming distressed, interviewers might need to refer to establishment staff, or another source of support within the establishment.

### **Dealing with allegations of misconduct disclosed in fieldwork**

It is rare, but it has happened, that an interviewee discloses evidence or allegations of misconduct of some sort. It is difficult to be prescriptive about how they should be dealt with but they cannot be ignored. The interview team should speak to the inspection lead, who will consider a referral to a senior person within the organisation. Whatever happens, it is vital that the interviewer makes notes at the time or as soon as possible after the interview finishes. It is possible that these may be needed to provide evidence in criminal or misconduct proceedings in the future.

### **Responding to risks uncovered through inspection activity**

It is not uncommon for inspection teams to uncover poor practice and procedures. On occasions, these may indicate an unresolved risk either to a specific victim where a case has not been properly investigated and the victim remains in a situation of potential harm, or a risk to the public at large where the actions of a dangerous offender have not been dealt with properly. On other occasions, potential or actual miscarriages of justice may be identified. Such instances go beyond assessment norms and, rather than being reported on in any subsequent debrief or report, need to be brought to the attention of a senior person within the inspected organisation as soon as possible, for the appropriate intervention to take place and the risk to be minimised.

### **Debriefing during fieldwork**

It is good practice to review inspection activity at the end of each day (or at least at regular intervals throughout fieldwork) to:

- share information;
- record salient points;
- reinforce the focus for the next day;
- elicit new avenues to pursue; and
- agree the main points for any early debrief (sometimes termed a 'hot debrief') to inspected bodies at the end of the visit, if applicable.

The inspection lead should ensure that this daily debrief is tightly managed to keep it short and focused. A bullet-point summary of the debrief should be recorded and transcribed for audit purposes. Where two or more inspection sub-teams are operating concurrently (and are not co-located), inspection leads should ensure that the key issues from debriefs are exchanged as soon as possible.

As part of the pre-inspection work, the inspection lead will have established the essential points to cover to satisfy the aims of the inspection; these are often outlined in the gap analysis document. The inspection activity will often uncover or generate additional issues which only come to light fully at the daily debrief. The inspection lead will decide, and the team needs to agree which of these merit further work, and arrange for it to be undertaken. It is important to avoid over-expansion of the remit of the inspection to the point where it becomes unmanageable or there is a loss of focus. The inspection lead should also beware of over-emphasis on favoured topics.

Wherever possible, evidence should be triangulated, with more than one corroborative piece of supporting evidence being identified. For example, an example cited in a focus group might be supported by a check of event records and separate questioning of a senior manager.

### **On site judgment assessment or assessment of performance**

On the last day of fieldwork, the final team debrief should be followed by a managed discussion on the overall performance of the organisation. When an inspection does not require a judgment to be made, the inspection lead should still conduct this discussion to understand the organisation's performance compared with the inspection questions.

For most questions, the criteria are not exhaustive, and not all of them need to be satisfied to justify a particular judgment. However, some questions may specify minimum requirements that must be met for a judgment of good or outstanding or similar to be awarded. If it is judged that inconsistent or poor practice in one area (or a combination of areas) would put people at serious risk, there needs to be a strong justification as to why the judgment on that question is not one of requires improvement or inadequate or similar, even where in other areas within that question, the organisation has performed well. This type of shortcoming is likely to amount to a serious failure of policy or practice, with a cause of concern and corresponding recommendation.

If an organisation has developed or is developing plans to remedy a situation, this does not make the current service good. It still requires improvement, although credit can be given in the written report. If the direction of travel is positive, this can be acknowledged in the report but the overall judgment must reflect the current service to the public.

There should be no averaging out over the areas which the judgment criteria cover. For example, if there is practice equating to requires improvement or similar for one sub-diagnostic question and then good for all the other categories, the criteria do not require the judgment to be good. Even more extensive limiters could be applied to prevent an organisation being rated as good overall if a key area has been assessed as requiring improvement but all other areas are assessed as good.

Comprehensive notes should be taken of the judgment meeting. At the end of the discussion, the inspection lead should guide the team through the hypotheses to see whether the evidence gathered proves or disproves them. This demonstrates a fair and transparent process.

## Recording evidence

It is important that evidence is written up clearly, methodically and comprehensively, including details of sources and any cross-references, to avoid unnecessary delays in the evaluation of evidence. An evidence-gathering template is a prescribed format for recording evidence.

### The evidence-gathering template (EGT)

The purpose of the EGT is to gather relevant evidence to support the final report. It is the single most important document that will be completed during fieldwork and may be subject to legal scrutiny.

The construction of an appropriate EGT should be undertaken at the planning stage and consideration should be given to its ability to:

- isolate evidence to assist the report writer;
- merge EGTs, including across different types of fieldwork;
- automatically update a master EGT with individual team members' EGTs. Such updates should occur as quickly as possible to avoid situations where a debrief may occur and key information is provided which the inspection lead does not have on an EGT at that stage. The risk is that the relevant EGT entries may not be made subsequently, causing a gap in the evidential chain.

### What should be entered on the EGT

The EGT is not a transcribed verbatim record of the interview, focus group or reality testing; it is a reflection of what has been heard and the inspection officer's judgment applied to the organisation's performance against the questions on which they are placing the evidence.

The evidence also needs to be put into context, especially when the information helps to explain a bigger process. The EGT entry should explain how the evidence relates to other parts of the process. For example, if it is about a team, it should relate to the role of the team, what it does and how that relates to the question being answered.

All information in the evidence column should be stand-alone and be capable of being understood without reference to other information. It should not refer to other entries, for example using 'see above entry', unless the entries are properly cross-referenced. In this way, if the EGT is filtered to isolate entries pertinent to one question, they make sense as individual entries.

Each entry should have a judgment ('this is what I think'), followed by the evidence supporting that judgment ('this is why I think it') and then the impact that it has ('this is the difference this will have or has had, or this is the result'). Quite often, the effect is obvious and the impact section is not completed.

**Example of an EGT**

<b>Interviewer</b>	<b>Note taker</b>	<b>Judgment</b>	<b>Evidence</b>	<b>Question which the evidence relates to</b>
Lee Presland	John Smith	Focus group – response officers force x	Force X needs to improve the quality of scheduling of both sensitive and non-sensitive unused material. Officers completing case files within force X have received no training on disclosure and are unsure how they should record details of items of unused material. As a result, by their own acknowledgment the quality of submissions is poor.	1.1.1

For reference purposes, the section marked ‘question which the evidence relates to’ is important because it enables the evidence to be categorised down to sub-diagnostic level. This will assist the report writer greatly as it allows the isolation of all material that relates to a core question, a diagnostic question or sub-diagnostic question. If the material is relevant to more than one area, it should be entered more than once but numbered differently to enable it to feature in each relevant section when the evidence is isolated by the report writer.

The report writer will also look for supporting or potentially contradictory entries from elsewhere in the master EGT. To continue with the above example, an EGT entry pertaining to an interview with someone from the training department may reveal that training on scheduling of unused material has been implemented even though the above example would suggest that not all staff have received it. This may move any judgment in the overall report to potentially one of poor or limited availability of training rather than no training at all.

If a number of regions of an organisation are inspected, the report writer will look for an overall judgment at national level by comparison of the relevant section in each of the master EGTs compiled for each region visited. To continue with the above example, it might be that even though it is found that force X’s training

provision for disclosure is inadequate, effective training is provided within all other forces. In such circumstances, if the report is aimed at national level then it would be fair to state in any national judgment that the quality of training provided for forces across England and Wales is of sufficient quality. (The training problems identified in the one force could then be dealt with by direct advice to the force outside any public scrutiny.)

### **Recording evidence from documents in an EGT**

When collating evidence that relates to a document review on the EGT, it is often difficult to use the standard judgment, evidence and impact entry, because many documents are policies or procedures which are difficult to judge unless there is a comparison with previous procedures or a lot of activity is described in the document itself. Such entries may therefore simply be confined to stating what the policy or procedure entailed, for example 'Organisation X has a wide range of wellbeing practices available to staff, including the following.' Details of what these are would then be listed. It is important to ensure that the entry includes a reference number for the document in question to enable it to be easily referred to by the report writer if they require more detail.

### **Early or 'hot' debriefs**

Where an early debrief is offered to the senior strategic managers of organisations (chief officers, chief executives and/or to senior specialist leads), this should normally be undertaken on the last day on site, to avoid any need to return to the locality subsequently.

The purpose of an early debrief is to convey issues of immediate concern, where inspectors consider urgent action is required and other key findings which are likely to form the core of the final report. The briefing should be subject to a caveat that at this early stage, evidence provided at the debrief has yet to be fully reviewed and analysed and may be subject to amendment. On this basis written hot de-briefs should not be provided.

No indication should be given of how the organisation may have 'scored' against the criteria.

## Report-writing phase

### Introduction

After the fieldwork, the lead inspector will commence the report-writing stage in earnest and begin a detailed assessment of the evidence that has been gathered. A number of team members may be responsible for producing written contributions to the final report but there can only be one person who takes overall authority as lead writer, and this is usually the inspection lead. However, the final report must be agreed by all the inspectorates involved in the inspection, and so ensuring the validity and clarity of findings and evidence cited is vital.

### Moderation

A moderation process may be used to ensure that assessments of organisations from region to region or equivalent are consistently applied to enable fair and accurate comparison. The process should enable agreement to be reached on the final assessment for each organisation, considering whether judgments are fair and accurate and are based on a consistent assessment of evidence. It should also check that recommendations are consistently worded and made in response to comparable causes of concern. Moderation enables those involved in inspections to engage in constructive challenge of each other's conclusions. Analytical support should be considered here to provide quality assurance in ensuring, wherever it is possible to do so, that evidence has not been misrepresented or overstated.

In advance of any moderation meeting, the inspection lead may find it beneficial to review the findings from the inspection to provide direction during the meeting. For example, instances of specific practice typical of different graded judgments may emerge during the inspection, which can be helpful to steer discussions. Equally, certain questions may be weighted to ensure that an organisation cannot achieve a certain grade if it is not of sufficient standard in an area deemed of critical importance. This is regardless of whether all other areas are deemed to be of a good or outstanding level or equivalent. In such circumstances, it is important at the moderation stage that this weighting has been applied to all organisations, sub-organisations and individual units that have been inspected.

### Report preparation

The following approaches or combination of approaches are worthy of consideration:

- Write the executive summary first and then use it as the basis on which to flesh out the main report. The advantage of this is that the report can be limited to just the most important issues.
- Consider all the important issues and those which the informed reader would expect to be covered before writing the report, and use this as a checklist at

several stages of drafting to ensure the focus is retained. Also use the working framework of criteria and sub-criteria as a cross-check.

- Establish a structure for chapters and a summary of the content of each chapter before beginning writing to avoid simply unloading everything that is known about the subject of that chapter and major redaction at a later stage. Equally, agreement on the report structure at the planning stage can make things more focused during fieldwork.
- Have only one person responsible for the overall final report. This does not prevent more than one person contributing, for example other people writing a number of chapters each, but the responsible person has editorial control and can agree the rules of engagement.
- Maintain strict version control. An electronic file management system should be used to support this process as it allows for only one copy of the report to be worked on at any one time.
- Decide in advance such things as the tense to be used and key titles and terminology. Agree on the definition of terms to encourage consistency and save time at the proof reading stage. It is sensible to agree to adopt the 'in-house' style of the lead inspectorate.
- Decide on pictures, charts and illustrations as early as possible.
- Keep a regular check on the overall balance of the report and individual chapters. For example, do less important issues receive too much coverage and vice versa?

## Recommendations

Recommendations form a key element of the final report and will be the focus for action by inspected bodies and others to address problems and issues identified by the inspection. It is therefore important that recommendations, where used, are limited in number, focus only on the major issues and are assigned to an organisation.

Recommendations are usually made because a serious or critical failing of policy or practice has been identified. This failing is often called a cause of concern. Each cause of concern should be clearly identified in the report and should be followed by a recommendation to alleviate or eradicate the failing. The way recommendations are written should leave the reader in no doubt about what is required and by when.

For example:

Within 12 months, the College of Policing should introduce a training package that enables police forces to provide classroom-based training on the disclosure of unused material to all staff involved in the investigation process.



Organisations do not have to implement recommendations, but any joint inspection has not only the right, but also the obligation to say what has been found, give an opinion on this and say what it thinks should be done and why. It is for others to decide on the implementation of any recommendations, but the quality of the inspection and analysis, the power of the reasoning, and the clarity with which it is expressed should make disregarding what has been said a hazardous and unattractive option.

If significant financial implications are likely to be incurred in adhering to a recommendation, these should not preclude making it, but should be highlighted where appropriate and considered when assessing the subsequent action taken.

The process of follow-up inspections is mentioned below; such inspections will inevitably focus on areas of an organisation where recommendations were previously made. Beyond these planned inspections it is important that an organisation's progress against recommendations is monitored regularly and any identified issues are responded to.

## **Production and report layout**

### **1) Report production**

All reports of CJ joint inspections are published under the CJJI banner and in accordance with the CJJI corporate publication guidelines. It is essential that the printing and layout phase is programmed well ahead of time to ensure a smooth transition from completion of the writing and editing phase into the publication process. It is therefore advisable to consider during the writing phase what the finished product will look like in terms of typography, photographs and graphics. It may be necessary to have the report translated into Welsh, and the lead inspector needs to build this into the timetable, bearing in mind the time entailed, to ensure there is no undue delay to publication.

### **2) Draft report for pre-publication readers**

Once the lead inspector has agreed a draft report, it may be circulated to a pre-selected set of critical readers to gauge their opinion on the factual accuracy of the report as well as their views on such things as its balance, content and context. This group of individuals may include members of the reference group and any nominated people agreed by the inspectorates involved. All pre-publication circulations should be subject to confidentiality agreements and responses should be strictly time limited.

A template should be used for critical readers to add their comments. These comments should be reviewed by the lead inspector and the template marked with acceptance, partial acceptance or non-acceptance of each comment, providing a rationale and, where appropriate, the amended wording for each part of the report subject to comment. The lead inspector should then incorporate these amendments into the master draft report.

**Figure 3: Example of template used for Joint HMCPsi/HMICFRS Disclosure Inspection ‘Making it Fair’ (2016)**

Paragraph number	Comment	Response
<b>Foreword and summary</b>		
1.1	Given that the focus of this report is on Crown Court cases, the reference to the number of ineffective cases in the Magistrates’ Court also is inappropriate and this sentence should be amended to refer only to Crown Court cases.	Accepted. Reference removed

A similar template should also be sent with a draft copy of the report to the inspected organisations under cover of a letter from the relevant chief inspector. Organisations are typically given seven to ten days to return their comments. This part of the process is concerned with factual accuracy only. Points will be considered using the same method as for comments by critical readers and, where appropriate, amendments incorporated into the final report. Strict time limits should be enforced and there should be an expectation that returned comments will arrive on the template rather than as amendments on the actual report.

### 3) Legal checks

Where a report is likely to prove contentious, it may be worth considering sending it for legal checks to minimise the risk of a legal challenge. The grounds for judicial review can be summarised as: error of law; unreasonableness; and procedural unfairness. Therefore, the purpose of legal assurance is to check that a clear line is visible within publications from the evidence to judgments and recommendations and to confirm that any use of and reference to legislation and guidance is current and correct.

The documents provided to legal advisers will vary depending on the size and nature of the inspection. For a small thematic inspection, it may be appropriate only to provide the final report. For larger inspections, it may be appropriate to send supporting documents such as evidence-gathering templates or policy documents.

### Final sign-off

Once the final draft has been agreed, it should be proof read, either by the lead inspector or a nominated proof reader. Each report will be formally signed off by the chief inspectors on behalf of the inspectorates involved. This sign-off is a vital stage in quality assuring the report and must be planned into the project timeline formally.

The stage(s) at which each chief inspector sees the findings and recommendations may vary between inspectorates; some may require personal updates at several stages. However, it is important that each is appropriately prepared and briefed in time for the final sign-off stage in order to avoid any unnecessary delays or major changes to content at a very late stage in the procedure.

In addition, if significant issues are raised or major changes made as a result of the responses by inspected bodies to the draft report, these must be flagged to the chief inspectors in advance of the final version sign-off.

It is important that chief inspectors sign off the report at the above stages to avoid any unnecessary delays in finalisation and publication.

## Publication phase

### Communications

#### 1) Confirming the strategy

The communication strategy within the project plan should have incorporated the format for handling the publication phase. Depending on the nature and sensitivity of the issues, findings and recommendations, the publication of the report is likely to follow one of two forms:

- A media conference, namely a staged event on the day of publication to which members of the media (and chief inspectors) will be invited, and the lead inspector may make a presentation before answering media questions; or
- A press release, namely pre-circulation of a prepared press release and embargoed reports to selected media outlets, with an offer to field requests for individual interviews with the lead chief inspector or inspector (on or before the day of publication).

In either case, there will be circulation of embargoed copies of the report to some specified individuals (e.g. heads of relevant organisations and local chief officers of areas inspected) and a notification to relevant ministers and government departments.

It is important that the format and timing of publication are agreed by the relevant chief inspectors at an early stage and that any professional or political sensitivities are identified and factored into planning for publication.

#### 2) Press office liaison

Unless decided otherwise, the lead inspectorate and their press office will normally take responsibility for arrangements for a media conference or press statements, including any pre-circulation of statements and embargoed copies of reports to the media. The lead press office will also ensure that the final report and associated press release are loaded onto the CJJI joint inspection website and that each inspectorate has appropriate electronic copies to upload onto their individual websites. Use of social media should be considered to support any press release.

#### 3) Ministers and departments

The lead press office will liaise with the private offices of relevant ministers and departments. Part of the early liaison will be to check proposed publication dates against other significant events to avoid any clashes and identify any potential issues with the date selected.

In all cases, a written submission (or letter) with an embargoed copy of the report will be sent to ministers before publication. This should be sent in advance, to allow time for departmental advice to ministers and formulation of their response.

Where later pre-circulation is necessary, the lead inspectorate should consider sending an early covering note to ministers to give notice of the publication date. Any ministerial comment will be issued via the relevant government press office to emphasise the report's independence.

#### **4) Other stakeholders**

The lead inspector will compile a circulation list for copies of the report, to include all key stakeholders (e.g. reference groups, organisation heads, national subject leads) and will identify which should be sent out in advance of publication – as embargoed copies – and which will go out subsequently.

### **Publication checklist**

In summary, the key elements required for publication to take place are:

**Date and time:** Selected to avoid clashes or to complement other events or publications.

**Spokesperson(s):** Chief inspector(s) and/or lead inspector to be available for conference or interviews.

**Venue:** Where the conference option is chosen, a suitable venue is required to accommodate media and team participants, with space for report reading, conference presentation and one-to-one interviews.

**Final report:** To be available in electronic and printed format. For a media conference, printed copies will be required.

**Executive summary:** In some cases, an executive summary document may be produced separately. In all cases, there is a requirement for a very short **summary** (up to 100 words) for inclusion on the CJJI joint website.

**Press release:** The content will be signed off by the lead chief inspector, in consultation with the other participating chief inspectors.

**Website versions:** Appropriate versions of the final report, executive summary, summary and press release to be uploaded to the CJJI website at a given time (and to other websites as applicable).

**Pre-circulation:** Submission (or letter) to ministers and letter (or email) to accompany pre-publication embargoed copies of the report.

**Post-circulation:** Letter (or email) from the lead chief inspector to stakeholders to accompany circulation of reports.

## Post-publication phase

### Debrief and evaluation

There is much to be learned from holding debriefs post-inspection, and lead inspectors should consider all opportunities, including:

- inspection team debrief or via individual feedback;
- press office and communications team feedback;
- reference group debrief; and
- feedback from inspected bodies.

The various sources of feedback provide an opportunity for inspectorates to evaluate a range of issues, including:

- the overall effectiveness of the inspection;
- the behaviour and knowledge of the inspectors;
- the validity of the framework questions;
- the methods for obtaining and recording the evidence and triangulation; and
- the readability of reports.

The CJI inspectorates use a standardised post-inspection evaluation report. This form should be completed following all inspections and submitted to the CJCIG Development Group for evaluation and consideration so any recommended improvements can be implemented.

### Assessing impact and follow-up

It is important that the CJCIG can gauge the impact on CJS agencies of its inspection processes and, for thematic inspections, any subsequent monitoring regime should be agreed at the scoping stage.

Types of monitoring may include:

- use of a post-inspection monitoring group;
- use of one or a series of questionnaires directed to key stakeholders and agencies six to 12 months after publication and beyond;

- data analysis to ascertain whether an organisation's performance has improved in the specified areas relating to recommendations.

## Follow-up inspections

In the case of recommendations targeted at an organisation it may be appropriate for the respective inspectorate to carry out a follow-up inspection within their core single-agency inspection programme. It is possible that while a specific recommendation is targeted at one agency or organisation, its impact cuts across others. Therefore, consideration should also be given to carrying out a follow-up joint thematic inspection where there is a suitable milestone for implementation of any recommendations. Any proposal for follow-up inspection will be considered by chief inspectors within their overall joint programme planning.

## Freedom of information requests

Guidance in dealing with FOI applications has been agreed by the Development Group.

Whenever an inspectorate receives a FOI request relating to a joint inspection, that FOI request should be copied promptly to all other inspectorates involved in that inspection. Responding, including gathering the information and considering any relevant exemptions and redactions remains the sole responsibility of the inspectorate that has received the request. However, there is an expectation that the other inspectorates will be kept informed of progress, and where information being considered emanates from another inspectorate's area of inspection responsibility, they should be made aware and given time and the opportunity to comment on any proposed decisions.

The following information applies in every case in which one of the inspectorates receives a FOI request for information which that inspectorate (A) has obtained from or by the jurisdiction of another inspectorate (B):

"In every such case, upon receipt, A will promptly send to B a copy of the FOI request. It remains at all times the responsibility of A to collect all the material held by A that is relevant to the request. A will not seek further material from B nor will B offer material to A even if such material is relevant to the request. Once A has collected all relevant material A holds, A will consider the material and apply such exemptions as A considers relevant. A will draft a response to the request, setting out what is being disclosed and applying relevant exemptions and redactions. A will keep B fully informed in a timely manner of its progress with handling the FOI request, including any decision to extend any requirement or allowance of time in that respect.

At the earliest opportunity, A will provide to B such copies of the material held by A that emanated from B or touches on B's areas of inspection responsibility. A will at the same time provide B with the draft response setting out the material disclosed and withheld, the exemptions applied and any public interest arguments made. B will respond as soon as possible, making any arguments, comments or

representations that touch on the decisions on release, redactions and exemptions applied and public interest arguments made. A will consider all representations made by B in good faith and giving them due weight. A will respond to B's representations.

A will ensure that A's press office is in contact with B's press office.

A request made to A will always remain the responsibility of A and it is A that will need to argue its case before the Information Commissioner, if required. Any final decision on release must, therefore, remain A's responsibility.  
The key principles that apply to this protocol are as follows:

A FOI request made to A applies only to material actually held by A.  
In any case where A holds material that arises from inspection activity that comes under the responsibility of B, A will do their utmost to ensure B is kept informed of the request, and progress on its processing.

A will allow time for B to comment on any proposed decisions to be made by A.

A will co-operate with B in respect of any subsequent media coverage".



## Annex A

### An example of an equality impact assessment

Equality neutral methodology

Data collected from the file sample will be examined to consider any equality issues.

Inspection: Joint thematic on disability hate crime  
Senior inspector responsible: xxxxx  
Assistant inspector leading: xxxxx  
Support team lead: xxxxx

Date of assessment: xxxxx

Name and job titles of people carrying out the assessment:

xxxxx - Assistant Legal Inspector (HMCPSI)

xxxxx - Inspector (HMIC)

xxxxx - Inspector (HMI Probation)

In consultation with:

xxxxx - Assistant Legal Inspector (HMCPSI)

xxxxx - Audit (HMCPSI)

xxxxx - Legal Inspector (HMCPSI)

Name of service/function/policy, etc:

Joint thematic inspection on disability hate crime

Is this new or existing?

This is a new inspection, which is being conducted by HMCPSI, HMIC and HMI Probation.

### Screening questions

#### 1. Aim and objectives

The aim of the inspection is to highlight barriers to the identification of, investigation and prosecution of disability hate crime. In addition, the inspection should highlight good practice and make recommendations to bring about positive change. The inspection will specifically consider:

- a) How effective are the police and/or Crown Prosecution Service (CPS) at identifying disability as being a motivating factor in offending perpetrated against disabled victims?
- b) How effectively are disability hate crimes, once identified, dealt with by the police, CPS and the probation trusts at operational level?
- c) What, if any, are the barriers in the systems and processes of the police, the CPS and the probation trusts to achieving successful outcomes for victims of disability hate crimes, including issues of accessibility and support?
- d) What has been the impact of recommendations made by a number of third-party organisations (in the past 24 months), on policing/CPS/Probation Service procedure? The report will identify a number of recommendations for improvement, highlight any good practice and will comment on any issues relating to aspects of equality and/or diversity in addition to those encompassed by the aim and objectives.

## **2. Are there external considerations?**

The inspection will be carried out in accordance with the agreed methodology of the three relevant inspectorates. The inspection will consider if the police, CPS and probation trusts are complying with the relevant duties in relation to disability hate crime.

## **3. Who are the stakeholders and what are their interests?**

The inspection will result in the publication of an independent public report. As part of the inspection, consultation will take place with various groups, including Voice UK, Mencap, a commissioner with the EHRC, ACPO, probation trusts, senior CPS staff and senior police staff with responsibility for disability hate crime.

## **4. What outcomes are to be achieved and for whom?**

The publication of an independent report assessing how the police, CPS and probation trusts carry out their statutory duties in relation to disability hate crime.

## **5. Has any consultation/research been carried out?**

Background research has been carried out in relation to section 146 of the Criminal Justice Act 2003. Data has also been analysed in relation to the CPS reported outcomes for disability hate crime files. Various reports relating to disability hate crime have been considered.

## **6. Are there any concerns at this stage which indicate the possibility of inequalities/negative impacts?**

The only concern relates to the file sample size for certain police/CPS/probation trust areas being visited. However, the scoping paper specifically highlights the need to visit areas where there are both high and low numbers (in relative terms).

The methodology makes no distinction.

In relation to sex, race, age, gender, transgender, sexual orientation or religion. Statistical data will be collected in relation to age, gender and physical/mental health disabilities. File record sheets will highlight any issues relating to sexual orientation and religion, where appropriate.

## **7. Could a group be affected differently in either a negative or positive way?**

### **Type of impact, reason and any evidence**

#### **Disability – equality neutral methodology**

The inspection relates solely to disability hate crime and will therefore produce data on how disabled people are dealt with by three criminal justice system agencies. Recommendations relating to how this type of work should be dealt within the future are also likely to be published. Inspectors will be alert to identifying any discrimination indicators revealed that relate to the agencies.

#### **Age – equality neutral methodology**

The primary focus of the post-conviction aspect of the criminal justice system's involvement with offenders who commit disability hate crimes will be adult offenders under the supervision of probation trusts. There is a strong possibility that a percentage of these offenders will be young offenders under the supervision of youth offending teams. At the start of the inspection, it is not possible to predict which, if any, of the offenders falls into this category. The lead inspectors from the three CJ inspectorates will review this situation following the first week of fieldwork to address this issue and minimise any impact.

Data collected from the file sample will be examined to consider any potential discrimination issues in relation to age and how the three agencies approach disability hate crime. Inspectors will be alert to identifying any discrimination indicators revealed that relate to the three agencies.

#### **Race (including Gypsy/Traveller) – equality neutral methodology**

Potential discrimination issues will be examined in relation to race and how the three agencies approach disability hate crime. Inspectors will be alert to identifying any discrimination indicators revealed that relate to the three agencies.

#### **Gender – equality neutral methodology**

Data collected from the file sample will be examined to consider any potential discrimination issues in relation to gender and how the three agencies approach disability hate crime. Inspectors will be alert to identifying any discrimination indicators revealed that relate to the three agencies.

#### **Transgender – equality neutral methodology**

The file record sheets will, where possible, highlight any potential transgender discrimination issues.

## Annex B

KLOE workshop (Key lines of enquiry)			
			Next steps
Sub-diagnostic question	Indicators	Key information from all sources (against the indicators)	<b>NOT ANSWERED (NA)</b> - needs to be covered in fieldwork
*From the report template			<b>PARTIALLY ANSWERED (PA)</b> - needs triangulation
			<b>PARTIALLY ANSWERED (PA – AOI)</b> - question refined to reflect areas of interest
			<b>FULLY ANSWERED (FA)</b> and triangulated

Core question 10 - How effective is the force at preventing crime, tackling anti-social behaviour and keeping people safe?			Next steps
10.1 How effectively does the force understand the threat or risk of harm within the communities it serves?			
10.1.1 How effectively does the force use intelligence to identify threat or risk of harm within its communities?	Are the nature and scale of community threats, risks and harm - both 'traditional' and 'emerging'- analysed in conjunction with partner organisations and their data? (strategic assessments and problem profiles)	The Strategic Assessment is well written and easy to read. A good range of threats are considered although detail is somewhat lacking on the specific nature of some threats (e.g. what is business crime, what is rural crime, how do they overlap?). Some issues are not covered at all (e.g. firearms, OCGs/gangs, fraud) but these may be covered in a regional SA. Demand and drivers for increases are not specifically addressed. Mental health issues are not covered.	PA
	Is there a clear organisational strategy on how public engagement,	Some evidence of this activity taking place.	PA

	collaborative problem solving and targeted foot patrol takes place to reduce crime and anti-social behaviour?		
	Is the force applying NPCC Crime Prevention Strategy (2015), and is there evidence of progress?	Fieldwork to explore.	NA
	Does the force analyse crime trends, linked series, problem offenders, and locations to help it understand causes of crime and ASB? [NIM analysis products, e.g. crime pattern analysis, hot spot identification, and subject analysis]	Some evidence of this seen. Also the force uses the Mosaic database which provides a wide range of information including council information, statistics from A&E especially and other partner agency data to better inform it of crime and disorder issues that may require action.	PA
	Does the force ensure public engagement, collaborative problem solving and targeted foot patrol in local communities takes place?	Some evidence found during insight work.	PA
	Is there an abstraction policy in relation to officers and staff carrying out neighbourhood policing functions? How does the force monitor whether officers and staff	There is no abstraction policy currently. Staff report being abstracted often (e.g. during insight), however analysis conducted by Service Delivery Model programme (SDM) indicates abstractions are less common. It is not clear why there is an anomaly here.	PA

	<p>have sufficient opportunity to fulfil these functions?</p>	<p>Insight work revealed the force’s use of neighbourhood officers to cover for shortages of response officers as well as a regular requirement to support other force activities such as sporting events, night-time economy patrols or anti-violence initiatives is having a negative effect on its ability to undertake local problem solving and engagement. Inspectors spoke to a number of neighbourhood officers and staff as well as a response inspector. All agreed that extractions were too frequent, often at short notice. As a result, officers were often required to postpone meetings with members of the public or could not attend important community meetings. Equally, crime initiatives such as the execution of warrants were often delayed, leading to complaints by local residents that no action is being taken against local criminals. Equally, PCSOs left patrolling alone felt unsupported as they lacked the authority to fulfil certain tasks that police officers could do working beside them, such as applying for and obtaining warrants.</p> <p>Local/neighbourhood teams not up to strength and not currently ring-fenced. The force is looking to prevent abstractions under its SDM. SDM analysis indicates abstraction levels aren’t as high as staff report. Fieldwork to explore further.</p>	
<p>Emerging story – Some evidence of using intelligence to understand threats and risks. Pockets of good engagement seen during insight work. Conflicting stories on abstraction levels and impact.</p>			
<p>Judgment – A force that is good demonstrates a satisfactory understanding of the community it serves and the threats they face, including some which are hard to reach (e.g. migrant, elderly, groups</p>			

where crime is under-reported or virtual/online communities); and assesses some complex, emerging or hidden threats with partner organisations.







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