



Speech

Dame Glenys Stacey
The Howard League for Penal Reform
London, 16 March 2016

Thank you. It is such a pleasure to be here - to be in such learned, experienced company, and to not only hear from you, but to be invited to speak as well. Thank you very much.

As a new Chief Inspector, I am delighted to have the chance to reflect on this afternoon's subject '*Inspection as a catalyst for penal reform*', and to hear other, more seasoned speakers' views as well.

Let me start with the basics of inspection, and what we can rightly expect of it. There are a good number of bodies that inspect public services. Indeed, even regulators and inspectors are often themselves inspected. Inspection remits are frequently embedded in statute, and they often differ. That is the case amongst the four criminal justice inspectorates. Not surprisingly, inspectorates go about their work in slightly different ways. They are free to do so.

Whatever the nuances of their stated remits, inspectorates exist to set standards and to drive improvement – although there are differences in the extent to which they set standards overtly. However they differ, all inspectorates should root out the poor practice of those they inspect; be clear about what is acceptable and what is not, and find best practice, and promote that widely.

If they do that job well, then they influence and improve practice on the ground, making a positive difference to people's lives. In our case at HMI Probation, many of those people have not enjoyed the life chances of most of us here, or the same support, and have often enough been labelled as, or seen as failures, or worse, often early on in their lives.

Inspectorates are most valued if they inspect well; if they are clear, neutral and evidence-based. To inspect well, they must see the wood for the trees, and recognise and respect the real world, rather than live in an ideal one. That is ever more important, on this budget day and beyond. Resource pressures continue to bite across the public sector. Increasingly, leaders, managers and front-line staff are making difficult, urgent choices as between one priority and another.

As inspectorates mature, they hone and tweak their inspection methodologies and regimes, to best fit what is required. So they should. Sometimes they make more radical change to the way they do things, often in response to changes in what they are inspecting, as indeed we are at HMI Probation. Inspectorates must of course recognise and respond to significant strategic or policy change, such as opening up provision to the market, and consider the benefits yes, but also the risks and issues that come with market provision, and not just develop their inspection methodologies in response, but plan their inspection programmes

accordingly. A competing market often lends itself to a risk-based approach to inspection. It certainly requires clear sight and foresight, to foresee how market pressures will influence what is done, and what is not done.

Whatever inspection methodology they use, the best inspectorates strike that tricky balance between process and outcomes – words that are so commonly used, but often not sufficiently well defined and understood. Let us not forget that there should be, there is a relationship between the two.

The best of inspectorates also develop good ways of getting information and learning from inspections not just to those immediately inspected, but to all those they are charged with inspecting, to maximise the impact of their work, and they follow up inspections when there is reason to do so.

Perhaps all this goes without saying, but as the new Chief Inspector of Probation, I think it important to say – because this is how inspectorates can make the most positive difference to practice on the ground, and so to people's lives and futures. But, to address the subject of this afternoon, does inspection act as a catalyst for reform, as we are asked here?

Inspectorates do an unusual thing. They inspect, and reflect back what they find. They tell it as it is on the ground, without fear or favour: they show the reality of things, as in a mirror - and the bare, unadorned truth seen there is so valuable, not just for those leaders and managers responsible for the quality of services but for ministers, policy-makers and others as they consider whether government's policy aims are being sufficiently well met.

Inspectorates do not exist to prod government for the sake of it. If that is what they did, and little else, then they would likely not exist for long! Nevertheless, sometimes what they find influences government policy, and so it should. This is particularly so for thematic work, that is inspections that show how a particular policy – unpaid work for example – is being delivered across the sector, rather than in just one area or one CRC.

Done well, thematic work is powerful, and of course inspectorates and regulators aspire to do as much of it as possible, and so a tension arises: how much of an inspectorate's limited resources should be devoted to thematic work as opposed to the more regular inspection of individual bodies? Regulators and inspectorates wrestle with that question.

In deciding the right balance, we should keep in mind that timely, risk-based thematic inspection is particularly valuable in times of change. It is useful when it comes to assessing the effectiveness of changes in government policy, and new policies. At such times it comes into its own by providing a timely, detailed, neutral evaluation of how things are actually working, and whether government's policy aims are being met, being delivered on the ground.

So for example, the government has an array of quantitative measures of delivery by the NPS and CRCs under the new probation arrangements. Measures of contract performance are important, are necessary, yet not sufficient - because on their own, they do not necessarily answer the big questions: for example, are CRCs working with the voluntary sector in a sufficiently joined-up and systematic way and if not then why not, and is the 'Through the Gate' initiative working well enough (in these early days) to be likely to deliver the significant expectations of it?

If things are not working as they should, or as hoped and expected, then effective thematic inspection identifies why that is the case, and points to what should or could be done about it.

Thematic work can shed light on matters of particular relevance in times of change, yes, but it can also illuminate more longstanding matters. So for example, are all local authorities providing accommodation and support to 16 and 17 year olds in the manner anticipated by the law (the Southwark judgment); or is unpaid work being delivered sufficiently well? Seemingly not.

So I would argue that the well-targeted reports of inspectorates – most particularly their thematic reports - should be of deep interest to commentators, to those people who work, manage and lead in the sector inspected, and to ministers, because they help to answer the big questions that we all want the answers to, ministers most particularly. Inspectorate reports should be welcomed as neutral, independent, authentic evaluations of how things are, and should stimulate thinking. If they do not, then they have not hit the spot.

Aside from written reports of course, Chief Inspectors have access to ministers. They meet. That does not mean that independence is compromised. Quite the contrary: wise Chief Inspectors understand entirely where lines are to be drawn, while respecting and appreciating that ministers are quite rightly eager for information and for an informed view, to know how things stand in order to gain assurance and make good decisions.

Chief Inspectors should be amongst those that ministers talk with and listen to, as they form their views and consider their policy options. That has been my experience as a Chief Regulator. To consider for a moment what it is like for ministers, as they consider policy options. Other powerful parts of government have views, as do other influential stakeholders, and those views may be conflicting but pressing. Officials may not have full data and information at their fingertips. Where can a minister turn for neutral, evidence-based information and an unbiased view? In my experience, evidence and good research from an independent Chief Regulator or Inspector with a good grasp of the context and the real world, are powerful, and valued in turn by wise ministers.

So - I ask myself the extent to which HMI Probation has influenced ministers of late. Did we influence, for example, the decision to extend probation to those serving short prison sentences; or the government's policy to separate service provision for those assessed as posing a high risk of serious harm, from those posing medium or low risk; or else the priority afforded to improving prison offender management arrangements? These questions give me reason to reflect.

And they begin to set an ambition for me, and for HMI Probation: that we inspect the right things at the right time; that we speak candidly with ministers about what we find, and that we begin to provide for government some of the answers to some of the big questions.

In that way we can be a catalyst for change, when change is called for.

Thank you for listening. Thank you.

ENDS