



Quality & Impact Inspection

Case Assessment Guidance

Edition 2

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An Introduction to Case Assessment in Quality & Impact Inspections

This guidance has been drawn up to support HMI Probation inspection staff undertaking Quality & Impact (Q&I) inspections. The Q&I case assessment form is designed to enable inspection staff to capture judgements about the extent to which service delivery in general, and specific practice in each case, is contributing to achieving outcomes with those who have offended. This includes both concrete and softer (evidence-based) desistance impact(s). This guidance is intended to help inspectors make these judgements in a consistent manner.

The case assessment form does not ask inspection staff to measure individual or wider general practice against a set of quality standards; rather it provides a structure to explore what is and what is not working for each individual. Given their unique set of needs and personal and social circumstances, effective intervention with individuals may take many forms, and may involve differing levels of intensity and styles of work.

The Q&I case assessment process requires inspection staff to make judgements throughout the form relating to the three domains of reducing reoffending, protecting the public and abiding by the sentence. It then asks the inspector to provide a narrative about the 'enablers' and 'barriers' that have been identified in each case. This is a new approach to inspection work by HMI Probation and one which will evolve as the inspection programme develops.

What is an outcome or impact?

Outcomes and impacts include what has been achieved already during the period of supervision being inspected, and what is evidently in progress towards being achieved in the future. This can include outcomes relating to reduced reoffending, protection of the public from harm, and serving the sentence as intended by the court. While outcomes relate primarily to the individual who has offended, there may also be outcomes for specific victims, and more widely for the public in general.

Intended outcomes include the following possibilities:

- the offender has not reoffended during the period of supervision inspected
- the offender is now less likely to reoffend
- no one has been harmed during the period of supervision inspected
- the risk of harm being caused to others in the future has reduced

- the court order or prison licence has been supervised as required
- the offender has complied with the requirements of their order or licence.

Whether or not these outcomes have been achieved, the work delivered towards achieving them may have had a range of identifiable and evidence-based impacts known to support desistance from offending in the future (for example, a reduction in substance misuse or improved anger control). It is possible for a public protection outcome to be achieved without there being any outcome or impact towards reducing reoffending (for example, no one has been harmed because the offender was recalled to prison when their level of risk increased).

What is an enabler?

Enablers are the capabilities, resources and processes that contribute **directly** to the service user leading a crime-free and more positive life. They have the potential to address the specific factors that led to the person's offending. Capabilities are internal to the service user, such as their motivation and capacity to change. Resources are the services, people and programmes external to the service user that may contribute to the desistance journey. These might include services supplied by the CRC, NPS or their contracted providers and partner agencies (such as advice, counselling and offending behaviour programmes), employment opportunities, or positive support from family, faith or peer groups. Processes are those activities which can contribute to the service user making positive progress (for example, assessment and planning which promote the service user's journey along the desistance path), and reviews that help keep this on track and deal with any relapses as they occur.

What is a protective factor?

Protective factors are the circumstances, lifestyle and personal factors that contribute **indirectly** to the service user leading a crime-free and more positive life. Protective factors have the potential to support enablers. For the person in question they did not address the specific factors that led to the person's offending directly, but had the potential to support the continued impact of enablers. In other cases the same factors might have been enablers themselves. Relevant circumstances might be stable accommodation or employment. Lifestyle and personal factors might include constructive and pro-social personal routines or pastimes, or influential relationships with friends or family with pro-social, anti-criminal attitudes.

What is a barrier?

Barriers are the obstacles to the service user leading a crime-free and more positive life. These may be internal to the service user such as psychological problems, pro-criminal and anti-social beliefs, cognitive distortions or propensity to misuse substances. Or they may be external to the service user, such as lack of employment or educational opportunities. A lack of focus to the work, for example because assessments and plans have not been produced, may be a barrier, as can a lack of the required interventions. Similarly, little effort being made to secure the purposeful engagement of the service user in the work may also act as a barrier. Practical considerations such as geography, family caring commitments or language may also be a barrier in that they limit or prevent the service user's access to the enabling services and resources that would promote and support their desistance.

What are we interested in?

In the Q&I inspection programme the focus of judgements is on both the **quality** of the work and the **impact** that the work has had or was having on the service users in terms of a contribution to the individual leading a crime-free and more positive life. This in turn has an impact on the public in general.

Key questions to bear in mind when making judgements are:

- what outcomes had already been achieved with the individual and how had the quality of service delivery underpinned those achievements?
- was the work likely to support the individual's journey towards desistance, even if concrete outcomes had not yet been achieved?
- how did this piece of work or intervention contribute to the individual making positive changes?

This guidance is not focused on criteria; rather it is intended to support staff in making judgements about effective practice, being mindful of the question 'was this piece of work having, or expected to have, a positive impact on the individual who has offended?'

Who are we interested in?

In the Q&I inspection programme we are looking at the services delivered and impact made by a range of people and organisations involved in and contributing to the supervision of the offender. In many parts of the case assessment process our primary interest is simply the distinction between the work of CRC/NPS staff (and immediate colleagues in the same organisation) and that of any external organisations involved. There are some instances, however, where the distinctions between a wider range of staff and organisations will be relevant.

These can be described as:

- the **responsible officer** of the CRC/NPS
- other **staff employed directly by the CRC/NPS** supporting or undertaking work with the case
- staff working for a **sub-contractor to the CRC/NPS** providing a service to the case. This could be:
 - a commercial organisation
 - a not for profit organisation
 - a statutory agency
 - a CRC sub-contracted to the NPS or another CRC.
- an organisation providing services to an individual under supervision as a **partner with the CRC/NPS** through a negotiated agreement or partnership (such as a community mental health service)

- an **organisation** providing services directly to the individual, **irrespective of the service user being under supervision** by the CRC/NPS (such as a health or substance misuse service)
- **statutory partners:** those agencies party to the Multi-Agency Public Protection Arrangements (MAPPA), namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases
- **other statutory agencies** may also be involved with the case (such as local authority children’s services and community mental health services).

Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.

In relation to the **CRC/NPS and sub-contractors**, in some contexts there will be no distinction for the purpose of inspection between the CRC/NPS and a contractor, such as the work of staff delivering a specific intervention. In other contexts, such as planning, coordinating and delivering a range of activities in the case, there will be a distinction between respective roles and responsibilities of all the different parties involved in working towards the desired outcomes.

In relation to **sub-contractors and partners**, a key distinction is that the CRC/NPS is responsible for the delivery and quality of services provided by a sub-contractor (as if they were delivering them directly) because the service is provided solely to meet the requirements of the contract or service level agreement with the CRC/NPS. In contrast, the responsibility of the CRC/NPS for services provided by a partner may be limited by the management of the partnership arrangement and the separate interests of the other partner(s) in the provision of the service.

A comment about two underpinning principles:

- **Quality, impact and sufficiency:**

As noted above, the Q&I inspection programme is not inspecting against a fixed benchmark or a standard of excellence or perfection. Instead, it judges whether the quality of work had made **sufficient** impact towards the outcomes of reducing reoffending, minimising risk of harm to others, and the offender abiding by the sentence. This is based on the particular circumstances and characteristics of the case, and the length of time under supervision.

An area of work may be assessed as **sufficient overall** because the strength of positive activity, impacts or outcomes outweighed any negative factors. Similarly work can be assessed as insufficient because significant deficits in the work outweighed any positive achievements. Inspectors will make balanced judgements of sufficiency based on what could have been **reasonably expected** in the particular case or activity; however, deficits in the availability or quality of resources, services or interventions will not be considered mitigating factors for insufficient impact.

- **Risk of Harm and Risk of Serious Harm:**

In inspecting work to assess, manage and minimise the **risk of harm to others** we recognise that Her Majesty's Prison and probation Service (HMPPS) framework for risk of harm is based on a definition of **serious harm**. We will assess the quality and impact of work within that framework.

We will also continue to consider the impact made to address **all risk of harm to others**, since even those individuals assessed as **low risk** do not necessarily pose **no risk**. Work to manage and reduce risk of harm should take account of all potential risks, whatever their level or degree of seriousness. Any risk of harm is, by definition, something that should be responded to and not ignored. We will look to see that this has been recognised and responded to appropriately.

Sources of evidence

Inspection staff are encouraged to take an investigative approach, identifying and following new lines of inquiry arising from the inspection of individual cases. It may be that a broad array of evidence sources will support judgments in some cases, while in others it will be clear from a smaller number of sources that a judgement can be reached. There is no defined limit or number of evidence sources that will lead to the appropriate judgment; rather it is incumbent on inspectors satisfying themselves they have had access to sources of evidence that support them making a judgement of the quality and impact of the practice seen.

Recording

We have adopted a different approach to inspecting cases in order to identify work that is or is not having an impact, including talking to a number of different people involved in the case management. Work to achieve a positive impact is dependent on good record keeping, and so inspections will still be reliant to some extent on information that is recorded in the relevant case management system. It is, therefore, reasonable to expect that decisions, in particular those about the expected timing of assessments, plans, interventions and reviews, should be clearly recorded within the case documentation, and reasons for decisions should be explained. Explanations should link relevant case characteristics to the decision; that is they should be made according to the individual circumstances of the particular case. Decisions should be defensible to meet the needs of the individual case, **not** the availability of resources. Management oversight of decisions and their rationale should, where appropriate, be undertaken and recorded on the case record.

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Appendix 1 List of specified offences

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Layout of this guide

Entries within this guide are laid out as follows:

Column 1: the View (section) of the InfoPath tool

Column 2: the question number within the InfoPath tool

Column 3 (View 0): the question wording

Column 3 (Other Views): a summary of the relevant quality indicators that may inform this question

Column 4: a more detailed narrative to assist the inspector in making their judgement.

View 0 – Case Details

View	No.	Question	Quality Indicators & Judgement Guidance
0	1	Assessor name	
0	2a	PCC Area	Select the appropriate area from the drop down list.
0	2b	Is this inspection in: England or Wales?	
0	3	HMIP ID	Enter the ID number for the case being inspected.
0	4	PNC ID	Enter the PNC number of the case being inspected.
0	5	Age (now)	Enter the age to the nearest whole number in years – please round up. The age at the time of inspection will be indicated in nDelius on the header row and in the Offender Index view.
0	6	Gender	Enter whether the case being inspected is male or female.
0	7a	Race and ethnic category	Enter the race and ethnic category as defined by the service user and indicated on the case record. If this is not clearly noted somewhere on the case record please answer 'Not clearly recorded'. Details may be found in the nDelius 'Offender Summary'. A diversity monitoring form may also have been uploaded in nDelius under the 'Offender Details' or as part of an induction pack under the 'Event Details'. This information may also be found on the 'Offender details' page of OASys.
0	7c	What is the service user's preferred language?	Enter the preferred language as defined by the service user and indicated on the case record. If there is no record please use the 'Not clearly recorded' option. For inspections in Wales the responsible officer (and any other service providers) should NOT assume that because a service user could speak and read English that this was their preferred language. Unless there clear is evidence that the individual was asked about their preference then please use the 'Not clearly recorded' option. Details may be found in nDelius: From the left hand menu list select 'Offender Index' and then select 'Equality Monitoring' to view 'Offender Quality Monitoring Details'. A diversity monitoring form may also have been uploaded in nDelius under the 'Offender Details' or as part of an induction pack under the 'Event Details'. This information may also be found on the 'Offender details' page of OASys.
0	8	Religion/Faith	Enter the individual's religion/faith as defined by the service user and indicated on the case record. If this is not clearly noted somewhere on the case record please answer 'Not clearly recorded'.

			<p>Details may be found in nDelius: From the left hand menu list select 'Offender Index' and then select 'Equality Monitoring' to view 'Offender Quality Monitoring Details'. A diversity monitoring form may also have been uploaded in nDelius under the 'Offender Details' or as part of an induction pack under the 'Event Details'. This information may also be found on the 'Offender details' page of OASys.</p>
0	9	Sexual identity	<p>Enter the individual's sexual identity as indicated on the case record. This should be service user defined. If this is not clearly noted somewhere on the case record please answer 'Not clearly recorded'.</p> <p>Details may be found in nDelius: From the left hand menu list select 'Offender Index' and then select 'Equality Monitoring' to view 'Offender Quality Monitoring Details'. A diversity monitoring form may also have been uploaded in nDelius under the 'Offender Details' or as part of an induction pack under the 'Event Details'. This information may also be found on the 'Offender details' page of OASys.</p>
0	10a	Does the service user have a disability?	<p>Indicate any identified disability of the service user in the case being inspected. Take care not to take this at face value. nDelius can appear to imply the service user has a disability when it means only that a disability assessment had been carried out. If the presence or absence of disability is not clearly noted somewhere on the case record please answer 'Not clearly recorded'.</p> <p>This question asking simply whether or not the service user has a disability as defined below. It does not ask about the presence of other (non-disabling) conditions or illness which nonetheless may affect their ability to comply with the order or licence. The latter can be noted in subsequent views using the comment boxes relating to barriers.</p> <p>Please use the <i>Equality Act 2010</i> definitions of disability as set out here.</p> <p>Definition of disability under the <i>Equality Act 2010</i></p> <p>A person is considered disabled under the <i>Equality Act 2010</i> if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.</p> <p>What do 'substantial' and 'long-term' mean?</p> <ul style="list-style-type: none"> • 'Substantial' is more than minor or trivial, for example it takes much longer than it usually would to complete a daily task like getting dressed. • 'Long-term' means 12 months or more, for example a breathing condition that develops as a result of a lung infection. <p>There are special rules about recurring or fluctuating conditions, such as arthritis.</p> <p>Progressive conditions</p> <p>A progressive condition is one that gets worse over time. People with progressive conditions can be classed as disabled.</p> <p>However, a person automatically meets the disability definition under the <i>Equality Act 2010</i> from the day</p>

			<p>they are diagnosed with HIV infection, cancer or multiple sclerosis.</p> <p>Attention deficit hyperactivity disorder (ADHD) affects some more than others. It is the decision of the clinician who diagnoses who discerns to what extent ADHD is a 'disability' as defined under law.</p> <p>ADHD by itself is not considered a learning disability, however, those with the disorder may also have a diagnosed learning disability. The symptoms of ADHD can also make learning more difficult.</p>
0	10b	If yes, please specify:	Indicate the identified nature of the disability.
0	11a	Type of case:	<p>Confirm from the case file and refer to copies of the actual court order or prison licence if possible. Take care to determine whether you are assessing a CJA or ORA case.</p> <p>ORA Community and Suspended Sentence Orders will be made for offences committed on or after 01 February 2015.</p> <p>ORA Licences will be made for offences committed on or after 01 February 2015 where the actual licence period (including Home Detention Curfew) is less than 12 months. Whether ORA or CJA should be noted in the title of the licence on the front page.</p> <p>Where a case has multiple orders the relevant event needs to be identified which will be the period from the date of commencement of the case in the sample to the current date, irrespective of whether the case in the sample is still running.</p>
0	11b	Name of prison from which discharged:	Enter the prison from which discharged. This should be indicated on the case management system, contact log and prison licence.
0	12	Order requirements/ Licence conditions.	<p>Check that the case file is correct against the recorded details of the court order or prison licence. Refer to copies of the actual documents if possible.</p> <p>For licence cases, please indicate all conditions that applied at the point of release from which the case assessment starts. Normally this will be the conditions in the prison licence. Do not include any requirements that appear only in the Post Sentence Supervision (PSS) Notice of Supervision and not in the prison licence.</p> <p>For licences containing more than the standard conditions please mark only the additional conditions in the list.</p> <p>The seven standard licence conditions are:</p> <ul style="list-style-type: none"> i) to be of good behaviour and not behave in a way that undermines the rehabilitative purpose of the supervision period ii) not to commit any offence iii) to keep in touch with your supervisor in accordance with instructions given by your supervisor

			<p>iv) to receive visits from your supervisor in accordance with instructions given by your supervisor</p> <p>v) to reside permanently at an address approved by your supervisor and obtain the prior permission of the supervisor for any stay of one or more nights at a different address</p> <p>vi) not to undertake work, or a particular type of work, unless it is approved by your supervisor and to notify your supervisor in advance of any proposal to undertake work or a particular type of work</p> <p>vii) not to travel outside the United Kingdom and Islands except with the prior permission of your supervisor or in order to comply with a legal obligation (whether or not arising under the law of any part of the United Kingdom and Islands).</p> <p>The following standard condition is commonly included:</p> <p>viii) to participate in activities in accordance with any instructions given by your supervisor.</p> <p>Other conditions can be added and drafted as required.</p> <p>The eight standard requirements for PSS are the same as those above, with the option to include:</p> <p>ix) attend [appointment/time/date/address] as directed, to address your dependency on, or propensity to misuse, a controlled drug.</p> <p>x) attend [name/address], as reasonably required by your supervisor, to give a sample of oral fluid/urine in order to test whether you have any specified Class A or specified Class B drugs in your body, for the purpose of ensuring that you are complying with the requirement of your supervision period requiring you to be of good behaviour.</p> <p>For PSS there is no flexibility to add or redraft requirements.</p>
0	13	Length of sentence (CO, SSO) / Length of licence (& post sentence supervision) (months)	<p>For community sentences please enter the length of the order in months (not the length of the suspended custodial period for SSOs).</p> <p>For licence cases please enter the full length of the release supervision period, including licence and post-sentence supervision periods combined in months.</p>
0	14	Case allocation on conviction, post-sentence or pre-release	<p>This information could be found in various places:</p> <ul style="list-style-type: none"> • case management system • local allocation system records • CAS form if completed • confirmation with responsible officer. <p>For those cases that were sentenced prior to <i>Transforming Rehabilitation</i> please answer whether they were first allocated to the NPS or CRC in the probation caseload 'split' at the start of <i>Transforming Rehabilitation</i>.</p>

			Details may be found in nDelius: From the left hand menu list select 'Offender Index' and then select 'Transfer History' to view details.
0	15	Was this initial allocation accurate?	<p>Cases should be allocated to the NPS where:</p> <ul style="list-style-type: none"> • the RSR score is 6.90 or above • the case is assessed as High or Very High risk of serious harm • the case meets the Multi-Agency Public Protection (MAPPA) eligibility criteria • the offender is a Foreign National Prisoner who meets the eligibility criteria for deportation • the offender is subject to a deferred sentence • there is an exceptional public interest in management being retained by the NPS • the case is already allocated to the NPS for an existing order or licence <p>All other cases should be allocated to the CRC.</p> <p>Rules for the allocation of cases to either CRC or NPS are set out in Probation Instruction 05/2014. In relation to Risk of Serious Harm (RoSH), the instruction is clear that this is determined by the RoSH level assessed at the time the CAS is completed. The Probation instruction (PI) says this must be based on a RoSH assessment completed at the time, or within previous six months (paragraphs 3.1.ii and 4.11). It also states that 'A full RoSH analysis does not require the completion of OASys section 1-13' (paragraph 4.10).</p>
0	16a	Responsible agency/provider now	Indicate whether NPS or CRC currently hold the case.
0	17a	<p>Number of previous sanctions (all recordable offences)</p> <p><i>Please state number of previous sanctions NOT number of offences. Include convictions, reprimands, final warnings and cautions.</i></p> <p><i>Exclude current sanction and sanctions where the only conviction was for breach of a CO SSO or</i></p>	<p>Please count the number of previous sanctions NOT the number of offences.</p> <p>Include convictions, reprimands, final warnings and cautions.</p> <p>Exclude the current sanction, and sanctions where the only conviction was for breach of a community order (CO), SSO or PSS.</p> <p>Include sanctions where only conviction was for breach of Restraining or Non-molestation Order, Violent offences or Sexual Offences Prevention Order (SOPO).</p> <p>If you calculate this from the police print-out (using the summary totals at the front) you will need to:</p> <ul style="list-style-type: none"> • add together the totals for convictions, reprimands, warnings and formal cautions • deduct sanctions where the only conviction was for breach of CO, SSO or PSS, since these will be included in the total • if the print-out was produced post-conviction deduct the current sanction since that will be included in the total.

		PSS. See CAG for more details.	
0	18a	Index offence	<p>Select the original, principal, offence from the drop down list. Note that Violence includes a wide range of offences, including those related to weapons, harassment, cruelty and neglect.</p> <p>Conviction for a violent offence may also result in a conviction for breach of a Restraining or a Non-molestation Order. In this event the index offence will be the violent offence itself. In other cases, where the behaviour that results in conviction for the breach of a Restraining or a Non-molestation Order does not result in conviction for the substantive behaviour, please select 'Breach of Restraining/Non-molestation Order' as the index offence for such cases. (See Appendix 2 for more information).</p> <p>Breaches of a SOPO or Sexual Harm Prevention Order (SHPO) count as a sexual offence for this question.</p> <p>Note that offences listed as <u>triable</u> at a Crown Court may be triable only at a Crown Court, or triable either way, at a Crown or magistrates' court. Summary offences can only be tried at a magistrates' court</p>
0	19a	Was this case MAPPA eligible (Category 1 or Category 2) at any time during the sentence being inspected?	<p>Indicate if the case was identified as MAPPA eligible in either Category 1 or Category 2 at any time during the sentence being inspected. MAPPA eligibility is not always immediately obvious on starting a case assessment, so this question should be answered following a thorough overview of the case. In some instances eligibility may only arise during the course of the sentence following a further conviction.</p> <p>The criteria for registration as a Multi-Agency Public Protection Arrangements (MAPPA) case are:</p> <p>Category 1 – Registered Sexual Offender</p> <p>All sex offenders regardless of sentence – who have been convicted of an offence from a comprehensive list in Part 2 Schedule 15 of the <i>Criminal Justice Act 2003</i> – see Appendix 1 to this guide.</p> <p>Category 2 - Violent and Other Sexual Offenders</p> <p>This includes offenders who have been convicted of murder or an offence under Schedule 15 of the <i>Criminal Justice Act 2003</i>; there are 65 specified violent offences ranging from manslaughter through assaults, dangerous driving, kidnap and acts of terrorism and 88 specified sexual offences starting with rape – see Appendix 1 to this guide.</p> <p>In addition to committing one of these offences the offender must have been:</p> <ul style="list-style-type: none"> • sentenced to 12 months or more in custody; or • sentenced to 12 months or more in custody and is transferred to hospital under s.47/s.49 <i>Mental Health Act 1983</i>; or • detained in hospital under s.37 <i>Mental Health Act 1983</i> with or without a restriction order under s.41 of the Act.

			<p>The custodial period of a Suspended Sentence Order counts as an immediate custodial sentence for the purpose of MAPPA eligibility.</p> <p>[The criteria for MAPPA Category 2 also apply to disqualification orders imposed under s.28-29A of the <i>Criminal Justice and Court services Act 2000</i>, i.e. an order disqualifying the offender from working with children.]</p> <p>Category 3 - Other Dangerous Offender – see following question 19b.</p> <p>A person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm and which requires multi-agency management.</p>
0	19b	Was this case accepted by MAPPA as a Category 3 at any time during the sentence being inspected?	<p>Indicate whether the case was accepted as a MAPPA Category 3 case at any time during the sentence being inspected.</p> <p>Category 3 - Other Dangerous Offender</p> <p>A person who has been cautioned for or convicted of an offence which indicates that he or she is capable of causing serious harm AND which requires multi-agency management. This might not be for an offence under Schedule 15 of the <i>Criminal Justice Act 2003</i>.</p> <p>Note that for a case to be accepted as Category 3 there must have been a decision for it to be managed at Level 2 or 3 since Category 3 cases cannot be managed at Level 1.</p>
0	20	Was there evidence this service user has currently or previously been a perpetrator of domestic abuse?	<p>Indicate whether the service user had been a perpetrator of domestic abuse either during the period being inspected or in the past.</p> <p>Use the September 2012 wide-ranging definition of domestic abuse. This refers to behaviour and not just to convictions.</p> <p>This (cross government) definition of domestic violence and abuse states:</p> <p>'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 years or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:</p> <ul style="list-style-type: none"> • psychological • physical • sexual • financial • emotional. <p>Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving</p>

		<p>them of the means needed for independence, resistance and escape and regulating their everyday behaviour.</p> <p>Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.'</p> <p>This definition, which is not a legal definition, includes so called 'honour'-based violence, female genital mutilation and forced marriage, and is clear that victims are not confined to one gender or ethnic group.</p> <p>Note also that this definition includes parent abuse by children. Research by substance misuse charities suggests that child to parent violence following the child's involvement in substance misuse is under-recognised and under-supported by agencies. Most parent victims were found to be mothers with their son most likely to be the perpetrator of the abuse, which could take several forms including physical violence, emotional abuse and financial exploitation. Government and local strategies do not take this kind of abuse into account in their planning, as until recently domestic abuse was defined as only occurring between those aged 18 years and over.</p>
0	21a	<p>Are there, or have there been any child safeguarding/Child Protection concerns in relation to this offender?</p> <p>Indicate whether there was any indication of concerns about possible safeguarding or Child Protection risks connected to the case, during the period being inspected, or in the past.</p> <p>Answer Yes even if the evidence suggests that, although there were concerns that should have been investigated about possible risks, there was no evidence of significant risks present.</p> <p>Answer Yes even if the service user was not the source of the concern about possible risk to the child or children.</p> <p>This is a wider focus than protecting children from harm and includes expectations, defined in local procedures, that responsible officers will share information with children's social care services which may fall short of an assessment that a child has been harmed. Parental drug abuse and domestic abuse within a household are examples of such information.</p> <p>The responsible officer should be able to demonstrate that they know whether there are children in the household or having significant contact with the service user who may be at risk of harm from them or anyone else. Where there are concerns these should be raised and addressed using local policy and practice guidance – this will usually require consultation with children's social care services and with a line manager.</p> <p>A routine check should be made with children's social care services in all cases where there are children living at the same address as the service user to see if there are any concerns.</p> <p>Evidence of this should be available throughout the case record, but particularly evident in a full documented risk of harm analysis and risk management plan. The contact log should also provide evidence of action taken regards this area, for example a request for information from children's social care services,</p>

			use of home visits and discussion with line managers.
0	21b	Was the service user a source of these safeguarding/protection concerns?	Indicate whether the service user was the source of any child safeguarding/Child Protection concerns during the period being inspected or in the past.
0	22a	Was this case eligible for statutory victim contact?	<p>Under the <i>Criminal Justice and Court Services Act 2000</i> all victims or their families, in cases where there is a custodial sentence of 12 months or more for a sexual or violent offence, must be offered contact. The range of offences which are regarded as 'relevant' is lengthy and falls into three categories:</p> <ul style="list-style-type: none"> • A sexual or violent offence within the meaning of the <i>Powers of Criminal Courts (Sentencing) Act 2000</i>, for example, murder, wounding, Section 47 assault, assault on police, causing death by dangerous or careless driving, arson offences, etc. In this Act 'a violent offence' means: 'an offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, and includes an offence which is required to be charged as arson'. • An offence in respect of which a service user is subject to the notification requirements of Part 2 of the <i>Sexual Offences Act 2003</i> for example, indecent assault, rape, unlawful sexual intercourse, etc. • An offence against a child as set out in Part 2 of the <i>Criminal Justice and Court Services Act 2000</i>, for example, offences not already in the above categories (when committed against a child) such as cruelty to a child, supplying Class A drugs to a child, etc. <p>The victim file should be kept separately from the service user case file but should be available for the inspection.</p>
0	22b	Was statutory (or discretionary) victim contact taken up?	<p>If eligible, indicate whether victim contact was taken up.</p> <p>Answer Yes if there was ongoing contact beyond that related to the initial offer of service, for example in relation to progress of the sentence or the setting of licence conditions. Otherwise answer No or N/A.</p> <p><u>Guidance on cases where discretionary contact should be considered</u></p> <p>Refer to <i>Probation Instruction 03/2017</i> for full guidance.</p> <p><u>High emotional impact and/or reducing emotional distress</u></p> <p>Discretionary contact can be considered, exceptionally, in cases where there has been a high emotional impact on the victim of the offence, but the offence does not fall within the scope of the Victim Contact Scheme either because, despite a conviction, the offence is not a qualifying one, or the sentence is for less than 12 months. An example may include a case where a road traffic offence caused a death or serious life-changing injury but the sentence or offence did not meet the statutory threshold for contact.</p>

			<p><u>High profile offenders or victims</u></p> <p>Contact may also be considered in cases where victims may become aware of developments in the offender's sentence from the media, potentially causing distress and anxiety particularly where the offender or victim(s) have a media profile at either national or local level. For example where cases have resulted from historical sexual offences.</p> <p><u>No direct conviction</u></p> <p>There are some cases which should exceptionally be considered for discretionary contact, even though there may be no direct conviction in respect of a particular victim. For example, where there is one incident, such as a violent attack on a number of victims, perpetrated by a number of offenders. Although it may be the case that not all of the perpetrators are convicted in respect of all of the victims, it may be appropriate for all of the victims to receive information in respect of all the offenders convicted and imprisoned as a result of the incident.</p> <p><u>Further sentences</u></p> <p>In cases where there an offender is released on licence, commits a further offence and is returned to custody, an original victim in the Victim Contact Scheme would be informed of the recall, but is not entitled to be informed of the details of the further offence, where the offence does not meet the criteria for contact. Discretionary contact would need to be considered in such cases, on a case-by-case basis.</p>
0	23	Was the service user subject to Integrated Offender Management (IOM)?	<p>Please answer Yes if the service user was subject to IOM either at the start of the order, or at some time during the period of supervision inspected. It is possible for a case to move into IOM part way through an order where there is a further offence.</p> <p>IOM cases will include those defined as prolific and priority offenders (PPOs), but detailed definition of eligibility for IOM and PPO is set locally under community safety partnership/local community justice board arrangements.</p>
0	24a	Likelihood of serious recidivism (RSR score)	Please record the score indicated by the case management system at the start of order or licence.
0	24b	Likelihood of any reoffending (OGRS 2 year score)	Please record the score indicated by the case management system at the start of order or licence.
0	24c	Risk of Serious Harm	Give the level at the start of order or licence, not that currently showing on the case management system. This will be the level determined at the pre-sentence or case allocation stage, immediately prior to allocation. Answer N/A only if it was not clearly recorded.
0	25a	Grade of responsible/	

		supervising officer	
0	26	Present at interview (indicate all that apply)	
0	28	Was the service user interviewed as part of this inspection?	

View 1 – Reducing Reoffending

Question	Quality Indicators	Judgement Guidance
	Assessment and planning contribute to effectiveness	
	Pre-Sentence Report	
RR	1	Was a report prepared by the NPS in the relevant inspection area?
	<ul style="list-style-type: none"> • Was a report prepared for this hearing? [see Judgement Guidance] • Was the report prepared in the area being inspected? • Is there a copy of the report available to the inspector? 	<p>The purpose of this question is to make sure that judgments made about any report in the following questions relate only to work undertaken in the area being inspected. In this question a judgment is not being made as to whether or not a report should have been prepared, or about the quality of any report prepared.</p> <p>To answer Yes it is first necessary to determine that a report was prepared. If the court was provided with a report prepared for a previous occasion, with or without a formal addendum, this would still count for the purpose of this question.</p> <p>Secondly, to answer Yes it will also be necessary to determine that the report was prepared in the area being inspected. For most inspections to answer Yes the report must have been prepared within the same local delivery unit (LDU) or LDU cluster covered by the inspection.</p> <p>Thirdly, if there is evidence that an oral report had been prepared, but there is no record of the content of that report, then you should answer No.</p> <p>There are a number of possible formats for court reports, any of which may have been sufficient to provide the court with the information it needed for sentencing. HMPPS Probation Instruction 04/2016 paragraph 1.11 states:</p> <p>‘NPS must use the court report template within nDelius or the OASys PSR template for all Pre-Sentence reports. All reports must be entitled Pre-Sentence Reports. The differences between PSRs will be in the timescale needed to prepare them, and in whether they are presented to the court in writing or orally.’</p> <p>It may be useful to establish what formats are being used and in what circumstances. It may also be useful to establish the local policy or guidance in relation to using previously prepared reports, and in sentencing where there is a breach of an existing order. However, the inspector’s judgement may legitimately differ from the local policy in regard to the case being inspected.</p>

RR	2a	Did the report sufficiently identify and analyse areas linked to reoffending?	
			<p>In some cases the court may have been provided with a report relating to a previous offence. In this event, to answer Yes it will be necessary to determine it was prepared recently enough to still be relevant given the particular details of the case, AND related to a sufficiently similar offence.</p> <p>Similarly, where the individual was sentenced to a new order following breach of an existing one, and the report prepared for the original order is used (possibly supplemented by further written or oral information), to answer Yes it will be necessary to judge that in total the court was provided with sufficient relevant information given the circumstances of the case and the nature and context of the original and any new offences.</p> <p>Where the new offence is similar in nature to the previous it is unlikely that any report more than six months old would still be relevant and valid.</p> <p>It may be useful to establish the local policy or guidance in relation to using previously prepared reports, and in sentencing where there is a breach of an existing order. However, the inspector's judgement may legitimately differ from the local policy in regard to the case being inspected.</p>
RR	2b	Number not used.	
			This question has deliberately been left blank.
RR	2c	Did the proposal focus clearly on the right issues?	
		<ul style="list-style-type: none"> • Was positive engagement established with the individual in order to complete the report? • Was there a sufficient assessment of the individual's offending and their circumstances and needs to indentify the right issues? • Did the report make a single clear proposal focused on reducing reoffending and/or public protection? 	<p>In making this judgement, consider first whether in arriving at the proposal:</p> <ul style="list-style-type: none"> • there had been sufficient assessment to identify the issues relevant to the individual's offending • that the issues identified were, on balance, the right issues • the intended outcome clearly related to reducing reoffending and/or public protection. <p>Secondly, consider whether the report:</p> <ul style="list-style-type: none"> • was clear what was intended to be addressed by the proposal • gave an indication of how this was to be addressed • and what was the intended outcome

			<p>and thirdly whether the individual was sufficiently engaged to:</p> <ul style="list-style-type: none"> • make sure the right issues were identified • and there was a reasonable prospect of achieving of the proposed outcome. <p>Any proposal should take into account the individual's circumstances and characteristics, including their motivation and ability to complete the proposed sentence. Where relevant, it should also take into account their vulnerability.</p> <p>Consider whether there is information to support the service user's agreement or understanding with the proposal and its intended outcomes.</p> <p>This question is about the proposal focusing on the right issues. Where the correct issues had been identified but in your judgement the wrong requirement had been proposed, you should answer Yes if the proposal gave at least an outline indication that the requirement would be used to deliver interventions to address the identified issue. You should answer No if the requirement was clearly designed or intended to address a different issue.</p> <p>Where the wrong requirement was ordered by the court and as a result insufficient or inappropriate interventions were delivered to address the identified offending related factors, this can be addressed through negative answers to some subsequent questions in the reducing reoffending section of the form. Examples of this would be:</p> <ul style="list-style-type: none"> • a proposal for a rehabilitation activity requirement (RAR) to deliver non-specific or 'low level' work to address violent behaviour when you judged that the case required delivery of a full accredited programme to address domestic violence • a proposal for unpaid work (only) when work to address sexual offending or drug addiction was required. (N.b. we are unlikely to see such cases in our samples as standalone unpaid work cases are not included). <p>A pre-sentence report may detail a number of sentencing options but there should be one clear proposal. Even when a report has focused on the right issues this could be a clear conclusion explaining that no proposal was possible, for example, because:</p> <ul style="list-style-type: none"> • a history of failures to comply with court orders indicated the individual was unlikely to comply with a community sentence
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			<ul style="list-style-type: none"> the seriousness of the offence meant that a custodial sentence was inevitable. <p>Where there was no proposal you should answer Yes if there was a clear and appropriate explanation as to why no proposal was possible, or No if there was not.</p> <p>HMPPS Probation Instruction 04/2016 paragraph 1.7 states: 'Within the proposal of all reports it should be made clear to the court why the proposal is for a specific sentence and why it is more suitable than alternative sentencing options.'</p> <p>Q – Is it clear from reading the report how the proposed sentence and related interventions would contribute to achieving positive outcomes?</p>
		Initial Assessment	
RR	3a	At the point immediately preceding allocation, was the overall assessment in relation to reducing reoffending sufficient?	
		<ul style="list-style-type: none"> This question relates to assessment undertaken as part of pre-sentence inquiries and the case allocation process. Did assessment reflect the views of the service user? Was there clear assessment of victims and potential victims (with specific consideration given to children)? Was there clear identification of offending-related factors? Was information from other organisations sought and/or used where relevant? [Identification and assessment of diversity factors, and enablers and barriers to engagement is covered in questions ABS1 & ABS4] 	<p>This question relates to assessment undertaken as part of pre-sentence inquiries and the case allocation process.</p> <p>Where there was no evidence of NPS court liaison staff (or other NPS or CRC staff on their behalf) assessing the factors relevant to the service user and their current offence you should answer No.</p> <p>To answer Yes, there must be evidence of assessment pre-sentence or immediately following sentence but prior to allocation that was of sufficient quality.</p> <p>Evidence of an assessment could include completion of documents in connection with the sentencing and allocation processes, such as:</p> <ul style="list-style-type: none"> the CAS document pre-sentence report other screening tools and assessments OASys assessment (or similar). <p>This could also include updating or reviewing an assessment undertaken in connection with a previous sentence provided there is evidence the previous assessment was actually used in the current sentencing and/or allocation process, and in your judgement the assessment was still relevant to and valid for the</p>

			<p>current circumstances.</p> <p>Examples of this are the use of a pre-sentence report prepared for a previous offence, or an assessment or review of the case undertaken by a responsible officer as part of a sentence still in force or recently terminated. However, given that sentence for a further offence constitutes a change in circumstances of the case, even where the new offence is similar in nature to the previous it is unlikely that any assessment more than six months old would still be relevant and valid.</p> <p>To answer Yes it will be necessary to establish not only that an assessment had been made, but that it was of sufficient quality to:</p> <ul style="list-style-type: none"> • enable the accurate allocation of the case to the CRC or NPS • and assist the assigned responsible officer in timely and sufficient assessment and sentence planning following allocation. <p>In making this judgement you should consider whether:</p> <ul style="list-style-type: none"> • there had been sufficient assessment to identify the issues relevant to the individual's offending • the issues identified were, on balance, the right issues • there was a clear indication of what was to be addressed by the sentence • there was an indication of how this was to be addressed • and what was the intended outcome • there was an indication of the service user's level of motivation and response to any previous orders or licences. <p>Sources of evidence may include a range of documents completed pre- or post-sentence, such as an OASys assessment (or similar), other screening tools, and reports and documents from other agencies.</p> <p>Q – Was the assessment of the service user's offending and behaviour sufficient to identify the relevant factors and enable a prompt start to planning and work towards the desired outcomes?</p>
RR	3b	Within an appropriate time following allocation, was the overall assessment in relation to reducing reoffending sufficient?	
		<ul style="list-style-type: none"> • Was there timely assessment following allocation of the case? 	In making a judgement the key issue is not precisely when any assessment was made, but whether any assessment took place after allocation of the case to the

	<ul style="list-style-type: none"> • Did assessment reflect the views of the service user? • Was there clear assessment of victims and potential victims (with specific consideration given to children)? • Was there clear identification of offending-related factors? • Was information from other organisations sought and/or used where relevant? • [Identification and assessment of diversity factors, and enablers and barriers to engagement is covered in questions ABS1 & ABS4] 	<p>NPS or CRC, and whether its timing and content were sufficient to identify the right factors and facilitate a prompt start to work towards the identified objectives.</p> <p>Assessments pre-allocation will relate to the service user’s situation pre-sentence, and the fact of sentence will constitute a change in circumstances of the case. Even where it is assessed that there has been no change in the circumstances of the actual service user, there should still be evidence of a re-assessment of the case to confirm this.</p> <p>Where there was no evidence of the responsible officer (or other NPS or CRC staff on their behalf) assessing the factors relevant to the case you should answer No.</p> <p>To answer Yes, there must be evidence of assessment following the start of order or licence. This can include an updating or reviewing of an assessment undertaken as part of the pre-sentence and allocation process. When inspecting supervision on licence an assessment made during the custodial period prior to release is likely to be valid.</p> <p>Timeliness is a key component of sufficiency. You should answer No if assessment following allocation of the case was too late to inform a prompt start, following sentence or release on licence, to the work required to address the factors linked to the individual’s behaviour and offending.</p> <p>Whether assessment was too late will depend on the circumstances and nature of the case, and not on any set timescale. For an individual known or believed to pose a significant risk of harm to others, or likelihood of imminent reoffending, the process of assessment should be underway within a week of sentence or prior to release on licence. In other cases it may be reasonable for the process to start slightly later, in order to fit with opportunities to meet with the individual and receive any information requested from other relevant parties.</p> <p>In any event, assessment should have been completed soon enough to enable a plan of work to be in place and activity started towards the desired outcomes. If it wasn’t then it should not be considered a sufficient assessment following allocation.</p> <p>Where there is evidence that there was assessment it will then be necessary to judge whether overall it was sufficient in relation to the service user’s offending/behaviour and reducing their reoffending, in particular did it identify the right factors that were linked to them?</p> <p>(Identification and assessment of diversity factors, and enablers and barriers to</p>
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			<p>engagement is covered in questions ABS1 & ABS4)</p> <p>If assessment had identified some but not others, it will be necessary to take an overview of their relative importance in making a judgement.</p> <p>Sources of evidence may include a range of documents completed pre- or post-sentence, such as an OASys assessment (or similar), other screening tools, and reports and documents from other agencies.</p> <p>Q – Was the assessment of the service user’s offending and behaviour sufficient to identify the relevant factors and enable a prompt start to planning and work towards the desired outcomes?</p>
RR	3c	Which factors were the priorities (in the opinion of the inspector)? Please identify up to five.	
			This question is about priorities in relation to reducing reoffending. Only select as many as applied. This is priorities in your opinion, based on the evidence available.
		Initial Planning	
RR	4	Did planning at start of order/licence sufficiently address the factors you identified (at RR3c above) as being associated with potential reoffending?	
		<ul style="list-style-type: none"> • Was there planning at the start of order or licence? • Did planning address the right offending-related factors? • Did planning set the right activities and interventions to address them? • Where required, was there evidence of planning to protect victims and potential victims and to minimise the risk of harm posed to others (with specific consideration given to children)? This should be reflected in sentence planning and not only in a separate risk management plan. • Did CRC/NPS staff work effectively with other agencies to develop and/or facilitate 	<p>This question relates to planning undertaken post-sentence for community sentences, and prior to or immediately post-release for licence cases.</p> <p>It relates to planning to address the factors you identified (at RR3c above) as being associated with potential reoffending. Answer for each factor separately.</p> <p>In making a judgement the key issue is not precisely when planning was done, but whether any planning took place, and whether its timing and content were sufficient to facilitate a prompt start to work on the right factors towards addressing the right objectives.</p> <p>Where there was no evidence of any planning by the responsible officer (or other CRC or NPS staff on their behalf) you should answer No.</p> <p>To answer Yes, there must be evidence of planning after the start of order, or before or immediately after release on licence. This can include planning activity undertaken as part of the pre-sentence or pre-release process, provided it remained current, was reviewed and updated as required by the responsible officer post-sentence/release, and involved the service user and other parties as</p>

	<p>planned work?</p> <ul style="list-style-type: none"> • Did planning anticipate changes in the circumstances of the case and include contingency arrangements if relevant? • Did planning set contact levels sufficient to support achievement of positive outcomes? • Was the service user involved in the planning process and their agreement with the plan sought? • Evidence of planning is not limited to the use of formal case management or assessment systems. 'Free-standing' planning documents, or structured use of a contact log, could be sufficient evidence. Planning is unlikely to have been sufficient if there was no documented evidence of it. • [Taking account of diversity factors, and enablers and barriers to engagement is covered in questions ABS1, ABS2 & ABS5.] 	<p>necessary.</p> <p>Timeliness is a key component of sufficiency. You should answer No if planning for the start of order or licence was too late to inform a prompt start to the work required to address the factors linked to the individual's behaviour and offending, and for any risk of harm to others posed by them to be effectively managed.</p> <p>Whether planning was too late will depend on the circumstances and nature of the case, and not on any set timescale. For an individual known or believed to pose a significant risk of harm to others, or high likelihood of reoffending, planning should be underway within a week of sentence or release on licence. In other cases it may be reasonable for the process to start slightly later, in order to fit with opportunities to meet with the individual, update assessments, and receive any information requested from other relevant parties.</p> <p>In any event, planning should have been completed soon enough to enable a plan of work to be in place and activity started towards the desired outcomes. If it was not, then it should not be considered sufficient for the start of order/licence.</p> <p>Where there is evidence that there was planning it will then be necessary to judge whether it sufficiently addressed the factors you identified as being associated with potential reoffending. To answer Yes it will be necessary for planning to have:</p> <ul style="list-style-type: none"> • addressed the right offending-related factors, and • identified the intended impact and/or outcome relevant to them • set the right activities and interventions to achieve the intended impact and/or outcome, and • set a level of contact, input or intervention sufficient to achieve them within an appropriate timescale. <p>To make a judgment about whether the right factors were addressed it is important to consider what the responsible officer could reasonably have been expected to know at the start of the sentence/order. The judgement should not be made with the benefit of hindsight in relation to information that may have come to light subsequently.</p> <p>Other issues relevant to the judgement of sufficiency include whether:</p> <ul style="list-style-type: none"> • CRC/NPS staff worked effectively with other agencies to develop and/or facilitate planned work
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			<ul style="list-style-type: none"> • planning anticipated changes in the circumstances of the case and included contingency arrangements if relevant • the service user was involved in the planning process and their agreement with the plan was sought. <p>(Taking account of diversity factors, and enablers and barriers to engagement is covered in questions ABS1, ABS2 & ABS4)</p> <p>Note it may be possible that where there was insufficient assessment (question RR3a), there was still sufficient planning in relation to some or all of the factors you identified. Where there was no evidence of any assessment following allocation it is unlikely that planning at the start of order/licence would have been sufficient.</p> <p>Sources of evidence may include a range of documents completed pre- or post-sentence. Evidence of planning is not limited to the completion of formal planning documentation within case management or assessment systems. Other 'free-standing' planning documents, or a structured record made on a contact log, could be sufficient evidence. Planning is unlikely to have been sufficient if there was no documented evidence of it.</p>
RR	5a	Did planning at the start of order/licence sufficiently support relevant protective factors?	
		<ul style="list-style-type: none"> • Were the protective factors identified relevant to the service user's offending and did they require support? • Did planning take account of the service user's views regarding protective factors? • Was information about protective factors from other organisations sought and/or used in planning where relevant? • Did planning take into account any support for protective factors that was required? • Were plans to address diversity factors and barriers to engagement shared with all those involved in the case? 	<p>This question relates to protective factors that:</p> <ul style="list-style-type: none"> • had the potential to impact positively on the service user's behaviour to support their desistance from further offending, and • required support to sustain and/or enhance this impact. <p>In the absence of such factors you should answer Not applicable.</p> <p>If there was evidence of such factors but they were not identified by the responsible officer, or they were identified but not sufficiently supported by planning then you should answer No.</p> <p>Answer Yes if relevant factors were identified, and planning included activity to sustain and/or enhance them to maximise their impact in promoting desistance from further offending.</p> <p>What is a protective factor?</p> <p>Protective factors are the circumstances, lifestyle and personal factors that contribute indirectly to the service user leading a crime-free and more positive life. This is in contrast with enablers that contribute directly to this end.</p>

		<p>Protective factors have the potential to support enablers. For the person in question they did not address the specific factors that led to the person’s offending directly, but had the potential to support the continued impact of enablers. In other cases the same factors might have been enablers themselves.</p> <p>Relevant circumstances might include:</p> <ul style="list-style-type: none"> • stable accommodation • secure employment • continuing treatment for mental ill health or addiction. <p>Lifestyle and personal factors might include:</p> <ul style="list-style-type: none"> • constructive and pro-social personal routines or pastimes • stable and supportive relationships • influential relationships with friends or family with pro-social, anti-criminal attitudes. <p>Q – Did planning identify, and sustain and/or enhance, relevant protective factors to maximise their impact in supporting the service user to achieve the intended outcomes?</p>
RR	5b	Within an appropriate timescale following allocation, was there a sufficient sentence plan in place?
	<ul style="list-style-type: none"> • Was there a plan at the start of order or licence? • Did the plan address the right offending-related factors? • Did the plan set the right activities and interventions to address them? • Did CRC/NPS staff work effectively with other agencies to develop and/or facilitate the plan? • Did the plan anticipate changes in the circumstances of the case and include contingency arrangements if relevant? • Did the plan set contact levels sufficient to 	<p>This question relates to plans undertaken post-sentence for community sentences, and prior to or immediately post-release for licence cases.</p> <p>In contrast to RR 4 which asks about planning, this question relates to the plan itself. This need not be made in any specific document or format.</p> <p>In making a judgement the key issue is not precisely when the plan was made, but whether any plan was in place, and whether its timing and content were sufficient to facilitate a prompt start to work on the right factors towards addressing the right objectives.</p> <p>Where there was no evidence of any CRC or NPS plan having been in place you should answer No.</p> <p>To answer Yes, there must be evidence of a plan made after the start of order, or before or immediately after release on licence. This can include planning activity undertaken as part of the pre-sentence or pre-release process, provided it remained current, was reviewed and updated as required by the responsible officer</p>

	<p>support achievement of positive outcomes?</p> <ul style="list-style-type: none"> • Was the plan shared with the service user? • Did the plan set out the timescale and method for the review of progress against its objectives? • Evidence of a plan is not limited to the completion of formal planning documentation within case management or assessment systems. Other 'free-standing' planning documents, or a structured record made on a contact log, could be sufficient evidence. There is unlikely to have been a sufficient plan if there was no documented evidence of it. <p>[Taking account of diversity factors, and enablers and barriers to engagement is covered in questions ABS1, ABS2 & ABS5.]</p>	<p>post-sentence/release, and involved the service user and other parties as necessary.</p> <p>Timeliness is a key component of sufficiency. You should answer No if the plan for the start of order or licence was in place too late to inform a prompt start to the work required to address the factors linked to the individual's behaviour and offending, and for any risk of harm to others posed by them to be effectively managed.</p> <p>Whether the plan was too late will depend on the circumstances and nature of the case, and not on any set timescale. For an individual known or believed to pose a significant risk of harm to others, or high likelihood of reoffending, planning should be underway within a week of sentence or release on licence. In other cases it may be reasonable for the process to start slightly later, in order to fit with opportunities to meet with the individual, update assessments, and receive any information requested from other relevant parties.</p> <p>In any event, the plan should have been completed soon enough to enable a plan of work to be in place and activity started towards the desired outcomes. If it was not, then it should not be considered sufficient for the start of order/licence.</p> <p>Where there is evidence that there was a plan, it will then be necessary to judge whether it sufficiently addressed the factors you identified as being associated with potential reoffending. To answer Yes it will be necessary for planning to have:</p> <ul style="list-style-type: none"> • addressed the right offending-related factors, and • identified the intended impact and/or outcome relevant to them • set the right activities and interventions to achieve the intended impact and/or outcome, and • set a level of contact, input or intervention sufficient to achieve them within an appropriate timescale. <p>To make a judgment about whether the right factors were addressed it is important to consider what the responsible officer could reasonably have been expected to know at the start of the sentence/order. The judgement should not be made with the benefit of hindsight in relation to information that may have come to light subsequently.</p> <p>The plan should also relate clearly to the legal requirements of the order or licence,</p>
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		<p>and include activities and objectives related to each of them, and how they will be measured and monitored. For community sentences containing a RAR the plan should be clear about how the activity days will be used. The objectives should be achievable, particularly given the length of time available. In the case of short periods of supervision the plan should prioritise the most important factors, for example, for short post-recall post-sentence supervision we would expect succinct objectives focused on rehabilitation.</p> <p>Other issues relevant to the judgement of sufficiency include whether:</p> <ul style="list-style-type: none"> • CRC/NPS staff worked effectively with other agencies to develop and/or facilitate planned work • the plan anticipated changes in the circumstances of the case and included contingency arrangements if relevant • the plan set out the timescale and method for the review of progress against it's objectives • the plan was shared with the service user. <p>[Taking account of diversity factors, and enablers and barriers to engagement is covered in questions ABS1, ABS2 & ABS4]</p> <p>Note it may be possible that where was insufficient assessment (question RR3a), there was still a sufficient plan in relation to some or all of the factors you identified. Where there was no evidence of any assessment following allocation it is unlikely that planning at the start of order/licence would have been sufficient.</p> <p>Sources of evidence may include a range of documents completed pre- or post-sentence. Evidence of a plan is not limited to the completion of formal planning documentation within case management or assessment systems. Other 'free-standing' planning documents, or a structured record made on a contact log, could be sufficient evidence. There is unlikely to have been a sufficient plan if there was no documented evidence of it.</p>
RR	6	Please explain how assessment and planning contributed, or were intended to contribute, to reducing reoffending:
		<p>Judgements in this case need to take into account whether work that was done in relation to assessment and planning was done well enough to contribute to reducing reoffending, that is:</p> <ul style="list-style-type: none"> • whether protective factors had been included

			<ul style="list-style-type: none"> • whether victims and potential victims had been sufficiently assessed • whether engagement issues had been considered in relation to engaging with work identified within the plan. <p>It is also important to note that for this judgement, it is the 'intended contribution' assessment and planning will make that is being assessed – again, based on what the responsible officer could reasonably have been expected to know at the time of the assessment and planning. This judgement should exclude the benefit of hindsight and the knowledge of any further/new information that was subsequently gained in relation to the case.</p> <p>Q – Did assessment and planning at the start of the order/sentence contribute to the service user achieving positive outcomes?</p>
		Interventions contribute to effectiveness	
RR	7a	Overall, up to this point, had sufficient progress been made in delivering required interventions?	
		<ul style="list-style-type: none"> • Was positive engagement established with the service user by CRC/NPS, contracted providers or partner agencies? • Did the individual understand what was expected of them, the purpose of the interventions and what they were intended to achieve? • Did staff make sure that engagement efforts were sustained? • Was the delivery of interventions timely, or were there undue delays in referral or delivery? 	<p>The interventions under consideration are those that were required to reduce the likelihood of reoffending. This includes work delivered individually with the service user by the responsible officer.</p> <p>Before judging whether interventions have contributed to reducing reoffending outcomes (at question RR8 below) it is necessary to determine whether sufficient progress had been made in delivering them.</p> <p>To decide this, it is necessary to determine the amount of progress that could reasonably be expected given:</p> <ul style="list-style-type: none"> • the length of time since sentence or release on licence • the service user's capacity to engage, learn and change • the service user's practical situation, such as travelling constraints and work and caring commitments that might limit the frequency with which an intervention or service could be delivered. <p>If the CRC/NPS could reasonably be expected to have made more progress then answer No. If the lack of progress was due mainly to the lack of engagement by the service user, then select that option.</p> <p>Sources of evidence may include:</p> <ul style="list-style-type: none"> • responsible officer interview

			<ul style="list-style-type: none"> • case management system recordings • partner agency staff interview • service user interview • victim information/feedback i.e. Restorative Conferencing outcomes • family/peer feedback. <p>Q – Have the interventions being delivered contributed to outcomes in this case and if so, are those outcomes positive or negative?</p>
RR	7b	For each of the factors you identified [RR3c above], were sufficient interventions delivered?	
RR	8	Please give examples of how interventions contributed/did not contribute to reducing reoffending outcomes:	
		<ul style="list-style-type: none"> • Did service user perspectives underpin meaningful engagement with all relevant staff and other agencies as required? • Did contact levels meet the requirements of the case and support achieving outcomes? • Did interventions address the agreed priorities of the case? • Were interventions delivered in the ways in which they were intended? • Did interventions engage the service user and pay attention to their diversity needs? • Was the delivery of interventions, including those by partners, well coordinated and sequenced? • Where enforcement was necessary, was the service user effectively re-engaged? • Did interventions encourage and develop strengths and not focus solely on behaviour to be discouraged? 	<p>In completing this section it will be necessary to establish what outcomes, if any, have been achieved by the service user and what significance these have in the context of the service user’s offending life history. Evidence of how the identified interventions contributed to these outcomes will need to be established and a judgement made as to their impact.</p> <p>Q – Did interventions that were delivered as a whole contribute to the positive outcomes in this case?</p>

Reviews contribute to effectiveness		
RR	9	<p>Did the RO sufficiently review progress against the outcome priorities designed to reduce reoffending?</p>
		<ul style="list-style-type: none"> • Have assessments and plans been reviewed and updated, particularly following significant changes in the circumstances of the case? • Did all relevant partners contribute to reviews? • Have interventions shown they can contribute to reducing the likelihood of reoffending and the delivery of interventions been reviewed and amended as necessary? • Did reviews prioritise increasing motivation and self-respect of the service user? • Did reviews offer opportunities for the service user to develop social capital? • Have reviews considered if there has been a reduction in offending or the propensity for offending? • Have reviews considered if planned interventions to reduce future offending have achieved positive outcomes, or shown improvements in protective factors against future offending? • Have reviews considered if the service user has met the requirements of their sentence? • Was the service user meaningfully involved in any reviews of progress and in constructing revised plans? <p>This question relates to a review of progress against the priorities which were identified by the responsible officer.</p> <p>In making this judgement it may be that evidence is available from a number of sources and not only a formal review of an assessment and subsequent review of a plan.</p> <p>Other sources of evidence may include:</p> <ul style="list-style-type: none"> • responsible officer interview • service user interview • partner agency staff interview • family/peer feedback • contact logs • other case management records. <p>Q – Is there evidence that the responsible officer reviews are contributing to the achievement of positive outcomes?</p>

		<ul style="list-style-type: none"> • Did reviews address any relapses on the path to desistance? 	
RR	10	Did the RO sufficiently adjust their planning to ensure outcomes could be achieved?	
		<ul style="list-style-type: none"> • Can improvements already achieved by the service user be sustained, including through the use of partnership and community resources? • Over time were additional or different interventions or services required, and if so were they delivered? 	<p>In making this judgement it may be that evidence is available from a number of sources and not only a formal review of an assessment and subsequent review of a plan.</p> <p>Other sources of evidence may include:</p> <ul style="list-style-type: none"> • responsible officer interview • service user interview • partner agency staff interview • family/peer feedback • contact logs • other case management records. <p>Is there evidence that the responsible officer has decided to stop, start or delay specific interventions based on a review of progress with the service user?</p> <p>Had additional or different interventions or services been identified as necessary, and if so were arrangements mad for their delivery?</p> <p>Q – Is there evidence that the responsible officer reviewed and amended plans (where necessary) is contributing to the achievement of positive outcomes?</p>
RR	11	Please describe how reviews contributed/did not contribute to reducing reoffending outcomes:	
		<ul style="list-style-type: none"> • Did the arrangements for working with the service user reflect their circumstances and needs (work, care responsibilities, rural situation etc.)? • Have plans been reviewed and updated, particularly following significant changes in the circumstances of the case? • Did all relevant parties contribute to reviews? 	<p>In completing this section it will be necessary to establish what impact the process of reviewing progress by the responsible officer had on the service user. It may be that there was evidence of both 'hard' and 'soft' outcomes that had been identified as part of a review process, and relevant assessments and plans had been amended as necessary to take these into account.</p> <p>Indicators of positive change may be 'hard' or 'soft'.</p> <p>'Hard' indicators may include:</p> <ul style="list-style-type: none"> • gaining employment/training • reduction/abstinence from substance misuse

		<ul style="list-style-type: none"> • Did reviews prioritise increasing motivation and self-respect of the service user? • Did reviews offer opportunities for the service user to develop social capital? • Have reviews considered if there has been a reduction in offending or the propensity for offending? • Have reviews considered if the public and potential specific victims have been protected? • Have reviews considered if planned interventions to reduce future offending have achieved positive outcomes, or shown improvements in protective factors against future offending? • Have reviews considered if the service user has met the requirements of their sentence? • Was the service user meaningfully involved in any reviews of progress and in constructing revised plans? • Did reviews address any relapses on the path to desistance? 	<ul style="list-style-type: none"> • establishing supportive relationship(s) • gaining accommodation; <p>'Soft' indicators may include:</p> <ul style="list-style-type: none"> • increased victim awareness • increased motivation to make positive changes • engagement with interventions and service providers. <p>Q – Has the process of reviewing progress with the service user contributed to the achievement of positive outcomes in this case?</p>
		Reducing reoffending outcomes	
RR	12	Is there evidence that the service user has been convicted, cautioned, or had another out of court disposal for an offence committed since start of sentence/release on licence?	
		<ul style="list-style-type: none"> • In answering this question include convictions, cautions and reprimands. Do not include civil court orders, or breaches of community sentences or Post Sentence Supervision for failure to comply only. 	<p>In answering this question the inspector needs to establish whether there is any information about the service user having been involved in further actual offending resulting in one of the listed outcomes. This information could be found in a number of places:</p> <ul style="list-style-type: none"> • responsible officer interview

			<ul style="list-style-type: none"> • case management records • service user interview • police records. <p>If the service user has only been charged or arrested and not convicted or cautioned then the answer is No.</p> <p>This applies to any offence committed since the start of order or release on licence, and may be additional to other offences covered by RR15 or RR16.</p>
RR	13	In the opinion of the inspector, does the frequency of <u>proven</u> offending appear to have: ...	
		In answering this question include convictions, cautions and reprimands. Do not include civil court orders, or breaches of community sentences or Post Sentence Supervision for failure to comply only.	<p>Proven offending means offending for which the service user has been convicted, cautioned, or reprimanded, or received another formal out of court disposal.</p> <p>In answering this question please consider only changes in frequency that have occurred since the start of the order or licence, and that may therefore potentially be attributed (at least in part) to the impact of supervision.</p> <p>In some cases it will not be possible to judge any change in frequency of proven offending, for example where there had been only two offences (that resulting in the sentence being inspected and the new offence). In these cases you should answer N/A.</p> <p>Where either one or both of these disposals was for more than one offence, or there was information of proven offending dealt with prior to the current sentence, then it should be possible to discern any change in the frequency, and you should select option a), b) or c).</p>
RR	14	In the opinion of the inspector, does the seriousness of <u>proven</u> offending appear to have:...	
		In answering this question include convictions, cautions and reprimands. Do not include civil court orders, or breaches of community sentences or Post Sentence Supervision for failure to comply only.	<p>Proven offending means offending for which the service user has been convicted, cautioned, or reprimanded, or received another formal out of court disposal.</p> <p>In answering this question please consider only changes in seriousness that have occurred since the start of the order or licence, and that may therefore potentially be attributed (at least in part) to the impact of supervision.</p> <p>In all cases it should be possible to judge any change in the seriousness of proven offending. However, this judgment should not be based on the headline offence category, which may be misleading, but on the actual details of the illegal behaviour. Where all of the offences are very different in nature it will be a matter of judgement as to whether those committed more or most recently were more or</p>

			<p>less serious. The actual or potential impact on any victims may be a guide. Helpful sources of information include:</p> <ul style="list-style-type: none"> • responsible officer interview • case management records • service user interview • police records. <p>Do not count offences that relate solely to the breach of the requirements of a CO, SSO or PSS.</p>
RR	15	Is there evidence the service user has been <u>charged (but not convicted or cautioned) with an offence committed since the start of sentence or release on licence?</u>	
		<p>In answering this question include convictions, cautions and reprimands. Do not include civil court orders, or breaches of community sentences or Post Sentence Supervision for failure to comply only.</p>	<p>In answering this question the inspector needs to establish whether there is any information about the service user having been involved in further suspected or actual offending or anti-social behaviour. This information could be found in a number of places:</p> <ul style="list-style-type: none"> • responsible officer interview • case management records • service user interview • police records. <p>If the service user has been charged and convicted or cautioned then the answer is No.</p> <p>This applies to any offence committed since the start of order or release on licence, and may be additional to other offences covered by RR12 or RR16.</p> <p>Do not count offences that relate solely to the breach of the requirements of a CO, SSO or PSS.</p>
RR	16	Is there evidence the service user been <u>arrested [but not charged] for an offence committed since the start of sentence or release on licence?</u>	
		<p>In answering this question include convictions, cautions and reprimands. Do not include civil court orders, or breaches of community sentences or Post Sentence Supervision for</p>	<p>In answering this question the inspector needs to establish whether there is any information about the service user having been involved in further actual offending resulting in one of the listed outcomes. This information could be found in a number of places:</p>

		failure to comply only.	<ul style="list-style-type: none"> • responsible officer interview • case management records • service user interview • police records. <p>If the service user has been arrested and charged or convicted or cautioned then the answer is No.</p> <p>This applies to any offence committed since the start of order or release on licence, and may be additional to other offences covered by RR12 or RR15.</p> <p>Do not count offences that relate solely to the breach of the requirements of a CO, SSO or PSS.</p>
RR	17	Please state the impact of the work to address the following factors associated with offending?	
		This question relates to those identified by the inspector as priorities at RR3c .	<p>In making this judgement it will be necessary to establish what impact the work undertaken by the responsible officer had on the service user. It may be that there was evidence of both 'hard' and 'soft' outcomes that had been identified as part of a review process in relation to the work that was being done.</p> <p>Indicators of positive change may be 'hard' or 'soft'.</p> <p>'Hard' indicators may include:</p> <ul style="list-style-type: none"> • gaining employment/training • reduction/abstinence from substance misuse • establishing supportive relationship(s) • gaining accommodation. <p>'Soft' indicators may include:</p> <ul style="list-style-type: none"> • increased victim awareness • increased motivation to make positive changes • engagement with interventions and service providers (hard indicator?). <p>Q – Has the work that was undertaken with the service user contributed to the achievement of positive outcomes in this case?</p>
RR	18	Number not used.	

RR	19	Has the RO contributed sufficiently to helping the service user achieve the <u>desired</u> outcomes?	
		<p>This question relates only to the work delivered by the responsible officer, or other staff employed directly by the CRC/NPS and working closely with the responsible officer in a supportive, deputising or offender supervisor role. This includes staff in training but excludes staff employed by sub-contracted providers even where they are integrated or located within the CRC/NPS.</p>	<p>The judgement in this case will need to be about whether probation staff undertook work that was identified in the plan and that it was done in the manner in which it was intended. For probation staff this might include:</p> <ul style="list-style-type: none"> • programmes staff • in-house accommodation workers • in-house substance misuse workers • in-house parenting support workers • (seconded) police/IOM staff • in-house ETE support workers. <p>This question relates only to the work delivered by the responsible officer, or other staff employed directly by the CRC/NPS and working closely with the responsible officer in a supportive, deputising or offender supervisor role. This includes staff in training but excludes staff employed by sub-contracted providers even where they are integrated or located within the CRC/NPS.</p> <p>Q – Did the work undertaken by probation staff contribute to achieving positive outcomes in this case?</p>
RR	20	Number not used.	
RR	21	Overall, have contracted providers contributed sufficiently to helping the service user achieve the <u>desired</u> outcomes?	
		<p>This question relates to the work delivered through any service or input commissioned by and provided under contract to the CRC/NPS.</p> <p>This includes the staff and services provided under contract even where they are integrated or located within the CRC/NPS. It excludes staff and services commissioned through partnership arrangements.</p>	<p>The judgement in this case will need to be about whether contracted providers undertook work that was identified in the plan and that it was done in the manner in which it was intended. This might include:</p> <ul style="list-style-type: none"> • accommodation providers • substance misuse providers • parenting support providers • ETE providers. <p>Q – Did the work undertaken by contracted providers contribute to achieving positive outcomes in this case?</p>

			<p>Contracted providers can be described as organisations providing a service to the case as a sub-contractor to the CRC/NPS. They could be:</p> <ul style="list-style-type: none"> • a commercial organisation • a not for profit organisation • a statutory agency • a CRC sub-contracted to the NPS or another CRC. <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service) • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • Statutory partners: those agencies party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p>
RR	22	Overall, have partners contributed sufficiently to helping the service user achieve the <u>desired</u> outcomes?	
		This question relates only to the work delivered by any partner organisation working alongside the CRC/NPS.	The judgement in this case will need to be about whether partner agency staff undertook work that was identified in the plan and that it was done in the manner in which it was intended. For partner agency staff this might include:

	<p>Partners include statutory and non-statutory organisations, working with the service user through a partnership agreement with the CRC/NPS. This excludes staff and services commissioned by and under contract to the CRC/NPS.</p>	<ul style="list-style-type: none"> • accommodation providers • substance misuse providers • parenting support providers • ETE providers. <p>Q – Did the work undertaken by partner agency staff contribute to achieving positive outcomes in this case?</p> <p>Partners can be described as:</p> <ul style="list-style-type: none"> • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service); or • a statutory partner: an agency party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases. <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • a contracted provider providing a service to the case as a sub-contractor to the CRC/NPS. They could be: <ul style="list-style-type: none"> ○ a commercial organisation ○ a not for profit organisation ○ a statutory agency ○ a CRC sub-contracted to the NPS or another CRC. • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • other statutory agencies may also be involved with the case (such as local
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			<p>authority children’s services and community mental health services).</p> <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p>
RR	23	Please illustrate your answers to the <u>Reducing Reoffending Outcome</u> questions above:	
RR	24	What were the <u>enablers</u> relating to reducing reoffending outcomes in this case?	
		<ul style="list-style-type: none"> For the purposes of this question enablers are factors which if identified and taken into account in this case would support the service user’s desistance from further offending. 	<p>For the purposes of this question enablers are factors which if identified and taken into account in this case would support the service user’s desistance from further offending. (In a different case the same factors might be present but not be relevant to desistance from further offending).</p> <p>Examples might include:</p> <ul style="list-style-type: none"> use of motivational techniques and work methods to promote the engagement of the service user in abiding by their sentence practical support to assist the service user overcome difficulties accessing the necessary services positive and pro-social support to the service user from friends, family members and religious or faith groups particular skills, aptitudes or interests of the service user that can be harnessed and used in working with them. <p>Describe those or other enablers that applied in this case and were addressed in order to support the service user’s desistance from further offending.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More broadly, enablers are the capabilities, resources and processes that contribute directly to the service user leading a crime-free and more positive life. These contrast with protective factors which are the circumstances, lifestyle and personal factors that contribute indirectly to the service user leading a crime-free and more positive life. More information about enablers, protective factors and barriers is given in the introduction to this guide.</p> <p>Q – Were those factors in the individual’s life that could be described as</p>

			enablers identified and addressed and did this have an impact on the individual achieving positive outcomes in this case?
RR	25	What were the <u>barriers</u> relating to reducing reoffending outcomes in this case?	
		<ul style="list-style-type: none"> • Barriers are factors which if NOT identified and taken into account in this case would hinder the service user's desistance from further offending. 	<p>Barriers are factors which if NOT identified and taken into account in this case would hinder the service user's desistance from further offending. (In a different case the same factors might be present but not be relevant to desistance from further offending).</p> <p>Barriers may include a range of diversity issues including those such as age, ethnicity and sexuality. Other issues also need to be considered and these may include:</p> <ul style="list-style-type: none"> • rural situation resulting in limited access to public transport and difficulty attending services and interventions (such as groups or key work sessions) • work or caring responsibilities that may prevent the service user accessing the necessary services at particular times • religious or faith issues that may prevent the service user accessing the necessary services on particular days • gender-related issues that might result in access to relevant services or group work provision being delayed or inappropriate • illness, disability, psychological problems or substance misuse resulting in the service user being unable to access programmes or relevant interventions • educational difficulties resulting in the service user being unable to access programmes or relevant interventions • peers or family members with a strong anti-social influence • pro-criminal or anti-social beliefs, or cognitive distortions • a lack of motivation to comply with the legal requirements of the sentence and/or engage with probation services. <p>Describe those or other barriers that applied in this case and were addressed in order to support the service user's desistance from further offending.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More information about enablers, protective factors and barriers is given in</p>

			<p>the introduction to this guide.</p> <p>Q – Were those factors in the individual’s life that could be described as barriers identified and addressed, and did this have an impact on the individual achieving positive outcomes in this case?</p>
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View 2 – Public Protection

Question		Quality Indicators	Judgement Guidance
Assessment and planning contribute to effectiveness			
PP	1a	In the opinion of the inspector, what was the highest risk of serious harm classification that should have applied during the period of the sentence being inspected?	
		<p>Please indicate the highest level you think should have applied during the period of the order or licence inspected.</p>	<p>Please indicate the highest level that in your judgement should have been applied by the CRC/NPS during the period of the order or licence inspected, after the initial allocation post-sentence.</p> <p>Note that the level you recorded at View 0 Question 24c was that applied by the NPS at the pre-sentence or case allocation stage, immediately prior to allocation.</p> <p>To answer this question it will be necessary to make a judgement based on a detailed review of the case. The level of risk of serious harm will be informed by past and present behaviours and attitudes of the service user, and information from a range of sources. These may include:</p> <ul style="list-style-type: none"> • past and current assessments and analysis of previous and current offending • past and current pre-sentence reports • the list of previous convictions • prosecution statements • police call-out information • information in the case records about the service user's current situation • information from other agencies involved with the case.
PP	1b	What was the highest risk of serious harm classification that was applied by the responsible officer during the period of the sentence being inspected?	
		<p>Please indicate the highest level that was applied by the CRC/NPS during the period of the order or licence inspected, after the initial allocation post-sentence.</p>	<p>Please indicate the highest level that was applied by the CRC/NPS during the period of the order or licence inspected, after the initial allocation post-sentence.</p> <p>Note that the level you recorded at View 0 Question 24c was that applied by the NPS at the pre-sentence or case allocation stage, immediately prior to allocation.</p> <p>A history of the level that was applied over time may be found in the nDelius 'flag' register log, and also in successive OASys assessments.</p>

PP	2a	Was the risk of serious harm level correctly identified throughout the period of supervision?	
		<ul style="list-style-type: none"> The risk of serious harm level may have changed during the period of the order or licence inspected. Was the level identified by the CRC/NPS correct throughout this period, post-allocation? 	<p>The risk of serious harm level may have changed during the period of the order or licence inspected. Was the level identified by the CRC/NPS correct throughout this period, post allocation?</p> <p>If you have given different answers to PP1a and PP1b then the answer to PP2a must be No. However, PP2a can still be No even where PP1a and PP1b are the same.</p>
PP	2b	Was the highest risk of serious harm level attributed to this case: Too high? Too low?	
		If at question RR2a the risk of serious harm level was not correctly identified throughout the period of supervision, please answer whether at the time the level was incorrect it was set too low or too high.	<p>If at question RR2a the risk of serious harm level was not correctly identified throughout the period of supervision, please answer whether at the time the level was incorrect it was set too low or too high.</p> <p>In answering this question it will be helpful to give clear examples of why the risk of serious harm level applied by the responsible officer was wrong, and if possible what information was either unavailable to them, or not taken into account, or misinterpreted.</p>
PP	3	Number not used.	
PP	4	What was the highest MAPPa level at which this case was managed during this sentence/period of licence?	
		Please indicate the highest MAPPa level at which the case was managed during the period of supervision inspected.	<p>At View 0 Question 19a you have indicated if the case was MAPPa eligible at any time during the sentence being inspected.</p> <p>At this question you need to indicate the highest level at which it was managed during the period of supervision inspected.</p>
PP	5	In your opinion, was the case managed at the correct MAPPa level?	
			<p>Cases within MAPPa are managed at different levels based on the principle that they should be managed at the lowest level that is safe to do so.</p> <p>Level 1 – Ordinary Agency Management</p> <p>Ordinary agency management: Level 1 is where the risks posed by the offender can be managed by the agency responsible for the supervision or case management of the offender. This does not mean that other agencies will not be involved; only that it is not considered necessary to refer the case to a Level 2 or</p>

		<p>Level 3 MAPPA meeting.</p> <p>Level 2 – Multi-Agency Management</p> <p>Cases should be managed at Level 2 where the offender:</p> <ul style="list-style-type: none"> • is assessed as posing a high or very high risk of serious harm, or • the risk level is lower but the case requires the active involvement and coordination of interventions from other agencies to manage the presenting risks of serious harm, or • the case has been previously managed at Level 3 but no longer meets the criteria for Level 3, or • multi-agency management adds value to the lead agency’s management of risk of serious harm posed. <p>The essential element for inclusion at Level 2 is that the management of the risk of harm is improved by formal discussion and agreement between agencies.</p> <p>Level 3 – Multi-Agency Management</p> <p>Level 3 management should be used for cases that meet the criteria for Level 2 but where it is determined that the management issues require senior representation from the Responsible Authority and Duty To Cooperate agencies.</p> <p>This may be when there is a perceived need to commit significant resources at short notice or where, although not assessed as high or very high risk of serious harm, there is a high likelihood of media scrutiny or public interest in the management of the case and there is a need to make sure that public confidence in the criminal justice system is maintained.</p> <p>To answer this question it will be necessary to make a judgement based on a detailed review of the case. The appropriate level of MAPPA management will be informed by a number of factors and information from a range of sources. These may include:</p> <ul style="list-style-type: none"> • past and current assessments and analysis of previous and current offending • past and current pre-sentence reports • the list of previous convictions • prosecution statements • police call-out information
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			<ul style="list-style-type: none"> • information in the case records about the service user's current situation • information from other agencies involved with the case. <p>Where the MAPPA level changed over time you should answer Yes provided any period when the level was incorrect was relatively short and this did not have an impact on the effective management of the service user's risk of harm to others. Ideally the level should have been correct throughout, and any need to increase the level responded to immediately.</p>
PP	6	Please explain your answers to Questions 1 to 5:	
PP	7a	At the point immediately preceding allocation was there sufficient assessment of the risk of harm that this service user posed to: the public in general? known adults? children and young people? staff? prisoners?	
		<ul style="list-style-type: none"> • Was the risk of harm assessment informed by all relevant sources of information (such as ViSOR, ARMS or MARAC)? • Where required, was there evidence of an assessment of victims and potential victims (specifically with regard to children)? • Was there clear assessment of offending-related factors? • Were protective factors identified? • Were service user views regarding protective factors taken into account? • Was there an assessment of any barriers to engagement? 	<p>This question relates to the assessment of all risk of harm posed by the service user, not only risk of serious harm (see note on Risk of Harm and Risk of Serious Harm in the introduction to this guide).</p> <p>Note that low risk of harm is not the same as no risk of harm, and any risk of harm should be assessed, recorded, and responded to appropriately. It may be necessary for the responsible officer to undertake a full analysis of a potential risk in order to conclude correctly that the risk of serious harm is Low.</p> <p>There should be a sufficient assessment of the risk of harm to all categories as listed above, (question 7, sections a) – d)). Where the service user is not in custody you should answer N/A for Prisoners (category e)).</p> <p>You should check that potential victims have been correctly identified under the right category.</p> <p>Relevant factors in the assessment of the likelihood of reoffending should be included in any assessment of the risk of harm to others.</p> <p>Risk of harm assessment should consider:</p> <ul style="list-style-type: none"> • the circumstances of the case and in what context harm is likely to occur • past and current assessments and analysis of previous and current offending • past and current pre-sentence reports

			<ul style="list-style-type: none"> • the list of previous convictions • any localised pre-sentence screening tools/documents • CAS and RoSH screening forms • information from previous orders where applicable • information provided by service user, family members or other professionals • prosecution statements • police call-out information • information from other agencies involved with the case • the indicators for a possible increase in risk • who might be at risk • how any Protective Orders will be monitored and enforced, and who else might be involved in the process. (see Appendix 2 Protective Orders for more information about Restraining and Non-molestation Orders). <p>HMPPS Probation Instruction 04/2016 paragraph 1.17 states: 'Staff must initiate safeguarding checks regarding children and adults at risk at the earliest opportunity to enable a response to be received at the earliest stage. Checks regarding domestic violence and serious group offending must be initiated where applicable depending upon type of offence and offending profile of the defendant. Where the PSR author is confident that the likely sentence will effectively manage the risk of harm and professional judgement is applied then a further adjournment to include the outcome of checks may not be required. Safeguarding work continues into the supervision of the order. The determining factor will be the offence type and if the outcome of enquiries could significantly alter the sentence. This will vary depending upon the circumstances of the offence and the offender. However the court is to be informed of any requests made where the response has not yet been received. All requests made and responses received must be noted within nDelius under the appropriate heading – for liaison with social services the separate social services heading should be used. Where responses are not received, the record must also be noted so that the allocated responsible officer within NPS or CRC can take the required action to continue the enquiries.'</p>
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			<p>'Exception to on the day:</p> <ul style="list-style-type: none"> • Complex and serious child safeguarding issues where the outcome of enquiries will affect the outcome of sentencing and or risk assessment, for example child neglect cases where the planned intervention of children's services could impact upon the sentence.' <p>This question relates to assessment undertaken as part of pre-sentence inquiries and the case allocation process.</p> <p>To answer Yes, there must be evidence of assessment pre-sentence or immediately following sentence but prior to allocation that was of sufficient quality.</p> <p>Evidence of an assessment could include completion of documents in connection with the sentencing and allocation processes, such as:</p> <ul style="list-style-type: none"> • the CAS document • pre-sentence report • other screening tools and assessments • OASys assessment (or similar). <p>This could also include updating or reviewing an assessment undertaken in connection with a previous sentence provided there is evidence the previous assessment was actually used in the current sentencing and/or allocation process, and in your judgement the assessment was still relevant to and valid for the current circumstances.</p> <p>Examples of this are the use of a pre-sentence report prepared for a previous offence, or an assessment or review of the case undertaken by a responsible officer as part of a sentence still in force or recently terminated. However, given that sentence for a further offence constitutes a change in circumstances of the case, even where the new offence is similar in nature to the previous it is unlikely that any assessment more than six months old would still be relevant and valid.</p> <p>To answer Yes it will be necessary to establish not only that an assessment had been made, but that it was of sufficient quality to:</p> <ul style="list-style-type: none"> • enable the accurate allocation of the case to the CRC or NPS • and assist the assigned responsible officer in timely and sufficient assessment and sentence planning following allocation.
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			Q – Did assessment identify and analyse all relevant behaviours related to the service user’s risk of harm to others, to support positive public protection outcomes?
PP	7B	Within an appropriate time following allocation, was there sufficient assessment of the risk of harm that this service user posed to the public in general? known adults? children and young people? staff? prisoners?	
		<ul style="list-style-type: none"> • Was there timely assessment following allocation of the case? • Did assessment reflect the views of the service user? • Was there clear assessment of victims and potential victims (with specific consideration given to children)? • Was there clear identification of offending-related factors? • Was information from other organisations sought and/or used where relevant? <p>[Identification and assessment of diversity factors, and enablers and barriers to engagement is covered in questions ABS1 & ABS4]</p>	<p>In making a judgement the key issue is not precisely when any assessment was made, but whether any assessment took place after allocation of the case to the CRC or NPS, and whether its timing and content were sufficient to identify the right factors and facilitate a prompt start to work towards the identified objectives.</p> <p>Assessments pre-allocation will relate to the service user’s situation pre-sentence, and the fact of sentence will constitute a change in circumstances of the case. Even where it is assessed that there has been no change in the circumstances of the actual service user, there should still be evidence of a re-assessment of the case to confirm this.</p> <p>Where there was no evidence of the responsible officer (or other CRC or NPS staff on their behalf) assessing the factors relevant to the case you should answer No.</p> <p>To answer Yes, there must be evidence of assessment following the start of order or licence. This can include updating or reviewing an assessment undertaken as part of the pre-sentence and allocation process. When inspecting supervision on licence an assessment made during the custodial period prior to release is likely to be valid.</p> <p>Timeliness is a key component of sufficiency. You should answer No if assessment following allocation of the case was too late to inform a prompt start, following sentence or release on licence, to the work required to address the factors linked to the individual’s risk of harm.</p> <p>Whether assessment was too late will depend on the circumstances and nature of the case, and not on any set timescale. For an individual known or believed to pose a significant risk of harm to others, or likelihood of imminent reoffending, the process of assessment should be underway within a week of sentence or prior to release on licence. In other cases it may be reasonable for the process to start slightly later, in order to fit with opportunities to meet with the individual and receive any information requested from other relevant parties.</p>

			<p>In any event, assessment should have been completed soon enough to enable a plan of work to be in place and activity started towards the desired outcomes. If it was not then it should not be considered a sufficient assessment following allocation.</p> <p>Where there is evidence that there was assessment it will then be necessary to judge whether overall it was sufficient in relation to the service user's offending/behaviour and risk of harm, in particular did it identify the right factors that were linked to public protection matters?</p> <p>[Identification and assessment of diversity factors, and enablers and barriers to engagement is covered in questions ABS1 & ABS4]</p> <p>Sources of evidence may include a range of documents completed pre- or post-sentence, such as an OASys assessment (or similar), other screening tools, and reports and documents from other agencies.</p>
PP	8	Was there sufficient planning to manage and minimise the risk of harm posed to: the public in general? known adults? children and young people? staff? prisoners?	
		<ul style="list-style-type: none"> • Were protective factors identified? • Were service user views regarding protective factors included in the plan? • When required, was there evidence of planning to protect victims and potential victims and to minimise the risk of harm posed to others (with specific consideration given to children)? • Did planning address offending-related factors? • Did planning set contact levels to support achieving public protection outcomes? • Were plans to address barriers to engagement shared with all involved in the case? • Did plans reflect the views of the service 	<p>This question relates to all risk of harm, not only risk of serious harm (see note on Risk of Harm and Risk of Serious Harm in the introduction to this guide).</p> <p>In most cases this question will relate to a risk of harm posed directly by the service user, as in PP7a and PP7b. However, in some instances the risk may be presented by another individual associated with the service user, for example, a risk presented by the service user's partner to their children, or by a violent associate of the service user to members of the service user's family. The responsible officer should take these risks into consideration in the planning and management of the case.</p> <p>Note that low risk of harm is not the same as no risk of harm (see PP7a) and there may still be a need to plan for managing and minimising a low level of risk of harm.</p> <p>Where there is no identifiable risk of harm to one of the specific categories of risk (as listed above, question sections a) – e)) then you should answer N/A for that category.</p> <p>Risk management planning should be reflected in overall sentence planning. Where risk management planning is recorded in a separate risk management plan,</p>

		<p>user?</p> <ul style="list-style-type: none"> • Did staff and other agencies work together to develop plans of work to achieve public protection outcomes? • Did plans anticipate changes in the circumstances of the case and include contingency arrangements when relevant? 	<p>relevant content should also be incorporated in the overall sentence plan. It is important that key areas of work to be undertaken with the service user to manage and minimise their risk of harm are incorporated in the sentence plan.</p> <p>Risk management planning should consider:</p> <ul style="list-style-type: none"> • the circumstances of the case and in what context harm is likely to occur • the indicators for a possible increase in risk • who might be at risk • who else might be involved in the management of the risk • how any Protective Orders will be monitored and enforced, and who else might be involved in the process. <p>(see Appendix 2 Protective Orders for more information about Restraining and Non-molestation Orders).</p> <p>Q – Did planning address all relevant behaviours related to the service user’s risk of harm to others, to support positive public protection outcomes?</p>
PP	9	Please explain how assessment and planning contributed, or were intended to contribute, to protecting the public:	
		<p>Did the assessment of risk of harm:</p> <ul style="list-style-type: none"> • identify and record details of all victims and potential victims (especially to children)? • analyse all relevant past and current behaviour? <p>Did risk management planning:</p> <ul style="list-style-type: none"> • address relevant offending-related factors? • indicate communication arrangements with other parties necessary for effective management of the risk? • indicate contact levels with the service user necessary to minimise the risk of harm? • identify potential indicators of increased risk? 	<p>Judgements in this case need to take into account whether work that was done in relation to planning was done well enough, i.e.:</p> <ul style="list-style-type: none"> • whether protective factors had been included • whether victims and potential victims had been sufficiently planned for • whether engagement issues had been considered in relation to engaging with work identified within the plan. <p>Where a judgement is made that assessment or planning to manage and minimise the risk of harm was not sufficient it is important to indicate whether this is due to the plan not being good enough or whether it is due to the plan not being done at all.</p> <p>It is also important to note that for this judgement it is the ‘intended contribution’ planning will make that is being assessed – again, based on what the responsible officer could reasonably have been expected to know at the time of the planning. This judgement should not include the benefit of hindsight and the knowledge of any further/new information that was subsequently gained in relation to the case.</p>

		<ul style="list-style-type: none"> • set out contingency arrangements? • Where required, was there clear assessment and planning to protect victims and potential victims and to minimise the risk of harm posed to others (with specific consideration given to children)? • Where required, was there clear assessment of victims and potential victims (specifically with regard to children)? • Where required, was there clear planning to protect victims and potential victims (specifically with regard to children)? 	
		Interventions contribute to effectiveness	
PP	10	Were the interventions work delivered by the RO sufficiently focused on protecting those at risk of harm from this service user?	
		<p>This question relates only to the interventions delivered by the responsible officer, or other staff employed directly by the CRC/NPS and working closely with the responsible officer in a supportive, deputising or offender supervisor role. This includes staff in training but excludes staff employed by sub-contracted providers even where they are integrated or located within the CRC/NPS.</p> <ul style="list-style-type: none"> • Did the intervention undertaken by the organisation maintain a sufficient focus on managing and minimising the service user's risk of harm to others? • Were any potential risks to other service users of the organisation considered and 	<p>In answering this question the inspector needs to be satisfied that engagement with the service user was appropriate to the individual, relevant to the needs of the case, and sufficient to complete the identified interventions in the plan in order to manage the risk of harm presented by the service user. In looking at the detail of the engagement the inspector needs to be satisfied there is evidence of risk of harm related interventions being completed in line with the identified objectives in the plan. The interventions may be completed by either the responsible officer or other staff employed directly by the CRC/NPS and working closely with the responsible officer in a supportive, deputising or offender supervisor role. There should be sufficient evidence to support a judgement that the work is being undertaken. Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews

		<p>managed appropriately?</p> <ul style="list-style-type: none"> • Was the achievement of public protection outcomes in this case supported by effective engagement with the service user? • Did the service user understand what was expected of them, and the purpose of the interventions and what they could expect from them? • Did the responsible officer encourage and support the service user to engage fully with other staff and agencies involved in work to manage and minimise their risk of harm to others? • Was the intervention with the service user to manage and minimise their risk of harm supported by relevant information from other agencies? 	<ul style="list-style-type: none"> • family/peer feedback (where available). <p>Q – Did the work that was done focus sufficiently on the service user’s risk of harm to others, to support positive public protection outcomes?</p>
PP	11a	Were the interventions delivered by providers under contract sufficiently focused on protecting those at risk of harm from this service user?	
		<p>This question relates to the intervention(s) delivered through any service or input commissioned by and provided under contract to the CRC/NPS.</p> <p>This includes the staff and services provided under contract even where they are integrated or located within the CRC/NPS. It excludes staff and services commissioned through partnership arrangements.</p> <ul style="list-style-type: none"> • Did the intervention(s) undertaken by the organisation maintain a sufficient focus on managing and minimising the service user’s 	<p>In answering this question the inspector needs to be satisfied that engagement with the service user by providers under contract was appropriate to the individual, relevant to the needs of the case, and sufficient to complete the identified interventions in the plan. In looking at the detail of the engagement the inspector needs to be satisfied there is evidence of risk of harm related interventions being completed in line with the identified objectives in the plan. There should be sufficient evidence to support a judgement that the intervention is being undertaken. Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews

		<p>risk of harm to others?</p> <ul style="list-style-type: none"> • Were any potential risks to other service users of the organisation considered and managed appropriately? • Was the achievement of public protection outcomes in this case supported by effective engagement with the service user? • Were the interventions undertaken with the service user to manage and minimise their risk of harm supported by relevant information from other agencies? 	<ul style="list-style-type: none"> • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did the work that was done by providers under contract focus sufficiently on the service user’s risk of harm to others, to support positive public protection outcomes?</p>
PP	11b	Were the interventions delivered by partners sufficiently focused on protecting those at risk of harm from this service user?	
		<p>This question relates only to the intervention(s) delivered by any partner organisation working alongside the CRC/NPS.</p> <p>Partners include statutory and non-statutory organisations, working with the service user through a partnership agreement with the CRC/NPS. This excludes staff and services commissioned by and under contract to the CRC/NPS.</p> <ul style="list-style-type: none"> • Did the intervention(s) undertaken by the organisation maintain a sufficient focus on managing and minimising the service user’s risk of harm to others? • Were any potential risks to other service users of the organisation considered and managed appropriately? • Was the achievement of public protection outcomes in this case supported by 	<p>In answering this question the inspector needs to be satisfied that engagement with the service user by partner agencies was appropriate to the individual, relevant to the needs of the case, and sufficient to complete the identified interventions in the plan. In looking at the detail of the engagement the inspector needs to be satisfied there is evidence of risk of harm related interventions being completed in line with the identified objectives in the plan. There should be sufficient evidence to support a judgement that the intervention is being undertaken. Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did the work that was done by partner agency staff focus sufficiently on the service user’s risk of harm to others, to support positive public protection outcomes?</p>

		<p>effective engagement with the service user?</p> <ul style="list-style-type: none"> • Were interventions with the service user to manage and minimise their risk of harm supported by relevant information from other agencies? 	
PP	12	Describe how interventions contributed/did not contribute to public protection outcomes:	
		Reviews contribute to effectiveness	
PP	13	Did the RO review progress sufficiently against the outcome priorities designed to manage risk of harm?	
		<ul style="list-style-type: none"> • Were assessments and plans reviewed and updated, particularly following significant changes in the circumstances of the case? • Were reviews informed by contributions from all relevant external organisations? • Was there evidence of any further harmful behaviour from the service user? • Have reviews considered if the public and potential specific victims have been protected? 	<p>In making this judgement it may be that evidence is available from a number of sources and not only a formal review of an assessment and subsequent review of a plan.</p> <p>Other sources of evidence may include:</p> <ul style="list-style-type: none"> • responsible officer interview • service user interview • partner agency staff interview • family/peer feedback • contact logs • other case management records. <p>Q – Is there evidence that the responsible officer’s reviews of the progress being made in relation to risk of harm work are contributing to the achievement of positive outcomes?</p>
PP	14	Did the RO respond appropriately to changing circumstances in relation to risk of harm, making suitable adjustments where required?	
		<ul style="list-style-type: none"> • Did the responsible officer regularly review the case in order to identify changes in circumstances in relation to risk of harm issues? 	<p>In making this judgement it may be that evidence is available from a number of sources and not only a formal review of an assessment and subsequent review of a plan.</p> <p>Other sources of evidence may include:</p>

		<ul style="list-style-type: none"> • When required, was there a review of planning to protect victims and potential victims and to minimise the risk of harm posed to others (with specific consideration given to children)? • Were changes in circumstances indicating a possible increase in the risk of harm posed by the service user responded to appropriately? 	<ul style="list-style-type: none"> • responsible officer interview • service user interview • partner agency staff interview • family/peer feedback • contact logs • other case management records. <p>Had additional or different interventions or services been identified as necessary, and if so were arrangements made for their delivery?</p> <p>Q – Is there evidence that the responsible officer’s reviews of risk of harm work is contributing to the achievement of positive outcomes?</p>
PP	15	Describe how reviews contributed/did not contribute to public protection outcomes:	
		Public Protection outcomes	
PP	16a	Has all reasonable action been taken by the responsible officer to keep to a minimum the service user’s risk of harm to others?	
		<p>This question relates only to action taken by the responsible officer, or other staff employed directly by the CRC/NPS and working closely with the responsible officer in a supportive, deputising or offender supervisor role. This includes staff in training but excludes staff employed by sub-contracted providers even where they are integrated or located within the CRC/NPS.</p> <ul style="list-style-type: none"> • Was there evidence that plans agreed jointly by the CRC/NPS and contracted providers and partner organisations providers and key partners are implemented and reviewed regularly? • Is there evidence that staff work with 	<p>In answering this question the inspector needs to be satisfied that actions taken by staff in relation to the risk of harm presented by the service user was appropriate to the individual, relevant to the needs of the case and sufficient to complete the identified interventions in the plan. In looking at the detail of the risk of harm work the inspector needs to be satisfied there is evidence of risk of harm work being completed in line with the identified objectives in the plan.</p> <p>Q – Have actions taken by the responsible officer contributed to the achievement of positive outcomes in this case?</p>

		<p>partners to make sure that services are effective?</p> <ul style="list-style-type: none"> • Is there evidence that the right and appropriate actions are being undertaken to manage the risk of harm for example, reporting indicators of risk such as contact with children, breach of restraining order, responses to further domestic abuse call-outs etc.? 	
PP	16b	Has all reasonable action been taken by <u>contracted providers</u> to keep to a minimum the service user's risk of harm to others?	
		<p>This question relates to action taken by those commissioned by and working under contract to the CRC/NPS.</p> <p>This includes the staff and services provided under contract even where they are integrated or located within the CRC/NPS. It excludes staff and services commissioned through partnership arrangements.</p>	<ul style="list-style-type: none"> • Was there evidence that plans agreed jointly by the CRC/NPS and contracted providers were implemented and reviewed regularly? • Was there evidence that where contracted providers were presented with or identified a change in circumstances linked to the risk of harm, that efforts were made to communicate the changes to the CRC/NPS? • Was there evidence that contracted providers took reasonable action to manage the risk where appropriate for example contact with children's services, contact with the police etc.? <p>Contracted providers can be described as organisations providing a service to the case as a sub-contractor to the CRC/NPS. They could be:</p> <ul style="list-style-type: none"> • a commercial organisation • a not for profit organisation • a statutory agency • a CRC sub-contracted to the NPS or another CRC. <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • an organisation providing services to an individual under supervision as a

			<p>partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service)</p> <ul style="list-style-type: none"> • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • Statutory partners: those agencies party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p>
PP	16c	Has all reasonable action been taken by partners to keep to a minimum the service user’s risk of harm to others?	
		<p>This question relates only to action taken by any partner organisation working alongside the CRC/NPS.</p> <p>Partners include statutory and non-statutory organisations, working with the service user through a partnership agreement with the CRC/NPS. This excludes staff and services commissioned by and under contract to the CRC/NPS.</p>	<ul style="list-style-type: none"> • Was there evidence that plans agreed jointly by the CRC/NPS and partner organisations were implemented and reviewed regularly? • Was there evidence that where partners were presented with or identified a change in circumstances linked to the risk of harm, that efforts were made to communicate the changes to the CRC/NPS? • Was there evidence that contracted providers took reasonable action to manage the risk where appropriate e.g. contact with children’s services, contact with the police etc.? <p>Partners can be described as:</p> <ul style="list-style-type: none"> • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service) • or a statutory partner: an agency party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social

			<p>landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases.</p> <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • a contracted provider providing a service to the case as a sub-contractor to the CRC/NPS. They could be: <ul style="list-style-type: none"> ○ a commercial organisation ○ a not for profit organisation ○ a statutory agency ○ a CRC sub-contracted to the NPS or another CRC. • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p>
PP	17	<p>Overall, up to this point in the order/licence, has sufficient progress been made in minimising the risk of harm posed by this service user to:</p> <p style="text-align: center;">the public in general? known adults? children and young people? staff? prisoners?</p>	
		<p>Sufficient progress should not be judged on the absence of negative indicators; it should also look at what is known about changes in thinking, attitudes, and non-offending behaviour.</p> <p>The answer should not be moderated by how many appointments are kept or how much</p>	<p>In answering this question the inspector needs to establish whether there is any information about the service user having been involved in further alleged or actual harmful behaviour which may or may not be harmful criminal behaviour or harmful anti-social behaviour.</p> <p>This information could be found in a number of places (not exhaustive):</p> <ul style="list-style-type: none"> • responsible officer interview

		intervention activity was arranged or delivered. So, if compliance was poor or the inputs insufficient, then it is likely that progress in minimising risk of harm will be insufficient too.	<ul style="list-style-type: none"> • case management records • service user interview • police records.
PP	18	Did MAPPA contribute sufficiently to keeping people safe?	
		<ul style="list-style-type: none"> • Did the MAPPA contribute sufficiently to keeping people safe and minimising the risk of harm to others posed by the service user? • Was sufficient consideration given to victims and potential victims by all those involved with the case? • Did the responsible officer encourage and support the service user to engage fully with other staff and agencies involved in work to manage and minimise their risk of harm to others? • Was the achievement of public protection outcomes in this case supported by effective engagement with the service user by all relevant organisations? • Was work with the service user to manage and minimise their risk of harm supported by relevant information from other agencies? 	<p>If the case was MAPPA eligible under ANY category but not identified this question still applies and the answer would almost certainly be No. If this related to a failure to identify the case for referral to MAPPA as a Category 3 case (Other Dangerous Offender – see View 0 Question 19b) then please give further details about this and why it should have been.</p> <p>[This question is not included for cases managed only at Level 1 (Ordinary Agency Management) since MAPPA arrangements would not apply.]</p>
PP	19	Please illustrate your answers to the <u>Public Protection Outcomes</u> questions above:	
PP	20a	What were the enablers relating to public protection outcomes in this case?	
		For the purposes of this question enablers are factors which if identified and taken into account in this case would increase the	For the purposes of this question enablers are factors which if identified and taken into account in this case would increase public protection. (In a different case the same factors might be present but not be relevant to increasing public

		likelihood of achieving positive outcomes.	<p>protection).</p> <p>Examples might include:</p> <ul style="list-style-type: none"> • use of motivational techniques and work methods to promote the engagement of the service user in abiding by their sentence • practical support to assist the service user overcome difficulties accessing the necessary services • positive and pro-social support to the service user from friends, family members and religious or faith groups • particular skills, aptitudes or interests of the service user that can be harnessed and used in working with them. <p>Describe those or other enablers that applied in this case and were addressed in order to support the management of public protection and minimise risk of harm to others.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More broadly, enablers are the capabilities, resources and processes that contribute directly to the service user leading a crime-free and more positive life. These contrast with protective factors which are the circumstances, lifestyle and personal factors that contribute indirectly to the service user leading a crime-free and more positive life. More information about enablers, protective factors and barriers is given in the introduction to this guide.</p> <p>Q – Were those factors in the individual’s life that could be described as enablers identified and addressed and did this have an impact on the individual achieving positive outcomes in this case?</p>
PP	20b	What were the barriers relating to public protection outcomes in this case?	
		<p>Barriers are factors which if NOT identified and taken into account in this case would hinder an increase in public protection.</p>	<p>Barriers are factors which if NOT identified and taken into account in this case would hinder an increase in public protection. (In a different case the same factors might be present but not be relevant to increasing public protection).</p> <p>Barriers may include a range of diversity issues including those such as age, ethnicity and sexuality. Other issues also need to be considered and these may include:</p> <ul style="list-style-type: none"> • rural situation resulting in limited access to public transport and difficulty

			<p>attending services and interventions (such as groups or key work sessions)</p> <ul style="list-style-type: none"> • work or caring responsibilities that may prevent the service user accessing the necessary services at particular times • religious or faith issues that may prevent the service user accessing the necessary services on particular days • gender-related issues that might result in access to relevant services or group work provision being delayed or inappropriate • illness, disability, psychological problems or substance misuse resulting in the service user being unable to access programmes or relevant interventions • educational difficulties resulting in the service user being unable to access programmes or relevant interventions • peers or family members with a strong anti-social influence • pro-criminal or anti-social beliefs, or cognitive distortions • a lack of motivation to comply with the legal requirements of the sentence and/or engage with probation services. <p>Describe those or other barriers that applied in this case and were addressed in order to support the management of public protection and minimise risk of harm to others.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More information about enablers, protective factors and barriers is given in the introduction to this guide.</p> <p>Q – Were those factors in the individual’s life that could be described as barriers identified and addressed, and did this have an impact on achieving positive outcomes in this case?</p>
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View 3 – Abiding by the Sentence

Question		Quality Indicators	Judgement Guidance
ABS	1	Was the service user’s individual diversity sufficiently taken into account in relation to: assessing? planning? delivering interventions? reviewing?	
		<ul style="list-style-type: none"> • Was a broad range of diversity issues identified and considered, beyond the more clearly-defined protected characteristics. • Did this cover a broad range of diversity issues beyond the more clearly-defined protected characteristics? • Did assessment, planning and review reflect the views of the service user? • Did assessment and ongoing review identify diversity factors and barriers to engagement? • Were diversity factors and barriers to engagement taken into account in the planning and delivery of interventions? 	<p>In answering this question the inspector will need to ensure all diversity factors related to the individual have been taken into account as far as they are known. It is important to consider a wide range of diversity issues including those such as age, ethnicity, and sexuality. Other issues also need to be considered and these may include:</p> <ul style="list-style-type: none"> • rural situation resulting in limited access to public transport and difficulty attending services and interventions (such as groups or key work sessions) • work or caring responsibilities that may prevent the service user accessing the necessary services at particular times • religious or faith issues that may prevent the service user accessing the necessary services on particular days • gender-related issues that might result in access to relevant services or group work provision being delayed or inappropriate • illness or disability resulting in the service user being unable to access programmes or relevant interventions • educational difficulties resulting in the service user being unable to access programmes or relevant interventions. <p>Note those factors that applied but were not identified, or were identified but not taken into account. The potential impact of any factor and the degree to which it needed to be taken into account will vary according to the particular case.</p> <p>You should answer No to these questions if either the activity was not done, or was done but diversity was not taken sufficiently into account. You should answer N/A for reviewing only where no review was required.</p> <p>Q – Were potential and actual barriers to the service user identified and addressed, and did this have an impact on them achieving positive outcomes in this case?</p>

ABS	2	Was the service user meaningfully involved in planning the work?	
		<ul style="list-style-type: none"> • Did planning reflect the views of the service user? • Did planning identify diversity factors and barriers to engagement? • Was there evidence of discussion with the service user specifically about the content of their sentence plan? • Was there evidence of planning documents being shared with the service user? 	<p>The achievement of planned outcomes is dependent on sufficient involvement of the service user to be fully effective.</p> <p>You should answer No if there was insufficient evidence of discussion with the service user specifically about the plan for their sentence, or of planning documents being shared with them.</p> <p>The involvement of the service user should indicate a genuine attempt to engage them in the plan for their supervision, and to identify and set goals relevant to both the service user and the purpose of the sentence.</p> <p>Any enabling factors should be identified and built into the sentence plan where possible. There should be evidence that the responsible officer sought to identify and address together any potential barriers to achieving the planned outcomes.</p> <p>You should be satisfied that engagement with the service user was appropriate to the individual, relevant and responsive to the needs of the case, and sufficient to support completion of the identified interventions in the plan.</p> <p>This work may be completed entirely by the responsible officer, or with the assistance of any other staff (including those of external organisations) involved with the service user.</p> <p>Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did the work that was done focus sufficiently on engaging the service user, to support them achieving positive outcomes in this case?</p>
ABS	3a	Was the service user meaningfully involved in reviewing the work?	
		<ul style="list-style-type: none"> • Did reviewing reflect the views of the service user? • Did reviewing pay ongoing attention to diversity factors and barriers to 	<p>The achievement of planned outcomes is dependent on the review of progress, which in turns requires sufficient involvement of the service user to be fully effective.</p> <p>You should answer No if there was insufficient evidence of discussion with the</p>

		<p>engagement?</p> <ul style="list-style-type: none"> • Was there evidence of discussion with the service user specifically about the progress of their sentence plan? • Was there evidence of planning and review documents being shared with the service user? 	<p>service user specifically about the progress of their sentence plan, or of planning and review documents being shared with them.</p> <p>The involvement of the service user should indicate a genuine attempt to engage them in the progress of their supervision, to recognise and congratulate good progress, and to seek to address together the causes of any poor progress.</p> <p>You should be satisfied that engagement with the service user was appropriate to the individual, relevant and responsive to the needs of the case, and sufficient to support completion of the identified interventions in the plan.</p> <p>This work may be completed by either the responsible officer, or any of the other staff (including those of external organisations) involved with the service user.</p> <p>Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did the work that was done focus sufficiently on engaging the service user, to support them achieving positive outcomes in this case?</p>
ABS	3b	Overall, was sufficient information from contracted providers used in reviewing the work?	
		<ul style="list-style-type: none"> • In answering this question you should take an overview of all contracted providers involved in the case. • Contracted providers include any service provider commissioned by and under contract to the CRC/NPS. • This includes the staff and services provided under contract even where they are integrated or located within the CRC/NPS. It excludes staff and services commissioned through partnership arrangements. 	<p>The achievement of planned outcomes is dependent on the review of progress, which in turns requires sufficient information to be effective.</p> <p>You should answer No if insufficient information was available, or the information available was sufficient but not adequately used.</p> <p>In answering this question you should take an overview of all contracted providers involved in the case (where there is more than one), recognising that the sufficiency of the information provided may differ between them.</p> <p>It will be helpful to record at ABS6 any particular reasons why sufficient information was not available to the responsible officer, or why it was not used where it was available.</p> <p>Contracted providers can be described as organisations providing a service to the case as a sub-contractor to the CRC/NPS. They could be:</p>

			<ul style="list-style-type: none"> • a commercial organisation • a not for profit organisation • a statutory agency • a CRC sub-contracted to the NPS or another CRC. <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service) • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • statutory partners: those agencies party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p>
ABS	3c	Overall, was sufficient information from partners used in reviewing the work?	
		<ul style="list-style-type: none"> • In answering this question you should take an overview of all partners involved in the case. • Partners include statutory and non-statutory organisations, working with 	<p>The achievement of planned outcomes is dependent on the review of progress, which in turns requires sufficient information to be effective.</p> <p>You should answer No if insufficient information was available, or the information available was sufficient but not adequately used.</p> <p>In answering this question you should take an overview of all partners involved in</p>

	<p>the service user through a partnership agreement with the CRC/NPS. This excludes staff and services commissioned by and under contract to the CRC/NPS.</p>	<p>the case (where there is more than one), recognising that the sufficiency of the information provided may differ between them.</p> <p>It will be helpful to record at ABS6 any particular reasons why sufficient information was not available to the responsible officer, or why it was not used where it was available.</p> <p>Partners can be described as:</p> <ul style="list-style-type: none"> • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service) • or a statutory partner: an agency party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services. Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases. <p>It is important that you identify correctly the nature of the relationship between the organisation and the service user. Others involved with the case might include:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • a contracted provider providing a service to the case as a sub-contractor to the CRC/NPS. They could be: <ul style="list-style-type: none"> ○ a commercial organisation ○ a not for profit organisation ○ a statutory agency ○ a CRC sub-contracted to the NPS or another CRC. • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service) • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance</p>
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			misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.
ABS	4	Did the RO sufficiently identify any barriers to effective engagement with the service user?	
		<ul style="list-style-type: none"> • Did the responsible officer identify all the potential barriers to the service user’s effective engagement? • Did all those involved in the case maintain a positive working relationship with the service user that supported identification of any barriers to achieving the desired outcomes? • Was engagement responsive to the needs and abilities of the service user? • Where the service user had not complied with the requirements of their sentence, was work undertaken with a view to securing future compliance and engagement? 	<p>To answer Yes you should be satisfied that the responsible officer has paid sufficient attention to identifying all the potential barriers to the service user’s effective engagement.</p> <p>Engagement with the service user should have been appropriate to the individual, relevant and responsive to the needs of the case, and sufficient to complete the identified interventions in the plan. All those involved in the case should have maintained a positive working relationship with the service user that supported identification of any barriers to achieving the desired outcomes.</p> <p>In looking at the detail of the engagement you should be satisfied there is evidence of the responsible officer making consistent and sustained efforts to identify any barriers to effective engagement, review compliance and engagement and seek to implement motivational strategies where required. This work may be completed by either the responsible officer, or any of the other staff (including those of external organisations) involved with the service user.</p> <p>Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did work in this case focus sufficiently on identifying barriers to effective engagement to support the service user achieving positive outcomes?</p>
ABS	5	Did the RO sufficiently seek to overcome any barriers to effective engagement with the service user?	
		<ul style="list-style-type: none"> • Did the responsible officer pay sufficient attention to all the potential barriers that had been identified to the service user’s effective engagement? 	<p>To answer Yes you should be satisfied that the responsible officer has paid sufficient attention to all the potential barriers that had been identified to the service user’s effective engagement.</p> <p>Engagement with the service user should have been appropriate to the individual,</p>

		<ul style="list-style-type: none"> • Did all those involved in the case maintain a positive working relationship with the service user and continue to motivate them to achieve the desired outcomes? • Was engagement responsive to the needs and abilities of the service user? • Where the service user had not complied with the requirements of their sentence, was work undertaken with a view to securing future compliance and engagement? 	<p>relevant and responsive to the needs of the case, and sufficient to complete the identified interventions in the plan. All those involved in the case should have maintained a positive working relationship with the service user and continued to motivate them to achieve the desired outcomes.</p> <p>In looking at the detail of the engagement you should be satisfied there is evidence of the responsible officer making consistent and sustained efforts to identify any barriers to effective engagement, review compliance and engagement and seek to implement motivational strategies where required. This work may be completed by either the responsible officer, or any of the other staff (including those of external organisations) involved with the service user.</p> <p>Evidence to support this may be found in various places including:</p> <ul style="list-style-type: none"> • case records/case management system • service user interviews • responsible officer interviews • partner agency staff interviews • family/peer feedback (where available). <p>Q – Did work in this case focus sufficiently on addressing barriers to effective engagement to support the service user achieving positive outcomes?</p>
ABS	6	Please illustrate your answers relating to diversity and effective engagement:	
ABS	7	Up to this point in the sentence, have probation services made sufficient progress in delivering the legal requirements of the order/licence?	
		<p>Please answer whether the (minimum) legal requirements of the order or licence have been met. Have all of the requirements listed in View 0 Question 12 been delivered? The quality and impact of interventions, and the service user’s compliance is assessed elsewhere.</p>	<p>This question is about delivering the legal requirements of the order or licence, and not about the achievement of planned impacts or outcomes. You will have indicated what the requirements were in View 0 Question 12. Details of the standard licence conditions and Post Sentence Supervision requirements are given in the guide entry for that question. You should have checked that the case file is correct against the recorded details of the court order or prison licence. Refer to copies of the actual documents if possible.</p> <p>This question is not about compliance, which is covered in ABS11-ABS13.</p>

			<p>Provided the CRC/NPS (and those providing services on their behalf) have offered a level of contact sufficient for the service user to demonstrate compliance with the minimum legal requirements of the sentence, then you should answer Yes.</p> <p>In answering this question you should take an overview of all of the requirements and the work of all of those involved in their delivery. Whether progress in delivering the sentence has been sufficient will depend in part on the length of the order and the amount of time remaining for the requirements to be completed. You should also have regard to the expectations of the court and any relevant HMPPS standards for the frequency of contact.</p>
ABS	8	Please illustrate your answer to questions ABS7:	
ABS	9	Was the number of appointments offered sufficient for the needs of the case?	
		<p>Please answer whether the number of appointments offered (the amount of contact arranged) was sufficient for the needs of the case, that is, to achieve the desired reduction in the likelihood of reoffending and/or management of any risk of harm to others.</p>	<p>In question ABS7 above you have answered whether probation services made sufficient progress in delivering the legal requirements of the order or licence – in part whether the number of appointments offered was sufficient to meet the legal requirements of the order or licence.</p> <p>This question relates to whether the number of appointments offered (the amount of contact arranged) was sufficient for the needs of the case, that is, to achieve the desired reduction in the likelihood of reoffending and/or management of any risk of harm to others. These may have been envisaged by the court and should have been set out in sentence planning.</p> <p>The amount of contact required to achieve a given outcome will be dependent on the details of the individual case and the particular needs and situation of each service user.</p> <p>Please answer in relation to the needs of the case and not in relation to what resources were considered affordable or were available.</p>
ABS	10	Please transcribe the following details about contacts from the nDelius National Standards Summary for the order being inspected	
			<p>In some instances the relevant contact information will have been recorded under a different 'event' to that relating to the sentence being inspected, usually where two events (orders) are running in parallel. You may have already discovered this through attempting to view the detail of contact log entries. You might also find</p>

			<p>that the contacts for different requirements have been recorded under separate orders.</p> <p>In such cases please record the information logged under the event which in your view gives the most accurate and relevant picture of contact during the period of supervision being inspected. In deciding which 'event' to use, you should consider which requirements were the most important in relation to the offending-related needs and sentence plan objectives in the case.</p>
ABS	11	Were absences, non-compliance or other inappropriate behaviour responded to sufficiently?	
			<p>Where there were multiple instances of absence, non-compliance or other inappropriate behaviour, you should take a balanced overview of the case. The response of the responsible officer should be made promptly, and be proportionate to the behaviour in question. The responsible officer should have taken the circumstances and context of the service user's behaviour into account in determining what action, if any, to take.</p> <p>If any instance fell short of this then you should answer No.</p>
ABS	12	Did the number of absences act as a barrier to achieving outcomes across the three domains: Reducing reoffending? Protecting the public? Abiding by the sentence?	
		<p>In answering this question you should consider the progress of the case overall, and whether any absences by the service user had a negative impact on their achievement of positive outcomes in relation to each domain.</p>	<p>In answering this question you should consider the progress of the case overall, and whether any absences by the service user had a negative impact on their achievement of positive outcomes in relation to each domain.</p> <p>You should answer No where</p> <ul style="list-style-type: none"> • there were no absences, or • where, despite a number of absences, the service user still demonstrated evidence of good progress in relation to identified objectives within the plan, and their engagement and motivation was such that the absences did not impact negatively. <p>Conversely, you should answer Yes where absences resulted in a significant disruption to identified objectives and impacted negatively.</p> <p>Examples of this could include:</p> <ul style="list-style-type: none"> • missing programme sessions resulting in removal from the programme • failure to attend one-to-one/key work appointments (with probation providers

			<p>or partner agencies) where identified intervention work is due to be completed</p> <ul style="list-style-type: none"> • failure to comply with restrictive conditions including licence conditions. <p>Answer N/A to protecting the public where the service user did not present any significant risk of harm to others.</p> <p>It may be possible to answer Yes and No to different domains, for example where a service user keeps sufficient appointments overall to demonstrate abiding by the sentence but fails to attend a number of specific appointments so that outcomes in relation to reducing reoffending or protecting the public are not achieved.</p>
ABS	13	Overall, has the individual abided by the sentence?	
		<p>This question asks whether the service user has maintained a sufficient level of contact to meet the minimum requirements of the sentence. You should answer Yes if they have.</p>	<p>In question ABS7 above you have answered whether probation services made sufficient progress in delivering the legal requirements of the order or licence</p> <p>In question ABS9 above you have answered whether the number of appointments offered (the amount of contact arranged) was sufficient for the needs of the case, This question asks whether the service user has maintained a sufficient level of contact to meet the minimum requirements of the sentence. You should answer Yes if they have.</p> <p>While this is a prerequisite to their achievement of sentence plan objectives and the desired outcomes for the case, it is not necessary for these to have been achieved to answer positively. You will have made judgements about achievement of reducing reoffending outcomes in RR17–RR23, and public protection outcomes in PP17–PP19.</p>
ABS	14a	Please illustrate your answers to questions ABS9–ABS13 here:	
ABS	14b	What were the enablers relating to abiding by the sentence outcomes in this case?	
		<p>For the purposes of this question enablers are factors which if identified and taken into account in this case would increase the likelihood of achieving positive outcomes.</p>	<p>For the purposes of this question enablers are factors which if identified and taken into account in this case would increase the likelihood of achieving positive outcomes. (In a different case the same factors might be present but not be relevant to achieving positive outcomes).</p> <p>Examples might include:</p> <ul style="list-style-type: none"> • use of motivational techniques and work methods to promote the engagement

			<p>of the service user in abiding by their sentence</p> <ul style="list-style-type: none"> • practical support to assist the service user overcome difficulties accessing the necessary services • positive and pro-social support to the service user from friends, family members and religious or faith groups • particular skills, aptitudes or interests of the service user that can be harnessed and used in working with them. <p>Describe those or other enablers that applied in this case and were addressed in order to support the service user’s ability to abide by the sentence.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More broadly, enablers are the capabilities, resources and processes that contribute directly to the service user leading a crime-free and more positive life. These contrast with protective factors which are the circumstances, lifestyle and personal factors that contribute indirectly to the service user leading a crime-free and more positive life. More information about enablers, protective factors and barriers is given in the introduction to this guide.</p> <p>Q – Were those factors in the individual’s life that could be described as enablers identified and addressed and did this have an impact on the individual achieving positive outcomes in this case?</p>
ABS	14c	What were the barriers relating to abiding by the sentence outcomes in this case?	
		<p>Barriers are factors which if NOT identified and taken into account in this case would hinder the service user’s ability to abide by the sentence.</p>	<p>Barriers are factors which if NOT identified and taken into account in this case would hinder the service user’s ability to abide by the sentence. (In a different case the same factors might be present but not be relevant to an ability to abide by the sentence).</p> <p>Barriers may include a range of diversity issues including those such as age, ethnicity and sexuality. Other issues also need to be considered and these may include:</p> <ul style="list-style-type: none"> • rural situation resulting in limited access to public transport and difficulty attending services and interventions (such as groups or key work sessions) • work or caring responsibilities that may prevent the service user accessing the necessary services at particular times

			<ul style="list-style-type: none"> • religious or faith issues that may prevent the service user accessing the necessary services on particular days • gender-related issues that might result in access to relevant services or group work provision being delayed or inappropriate • illness, disability, psychological problems or substance misuse resulting in the service user being unable to access programmes or relevant interventions • educational difficulties resulting in the service user being unable to access programmes or relevant interventions • peers or family members with a strong anti-social influence • pro-criminal or anti-social beliefs, or cognitive distortions • a lack of motivation to comply with the legal requirements of the sentence and/or engage with probation services. <p>Describe those or other barriers that applied in this case and were addressed in order to support the service user's ability to abide by the sentence.</p> <p>Also note those that applied but were not identified, or were identified but not taken into account.</p> <p>More information about enablers, protective factors and barriers is given in the introduction to this guide.</p> <p>Q – Were those factors in the individual's life that could be described as barriers identified and addressed, and did this have an impact on the individual achieving positive outcomes in this case?</p>

View 4 – Leadership, management and partnerships contribute to effectiveness

Question		Quality Indicators	Judgement Guidance
LMP	1	Please provide any illustrations of contracted provider and/or partner arrangements in this case:	
			<p>Who are we interested in?</p> <p>In the Q&I inspection programme we are looking at the services delivered and impact made by a range of people and organisations involved in and contributing to the supervision of the offender. In many parts of the case assessment process our primary interest is simply the distinction between the work of CRC/NPS staff (and immediate colleagues in the same organisation) and that of any external organisations involved. There are some instances, however, where the distinctions between a wider range of staff and organisations will be relevant.</p> <p>These can be described as:</p> <ul style="list-style-type: none"> • the responsible officer of the CRC/NPS • other staff employed directly by the CRC/NPS supporting or undertaking work with the case • staff working for a sub-contractor to the CRC/NPS providing a service to the case. This could be: <ul style="list-style-type: none"> ○ a commercial organisation ○ a not for profit organisation ○ a statutory agency ○ a CRC sub-contacted to the NPS or another CRC. • an organisation providing services to an individual under supervision as a partner with the CRC/NPS through a negotiated agreement or partnership (such as a community mental health service); • an organisation providing services directly to the individual, irrespective of the service user being under supervision by the CRC/NPS (such as a health or substance misuse service); • statutory partners: those agencies party to the Multi-Agency Public Protection Arrangements, namely the NPS, and police and prison services.

			<p>Other agencies with a legal duty to cooperate such as registered social landlords, electronic monitoring providers and the UK Border Agency, may also be involved in MAPPA cases;</p> <ul style="list-style-type: none"> • other statutory agencies may also be involved with the case (such as local authority children’s services and community mental health services). <p>Many organisations can be in more than one category (such as a substance misuse agency), either in respect of different services provided to the same individual, and/or the same service provided to different individuals.</p> <p>In relation to the CRC/NPS and sub-contractors, in some contexts there will be no distinction for the purpose of inspection between the CRC/NPS and a contractor, such as the work of staff delivering a specific intervention. In other contexts, such as planning, coordinating and delivering a range of activities in the case, there will be a distinction between respective roles and responsibilities of all the different parties involved in working towards the desired outcomes.</p> <p>In relation to sub-contractors and partners, a key distinction is that the CRC/NPS is responsible for the delivery and quality of services provided by a sub-contractor (as if they were delivering them directly) because the service is provided solely to meet the requirements of the contract or service level agreement with the CRC/NPS. In contrast, the responsibility of the CRC/NPS for services provided by a partner may be limited by the management of the partnership arrangement and the separate interests of the other partner(s) in the provision of the service.</p>
LMP	2	Were there any gaps in the availability of interventions for this service user?	
LMP	2a	Please provide any illustrations regarding gaps in the availability of interventions for this service user:	
LMP	3a	Did management oversight have a positive impact on the management of this case?	
LMP	3b	Please comment on the application, or lack of application, of effective management oversight of this case.	

LMP	3c	How many ROs have been involved with this case since allocation?	
			<p>This question relates to the number of people that have been assigned to the service user as their responsible officer, and not the number of other staff they have met who, although a responsible officer, were not <i>this service user's</i> responsible officer.</p> <p>Include:</p> <ul style="list-style-type: none"> responsible officers that have been formally assigned to the case post allocation to the CRC/NPS, from the start of a community sentence or release on licence responsible officers in other areas that have acted as 'caretaker' while the service user was temporarily resident away from home a specific responsible officer supervising the service user while their assigned responsible officer was on extended absence, as part of a planned arrangement. <p>Exclude:</p> <ul style="list-style-type: none"> responsible officers that have met with the service user as a duty officer (or similar) other responsible officers co-working the case, or undertaking specific pieces of work with the service user on behalf of the assigned responsible officer trainee staff supervising the case on behalf of the responsible officer.
Questions for Responsible Officer			
LMP	4b	Tell us about your workload:	
LMP	5	Has your workload impacted upon your ability to assist <u>this service user to achieve outcomes?</u>	
LMP	6	Tell us about the training and support you receive:	
		<ul style="list-style-type: none"> Are staff adequately trained, qualified, 	

		experienced and supported to make sure their practice is effective?	
LMP	7	Has your training and support acted as an enabler or a barrier to you assisting this service user to achieve outcomes?	
		<ul style="list-style-type: none"> • Are staff supported by an effective quality assurance framework? • Is there evidence that staff evaluate the effectiveness of services in achieving positive outcomes and use this to further improve outcomes for example by ensuring processes and resources to support the work? 	
LMP	8	Tell us about the management oversight of your work:	
		<ul style="list-style-type: none"> • Do staff have a clear knowledge and understanding of the organisation's approach to delivering outcomes and their role in achieving those goals? 	
LMP	9	Has management oversight of the work supported you to assist this service user to achieve outcomes?	
LMP	10	Any other comments about your work?	

View 5a – Case Summary

Question		Quality Indicators	Judgement Guidance
V5a	0	Please give a brief case summary/pen picture of the case:	
			This question must be completed in all cases where a case review is recommended. A pen picture should also be completed in all other cases, other than those for which examples of good or poor practice are given in View 5b
V5a	1	Is this case suitable for a full Case Review?	
			Cases may be suitable for review where they are relatively complex and involve more than one agency. Ideally they should contain a specific theme that should be further investigated, for example victim issues; aspects of partnership working; effectiveness of MAPPA; risk escalation; breach/recall arrangements etc.
V5a	1a	What are the key themes to be followed up?	
			Please give details of the specific themes to be followed up.
V5a	2a	Would observation of practice in this case be of benefit?	
V5a	2b	What practice should be observed?	
V5a	3	Is the Service User due to attend any appointment (Supervision/Intervention/Partner Agency) in the second week?	
V5a	4	If Yes, please give details:	
V5a	5	Please list details of all key contacts:	

View 5b – Practice Examples

Question	Quality Indicators	Judgement Guidance
Good practice	<p>Please describe, in a format suitable for inclusion on the report, any examples that you found in this case of practice that was particularly good, innovative or made a positive difference to the progress or outcome of the work. (No more than 250 words and please abide by house style where possible.)</p>	
Poor practice	<p>Please describe, in a format suitable for inclusion on the report, any examples that you found in this case of practice that was particularly poor or had a significant negative impact on the progress or outcome of the work, the protection of a child or young person or the protection of others. (No more than 250 words and please abide by house style where possible.)</p>	

View 6 – Service User Views

Question		Quality Indicators	Judgement Guidance
SU	1	What were the main things going on in your life that led you to your sentence? Prompt: <ul style="list-style-type: none"> Why do you think you committed the offence(s)? 	
			Consider: what were the self-defined causes of offending?
SU	2	What did the CRC/NPS say they would do to help you make change? Did they do what they said? If not, do you know why not? Prompts: <ul style="list-style-type: none"> Was supervision explained to you? What do you think your responsible officer should be doing? Is your responsible officer doing what they should be doing? If other people are involved in your supervision, are they doing what they should be doing? 	
			Consider: what was the service offer and was it delivered?
SU	3	Did you get any help to attend probation appointments or meetings? Prompts: <ul style="list-style-type: none"> Bus fares or train tickets. Times of appointments fitted around work/college/family commitments. 	
			Consider: what support was provided?
SU	4	Do you think you were listened to? Was that taken into account? Prompts: <ul style="list-style-type: none"> Have you been asked what things you would like to talk about in supervision? If so, do you talk about those things? Has your responsible officer asked you about gender, race, sexuality, disability, marital status, age, religion or any other things in your life that you think it is important for them to know about when working with you? 	
			Consider: service user engagement/involvement.
SU	5	What has changed for you while you have been on supervision? What have you achieved?	

		<p>Prompts:</p> <ul style="list-style-type: none"> • Is there anything different now compared with when you started supervision? • Has anything important happened in your life since you started supervision? • Have you done anything differently since you started supervision?
		Consider: the service user's sense of progress.
SU	6	<p>What has helped you to change/achieve your goals?</p> <p>Prompts:</p> <ul style="list-style-type: none"> • Is your responsible officer helpful? How have they helped you? • Are other people involved in your supervision helpful? Who are they, and how have they helped you? • Are other important people in your life helpful? Who are they, and what have they done to help you?
		Consider: what has helped?
SU	7	<p>Has anything stopped you being able to change?</p> <p>Prompts:</p> <ul style="list-style-type: none"> • Do you deal with difficult things in your life in the same way now as you did before you were supervised? If not, can you tell me of an occasion when you dealt with something differently from the way you would have dealt with it before this period of supervision began? • Do people in your life help you do things differently now, or do they encourage you to do them the way you have always done?
		Consider: what gets in the way?

List of specified offences

Offences specified in Schedule 15 to the *Criminal Justice Act 2003*

PART 1 SPECIFIED VIOLENT OFFENCES

1	Manslaughter
2	Kidnapping
3	False imprisonment
4	An offence under section 4 of the <i>Offences against the Person Act 1861</i> (c.100) (soliciting murder)
5	An offence under section 16 of that Act (threats to kill)
6	An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm)
7	An offence under section 20 of that Act (malicious wounding)
8	An offence under section 21 of that Act (attempting to choke, suffocate or strangle in order to commit or assist in committing an indictable offence)
9	An offence under section 22 of that Act (using chloroform etc. to commit or assist in the committing of any indictable offence)
10	An offence under section 23 of that Act (maliciously administering poison etc. so as to endanger life or inflict grievous bodily harm)
11	An offence under section 27 of that Act (abandoning children)
12	An offence under section 28 of that Act (causing bodily injury by explosives)
13	An offence under section 29 of that Act (using explosives etc. with intent to do grievous bodily harm)
14	An offence under section 30 of that Act (placing explosives with intent to do bodily injury)
15	An offence under section 31 of that Act (setting spring guns etc. with intent to do grievous bodily harm)
16	An offence under section 32 of that Act (endangering the safety of railway passengers)
17	An offence under section 35 of that Act (injuring persons by furious driving)
18	An offence under section 37 of that Act (assaulting officer preserving wreck)
19	An offence under section 38 of that Act (assault with intent to resist arrest)
20	An offence under section 47 of that Act (assault occasioning actual bodily harm)
21	An offence under section 2 of the <i>Explosive Substances Act 1883</i> (c.3) (causing explosion likely to endanger life or property)
22	An offence under section 3 of that Act (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property)

23	An offence under section 1 of the <i>Infant Life (Preservation) Act 1929</i> (c.34) (child destruction)
24	An offence under section 1 of the <i>Children and Young Persons Act 1933</i> (c.12) (cruelty to children)
25	An offence under section 1 of the <i>Infanticide Act 1938</i> (c.36) (infanticide)
26	An offence under section 16 of the <i>Firearms Act 1968</i> (c.27) (possession of firearm with intent to endanger life)
27	An offence under section 16A of that Act (possession of firearm with intent to cause fear of violence)
28	An offence under section 17(1) of that Act (use of firearm to resist arrest)
29	An offence under section 17(2) of that Act (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act)
30	An offence under section 18 of that Act (carrying a firearm with criminal intent)
31	An offence under section 8 of the <i>Theft Act 1968</i> (c.60) (robbery or assault with intent to rob)
32	An offence under section 9 of that Act of burglary with intent to— (a) inflict grievous bodily harm on a person, or (b) do unlawful damage to a building or anything in it
33	An offence under section 10 of that Act (aggravated burglary).
34	An offence under section 12A of that Act (aggravated vehicle-taking) involving an accident which caused the death of any person
35	An offence of arson under section 1 of the <i>Criminal Damage Act 1971</i> (c.48)
36	An offence under section 1(2) of that Act (destroying or damaging property) other than an offence of arson
37	An offence under section 1 of the <i>Taking of Hostages Act 1982</i> (c.28) (hostage-taking)
38	An offence under section 1 of the <i>Aviation Security Act 1982</i> (c.36) (hijacking)
39	An offence under section 2 of that Act (destroying, damaging or endangering safety of aircraft)
40	An offence under section 3 of that Act (other acts endangering or likely to endanger safety of aircraft)
41	An offence under section 4 of that Act (offences in relation to certain dangerous articles)
42	An offence under section 127 of the <i>Mental Health Act 1983</i> (c.20) (ill-treatment of patients)
43	An offence under section 1 of the <i>Prohibition of Female Circumcision Act 1985</i> (c.38) (prohibition of female circumcision)
44	An offence under section 1 of the <i>Public Order Act 1986</i> (c.64) (riot)
45	An offence under section 2 of that Act (violent disorder)
46	An offence under section 3 of that Act (affray)
47	An offence under section 134 of the <i>Criminal Justice Act 1988</i> (c.33) (torture)

48	An offence under section 1 of the <i>Road Traffic Act 1988</i> (c.52) (causing death by dangerous driving)
49	An offence under section 3A of that Act (causing death by careless driving when under influence of drink or drugs)
50	An offence under section 1 of the <i>Aviation and Maritime Security Act 1990</i> (c.31) (endangering safety at aerodromes)
51	An offence under section 9 of that Act (hijacking of ships)
52	An offence under section 10 of that Act (seizing or exercising control of fixed platforms)
53	An offence under section 11 of that Act (destroying fixed platforms or endangering their safety)
54	An offence under section 12 of that Act (other acts of endangering or likely to endanger safe navigation)
55	An offence under section 13 of that Act (offences involving threats)
56	An offence under Part II of the <i>Channel Tunnel (Security) Order 1994</i> (S.I. 1994/570) (offences relating to Channel Tunnel trains and the tunnel system)
57	An offence under section 4 of the <i>Protection from Harassment Act 1997</i> (c.40) (putting people in fear of violence)
58	An offence under section 29 of the <i>Crime and Disorder Act 1998</i> (c.37) (racially or religiously aggravated offences under section 4 or 4A of the <i>Public Order Act 1986</i> (c.64))
59A	An offence under section 54 of the <i>Terrorism Act 2000</i> (weapons training)
59B	An offence under section 56 of that Act (directing terrorist organisation)
59C	An offence under section 57 of that Act (possession of article for terrorist purposes)
59D	An offence under section 59 of that Act (inciting terrorism overseas)
60	An offence under section 51 or 52 of the <i>International Criminal Court Act 2001</i> (c.17) (genocide, crimes against humanity, war crimes and related offences), other than one involving murder
60A	An offence under section 47 of the <i>Anti-terrorism, Crime and Security Act 2001</i> (use etc of nuclear weapons)
60B	An offence under section 50 of that Act (assisting or inducing certain weapons-related acts overseas)
60C	An offence under section 113 of that Act (use of noxious substance or thing to cause harm or intimidate)
61	An offence under section 1 of the <i>Female Genital Mutilation Act 2003</i> (c.31) (female genital mutilation)
62	An offence under section 2 of that Act (assisting a girl to mutilate her own genitalia)
63	An offence under section 3 of that Act (assisting a non-UK person to mutilate overseas a girl's genitalia)
63A	An offence under section 5 of the <i>Domestic Violence, Crime and Victims Act 2004</i> (causing or allowing the death of a child or vulnerable adult)
63B	An offence under section 5 of the <i>Terrorism Act 2006</i> (preparation of terrorist acts)

63C	An offence under section 6 of that Act (training for terrorism)
63D	An offence under section 9 of that Act (making or possession of radioactive device or material)
63E	An offence under section 10 of that Act (use of radioactive device or material for terrorist purposes etc)
63F	An offence under section 11 of that Act (terrorist threats relating to radioactive devices etc)
64	An offence of— (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule, (b) conspiring to commit an offence so specified, or (c) attempting to commit an offence so specified
65	An attempt to commit murder or a conspiracy to commit murder

PART 2
SPECIFIED SEXUAL OFFENCES

66	An offence under section 1 of the <i>Sexual Offences Act 1956</i> (c.69) (rape)
67	An offence under section 2 of that Act (procurement of woman by threats)
68	An offence under section 3 of that Act (procurement of woman by false pretences)
69	An offence under section 4 of that Act (administering drugs to obtain or facilitate intercourse)
70	An offence under section 5 of that Act (intercourse with girl under 13)
71	An offence under section 6 of that Act (intercourse with girl under 16)
72	An offence under section 7 of that Act (intercourse with a defective)
73	An offence under section 9 of that Act (procurement of a defective)
74	An offence under section 10 of that Act (incest by a man)
75	An offence under section 11 of that Act (incest by a woman)
76	An offence under section 14 of that Act (indecent assault on a woman)
77	An offence under section 15 of that Act (indecent assault on a man)
78	An offence under section 16 of that Act (assault with intent to commit buggery)
79	An offence under section 17 of that Act (abduction of woman by force or for the sake of her property)
80	An offence under section 19 of that Act (abduction of unmarried girl under 18 from parent or guardian)
81	An offence under section 20 of that Act (abduction of unmarried girl under 16 from parent or guardian)
82	An offence under section 21 of that Act (abduction of defective from parent or guardian)
83	An offence under section 22 of that Act (causing prostitution of women)
84	An offence under section 23 of that Act (procuration of girl under 21)

85	An offence under section 24 of that Act (detention of woman in brothel)
86	An offence under section 25 of that Act (permitting girl under 13 to use premises for intercourse)
87	An offence under section 26 of that Act (permitting girl under 16 to use premises for intercourse)
88	An offence under section 27 of that Act (permitting defective to use premises for intercourse)
89	An offence under section 28 of that Act (causing or encouraging the prostitution of, intercourse with or indecent assault on girl under 16)
90	An offence under section 29 of that Act (causing or encouraging prostitution of defective)
91	An offence under section 32 of that Act (soliciting by men)
92	An offence under section 33 of that Act (keeping a brothel)
93	An offence under section 128 of the <i>Mental Health Act 1959</i> (c.72) (sexual intercourse with patients)
94	An offence under section 1 of the <i>Indecency with Children Act 1960</i> (c.33) (indecent conduct towards young child)
95	An offence under section 4 of the <i>Sexual Offences Act 1967</i> (c.60) (procuring others to commit homosexual acts)
96	An offence under section 5 of that Act (living on earnings of male prostitution)
97	An offence under section 9 of the <i>Theft Act 1968</i> (c.60) of burglary with intent to commit rape
98	An offence under section 54 of the <i>Criminal Law Act 1977</i> (c.45) (inciting girl under 16 to have incestuous sexual intercourse)
99	An offence under section 1 of the <i>Protection of Children Act 1978</i> (c.37) (indecent photographs of children)
100	An offence under section 170 of the <i>Customs and Excise Management Act 1979</i> (c.2) (penalty for fraudulent evasion of duty etc.) in relation to goods prohibited to be imported under section 42 of the <i>Customs Consolidation Act 1876</i> (c.36) (indecent or obscene articles)
101	An offence under section 160 of the <i>Criminal Justice Act 1988</i> (c.33) (possession of indecent photograph of a child)
102	An offence under section 1 of the <i>Sexual Offences Act 2003</i> (c.42) (rape)
103	An offence under section 2 of that Act (assault by penetration)
104	An offence under section 3 of that Act (sexual assault)
105	An offence under section 4 of that Act (causing a person to engage in sexual activity without consent)
106	An offence under section 5 of that Act (rape of a child under 13)
107	An offence under section 6 of that Act (assault of a child under 13 by penetration)
108	An offence under section 7 of that Act (sexual assault of a child under 13)
109	An offence under section 8 of that Act (causing or inciting a child under 13 to engage in

	sexual activity)
110	An offence under section 9 of that Act (sexual activity with a child)
111	An offence under section 10 of that Act (causing or inciting a child to engage in sexual activity)
112	An offence under section 11 of that Act (engaging in sexual activity in the presence of a child)
113	An offence under section 12 of that Act (causing a child to watch a sexual act)
114	An offence under section 13 of that Act (child sex offences committed by children or young persons)
115	An offence under section 14 of that Act (arranging or facilitating commission of a child sex offence)
116	An offence under section 15 of that Act (meeting a child following sexual grooming etc.)
117	An offence under section 16 of that Act (abuse of position of trust: sexual activity with a child)
118	An offence under section 17 of that Act (abuse of position of trust: causing or inciting a child to engage in sexual activity)
119	An offence under section 18 of that Act (abuse of position of trust: sexual activity in the presence of a child)
120	An offence under section 19 of that Act (abuse of position of trust: causing a child to watch a sexual act)
121	An offence under section 25 of that Act (sexual activity with a child family member)
122	An offence under section 26 of that Act (inciting a child family member to engage in sexual activity)
123	An offence under section 30 of that Act (sexual activity with a person with a mental disorder impeding choice)
124	An offence under section 31 of that Act (causing or inciting a person with a mental disorder impeding choice to engage in sexual activity)
125	An offence under section 32 of that Act (engaging in sexual activity in the presence of a person with a mental disorder impeding choice)
126	An offence under section 33 of that Act (causing a person with a mental disorder impeding choice to watch a sexual act)
127	An offence under section 34 of that Act (inducement, threat or deception to procure sexual activity with a person with a mental disorder)
128	An offence under section 35 of that Act (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception)
129	An offence under section 36 of that Act (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder)
130	An offence under section 37 of that Act (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception)
131	An offence under section 38 of that Act (care workers: sexual activity with a person with a mental disorder)

132	An offence under section 39 of that Act (care workers: causing or inciting sexual activity)
133	An offence under section 40 of that Act (care workers: sexual activity in the presence of a person with a mental disorder)
134	An offence under section 41 of that Act (care workers: causing a person with a mental disorder to watch a sexual act)
135	An offence under section 47 of that Act (paying for sexual services of a child)
136	An offence under section 48 of that Act (causing or inciting child prostitution or pornography)
137	An offence under section 49 of that Act (controlling a child prostitute or a child involved in pornography)
138	An offence under section 50 of that Act (arranging or facilitating child prostitution or pornography)
139	An offence under section 52 of that Act (causing or inciting prostitution for gain)
140	An offence under section 53 of that Act (controlling prostitution for gain)
141	An offence under section 57 of that Act (trafficking into the UK for sexual exploitation)
142	An offence under section 58 of that Act (trafficking within the UK for sexual exploitation)
143	An offence under section 59 of that Act (trafficking out of the UK for sexual exploitation)
144	An offence under section 61 of that Act (administering a substance with intent)
145	An offence under section 62 of that Act (committing an offence with intent to commit a sexual offence)
146	An offence under section 63 of that Act (trespass with intent to commit a sexual offence)
147	An offence under section 64 of that Act (sex with an adult relative: penetration)
148	An offence under section 65 of that Act (sex with an adult relative: consenting to penetration)
149	An offence under section 66 of that Act (exposure)
150	An offence under section 67 of that Act (voyeurism)
151	An offence under section 69 of that Act (intercourse with an animal)
152	An offence under section 70 of that Act (sexual penetration of a corpse)
153	An offence of— (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule, (b) conspiring to commit an offence so specified, or (c) attempting to commit an offence so specified

1. Commencement information for these offences is available at <http://www.legislation.gov.uk/ukpga/2003/44/schedule/15>.

2. Murder is omitted from this list because it is already included by virtue of section 327(3)(a) of the *Criminal Justice Act 2003*:

"Section 327: Section 325 – interpretation"

(1) For the purposes of section 325, a person is a relevant sexual or violent offender if he falls within one or more of subsections (2) to (5)...

...(3) A person falls within this subsection if—

(a) he is convicted by a court in England or Wales of murder or an offence specified in Schedule 15".

Protective Orders

What are protective orders?

To help prevent a person causing harm or annoyance to another person, a court can issue a protective order. They put different restrictions on a person depending on the severity of the case.

The two most common orders are restraining orders and non-molestation orders.

Restraining orders

Under the protection from *Harassment Act 1997* it is an offence for a person to act in a manner that will cause another person harassment or make them fearful of violence towards them.

When a person is sentenced, they may also have a restraining order imposed upon them. Although they may be applied in a wide variety of situations, they are most commonly made in conjunction with crimes under *The Domestic Violence, Crime and Victims Act 2004*. This act provides for orders to be made on conviction or following acquittal of any offence.

If a person fails to comply with the order, it is an offence under section 5(5) of the Act and this offence is punishable with up to five years imprisonment. If a person fails to comply, it will be down to them to provide a reasonable excuse for non-compliance.

Non-Molestation orders

The *Family Law Act 1996* makes it possible for a court to make a non-molestation order that stipulates one or both of the following provisions:

- A provision that prohibits a person from molesting another person who is associated with the respondent.
- A provision that prohibits a person from molesting a relevant child.

The *Domestic Violence, Crime and Victims Act 2004* makes it an offence for a person to fail to comply with an order without having a reasonable excuse and this offence is punishable with up to five years imprisonment. A person who breaches a non-molestation order may also be held in contempt of court and dealt with appropriately.

Breach of a protective order

The circumstances of a breach will usually be taken into account. This may include questioning whether:

- it was an isolated breach or part of a wider trend in a person's behaviour
- the breach was planned or not
- what the consequences of the breach are (e.g. physical injury, distress).

The circumstances of the original offence might also be taken into account so that the level of harm caused to the victim by any breaches can be assessed. This may also have a bearing on the court's assessment of how much harm was intended by the offender. If the original offence was extremely serious, then any breaches may cause a great deal of harm to the victim, even if the circumstances of a breach are apparently minor. Phone calls, for instance, may cause a victim a lot of grief, even if taken on its own the action is inoffensive.

A breach may or may not also qualify as a substantive offence. If it does, then both the breach and the substantive offence will be treated as two discrete issues and tried separately as two separate counts. This also means that it is possible for consecutive sentences to be brought against a person if warranted by the seriousness of the offences.

In other cases, only the substantive offence or the breach will result in a charge and in such cases the sentence should reflect all the aspects of the offence so that the result is the same as if both counts had been charged. Usually this will be done by naming the second offence as an aggravating factor connected to the first, increasing the maximum sentence.

The main aim of sentencing when an order is breached should be to persuade the offender to comply with any further orders issued in the future. The penalty for a breach should be imposed to punish the breach itself and not the original offence, even though the original offence will have some bearing upon the case.

Violent breaches

Where a breach involves physical violence, a custodial sentence will normally be imposed. In all cases, the risk posed by the offender to the victim will be taken into account.

Non-violent breaches

A breach does not have to be violent for the result to be a custodial sentence. Non-violent behaviour or indirect contact can also cause or aim to cause a large amount of harm and when this is the case, a custodial sentence may be appropriate. If the offender can convince the court that they truly intend modifying their behaviour and the court believes there is a good chance of their rehabilitation, then a custodial sentence may not be considered necessary. Instead a suspended sentence or community order may be issued or the person may be compelled to complete a rehabilitation programme.

Aggravating factors

When considering the penalty imposed on a breach, there are many different factors that can be taken into account. They include:

The vulnerability of the victim

Some victims are more vulnerable than others and, where they are more vulnerable, the terms of a protective order may be even more important. As such, the penalties for breaching these terms will be more severe.

Age, disability or pregnancy

The age of the person, any disabilities they have and whether they are (or have recently been) pregnant may all be considered as aggravating factors.

Attempts to prevent the breach being reported

Any steps taken to stop the victim reporting the offence will be considered as aggravating factors.

Children

Breaches of orders that were made to protect children will generally be treated as far more serious offences. If contact arrangements with a child are exploited in order for a person to perpetrate an offence, this may be considered as an aggravating factor.

Offender's history

If the offender has a history of violence or has frequently threatened a victim, then the offence will be considered more serious. If the offender has previous convictions, or as a consequence of a breach the victim has to move home, these may also be seen as aggravating factors.

The time period between breaches or between the order being issued and the offence will be taken into account. If the breach comes shortly after the order or a previous breach, it will generally be considered more serious

Mitigating factors

The following can mitigate the sentence imposed on an offender:

- If the victim contacts the offender and this causes the breach then it can be used as a mitigating factor.
- If the breach comes after a long period of compliance with the order, it may be considered less severe.