



House of Commons
Justice Committee

Appointment of HM Chief Inspector of Probation

Seventh Report of Session 2013–14

*Report, together with formal minutes, and oral
evidence*

*Ordered by the House of Commons
to be printed 8 October 2013*

The Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

Current membership

Rt Hon Sir Alan Beith (*Liberal Democrat, Berwick-upon-Tweed*) (Chair)

Steve Brine (*Conservative, Winchester*)

Rehman Chishti (*Conservative, Gillingham and Rainham*)

Jeremy Corbyn (*Labour, Islington North*)

Nick de Bois (*Conservative, Enfield North*)

Gareth Johnson (*Conservative, Dartford*)

Rt Hon Elfyn Llwyd (*Plaid Cymru, Dwyfor Meirionnydd*)

Andy McDonald (*Labour, Middlesbrough*)

Seema Malhotra (*Labour/Co-operative, Feltham and Heston*)

Yasmin Qureshi (*Labour, Bolton South East*)

Graham Stringer (*Labour, Blackley and Broughton*)

Mike Weatherley (*Conservative, Hove*)

The following Members were also members of the Committee during the Parliament:

Mr Robert Buckland (*Conservative, South Swindon*); Christopher Evans (*Labour/Co-operative, Islwyn*); Mrs Helen Grant (*Conservative, Maidstone and The Weald*); Ben Gummer (*Conservative, Ipswich*); Mrs Siân C James (*Labour, Swansea East*); Jessica Lee (*Conservative, Erewash*); Robert Neill (*Conservative, Bromley and Chislehurst*); Claire Perry (*Conservative, Devizes*); Mrs Linda Riordan (*Labour/Co-operative, Halifax*); Anna Soubry (*Conservative, Broxtowe*); Elizabeth Truss (*Conservative, South West Norfolk*) and Karl Turner (*Labour, Kingston upon Hull East*).

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/justicecommittee. A list of Reports of the Committee in the present Parliament is at the back of this volume.

The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume. Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are Nick Walker (Clerk), Sarah Petit (Second Clerk), Gemma Buckland (Senior Committee Specialist), Hannah Stewart (Committee Legal Specialist), Ana Ferreira (Senior Committee Assistant), Miguel Boo Fraga (Committee Assistant), Holly Knowles (Committee Support Assistant), Katia Krotova (Sandwich Student), and Nick Davies (Committee Media Officer).

Contacts

Correspondence should be addressed to the Clerk of the Justice Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 8196 and the email address is justicecom@parliament.uk

Contents

Report	<i>Page</i>
1 Introduction	3
2 HM Chief Inspector of Probation	4
Appendix A: Posts which are subject to pre-appointment hearings before the Justice Committee	7
Appendix B: Correspondence between the Chair and the Secretary of State	8
Appendix C: Job advertisement	11
Appendix D: Person specification	12
Appendix E: Letter from the Secretary of State for Justice to the Chair of the Committee, 19 September 2013	13
Appendix F: <i>Curriculum Vitae</i>	14
Witness	18
List of Reports from the Committee during the current Parliament	18

1 Introduction

1. This Report follows the second occasion in this Parliament on which the Committee has held a pre-appointment hearing with the Secretary of State for Justice's preferred candidate for the post of HM Chief Inspector of Probation.¹

2. In 2011 we withheld our approval of the appointment of Diana Fulbrook OBE, at that time the Chief Executive of Wiltshire Probation Trust, who was the preferred candidate for the post of the then Secretary of State, Rt Hon Kenneth Clarke MP.² In our consideration of the subject we highlighted the importance of considering candidates of suitable quality who had a range of experience outside the probation service.³ We have kept this in mind as part of this pre-appointment scrutiny process. Indeed, changes which are taking place within the landscape of delivery of probation services under the Transforming Rehabilitation programme have if anything heightened the importance of candidates for HM Chief Inspector of Probation being able to bring a breadth of experience to the post.

3. In 2011 Mr Clarke decided not to proceed with the appointment of Diana Fulbrook, and since then Liz Calderbank has been Acting Chief Inspector. Our Chair wrote to the Secretary of State, Rt Hon Chris Grayling MP, on 10 December 2012 asking for information about when a permanent appointment would be made. Mr Grayling replied on 29 January 2013 to say that the start of the recruitment process had to await the outcome of the *Transforming Rehabilitation* consultation, as the radical reform of offender management which it entailed would clearly impact on the work of HMI Probation. He wrote again on 22 April 2013 giving details of the Ministry's plans for the recruitment process. This correspondence is published as Appendix B. Our Chair met Mr Grayling on 24 April to discuss the recruitment process. In the event, no preferred candidate emerged from the initial recruitment process, and the post was re-advertised with a reduced period of appointment, three years instead of five years, and at an increased salary, of £135,000 instead of £115,000.

1 In 2008, the then Government produced a list of posts which it identified as being suitable for pre-appointment scrutiny. Those posts which fall within the remit of this Committee are set out in Appendix A.

2 Justice Committee, Fifth Report of Session 2010–12, *Appointment of HM Chief Inspector of Probation*, HC 1021.

3 *Ibid*, Appendix E

2 HM Chief Inspector of Probation

The role and function of the Probation Inspectorate

4. Her Majesty's Chief Inspector of Probation (HMCIP) is a statutory appointment reporting directly to Ministers, but operating independently of Government and the services under its scrutiny. Appointment is by open competition and is made by the Justice Secretary. The appointment process is conducted in accordance with guidance issued by the Office of the Commissioner for Public Appointments.

5. HM Inspectorate of Probation is an independent inspectorate, funded by the Ministry of Justice. Its inspections cover probation and youth offending services. It describes its purpose as to:

- “report to the Secretary of State on the effectiveness of work with adults, children and young people who have offended, or who are likely to offend, aimed at reducing offending and protecting the public, whoever undertakes this work
- report on the effectiveness of the arrangements for this work, working with other inspectorates as necessary
- contribute to improved performance by the organisations whose work we inspect
- contribute to sound policy and effective service delivery, especially in public protection, by providing advice and disseminating good practice, based on inspection findings, to Ministers, officials, managers and practitioners
- promote actively race equality and wider diversity issues, especially in the organisations whose work we inspect
- contribute to the overall effectiveness of the Criminal Justice System, particularly through joint work with other inspectorates.”⁴

6. During 2012–13, the Inspectorate – which had 56 staff listed as at 31 March 2013 and a budget of £3,712,000 in 2012–13 –

completed one remaining Core Case Reinspection under its previous programme of Inspection of Youth Offending and started its new risk proportionate programme of Inspection of Youth Offending Work. Under this new programme it completed four Full Joint Inspections and 19 Short Quality Screenings;

completed the remaining five inspections under the Offender Management Inspection 2 (OMI2) programme. Development of the successor programme,

4 <http://www.justice.gov.uk/about/hmi-probation/statement-of-purpose>. The other inspectorates in the criminal justice system are HM Inspectorate of Prisons, HM Crown Prosecution Service Inspectorate and HM Inspectorate of Constabulary.

Inspection of Adult Offending Work, continued throughout the year, including four pilot inspections

completed 22 inspections of offender management in prisons, jointly with HMI Prisons

published four thematic reports, on children and young people who sexually offend, Looked After Children, transitions from youth to adult services and a follow-up inspection of electronically monitored curfews, and contributed to a further two published reports on disability hate crime led by HM Crown Prosecution Service Inspectorate and restorative justice led by HM Inspectorate of Constabulary.⁵

The post

7. The Ministry's candidates' information pack states that HMCI Probation has a duty to ensure the inspection of probation and youth offending services in England and Wales and provide independent scrutiny of the quality of work undertaken with individual offenders, and responsibility for delivering and developing programmes of inspection and the inspection methodology or "framework" against which both probation services provision and Youth Offending Teams are inspected. The pack goes on to say that the Chief Inspector is actively engaged in leading the day to day inspection process and needs a comprehensive understanding of how inspection works and what both good and poor offender services mean for offenders and the public.

8. The information pack further states that the responsibility for the production of all inspection reports including findings and recommendations sits with the Chief Inspector, who will provide independent assurance to the public on the effectiveness of adult and youth offending work through confident and independent media engagement for any reports published by the Inspectorate and ongoing engagement with partners. The Chief Inspector is responsible for providing clear and visible leadership to over 50 staff and managing a tight budget against competing priorities. HMCI Probation accounts to the Permanent Secretary to the Ministry of Justice for the appropriate use of resources in accordance with budgetary delegation arrangements.

9. According to the Ministry, relationship building is key to the role of the Chief Inspector, who has a statutory requirement to consult other Chief Inspectors and Ministers on the development of HMI Probation's Programme and Framework. The new Chief Inspector will need to build a successful working relationship with the other Chief Inspectors, officials in the sponsoring department and sponsoring ministers. We note that the relationship with HM Chief Inspector of Prisons will be particularly important in contributing to the further development of effective "through-the-gate" rehabilitative services.

10. The candidates' information pack also explains that the current role of the Inspectorate could undergo "significant transformation" over the next few years, and says that the challenge for the new Chief Inspector will be to take forward a programme of work that supports and tests a new rehabilitative framework and works within the changing landscape. The Chief Inspector is also likely to have a key part to play in any proposals to improve the professional standards across offender management including the potential establishment of a professional body or institute for offender management professionals.

11. The advertisement for the post is published as Appendix C, and the essential and desirable criteria for candidates to demonstrate are included as Appendix D. The extended closing date for applications was 29 July 2013.

The candidate

12. The Secretary of State informed us by letter of 19 September that his preferred candidate for the position of HM Chief Inspector of Probation was Paul McDowell, currently the Chief Executive Officer of the crime reduction charity Nacro. The Secretary of State's letter is published as Appendix E, and Mr McDowell's curriculum vitae is published as Appendix F.⁶ Mr McDowell took up his present post in 2009: before that his career was within the prison system, culminating as Governor of HM Prison Brixton between April 2006 and October 2009.

13. We held a pre-appointment hearing with Mr McDowell on 8 October. The transcript of that hearing is published with this Report.

14. We consider that Mr McDowell's background and breadth of experience make him highly suitable to take on the role of HM Chief Inspector of Probation. He has relevant experience both as a prison governor and as the chief executive officer of a crime reduction charity delivering a wide range of rehabilitative services, and has demonstrated determination and persistence in these roles. He recognizes the need for the Inspectorate to take on a strong and independent role. We were impressed by his understanding of the priorities and challenges for probation services and the Inspectorate in improving the effectiveness of rehabilitative services and reducing re-offending, while maintaining public protection. In his evidence to us Mr McDowell stressed the critical importance of joint working between inspectorates in the criminal justice system, and particularly between HM Inspectorate of Probation and HM Inspectorate of Prisons in ensuring effective outcomes in relation to through-the-gate provision of offender management. **We are pleased to record our approval of Mr McDowell as the next HM Chief Inspector of Probation, and look forward to working with him in the future.**

⁶ Excluding private information and contact details.

Appendix A: Posts which are subject to pre-appointment hearings before the Justice Committee

Attorney General's Office

HM Chief Inspector of the Crown Prosecution Service (subject of a pre-appointment hearing, report published as HC 244 of Session 2009–10)

Ministry of Justice

Chair of the Judicial Appointments Commission (subject of a pre-appointment hearing, report published as HC 770 of Session 2010–11)

Chair of the Office for Legal Complaints (subject of a pre-appointment hearing, report published as HC 1122 of Session 2007–08)

HM Chief Inspector of Prisons (subject of a pre-appointment hearing, report published as HC 354 of Session 2009–10)

HM Chief Inspector of Probation (the subject of this report; also subject of a previous pre-appointment hearing, report published as HC 1021 of Session 2010–12)

Information Commissioner (subject of a pre-appointment hearing, report published as HC 146 of Session 2008–09)

Prisons and Probation Ombudsman (subject of a pre-appointment hearing, report published as HC 1022 of Session 2010–12)

Appendix B: Correspondence between the Chair and the Secretary of State

Letter from the Chair of the Committee to Secretary of State for Justice, 10 December 2012

You will be aware that after we reported, in our Fifth Report of Session 2010-12, that we were not able to approve the appointment of the then Secretary of State's preferred candidate for the post of HM Chief Inspector of Probation, Kenneth Clarke decided not to proceed with the appointment. He subsequently wrote to us, on 24 October 2011, to say that Liz Calderbank would be 'acting as Chief Inspector until a permanent Chief Inspector can be appointed' and promised to update the Committee when in a position to begin a permanent recruitment exercise, which he anticipated as taking place in early 2012.

Since that time we have received no further information. Please could you let us know when the permanent recruitment exercise will take place? My Committee will of course wish to be involved in the process, including by holding a pre-appointment hearing with your preferred candidate before any permanent appointment is made.

Letter from the Secretary of State for Justice to the Chair of the Committee, 29 January 2013

Thank you for your letter of 10 December 2012 enquiring as to the progress on appointing a new permanent Chief Inspector of Probation, to which I am sorry that I have not been able to send you an earlier reply. As Ken Clarke explained in 2011, we were not able to start the recruitment process for this post until we received the findings of the ongoing review of probation, as this would influence the focus of the inspectorate and the design of the selection criteria for the role.

Now the review of probation has been incorporated within our wider reforms on rehabilitation, and following the publication of the consultation paper *Transforming Rehabilitation - a revolution in the way we manage offenders* on 9 January 2013, we will need to consider how the findings from this consultation will shape both the inspectorate's function and the nature of the Chief Inspector's role. We are proposing a radical reform of offender management which will clearly impact on the work of HMI Probation. I can assure you that I will involve the Committee in the process and I suggest we meet after Easter when the way forward for HMI Probation will be clearer to discuss the matter in more detail.

Letter from the Secretary of State for Justice to the Chair of the Committee, 22 April 2013

As you know, I am responsible for Her Majesty's Chief Inspector of the National Probation Service for England and Wales, an appointment that is Subject to pre-appointment scrutiny. I am writing to you ahead of our meeting on Wednesday 24 April to discuss the recruitment process to recruit a new Chief Inspector, and to provide you with an opportunity to nominate candidates to be invited to enter this competition.

Her Majesty's Chief Inspector of the National Probation Service for England and Wales is a statutory appointment under the Criminal Justice and Court Services Act 2000. The Act requires that the Inspector shall be appointed by the Secretary of State. Her Majesty is notified by the Prime Minister as a courtesy.

HM Chief Inspector of Probation is an independent body, sponsored by the Ministry of Justice, and is a statutory appointment (Criminal Justice and Court Services Act 2000) reporting directly to Ministers, but operating independently of Government and the services under its scrutiny. Appointment is by open competition and is made by the Justice Secretary. Liz Calderbank is acting as Chief Inspector on a temporary basis until the permanent Chief Inspector is appointed.

Candidates for the post will be subject to scrutiny by Parliamentary select committee prior to appointment. Such hearings will be non-binding but the Justice Secretary will consider the committee's conclusions before deciding whether to proceed with the appointment.

HMCI Probation has a duty to ensure the inspection of probation and youth offending services in England Wales. They are responsible for delivering and developing programmes of inspection and the inspection methodology or "framework" against which both probation services provision and Youth Offending Teams are inspected.

Although the Chief Inspector may not be involved in the day to day inspection process they will need to understand how inspection works and what both good and poor offender services mean for offenders and the public. They will need to be capable of developing this understanding quickly to inform their work.

The responsibility for the production of all inspection reports including findings and recommendations sits with the Chief Inspector. They will need to provide confident and independent media coverage for any reports published by the Inspectorate and ongoing engagement with partners.

HMCI Probation is responsible for providing clear and visible leadership to over 50 staff and managing a tight budget against competing priorities. HMCI Probation accounts to the Permanent Secretary to the Ministry of Justice for the appropriate use of resources in accordance with budgetary delegation arrangements.

Relationship building is key to this role. HMCI Probation has a statutory requirement to consult other Chief Inspectors and Ministers on the development of HMI Probation's Programme and Framework. The new Chief Inspector will need to build a successful working relationship with the other Chief Inspectors, officials in the sponsoring department and sponsoring ministers.

The current role of the Inspectorate as set out above could undergo significant transformation over the next few years. The challenge for the new Chief Inspector will be to take forward a programme of work that supports and tests a new rehabilitative framework and works within the changing landscape. The Chief Inspector is also likely to have a key part to play in any proposals to improve the professional standards across offender management including the potential establishment of a professional body or institute for offender management professionals.

The proposed criteria for the competition are:

Essential Criteria

It is essential in your application that you demonstrate strong performance across the range of competencies set out below. Applications are welcome from senior leaders with a wide range of backgrounds from the public, private or voluntary sector, and not necessarily from probation services. Candidates should be able to demonstrate the ability to understand and work with those who offend and how contract and performance management operates in both the private and voluntary sector.

Candidates will be able to demonstrate;

- Resilient and inspiring leadership gained at the highest level with strong experience of leading an organisation through a landscape of major transformational change such as the current Transforming Rehabilitation reforms.
- Clear evidence of challenging existing performance to drive forward improvement in and across a range of organisations.
- First class communication skills with the confidence and capacity to influence a wide variety of audiences on varying and complex issues.
- Strong organisational skills and positive evidence of successfully managing limited resources and evaluating competing priorities.

- High level of personal and professional conduct and credibility. Demonstrable ability to engage and command the confidence of all, including the new private sector and voluntary providers of rehabilitation services.
- Able to analyse and quickly interpret complex information and present well developed, evidence based judgments.

Desirable Criteria

The following criteria although not essential will also be taken into account by the selection panel:

- Experience of offender management and rehabilitation for adults and young people.
- Experience of performance and contract management in the private and voluntary sectors and across complex supply chains.
- Experience of the wider criminal justice system and the ability to develop and communicate a strategic vision for the inspectorate within that wider system.

Selection Panel

The proposed selection panel for the competition consists of:

- Margaret Scott, Public Appointments Assessor, nominated by the Commissioner for Public Appointments (Panel Chair);
- Helen Judge, MoJ Director of Sentencing and Rehabilitation Policy;
- An independent panel member with commercial experience from a list of five people previously approved by me;
- A fourth panel member who has some knowledge of the subject area, but is also distant enough from the Inspectorate to be able to look at the role from a fresh perspective.

My officials will ensure your office is informed of the final names.

I would like to assure you that we will also be taking into account the result of the Transforming Rehabilitation consultation that is to be published in early May.

The proposed media schedule and indicative dates for the parallel campaigns are as follows:

- Advertising on-line on the Cabinet Office, Sunday Times, thirdsector.co.uk and Guardian plus Diversity Network websites, plus executive search by recruitment consultants - Early May to early June 2013
- Sift meeting - Early June 2013
- Interviews - Mid June 2013
- Selection Panel recommendations to Ministers Late June 2013
- Select Committee pre-appointment scrutiny - Early/Mid July 2013
- Appointment letter - Late July 2013
- Chief Inspector in post - Late September 2013

If you wish to nominate potential candidates, please supply names and contact details so that my officials can make the individuals aware of the post when it is advertised.

I look forward to hearing your views on the above when we meet.

Appendix C: Job advertisement

Her Majesty's Chief Inspector of Probation

£135,000 per annum

London/Manchester

We are looking for an exceptional individual to lead Her Majesty's Inspectorate of Probation through a period of significant change. You will need to be an inspirational leader with outstanding change management skills. You will be able to set the strategic direction for the independent scrutiny of the new rehabilitation landscape and be able to command the confidence of all, including new private sector and voluntary sector providers of rehabilitation services, to improve the quality of offender management. You will shine a light on best practice, giving providers the best opportunity to reduce reoffending.

Knowledge of contract and performance management would be valuable attributes. A background in probation or youth offending work is not essential, but you would benefit from an understanding of what effective working with these groups means in practice.

The Inspectorate has a statutory responsibility to inspect work undertaken with children, young people and adults who have offended or are likely to offend. This is at a time when the transformation of the rehabilitation of adult offenders is taking place. Reoffending is to be reduced through far reaching reforms to introduce a more diverse mix of providers, delivering increased innovation and improved value for money. The Inspectorate of Probation will play a key role in scrutinising this dynamic new range of providers, providing an independent public assurance of quality. Youth offending work is also subject to wide ranging changes stemming from government proposals on rehabilitation and on the custody of children and young people.

Her Majesty's Chief Inspector of Probation is a statutory role and the initial appointment will be for 3 years. The preferred candidate will need to appear before a Parliamentary select committee before appointment. The office holder can be based at either the Inspectorate's office in London or Manchester.

Further information is available at www.mojpublicappointments.com. For an informal confidential discussion about the role please contact Mark Turner or Holly Perry on 020 7426 3976. Applications (CV and supporting letter) should be submitted via www.mojpublicappointments.com by noon on Monday 29 July 2013. Interviews are planned for mid August and the pre-appointment hearing for the week commencing 2 September.

We welcome applications from candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability or gender identity. Applications are particularly welcome from women, those from an ethnic background or with a disability, those in the private sector and those who have not previously held a public appointment. This appointment is regulated by the Commissioner for Public Appointments.

Appendix D: Person specification

Essential criteria

It is essential in your application that you demonstrate strong performance across the range of competencies set out below. Applications are welcome from senior leaders with a wide range of backgrounds from the public, private or voluntary sector, and not necessarily from probation services, who are able to demonstrate the ability to understand and work with those who offend and how contract and performance management operates in both the private and voluntary sector.

Core competencies

Candidates will be able to demonstrate;

- Resilient and inspiring leadership gained at the highest level with strong experience of leading an organisation through a landscape of major transformational change such as the current Transforming Rehabilitation reforms.
- Clear evidence of challenging existing performance to drive forward improvement in and across a range of organisations.
- First class communication skills with the confidence and capacity to influence a wide variety of audiences on varying and complex issues.
- Strong organisational skills and positive evidence of successfully managing limited resources and evaluating competing priorities.
- High level of personal and professional conduct and credibility. Demonstrable ability to engage and command the confidence of all, including the new private sector and voluntary providers of rehabilitation services.
- Able to analyse and quickly interpret complex information and present well developed, evidence based judgments.

Desirable criteria

The following criteria although not essential will also be taken into account by the selection panel:

- Experience of offender management and rehabilitation for adults and young people.
- Experience of performance and contract management in the private and voluntary sectors and across complex supply chains.
- Experience of the wider criminal justice system and the ability to develop and communicate a strategic vision for the inspectorate within that wider system.

Appendix E: Letter from the Secretary of State for Justice to the Chair of the Committee, 19 September 2013

As you are aware, I am responsible for Her Majesty's Chief Inspector of the National Probation Service for England and Wales (HMCIP), an appointment that is subject to pre-appointment scrutiny. Further to our meeting before the outset of the recruitment campaign, and our subsequent correspondence, I am very pleased to be able to put forward my preferred candidate, Paul McDowell, for consideration by the Committee.

HMCIP is a statutory appointment under the Criminal Justice and Court Services Act 2000. The Act requires that the Inspector shall be appointed by the Secretary of State. Her Majesty is notified by the Prime Minister as a courtesy.

HMCIP is an independent body, sponsored by the Ministry of Justice, reporting directly to Ministers, but operating independently of Government and the services under its scrutiny. Liz Calderbank is acting as Chief Inspector on a temporary basis until a permanent Chief Inspector is appointed.

Candidates for the post were informed that, prior to appointment, the position was subject to scrutiny by Parliamentary select committee. As you are aware, the hearing is non-binding. I shall consider the committee's conclusions before deciding whether to proceed with the appointment.

HMCIP has a duty to ensure the inspection of probation and youth offending services in England and Wales. They are responsible for delivering and developing programmes of inspection and the inspection methodology or "framework" against which both probation services provision and Youth Offending Teams are inspected. Although the Chief Inspector may not be involved in the day to day inspection process they will need to understand how inspection works and what both good and poor offender services mean for offenders and the public. They will need to be capable of developing this understanding quickly to inform their work.

The responsibility for the production of all inspection reports including findings and recommendations sits with the Chief Inspector. They will need to provide confident and independent media coverage for any reports published by the Inspectorate and ongoing engagement with partners.

HMCIP is responsible for providing clear and visible leadership to over 50 staff and managing a tight budget against competing priorities. HMCIP accounts to the Permanent Secretary to the Ministry of Justice for the appropriate use of resources in accordance with budgetary delegation arrangements.

Relationship building is key to this role. HMCIP has a statutory requirement to consult other Chief Inspectors and Ministers on the development of the Inspectorate's Programme and Framework. The new Chief Inspector will need to build a successful working relationship with the other Chief Inspectors, officials in the sponsoring department and sponsoring ministers.

The current role of the Inspectorate as set out above could undergo significant transformation over the next few years. The challenge for the new Chief Inspector will be to take forward a programme of work that supports and tests a new rehabilitative framework and works within the changing landscape. The Chief Inspector is also likely to contribute to any work to maintain and develop professional standards across the probation profession.

The criteria for the competition and details of the selection panel are set out in the enclosed annex. The recruitment campaign followed the process described in my earlier letter to you and, as discussed between my officials and the Clerk to the Committee, the advertising period was extended to allow a wider range of candidates to apply.

I enclose Paul McDowell's CV for your information.

Appendix F: Curriculum Vitae

PAUL MCDOWELL

PERSONAL

Key Leadership & Management Qualities:-

- a resilient, adaptable and inspiring leader with significant experience gained at senior levels
- with high integrity and energy
- is tenacious in dealing with issues
- strong experience of leading a complex organisation through a landscape of major transformational change and market volatility
- highly effective in mobilising the organisation behind agreed strategy.

EMPLOYMENT HISTORY

October 2009–Present

Chief Executive Officer – Nacro – Crime Reduction Charity; 1500+ staff and volunteers, turnover of £50 million, 300+ projects, over 100 locations across England and Wales

Responsibilities

Chief Executive Officer reporting directly to the Chair of Trustees with responsibility for the day to day running, the executive management and strategic direction of the organisation.

Chair key meetings of (i) leadership team, (ii) trade unions, (iii) finance, (iv) change programme board

Responsibility for delivery against key performance targets

Responsibility for meeting internal audit requirements and external inspection requirements

Strategic responsibility for external stakeholder relationships and business development

Responsibility for budget management, HR (including recruitment, sickness management, pay, industrial relations and other generic HR functions)

Lead strategic media and organisational PR responsibility

Achievements

Redesign and re-launch of Nacro strategic plan and business strategy

Redesign and re-launch of business planning and budget setting processes, bringing management of the finances of the charity back under the control

Significant change programme, Vision 2015, implemented leading to delivering cost reduction of (£1.8m year on year)

Vision 2015 included a comprehensive organisation system redesign, Finance and HR centralisation, regional/area structure redesigned to meet organisational needs

Lead on significant communications and engagement strategy for staff across the organisation

Organisation wide Investors In People accreditation confirmed in November 2011

Recruitment of new senior team for the organisation

Lead on work to stabilise Nacro's reputation with key stakeholders including commissioners, ministers, media, trustees and staff

Redesign of Nacro website to sharpen business focus

Launch of Nacro's first intranet

Implementation of full job evaluation process to harmonise terms and conditions and prevent reoccurrence of historical pay drift.

April 2006–October 2009**Prison Governor – HM Prison Brixton – Adult Male Local; 800 prisoners, 400 staff, budget of £27 million****Responsibilities**

Governor - directly managing senior managers with responsibility for security, drug treatment, resettlement, residence and healthcare, diversity, HR, finance, maintenance & business change.

Chair key monthly meetings of (i) SMT (performance), (ii) SMT (strategy) (iii) Healthcare management partnership board (co-chair with Chief Exec of Lambeth PCT (iv) Lead Industrial Relations meeting with Prison Officers Association and (v) Diversity

Responsibility for security of the establishment

Responsibility for delivery against key performance targets, and meeting audit and inspection requirements

Responsibility for budget management, HR (including recruitment, sickness management, pay, industrial relations and other generic HR functions)

Media liaison and establishment PR

Member of Safer Lambeth Partnership Board

Achievements

Reorganisation of the senior management structure

Development of an establishment wide approach to consultation and communication practices for staff and prisoners

Reorganisation and reconfiguration of wings and hotel function of the prison

The creation of an IDTS (integrated drug treatment services) unit

Development of violence reduction policy, leading to a halving of the assault rates for staff and prisoners at Brixton by end of 2008

The development and implementation of plans to develop a weak middle management rank

Delivering on key performance indicators and targets across a range of functions (e.g. sickness absence, mandatory drug testing, accommodation and employment for prisoners upon release).

Development of training facilities and a comprehensive overhaul of the training and development function

Investors In People accreditation confirmed in April 2009

Healthcare services contracted out by May 2008

Significant progress in challenging cultural attitudes related to a range of diversity issues. Work in this respect has been externally recognised by the Commission for Racial Equality.

November 2003–April 2006**Prison Governor – HM Prison Coldingley – Adult Category C Training Prison – 400 prisoners, 200 staff, budget of £14 Million****Responsibilities**

Command of, and full management responsibility for Coldingley Prison

Prison in need of significant performance improvement across a wide range of work areas. Heavily criticised in 2 previous HMCIP reports.

Key Achievements

Full HMCIP inspection November 2005 recorded significant improvements across the board at Coldingley. Grade 1 for safety and grade 2 for all other areas.

Re-shaped and re-structured management responsibilities to focus the prison on key resettlement work

Devised the STEPs resettlement project aimed at developing partnerships with employers leading to employment on release for offenders

Launched the rail training resettlement project under the STEPS umbrella linking work and training opportunities directly to potential employers

Systems to manage re-categorisation, ROTL and risk assessment procedures fully reviewed and new systems implemented

Sickness levels managed directly, leading to a reduction of long-terms sickness levels, cut by 50% in 24 months.

April 2001–November 2003

Deputy Prison Governor, HM Young Offender Institution Feltham – Juvenile and Young Offenders

Responsibilities

Support to the Governor in turning around a key failing establishment
In Charge of the Establishment on a regular basis in absence of the Governor
Broad policy implementation responsibility
Management of Governors Secretariat, Central Detail, Personnel, Training, IT and Psychology
Responsible for Business Planning, Equality, Diversity and Audit Compliance

Key Achievements

Successful challenge of staff culture and attitudes in a high profile establishment with a history and reputation for delivery failure
Turned around a very negative industrial relations climate that had previously sought to prevent, block and stifle initiative and progress
Having inherited a severe shortage of staff at Feltham, set about creating a recruitment and internal training structure that has directly turned the recruitment crisis on its head. Feltham was fully staffed by the end of that process
A significant improvement in areas of key delivery. For instance, purposeful activity at Feltham was increased from 11 hours per week to 28 hours for young offenders and 41 hours for Juveniles.
The improvements and achievements at Feltham during that period of time was acknowledged independently by HMCIP, Youth Justice Board, Board of Visitors, Ministers and the Prisons Board

March 2000–April 2001

Secondment-Prison Governor (Grade 2B) – Assistant Private Secretary to Paul Boateng, Prison and Probation Minister -Home Office, Queen Anne’s Gate, London SW1H 9AT

Responsibilities

Responsible for all Prison Service matters within Minister’s office
Plan, coordinate Ministerial visits to Prison establishments and accompany Minister on those visits
Co-ordinate Ministerial meetings, attend relevant meetings and take mins when required
Liaison between Prison Service and Minister/Home Office

EDUCATION

- 2002 –2004 **Masters (Mst) in Criminology and Prison Studies – University of Cambridge - Graduated Spring 2004**
- 1997–1998 **Diploma in Criminal Justice – UCE, Birmingham**
- 1996–1997 **Certificate in Management Studies – Wosley Hall, Oxford**

OTHER ROLES

- Fellow of the RSA**
- Trustee of the Eisenhower Foundation, Washington DC**
- Trustee of the Prison Radio Association**

INTERESTS

Sport, Music, Politics, Travel

Formal Minutes

Tuesday 8 October 2013

Members present:

Sir Alan Beith, in the Chair

Jeremy Corbyn	Andy McDonald
Nick de Bois	Yasmin Qureshi
Gareth Johnson	Graham Stringer
Mr Elfyn Llwyd	

Draft Report (*Appointment of HM Chief Inspector of Probation*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 14 read and agreed to.

Papers were appended to the Report as Appendices A to F.

Resolved, That the Report be the Seventh Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 16 October at 9.15am.]

Witness

Tuesday 8 October 2013

Page

Paul McDowell, preferred candidate for HM Chief Inspector of Probation

Ev 1

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2010–12

First Report	Revised Sentencing Guideline: Assault	HC 637
Second Report	Appointment of the Chair of the Judicial Appointments Commission	HC 770
Third Report	Government's proposed reform of legal aid	HC 681-I (Cm 8111)
Fourth Report	Appointment of the Prisons and Probation Ombudsman for England and Wales	HC 1022
Fifth Report	Appointment of HM Chief Inspector of Probation	HC 1021
Sixth Report	Operation of the Family Courts	HC 518-I (Cm 8189)
Seventh Report	Draft sentencing guidelines: drugs and burglary	HC 1211
Eighth Report	The role of the Probation Service	HC 519-I (Cm 8176)
Ninth Report	Referral fees and the theft of personal data: evidence from the Information Commissioner	HC 1473(Cm 8240)
Tenth Report	The proposed abolition of the Youth Justice Board	HC 1547 (Cm 8257)
Eleventh Report	Joint Enterprise	HC 1597 (HC 1901)
Twelfth Report	Presumption of Death	HC 1663 (Cm 8377)
First Special Report	Joint Enterprise: Government Response to the Committee's Eleventh Report of Session 2010–12	HC 1901

Session 2012–13

First Report	Post-legislative scrutiny of the Freedom of Information Act 2000	HC 96-I (Cm 8505)
Second Report	The budget and structure of the Ministry of Justice	HC 97-I (Cm 8433)
Third Report	The Committee's opinion on the European Union Data Protection framework proposals	HC 572 (Cm 8530)
Fourth Report	Pre-legislative scrutiny of the Children and Families Bill	HC 739 (Cm 8540)

Fifth Report	Draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013	HC 927
Sixth Report	Interpreting and translation services and the Applied Language Solutions contract	HC 645 (Cm 8600)
Seventh Report	Youth Justice	HC 339 (Cm 8615)
Eighth Report	Scrutiny of the draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013	HC 965 (HC 1119)
Ninth Report	The functions, powers and resources of the Information Commissioner	HC 962 (HC 560, Session 2013–14)
First Special Report	Scrutiny of the draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013: Government Response to the Committee's Eighth Report of Session 2012–13	HC 1119

Session 2013–14

First Report	Sexual Offences Guidelines: Consultation	HC 93
First Special Report	The functions, powers and resources of the Information Commissioner: Government Response to the Committee's Ninth Report of Session 2012–13	HC 560
Second Report	Women offenders: after the Corston Report	HC 92
Third Report	Transforming Legal Aid: evidence taken by the Committee	HC 91
Fourth Report	Environmental Offences Guideline: Consultation	HC 604
Fifth Report	Older prisoners	HC 89
Sixth Report	Post-legislative Scrutiny of Part 2 (Encouraging or assisting crime) of the Serious Crime Act 2007	HC 639

Oral evidence

Taken before the Justice Committee on Tuesday 8 October 2013

Members present:

Sir Alan Beith (Chair)

Jeremy Corbyn
Nick de Bois
Gareth Johnson
Mr Elfyn Llwyd

Andy McDonald
Yasmin Qureshi
Graham Stringer

Examination of Witness

Witness: **Paul McDowell**, preferred candidate for HM Chief Inspector of Probation, gave evidence.

Chair: Mr McDowell, welcome. You come to us as the preferred candidate for the Chief Inspector of Probation—preferred, that is, by the Secretary of State. We welcome you to this hearing. If any members have any direct personal knowledge of you, they ought to declare it.

Yasmin Qureshi: No.

Q1 Chair: Could you introduce yourself to us and tell us a little bit about your professional background? We have your CV, of course, but there may be things you want to emphasise.

Paul McDowell: Of course. Thank you very much for the invite this morning. I am delighted to be here and honoured to be selected as the preferred candidate.

My background is fairly straightforward. I have spent the last 24 years working in criminal justice. I spent nearly 20 years working in the Prison Service, latterly as prison governor of HMP Coldingley in Surrey and then as governor of Brixton prison, which was my last post in the Prison Service. I then left the Prison Service to join Nacro as chief executive. I have managed that organisation through some interesting times in the last four years for charities. As I am sure many of you will know, Nacro is the largest crime reduction charity in the country. It is engaged in a range of interventions to help to prevent crime and reoffending.

Q2 Chair: There are two particular sides to your experience. There is the Nacro period, when you were in charge of an organisation delivering services designed to reduce reoffending, and prior to that your period as a prison governor. What do you see as your achievements as a prison governor?

Paul McDowell: I viewed myself very much as a reforming prison governor. I was very focused on the regime in the prisons that I was working in and ran. I was very interested in developing the way in which relationships and interactions took place between prison staff and prisoners, and in developing the quality of the regime in those prisons. That was challenging in a different way depending on the particular prison I was working in. Doing that in HMP Coldingley was a real pleasure, because of the quality of the buildings and the fact that you could get everybody engaged in work, activity and good-quality

education and focused on resettlement. When you are governor of Brixton, that is a very different matter, with very difficult buildings, limitations on your resources and a different cohort of offenders to deal with. However, that was always my focus as a prison governor.

Q3 Chair: As a prison governor, you will have been on the receiving end of inspections. What do you learn about inspection from that process?

Paul McDowell: The first thing I always knew was that it is really important when you are on the receiving end to feel that it is fair. You want to know that the process is open, transparent and fair. If the outcome is not what you had hoped, as long as you believe the process to have been fair and you get very clear outcomes, and that guides the actions that you then take, it is a process you are very happy and content to engage in.

Q4 Chair: You may have heard Nick Hardwick on the radio this morning talking about the inspection that he has just completed. He drew attention to the difference between being shown round by the governor and actually carrying out an inspection—and the very different picture that you get.

Paul McDowell: My apologies, Chair—I should have said that I wear hearing aids. There is quite a distance between us, so I did not quite catch what you said there.

Chair: We have the same problem, because the acoustics in this room are quite difficult. On the radio this morning, Nick Hardwick, the chief inspector of prisons, described the fact that there is a difference between being shown round a prison by the governor and carrying out an inspection. When you were part of the inspection process, did you learn things that you did not expect to learn from it? When you were a prison governor, you were inspected and got a report from HMI. Did you learn things that surprised you?

Paul McDowell: I think I got the question. When I was the governor of a prison, did I learn things as a consequence of inspection that surprised me? Was that the question?

Chair: Yes, that is right.

Paul McDowell: Often. You learn some real lessons about how you yourself govern, because as the

governor of a prison you don't see into all corners at all times and know all of the things that are going on. There were a few processes that would be applied to you when you were a prison governor that helped you learn about your own style of management and your own establishment, and that enabled you to think about what you should do next. Inspection was absolutely key—fundamental—to that process, but there were other processes as well. When you were audited, you would learn different sorts of lessons, but you would take learning from those processes.

I had some very interesting experiences when I was inspected as governor of Brixton. It was very interesting to take the learning from inspectors who had themselves been prison governors but were now seeing things from a slightly different viewpoint. I remember very well that I turned up very early in the morning, thinking that I would make absolutely sure that my troops were in place, doing the right things, and that we were unlocked on time, only to find that the lead inspector was already standing on the 3s in A wing, was ahead of me and was already watching what was going on. It was a very interesting process to watch. Of course, he was able to look at it from an entirely different angle. It is always really important to take the learning from those experiences.

Q5 Nick de Bois: Can we turn to the probation service? Essentially, what is your view of the role of probation?

Paul McDowell: The role of the probation service is fairly straightforward. They have a responsibility for public protection. As far as I am concerned, they have a responsibility to deliver interventions that achieve reducing reoffending. So they have a broad responsibility to reduce crime and protect the public through risk assessment processes.

Q6 Nick de Bois: If we are to dig a little bit, what is your present view of the operations carried out by probation? Also, what are your thoughts on the decision-making process within probation?

Paul McDowell: If I can, I want to apply that to what I might do from an inspection point of view, if I were given the opportunity, because I have some views on the way in which the probation interventions are applied. I have a concern, for instance, that all too often those interventions are hidden away in probation offices and are not engaged properly with communities. I have a view that I have developed particularly in the last four years as chief executive of Nacro that, if you do not engage with the communities, do not engage with offenders and do not ensure that responsibility is given and taken, you are less likely to succeed.

Q7 Nick de Bois: When you say “engage with the communities,” what do you mean? Are you talking about where someone may be housed with the community, or do you mean with the agencies within a community?

Paul McDowell: I mean all of those things—a range of different measures. For instance, one of the key things for probation services—at the moment, it is delivered by the probation service—is to develop the

right sort of relationship with the individual offender to enable the interventions to be applied. That multiplies up the likelihood of reducing reoffending. At the moment, much of that relationship is within a probation office. What I am saying is that we need to get out, to engage with communities and to make sure that individual offenders know exactly what is expected of them. We must engage with agencies and make sure that all of the individual interventions that need to be applied are applied with them.

Let me give you an analogy, if it is helpful—and this is one that we have applied in Nacro. Rather than standing in between society and the offender and saying, “It's all right. I've got your back. I will protect you from all of this nastiness,” instead we say, “We'll stand next to you, assist you, help you and provide you with opportunities, but ultimately this is your responsibility. You have to take responsibility for what happens next. Here are the things that can happen, but it is down to you to do them.” That cannot happen in a probation office.

Q8 Nick de Bois: I don't want to go off at a tangent, but I have one quick follow-up. I mentioned looking at the organisation. In London, it is quite possible that an offender who has been handled by someone down in Croydon, shall we say, could end up being housed in Enfield, for example, in my constituency. If, organisationally, that is where you are going to go with something that is not directly within the control of the probation service—that is to say housing—it is almost impossible to build the relationship you are talking about, because the client manager will never be able to transcend London. We actually had a case of that, which led ultimately to another killing. Tell me more about your organisation. Have you perceived organisational constraints that will stop you seeing that objective achieved?

Paul McDowell: A related concern that feeds into the point you have just made is how resources are used. I have not worked in the probation service, so I am not able to comment on the detail, but it seems to me that arrangements at the moment are overly bureaucratic and that there is too much focus on the wrong things but not enough focus on those relationships, interactions and interventions that I described. It seems to me that if resources were used in a more efficient way, targeted and focused on the things that I am describing, we would probably be able to overcome some of those concerns. That is the first point I would make.

The second point I would make is that we need to get a bit cleverer and up to date with the way in which people communicate. We have to do what I have described—to get out there and develop that relationship—but how you stay in touch with people, interact with them and engage with them does not necessarily have to be face to face all the time. What I am saying is that I think one of the problems at the moment is that often those interactions exist in a very formal setting, inside a probation office, and that there are limitations on what you can achieve in those circumstances and in that way.

Nick de Bois: Thank you.

8 October 2013 Paul McDowell

Q9 Gareth Johnson: Good morning, Mr McDowell. Can I ask you a question about the commissioning of probation services? There are various arguments that take place between those who feel that the probation service should commission services on a local level and others who feel that it should be done on a national level. This Committee has heard various arguments both in favour of and against those two concepts. On what side of the fence do you stand on that issue?

Paul McDowell: What is happening at the moment is fascinating, isn't it? I will tell you where I sit. I don't particularly have a problem with a national approach to commissioning, so long as you very, very clearly embed in those arrangements the sorts of local, specialist, engaged processes that you need to have included. I think this plays out most obviously in relation to the involvement of the voluntary sector, and, of course, that is something in which I have been experienced in the past four years.

I am not sure that you would expect me to say this, but I think there is something very important here. If you take a genuine black-box approach to the delivery of probation services, commission nationally—which is what is going on—and end up with 21 areas of delivery, those 21 areas, once they have been commissioned, are rolled out and are up and running, have a local geographical feel to them, of course. If you get the process right and the supplier in an area is engaged with a range of different local specialist charities, embedded locally, or other organisations, you get back that local feel.

However, I want to add one thing. I am not sure you would expect me to say this, given that I come from the voluntary sector, but we have to be really careful here. At the moment, there are a number of charities around that, understandably, are really interested in being engaged in this process and want to deliver services under these new arrangements, but we have to do something very brave here. We have to be clear about whether or not the interventions that those organisations deliver are effective. Is there evidence to say that they work? In my view, there is no point in being local and specialist if being local and specialist means paying for interventions that do not work.

Q10 Gareth Johnson: I want to pick up the answer you gave to Mr de Bois's question, in which you said that the main point of the probation service was to reduce reoffending rates. What role do you think the inspectorate can contribute to that goal? Under your management, how would that work?

Paul McDowell: This gets to the heart of what my priorities would be as chief inspector. I am very clear here that HMIP ought to be focused on outcomes, results and impact. I would go as far as to say to this Committee that, having prepared for today and for this process by reading about the inspection that is currently being delivered in HMIP, I don't think it focuses sufficiently on outcomes and impacts. I have a very clear view that that needs to happen. The primary purpose of the probation service is clearly to reduce reoffending—to impact on the level of crime. It seems to me that inspection ought primarily to be out there

testing whether or not the effectiveness and value for money that are being provided by any supplier—any of the sectors that may or may not be involved in the future—are as they should be. On behalf of the public, are reoffending and crime being reduced, and, therefore, is the number of victims in the future being reduced?

Q11 Gareth Johnson: If, as you say, it is very results-driven, if crime is not reduced under your watch, would you say that that is your responsibility or would you look elsewhere?

Paul McDowell: I would be an independent inspector, leading an independent inspectorate. My duty, as I see it, would be to identify what was good and what was not so good in those interventions, outcomes and impacts, and to be brave and clearly identify where I thought there were weaknesses. That would be one part of what I would need to do as chief inspector. I think the other part is around best practice—identifying where best practice exists and making absolutely sure that we focus everybody's attention on that best practice and encourage the spread of it—because that again, of course, improves the effectiveness, the outcomes and the impacts.

Q12 Mr Llwyd: Good morning, Mr McDowell. As you well appreciate, the landscape of delivery of probation services is in a period of considerable change at the moment. It is known as “Transforming Rehabilitation”; it is even referred to as the rehabilitation revolution. What do you think are the main implications of these changes for the inspectorate? How will you step up to the plate, as it were?

Paul McDowell: In a sense, it is part of some of the things that I have already said. Bringing them together to answer your question, the role of the inspectorate clearly needs to be rethought at this point in time to take account of the changes that are going to be made. The new landscape clearly involves a set of different approaches and a particularly challenging, potentially risky period when the transition is being made and the new arrangements need to settle in. There are some challenges in relation to the interactions between the new national probation service and the suppliers, from whichever sector they come.

If you add all of those challenges to my challenge—if none of those changes were happening, I take the view that the way in which inspection is approached at the moment in HMIP ought to be developed, to have better focus on outcomes and to be focused on impacts—what that tells you is that we need to think again here. We need to think through very carefully the methodology, the focus, the sorts of outcomes that we want to reach, the sorts of reports that we want to write and the impact that we as an inspectorate want to have on the effectiveness of interventions and reducing reoffending.

Q13 Mr Llwyd: Would you say that really rehabilitation is key to all of it?

Paul McDowell: It is fundamental, as far as I am concerned. When I use the word “intervention”, which

I probably do too often, that is exactly what I am talking about—absolutely what I am talking about.

Q14 Mr Llwyd: You will know that one of the complaints that the National Association of Probation Officers had—and still has, I believe—is that probation officers are not allowed sufficient face time, if you will excuse the term, with their clients; in other words, they are limited to fewer than 10 minutes per week, typically. You said earlier, quite rightly, to my friend Mr de Bois that it is important that a good working relationship is established, which is always the point of probation officers befriending and assisting. How do you see that happening in the current landscape?

Paul McDowell: First, I agree with most of what you have said. I want slightly to pick up on the word “befriending”, because I think that has been one of the issues in the past. I think that the quality of that relationship in the future needs to be worked on in exactly the way you describe, but I would not see it as a befriending relationship—I would see it in the way I described earlier, using the analogy of standing next to the individual and providing opportunity, but challenge and responsibility as well. In my view, there is a slight difference in that respect.

Having said that, all of the changes that are going on at the moment, to one extent or another, will require the national probation service, on the one hand, and all of the suppliers in the 21 areas, on the other, to develop the sorts of interactions, relationships and interventions that they believe will deliver results. If I were given the opportunity to be chief inspector of probation, for me the focus of inspection would be on testing that.

It does not matter which sector you come from or which area of work you are working in—what I am interested in as an independent inspector is the degree to which you succeed in reducing reoffending and reducing crime. I have a view on the benefit of the quality of the relationships that are developed, but whether or not that is the track suppliers choose to go down is really a matter for them. I will share my view on that, which is based on my experience in the criminal justice system, and it would be slightly different from the model that has been applied in the past few decades, but those suppliers may want to do it in a slightly different way. What I would be interested in is whether they have reduced crime and reduced reoffending.

Q15 Mr Llwyd: What is your assessment of the capacity and the financial resources of the inspectorate over the medium term to enable it to do an effective job?

Paul McDowell: Of the inspectorate?

Mr Llwyd: Yes.

Paul McDowell: Without a doubt, that is a challenge in the current environment. I am not privy to the detail of the budget arrangements at this stage, but I know that I would want very quickly to understand how the inspectorate is working, how it is prioritising, and whether or not as the new landscape starts to develop and to be implemented we have the right resources, focused in the right way.

I talk about the way in which the probation services use their resources, but the challenge would be laid down equally at my feet, too, to say how well I was using inspectorate resources to deliver on the priorities. The problem is that there are never-ending resources that you would like in a perfect world, because you would want to test everything all the time. Quite honestly, that probably would not be helpful. It really is about focus, priority and getting value for money from what you have. If you really believe that you do not have enough, you have to be brave and to get out there and ask for what you need.

Q16 Mr Llwyd: Given the large number of potential providers out there, there will be considerable stress and strain on your budget, won't there?

Paul McDowell: I guess that the large additional piece of work comes from the development of work with the under-12-month cohort, which will stretch the inspectorate in different directions. My answer is to say that I need to understand how that looks, what the priorities for us as an inspectorate will be and whether or not the resources available to us will meet that need. If not, I need to have the relevant discussions.

Q17 Mr Llwyd: How do you consider that the performance of the inspectorate needs to improve, and how would you achieve such improvements?

Paul McDowell: I am sorry to repeat myself, but I have kind of touched on that already. I have a very clear view that the focus of probation inspection needs to be very clearly on those outputs and impacts—what results are being achieved. I would want to think again about the way in which the inspectorate is configured and the way in which the technicality of the inspection is carried out, to ensure that there is the right focus on identifying those outcomes—identifying the success of the supplier's interventions.

Q18 Andy McDonald: Good morning, Mr McDowell. With the changing landscape under the “Transforming Rehabilitation” agenda, you will inherit a situation in which you will have to inspect providers from the private and voluntary sectors as well as the public sector probation service. As I understand it, in the course of the coming year there will also be planned joint inspections with the chief inspector of prisons. Have you made an assessment of the appropriateness of these planned inspection regimes?

Paul McDowell: I have a very clear understanding of what the programme as it currently stands sets out. The joint inspections you refer to are incredibly important. I hope to get an opportunity during this meeting to talk about those joint inspections, because under “Transforming Rehabilitation” they are absolutely critical to the success of the overall process.

In direct answer to your question I would say that, at the moment, the programme does not look very different from last year's. That is a consequence of the fact that at the time when it was written there was not a clear understanding of the time scale and the actual make-up of the new arrangements. As I understand it, it has been quite difficult to produce a

8 October 2013 Paul McDowell

programme that takes into account those new arrangements. That needs particular attention very quickly so that we adapt. As I understand it, if the timetable is hit, those new arrangements will impact on the inspectorate and everybody else from 1 October next year, which will be halfway through the planned programme for 2014–15. Things will therefore need to change to take account of that. Is it okay if I talk briefly about the—

Chair: In a moment you will get another question that may give you that opportunity.

Q19 Jeremy Corbyn: First, thank you for coming along today. Can I take you on to the question of joint inspections and linking up with other inspectorates? Is it really necessary to have separate inspections for prisons and probation services? Do you see any point in joint working or, indeed, merger?

Paul McDowell: I think it is really important—very important. I accept the premise of the point, which is that you have to be very careful about how you use your resources. You have to direct limited resources in the right way, but here is why I think the joint inspectorate arrangements with the prisons inspectorate are particularly important. Under the “Transforming Rehabilitation” arrangements, the through-the-gate activity—what happens inside prison custody with individual offenders and the way in which they are prepared for their release, and then the flow through the gate back into the community, and the way in which that work is extended into the community—is absolutely critical. As chief inspector, I would be responsible for inspecting the effectiveness and the outcomes achieved in the community with suppliers. I think it would be a significant shortfall if we were not at the same time jointly inspecting the arrangements for offender management inside prisons, to enable us to join up our findings in those prisons, where suppliers and the national probation service will be doing the front end of their work, with our findings in the community; if not, we would have only half of the story. By the way, I am not sure that those joint inspections end up in a joining up of that information and those outcomes.

Q20 Jeremy Corbyn: Given what you have said, do you believe that there is a shortfall at the moment between different inspection regimes for prisons and probation? Could you envisage a time when we would have one inspectorate for both services?

Paul McDowell: I think that would be very difficult. I do not think I am describing a shortfall, because I think that what I am talking about takes account of what is about to happen. What I am saying is that they are very different disciplines and the independence of those inspectorates is incredibly important. By the way, I am absolutely clear in my unequivocal support for the through-the-gate principle and have argued for it very publicly for a very long time. To be able to join up with our prison colleagues to test the quality of offender management work in prisons but still independently, with expertise in and understanding of the particular angle the probation services come from, to be able to flow that through out into the community and to join it up with our findings there is a very

important process that is independent of prison inspection.

Q21 Jeremy Corbyn: How public should the criticism between inspectorates be? If you as a probation inspector find something badly wrong with what you believe to be the outcomes from the prison inspectors, do you think that sort of criticism should be made privately or publicly?

Paul McDowell: If I have understood your question properly—

Jeremy Corbyn: Maybe I did not put it very well. If as a probation inspector you find there is something seriously wrong and that, basically, the prisons inspectorate has not picked up on the needs of prisoners when coming out of prison, do you think that kind of criticism should be made privately or publicly?

Paul McDowell: If that were an outcome from a joint inspection, I would expect it to be said as part of that inspection, with its outcome. It would, therefore, by definition be public—absolutely. If not, what is the purpose of inspection?

Q22 Yasmin Qureshi: I want to explore again the relationship that you would have with the Ministry of Justice and also with NOMS. It is a two-part question. First, how will you ensure that your office maintains its independence and is able to stand up to political pressures that may or may not follow? As you know, the media will have a lot of interest in the job, as will the country nationally. So my first question is about how you will ensure that you are able to stand up and be independent and objective.

Paul McDowell: Absolutely. The independence element of all this is massively important. Essentially, the best inspectorates are those that maintain their independence absolutely. I am very clear about that. The reassurance that I would give you about my commitment to maintaining that independence is born of 24 years’ experience of criminal justice, four years of it spent in a different sector—the voluntary sector—where I have been able to have a different view. So I can bring those two different views, have a very clear understanding of what I think needs to be done and bring to that process a very clear understanding of the importance of independence.

If you do not maintain your independence, the whole process that we are describing is undermined. I would maintain proper distance and appropriate relationships. I would be brave in my inspection outcomes and would be focused on some of the smaller issues that I know are around but often come in from the side and threaten, to a small degree, some of the inspectorate’s independence. For instance, I am aware of an ongoing debate around shared websites. On its own, that sounds like a very small issue, but, if you then add three, four, five or six other issues, it starts to become a more significant threat to the independence of the inspectorate. All of those battles need to be fought along the way to ensure that you maintain the right level of independence to guarantee the quality and credibility of the inspectorate outcomes.

Q23 Yasmin Qureshi: My second question is, what would you say is the role of the chief inspector in seeking to influence Ministry of Justice and NOMS policies and practices in relation to probation services and, perhaps, the wider criminal justice system?

Paul McDowell: I am really sorry, but I did not catch the question.

Yasmin Qureshi: I am sorry—I will speak a bit more loudly. What would you say is the role of the chief inspector in seeking to influence Ministry of Justice and NOMS policies and practices in relation to probation and the wider criminal justice system?

Paul McDowell: So, as chief inspector, what impact would I have on policy?

Yasmin Qureshi: That is right. What do you think the chief inspector should be doing in relation to these organisations?

Paul McDowell: I see this quite straightforwardly, really. If as an inspectorate and a chief inspector you do all the things that I have already described, you are genuinely independent, genuinely brave in your findings and speak out when you see something that you believe is ineffective or is not happening as it should, the very strong hope would be—you would back this up in the discussions that you had and the meetings that you attended and would seek out the right people—that you would influence policy developments in a positive way. I would certainly want to do that and to see the findings of inspections, especially where they relate to ineffective practice, incorporated into policy development as we move forward, because otherwise what is the point? You have to complete the circle, but you have to do so in a way that maintains your independence and makes you not part of the system but independent from it, as a key contributor to it.

Q24 Graham Stringer: What level of confidence in and understanding of the probation service do you think the public have? What would be your approach to improving that understanding and confidence?

Paul McDowell: I should be very clear. I believe that the probation service has done a good job. The level of offending in the adult estate, for instance, has come down over the last 10 years. The problem is that it has not come down sufficiently well and that it would be difficult not to argue for some change. This is not a comment on the performance of the probation service; it is much more about wanting to push on a reducing reoffending agenda and to get something done about that. I understand entirely that people are concerned about the way that people feel or perceive that confidence is or is not felt in the probation service as a consequence of these processes, but I just do not see it in that way. I see it as the next step along the way. In order to maintain my independence as chief inspector, I would want to distance myself from those processes and decisions and to focus on identifying best practice, effective practice, what is good about the current arrangements in the probation service and what develops in the national probation service and with the different suppliers around the country.

Q25 Graham Stringer: It sounds very much as though you would allow the outcomes themselves to

form your relationship with the public and to determine their level of understanding and confidence in the probation service. Is that a fair reflection of what you have just said? I asked what you would do to improve that confidence and level of understanding, but I did not really hear you answer that point.

Paul McDowell: Maybe it was a clumsy answer. However, despite my clumsiness, I think you have picked up the thrust of what I am saying, which is that it seems to me that the most obvious way to improve confidence in the current probation service and the future national probation service—in probation services—is to improve the quality of the outcomes that you achieve. If you are able very clearly to display to the public that they are getting good value for money and, critically, that crime is reducing, and that in the future victims will be created in smaller numbers—by the way, you take account of the fact that achieving zero crime is not realistic and that you have to manage perceptions and expectations in that sense—you can build confidence in the public by focusing on the outcomes that are achieved. I actually do not believe that to date the achievements of the probation service have been well enough understood by the public. It is just that I am not satisfied that it has achieved enough, because I am ambitious as a criminal justice professional to see us reduce crime very much further than we already have.

Q26 Graham Stringer: Can you tell the Committee briefly what your experience of dealing with the media has been in your previous roles? What would be your approach to dealing with the media? Would it be different as chief inspector?

Paul McDowell: I have had extensive experience in the media, first as a prison governor appearing on the “Today” programme on the radio and doing various different things, which was always very interesting. Nacro was a big step up as far as that is concerned because, of course, Nacro is not just an organisation that delivers services and interventions but also a charity that is focused on influencing policy and developing understanding of effective intervention. So I have had extensive media experience talking through those issues. Leading a Nacro campaign successfully to reform the Rehabilitation of Offenders Act is an example of the sorts of things I have been involved in. The second part of your question was about how I would develop that as a chief inspector of probation. Again, it crosses over with some of the independence issues. I think you have to be very careful that you use your ability to be in the media spotlight to say things that really impact, to make sure that you are focused on the outcomes that you are identifying and evidencing through inspection and really to hone in on those messages that start to develop the public’s perception. Whether that is a positive or a negative perception will depend on the evidence that we find—the outcomes that are reached—but it would be about using that spotlight to start really to develop the understanding and perception of the quality of what is being delivered in criminal justice.

8 October 2013 Paul McDowell

Q27 Chair: Is there anything that you feel we have missed or that you would like to add to what you have said to us so far?

Paul McDowell: Er—

Chair: Is there anything that you think we have missed or that you want to add to what you have said?

Paul McDowell: Thank you for repeating the question to buy me some more time. I would probably just add that I bring to this role 24 years of passionate commitment to reducing reoffending, working in two different sectors. Actually, if you do not mind, I would like to add one thing, because what I have developed over that time is a very good understanding of what I believe works in reducing reoffending. It is a Nacro invention—it has been around in Nacro for a long time—but I truly believe that it can work. It is the joined-up delivery of interventions to individuals. By the way, that is one of the things I would focus on as a chief inspector—identifying where the variety of interventions that are necessary for an individual offender in order to multiply up the likelihood of reducing their reoffending are delivered at the appropriate time and in the appropriate place. That is a key way of solving the problem.

Q28 Jeremy Corbyn: On that last point, when you talk about a variety of interventions, what do you mean? Do you mean housing, mental health support and education? What sort of things are you talking about?

Paul McDowell: Yes. Of course, the initial risk assessment that takes place will identify all of those things, and that becomes critical in the process. What I am talking about exactly are the interventions that you need if you do not have a home to live in, you never completed your education, you have never had a job, your family relationships have broken down, you have a substance misuse problem or you have a mental health problem; I could keep going. Those are exactly the interventions I am talking about.

My experience both in the Prison Service and in the voluntary sector is that all too often we are not clever with our commissioning arrangements. What happens is that we will commission one thing over here, which will be applied to an individual or individuals, and then commission something else over here; it is not necessarily joined up. The experience of Nacro has

been that we may be commissioned to deliver housing in Lincolnshire, but we are not commissioned to deliver education in Lincolnshire. The opposite might be true in Essex. As a consequence of that, we are required to find the right partners in those areas to ensure that a very complicated process takes place of ensuring that each individual gets all of the interventions at the right time and in the appropriate way.

Q29 Jeremy Corbyn: I have a follow-up to that. If you came up with a report that highlighted the discrepancy between Lincolnshire and Essex, for example, on these things and pointed out the necessity of change, would you in your role be prepared to push to make sure that that actually happened, rather than just producing a report that got the issue off your desk and on to the Secretary of State's desk or somewhere else? Do you see your role as inspector as being to push the thing on a bit further?

Paul McDowell: I absolutely see that as key and fundamental; it is central to the role. The corollary of that is that you inspect an area where all of those things are happening and can see the impact on reducing reoffending, so you are able to say, "This is really good. This works. Look at the outcomes and impacts that are being achieved here." So—going back to your point—if it is not happening, you have to say that. You have to say, "Look, these interventions are being delivered very well, but they are not being joined up." That is why I said earlier that this is about understanding how the relationship works with the individual offender. In my view, inspection ought to be testing out how effectively the interventions are being applied to that individual, not stuck in an office reviewing paperwork. It must get out there and test the quality of relationships and interventions, and ensure that they are joined up and effective.

Chair: Thank you very much. We will reach our conclusion, which we will communicate to the Minister fairly quickly. You and the Minister will see in advance any formal report that we produce, but we hope that the whole process will be over in just a matter of days. Thank you very much for coming this morning. The Committee will now go into private session.