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Offender Management Bill: Unsustainable

The Offender Management Bill, which will if implemented, abolish the National Probation Service, received its second reading on 11 December 2006. Over 40 MPs from all Parties intervened in the debate, with most highly critical of the measure.

Those that supported the Government approached this from the perspective of the voluntary sector. In the event 91 MPs voted against the Bill including 27 Labour backbenchers. There were also another dozen Labour MPs who abstained.

The Bill commenced its Committee Stage in the House of Commons on 11 January. Napo has submitted a number of

amendments which have been put down by committee members from all parties. The amendments define probation aims; call for professional regulation; establish a commitment on training; determine membership of Probation Trusts; keep collective bargaining national; set a recidivism target; and deal with general standards which need to be achieved, and include financial penalties for any private providers. All the amendments were debated substantially. The Government has agreed that the Bill would be revised over the coming weeks.

The Bill leaves Committee on 25 January

and it is predicted that it will return to the full House for the Report Stage in mid-February. This stage is critical as there could well be votes on key clauses or on the Bill as a whole. Napo centrally has continued to meet key MPs in order to obtain as much support as possible for a locally based service, and all Napo members have been urged to write again to their MPs as part of the union's Stop the Bill Campaign.

If the Bill is passed at Third Reading it will then go to the House of Lords, where there is substantial opposition.

Harry Fletcher

Speaking Up for Public Services lobby



Hundreds of trade unionists descended on Parliament on 23 January to lobby MPs against the privatisation of public services. The TUC organised lobby of parliament resulted from Napo's motion to the TUC Congress in 2006. Judy McKnight, one of the speakers at a packed rally in Central

Hall Westminster, said 'Tony Blair desperately wants to finish the project started by Margaret Thatcher in terms of the scorched earth policy in respect of the privatisation of public services. Don't let him get away with it.'

Judy's speech in full and pictures of the Lobby are available on the Napo website www.napo.org.uk

L to r: Brendan Barber, TUC, Gail Cartmell, Amicus, Keith Sonnett, Unison, Steve Sinnott, NUT, Leslie Mercer, CSP, Paul Noon, Prospect, and Judy McKnight, Napo.

Probation Centenary Celebrations 2007

Registrations for the Probation Centenary International Conference on 1 - 2 May, at the Brewery Conference Centre, London EC1, are now beginning to be received by the PBA.

Planning started to organise events for 2007 two years ago. The PBA approached Napo with a view to sponsoring joint events. This was agreed by Officers and Officials. A decision was taken to inform NOMS, to keep them in the loop, but not to have them as joint organisers.

Accordingly a planning group was established in 2005 consisting of Harry Fletcher and Vicky Boroughs from Napo, Martin Wargent and Chris Leeson from the PBA, and Probation academics. A decision was taken to host an international conference for approximately 400 people in central London. Napo insisted that the event involved practitioners both as participants, and speakers and workshop leaders. This was agreed.

Other events

A decision was also made to run a House of Lords event celebrating the past,

inviting primarily retired members of both organisations and others with a historical link to the service. This event, now fixed for March, will have maximum numbers of 150.

Napo also decided independently to produce an oral history detailing probation staffs' experiences to celebrate the 100 years. This project is now complete and the book, entitled 'Changing Lives', will be published and marketed in the next few weeks. (See page 12)

Centenary AGM

Mindful of the importance of activities that also involved as many members as possible, it was also agreed that there would be a centenary celebration at Napo AGM in October 2007 and that the centenary would be the key theme of the AGM. It was also agreed with the PBA that individual Services and Branches jointly would be encouraged to run their own local events.

The NEC has been given regular reports on progress throughout the past 2 years, and several articles have appeared in past



additions of Napo News and details have also been sent to branches.

International Conference

The International Conference is being run on a not for profit basis. There is a very tight budget margin, even so the event is dependent on around £20,000 worth of sponsorship for space and stalls. Napo has made it clear that we are opposed to sponsorship from private companies who might seek to bid for our work. We are looking to companies who provide services, e.g. union solicitors, to provide sponsorship. This is progressing well.

Many Areas are now responding positively to the event including South Wales, Cheshire, Gwent, Manchester, West Yorkshire, London and Northumbria. Napo and the PBA anticipate that other Services will follow and sponsor individuals to the event. A number of branches are co-sponsoring individuals with their Services.

Central Napo sponsorship

Napo centrally has agreed to cover the Conference fees of one Napo member per Branch/CAFCASS Section to attend, with branches/ the CAFCASS Section being asked to cover travel and overnight accommodation for their representatives. To this end a block booking of places at the Conference will be made, to be allocated on the basis of one member per Branch/CAFCASS Section. Information on this should be available soon through your Branch/Section.

For full information on the 1-2 May event, a programme and registration details www.probationcentenaryconference.co.uk or contact Kath Falcon at Chivalry Road kfalcon@napo.org.uk.

Individuals are urged to contact their Branches/Section and Probation Boards to ask formally that sponsorship includes practitioners. The PBA has written twice in recent weeks to all Chief Officers and Chairs of Boards.

Harry Fletcher

Probation criticism refuted

The Government, as Napo members are well aware, is attempting to privatise whole or parts of the Probation Service under the terms of the Offender Management Bill, which will be receiving its Third Reading this month. The privatisation agenda is justified on the grounds that Probation's performance is poor and that re-offending rates are too high. However, the Government's claims do not stand up.

Ministers have claimed that re-offending rates following release from prison and completion of probation are broadly similar. In November, Ministers said that re-offending rates were 60% for probation and 66% for jail. In fact the Government's own figures show that the unadjusted figure for re-offending on community orders is 53%. Indeed, that figure may be even lower, perhaps by a further 10% or more. There is a gap therefore of at least 13% between the two sentences.

On performance, the Service is performing better than at any time in its history. During the last financial year 5 of 9 targets were met, 2 further targets relating to the assessment of high risk of harm and prolific offenders were met by April 2006, and the remaining 2 targets were missed by 4% or less. This year the Probation Service is likely to achieve 11 of its revised 13 targets in the whole year. It is thought that, of the remaining 2, compliance will fall short by 1% or 2%, while timeliness of court reports will not be hit, but mainly because offenders are held in distant prisons and it

is difficult to compile reports on time.

In a press release in the New Year, Napo said: 'The Government is claiming that the Probation Service should be broken up because performance is bad and re-offending rates are too high. This does not appear to be the case. The Probation Service is performing better than at any time in its history and there is now at least a 13% gap of re-offending rates between prisons and probation. It would appear that there are flaws in the argument and there is an urgent need for informed debate.'

Napo is preparing briefings for MPs on these issues in advance of the Third Reading of the Bill. At the Second Reading of the Bill on 11 January, 27 Labour MPs voted against and it is believed that this figure is bound to rise during the coming weeks. The Government's Bill is unsustainable in its present form.

Harry Fletcher



John Reid.

Close questioning of OM Bill in Committee



A sceptical Neil Gerrard

Neil Gerrard, Chair of the Justice Unions Parliamentary Group, is on the Offender Management Bill Committee and Napo has drafted a number of key questions to be directed at the Minister.

These include:

- Why have the aims of the Service been left out of the Bill?
- Will there be a duty on providers of probation services to rehabilitate offenders?
- How will the Minister avoid a conflict of interests if the court report writer works for a private company which has a vested interest in the outcome?
- What the views are of the judiciary and Magistrates' Association about any potential conflict of interest?
- Whether any private companies who win probation work will have a duty to fund and provide opportunities for staff to obtain professional qualifications?
- Whether the Minister wishes to see magistrates, judges, and members of

local authorities on Probation Boards or Trusts?

- Whether national collective bargaining will be retained under the provisions of the Bill?
- Whether the Minister is aware that the Accreditation Board, which does an excellent job in evaluating offender behaviour courses, would be deregulated under the Bill?
- Whether the Minister believes it is important that commissioning occurs as close to the point of service delivery as possible?

There does seem to be general agreement among Conservatives, Liberal Democrats, Ulster Unionists, Plaid Cymru, and many Labour backbenchers, that the Bill is both flawed and unnecessary.

Once any vote or outcome is known it will be circulated to branches and members by email immediately.

Harry Fletcher

Bits & Pieces

SFO Investigations

Further representations have been made at the Probation Service Consultative Committee about these, particularly in the light of the recently published Probation Circular about how to conduct them. This made no mention whatsoever of the impact of these investigations on staff and the fact that they too might require some support.

OASys and beyond

Napo has learnt that there are likely to be three further updates of OASys released during 2007. The first, due in April, should increase the character allowance in the prison version from 2000 to 4000 and give staff a warning message when the limit is being approached. This should largely overcome the problem of information in the text boxes being 'lost in transit'. The second update should solve the problem of 'ownership' by permanently vesting it in the hands of the case manager, irrespective of whether the subject is in the community or in custody, and the third will introduce an upgraded version of OGRS.

These are apparently the last significant upgrades in prospect. In the longer term there are plans to meld the risk tool into a later version of NOMIS. First there will be c-NOMIS, just beginning to appear now, and later there will be o-NOMIS which will be the version that will amalgamate the risk functions currently undertaken utilising OASys. Eventually this should dramatically reduce the time wasting exercise of double entry of information. However this stage is unlikely to be reached before the end of the decade.

Napo continues to make representations about the usability of OASys. Our concerns about roll-back difficulties are being looked into at NOMS as is our request that the various OASys user groups should be populated by rather more 'users'.

SDR/FDR?

The long promised risk screening tool for use in Court to assist in the preparation of FDRs is not now going to happen. Instead, a new decision making process is being released by Probation Circular aimed at establishing case suitability for fast-track reporting. In broad terms it will raise the OGRS cut-off point from 41 to 76 whilst retaining the risk factor prohibitions. There remains the slight problem of this process conflicting with existing National Standards, which still stipulate an OGRS 41 cut-off.

Workload Measurement and Management

Significant concerns remain with regard to the speed with which this is becoming operational, mainly due to the lack of central support, which in turn is caused by a lack of staff in the Project Team. The Project Board has not met for some time and consequently much uncertainty remains about what plans there may be to improve the situation. Some work is being undertaken around the country with regard to process mapping timings but again, without the Project Board having met, this is more difficult to report.

Standards and Targets

It appears that there is a plan to amalgamate both sets of Standards – that's Probation National Standards and NOMS

OM Standards. It is also acknowledged by the NPD that at the moment the two aren't exactly complementary but apparently the NOMS Standards should only ever have been issued to Chief Officers to inform their negotiations over SLAs. Releasing them to other staff is deemed to have the potential for confusion! Practitioners should continue to work to Probation Standards which are due to be issued in revised form – but haven't been yet. The target date for the new amalgamated Standards to be issued and operational appears to be 1 April. It should be borne in mind that it is the Probation Standards that have to be approved by the Minister and that are legally binding.

Napo has written to Helen Edwards expressing concern about the continuing uncertainty over the future of Standards.

Mike McClelland
National Chair





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The Future of National Collective Bargaining

As we go to press, the Offender Management Bill is going through Committee Stage in the House of Commons. It's a rather strange stage in the Bill, with a lot of discussion but not much in the way of votes.

Take for example the Committee stage debate on the future, or lack of it, of national collective bargaining for the Probation Service. The Bill provides for each trust to determine its own terms and conditions for staff and Neil Gerrard moved an amendment to keep national collective bargaining for the Service.

Argument for National Collective Bargaining

In the briefing that we provided to support the amendment in favour of keeping national collective bargaining, and in Neil's speech, it was stressed that the logical outcome of its abolition would be that different, and worse, terms and conditions for probation staff would eventually apply to each different probation employer. The experience of the Prison Service is that private prisons pay worse terms and conditions and have a higher turnover of staff as a result. We questioned whether this would contribute to the increased efficiency and effectiveness of the Service.

Although the Probation Service has always been made up of a number of local probation employers, since the 1940s there has been national collective bargaining. There is also 'continuous service' for staff moving between different Areas, (i.e. service related entitlements such as annual leave are not affected by moves between Probation Areas) and all staff are covered by the Local Government Pension Scheme. This means that there is a national professional career structure which enables staff to move between Probation Areas, without detriment.

This free flow of staff between Areas has been to the benefit of the Service as much as staff, enabling enhanced professional career development, reducing wastage and ensuring maximum benefit from the training investment made. In other words, national collective bargaining underpins

the very existence of the national probation profession.

Separate collective bargaining arrangements for each probation employer would also be inefficient, necessitating an increased role for human resources and industrial relations for each separate employer. Such separate arrangements would be particularly inefficient for a relatively small staff group, with the Probation Service covering just over 21,000 staff across the whole of England and Wales.

Government Argument

In replying to the debate, Home Office Minister Gerry Sutcliffe, did not argue against these substantive points, but stressed that although the Bill provided for the abolition of national collective bargaining, it was not the Government's intention to abolish it in the short term.

Here is Gerry Sutcliffe's reply: 'My hon. Friend paints a picture of doom and gloom. Are we engaged in a race to the bottom? Are the proposals about devaluing the role of probation officers and providers, getting things on the cheap and thereby affecting the quality of the service? I say to him that they are not. I said earlier that I fully understand the role of the trade unions and their desire to protect their members' terms and conditions.

Paragraphs 7 and 8 of the schedule deal with the arrangements for trusts to employ staff. Paragraph 7 states that the terms of employment "are for the trust to determine."

Paragraph 8 allows but, importantly, does not require, the Secretary of State to approve the terms of employment determined by trusts. Amendments Nos. 35 and 36 would restrict that flexibility by requiring the Secretary of State to determine terms of employment. The current provisions in schedule 1 are designed to allow flexibility for the long term and to leave sufficient room for manoeuvre to respond to circumstances that we cannot yet foresee. I believe we should never say never, so we should not rule out for all time the possibility of trusts determining their own pay and conditions at some point in the future. If, at that point, it becomes appropriate for trusts to set their own pay levels, surely it would be wrong if primary legislation prevented that from happening.

However, I assure my hon. Friend that that is not what we have in mind. We do not think it is appropriate for individual trusts to set their own terms and we have no plans to change the current arrangements whereby pay, terms and conditions are negotiated nationally. I hope my hon. Friend will agree that the provision is

sensible. I acknowledge the seriousness of the issues he raises, but it would be wrong to prevent us from ever taking that opportunity. There are currently no plans to do so. I know from the strength of representations from the trade unions involved that they would resist the Government if our intention was to go down that route – but it is not.

As I have said, my hope is that the public sector will rise to the challenge and that the probation trusts will be public sector-led, but in the spirit of trying to be dynamic and to open up the opportunities in the Bill, I hope that my hon. Friend will accept my assurances and withdraw the amendment.'

'Trust Us?'

The basic message of the Government seems to be 'trust us'. It is difficult to feel confident in this trust when the rationale of this legislation seems to be about reducing the cost of providing probation services by the introduction of competition – costs which are necessarily essentially staffing costs. The experience of private prisons shows that privatisation has been first and foremost about reducing labour costs.

In the light of Gerry Sutcliffe's reply, the amendment to maintain national collective bargaining was not pushed to a vote at the Committee Stage. We will have to see how developments pan out at later stages of the Bill. If the Bill goes through unamended in respect of these references to collective bargaining, we must at least ensure that we hold Ministers to account for the assurances that were given in this debate.

Judy McKnight

PSO Conference

Testing the Boundaries – 'PSO professional & training development in a changing world'

This year's PSO Conference is taking place at Friends House in London on 28 March.

The aim of the conference is to explore the training needs and professional development of PSOs in the context of role boundaries and a changing work environment. Workshops will focus on these issues and encourage participants to develop ideas and possible initiatives which the union can develop.

Speakers are being invited to address the conference theme and there will also be an update on NOMS related developments.

A registration form will be sent to PSO members soon. The number able to attend is limited to 100, so please respond promptly in order to avoid disappointment.

Jonathan Ledger

Pensions – draft regulations published

The draft regulations proposing a new-look benefit and contribution structure for the Local Government Pension Scheme (LGPS), to begin April 2008 have now been published by the Department of Communities and Local Government (DCLG). For full details of the proposals, the text of the regulations and further information visit their website www.communities.gov.uk/lgps.

The main elements of the proposals are:

Accrual Rate in the new scheme is 1/60th compared to 1/80th in the old, which means your pension benefits will build up faster e.g. instead of taking 40 years to achieve a pension of 50% of salary this will now take 30 years (there is no limit to the number of years which can be used in calculation of benefits, this is just an example)

Lump Sum – there is no automatic tax-free lump sum on retirement but an option to commute up to 25% of pension value for lump sum (for every £1 pension given up you will receive £12 cash). Financially this is a better deal than in the old scheme.

Normal Pension Age remains at 65 but, of course, the Rule of 85 no longer exists and was confirmed by the judicial review to be age discriminatory. Transitional protections exist for those who would reach 60 and have 25 years scheme membership by 2020 – although protection is tapered between 2016 and 2020. The reductions applied to

pensions taken earlier than age 65 are now less than they were before.

Employee Contributions are to rise – 5.5% on the first £12,000 of salary and 7.5% of the excess over £12,000. By way of illustration: for someone on £20,000 this means a contribution rate of 6.3% (after tax relief 4.9%); for someone on £30,000 this translates as 6.7% (after tax relief 5.2%). This compares to 6% in the old scheme (after tax relief 4.7%).

Survivor Benefits are now also applicable to co-habiting partners as well as spouses, civil register partners and children.

Death in Service and Death in retirement lump sum benefits have both improved.

All existing members will move to the accrual rate of 1/60th for service beyond April 2008. Service up to 31 March 2008, at the 1/80 and 3/80 rate, will be banked and eventually these accrued rights will be calculated against final salary at the date of retirement.

Discussions and negotiations continue on issues such as the proposals for ill-health retirement and redundancy over which the unions have concerns. The biggest disappointment is that there has been no further improvement on protection arrangements for existing members.

Napo held a consultative ballot, on the acceptability of the proposals as they now



stand, at January Branch and Section meetings, and the results of the ballot and the feedback from members were due to be considered by Napo's NEC on 26 January.

Further details and worked examples are available on the Napo website and members will be kept informed of the latest developments via the website and Branch Circulars.

Pete Bowyer

The Offender Management Bill and oral evidence

Just before Christmas, the Government changed the rules for Bill Committees to allow them to take oral or written evidence from interested parties. However, at Second Reading, the Home Secretary, John Reid, refused a request from the Conservatives that oral evidence be taken at the Offender Management Bill Committee Stage.

David Davis, Shadow Home Secretary, therefore arranged to take oral evidence himself. Those giving evidence were Lord Ramsbotham, Martin Narey and Dr David Green from the independent think tank CIVITAS.

Lord Ramsbotham

Lord Ramsbotham was highly critical of the Bill saying that there was a confusion of responsibility in the delivery of criminal justice. He favoured end-to-end management but believed that the Bill failed to involve a number of key groups and organisations. To cut re-offending, he argued, there needed to be coordination of a range of stakeholders, including courts, police, probation, local government and others. He wanted prisons to be reorganised into a community cluster of prisons and said Probation had lost its engine. The

demands on the service were growing but there was equally growing bureaucratisation and a fall in trained staff.

Lord Ramsbotham also said that he believed the Probation Service was more overwhelmed than the Prison Service, and could not be expected to effectively supervise the number of people it had on its books. However, putting the process in the hands of Trusts was not the answer. In his view problems in the Probation Service were caused by excessive demand; increasing bureaucracy; clouded and unclear direction from the Home Office and low morale.

A mantra that missed the point

He said contestability was a mantra that missed the point and what was needed was flexibility. He favoured a local rather than a command model for offender management.

Martin Narey, perhaps not unexpectedly, argued for contestability and competition.

He disagreed with Lord Ramsbotham that NOMS was blighted by bureaucracy, and favoured a top down approach to offender management. He argued again that privatisation had brought better

practice. However, he did maintain that the current measure of reconviction rates was misleading and that the problem was not as bad as currently thought.

David Green agreed with Lord Ramsbotham and argued that localisation rather than centralisation was key. He favoured a bottom up approach to offender management, not a command structure. He also argued that the centralisation of prisons and probation encouraged the target culture.

Harry Fletcher



David Davis

Pay

With the pay ratification concluded, and hopefully the money by now having reached members, we are now beginning to think about the pay round for the next year. The pay deal we reached this year was overwhelmingly ratified by members, but the negotiating team are under no illusions about the level of justifiable disappointment that people will be feeling about the lack of proper pay for the job we do. We undoubtedly did make some progress by putting CAFCASS under pressure during the talks and to that extent the negotiations were successful, but we are as unhappy as you will be at the level of control by the Treasury over public sector pay and the impact that has on our negotiations.

In the next few weeks we will be meeting with CAFCASS, specifically to begin discussions on the strategic pay review. This has been so long coming that it still feels pretty unreal, but we now have some initial thoughts from CAFCASS about what they have been considering and the first meeting will take place on 23 January. Initially those meetings will need to take place in confidence, but as soon as there is something concrete that we can tell you about their proposals, we will do so. We remain concerned as to how our legitimate aspirations can be met via this route, given that we have been told that there is no new money. Moving pay around to achieve what CAFCASS wants organisationally, is likely to cause us real difficulties. We do not want some groups of members disadvantaged to improve the pay of others. Divide and rule is not the answer and we hope CAFCASS also understands that.



Organising for quality

This paper is now out for consultation and from a negotiating point of view this will be taking up much of our time and energy in the coming weeks. From a professional practice point of view the proposals have enormous implications and Family Court Committee will be contributing to our formal response, alongside the negotiating perspective. Initial readings would suggest that this paper does not represent a significant change from what we have read in its various precursors, so to that extent we have already given CAFCASS quite a lot of feedback. Nevertheless we will continue to seek thoughts and ideas from members. I am happy to be e-mailed direct. Please make a real effort to get to regional meetings to contribute your views as well.



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Professional practice arguments apart, we remain very worried about the organisational impact of this paper and the impact on individuals and their job security. At a fairly heated National Partnership Committee meeting before Christmas, which Anthony Douglas attended, we made it very clear that we are unconvinced by this paper, its rationale and its potential to achieve what it says it wants to achieve. I also had to be quite brutal with the CEO about his apparent lack of understanding or commitment to proper negotiation.

It has now been agreed that the unions meet with the CDG for up to 5 full days over the coming weeks to enter into serious discussion. This is an enormous commitment for us, and inevitably we remain a bit dubious. However, we intend to approach these meetings with an open mind and try to see if we can find a way forward. In the meantime we have to keep reminding CAFCASS that regions should not just go ahead and start developing their own new plans as if it was a fait accompli. We have been given commitments that this will not happen, but please do let us know if that is not your experience locally.

We also have one of our regular meetings with the Board in January and will be sharing our concerns with them directly.

Negotiating – general

In the meantime we continue to try to make progress on all the other negotiating issues, which I will not list here in detail. Two of particular concern to members at present however, are retirement and typing of reports.

The issue of the default age for retirement remains unresolved, but CAFCASS has agreed to an urgent meeting to discuss our proposal that there should be no default age. If you have any individual problems in the interim please get in touch, in the first instance with your regional convenor, but if necessary Jabbar Saddar, Head of HR has

agreed to look at individual cases with myself.

Whilst work on IT continues in various forms, the urgent concern for many members is around the expectation that FCAs will move to doing their own typing from 1 April. Hopefully you will by now have seen a message from Jane Booth about this, clarifying their position. CAFCASS is clear that all FCAs will need to be working towards this date, but recognise that achieving competency won't happen overnight on 31 March. If you haven't already done so, you must talk to your manager about how you will be supported – and this includes workload relief – and what sort of realistic timescales may need to be set. Again – if you don't get a sensible response, please ask for help.

Campaigning and parliamentary issues

The next meeting of the Family Courts Parliamentary/Union group is at the end of January and the Minister will be attending to discuss both the budget and his long term perspective on CAFCASS. There will be a full report in the next issue.

Family Court Committee also prepared a short response to the consultation paper 'Care Matters' which we will circulate separately.

Sian Griffiths
National Vice Chair

Napo's Environmental Policy

On the direction of an NEC resolution passed early last year, Napo has developed an Environmental Policy and Action Plan. In the first instance the emphasis will be on water, waste and energy management at Chivalry Road. A small Environmental Committee has been established to direct this work and an underlying aim will also be to educate and raise awareness amongst staff. Later on, it is anticipated that our focus will broaden to encompass other aspects of Napo's operations such as branch activity, training courses and AGM.

Branches may obtain copies of this policy and plan from Keith Waldron at Chivalry Road, kwaldron@nao.org.uk, should they wish to consider raising the subject locally with employers. Other useful information and ideas can be found at www.carbontrust.co.uk and www.tuc.org.uk (search the latter under 'environment').

Members who wish to contribute to this plan might consider receiving Napo News as electronic copy. For further details contact James Carpenter at Chivalry Road.

Mike McClelland
National Chair

Current focus of Professional Committee

Professional Committee is currently made up of the following members and has Mike Weston and Angela Hands as link officers and Cordell Pillay as Official: (Chair) Deborah Borgen (London); Kathryn Alsop (Devon & Cornwall); Ralph Coldrick (West Midlands); Duncan Hume (Thames Valley); Amy Milford (Hampshire & Isle of Wight); Tim Pike (Sussex); Fariha Quraishi (Lancashire); Emma Sutton (Cumbria).

Although NOMs is obviously the main priority of all committees at present, Professional Committee is focusing its work for the forthcoming year on the 4 motions which were passed at AGM. These motions are very different from each other and the focus is summarised below. The initials of committee members involved in working parties have been added to enable anyone with an interest or information to make contact by email.

- **Promoting the Probation Service** – whilst this motion does not have any specific tasks for Professional Committee to do which are not already part of the overall Stop The Bill campaign, the committee feels that a review of the outdated Good Practice Guidelines is timely and can only help with the promotion of good practice within the service. A working group (DH, KA, AM & DB) has therefore been set up and will meet on 8 March to begin this review.

- **Risk Assessment** – when this motion was debated at AGM the issue was raised that this motion should cover YOT risk assessments as well as those of probation. As such AM and DH will be joined by Lisa Morgan (YOT) and Matthew Lippard (Unpaid Work) on 1 February to work on this motion.
- **Retaining POs in Programmes** – the main task stemming from this motion for Professional Committee is to gather information from all Probation Areas about POs working within Programmes. Therefore a request will be going out to branches asking for the number of POs currently working in level 4 Programmes (sex offending, violence and domestic abuse) at all levels (e.g. as tutors and facilitators, treatment managers and managers. Also any changes or compulsory reassignment of POs out of Programmes (as has happened in London) need to be raised, as well as the impact of such decisions on programme delivery and SFOs which have occurred by any group participants following the removal of POs in Programmes. The final strand of information required relates to partnership agencies or private firms getting involved with, or being given the contract to run, Programmes previously run by the Probation Service. Please send any information on these areas to DB, TP, ES and RC.

- **Opting In** – in order for guidance to be developed around ensuring that staff have the option to 'opt out' of specific areas of work, information is again required on Areas' policies and practices for staff working with domestic violence perpetrators, sex offenders and hate crimes (including racially motivated offenders). FQ, AM, KA & AH will be meeting on 23 March to work on this motion.

Katherine Alsop
Professional Committee

Letter

I am becoming increasingly concerned about the appearance of increasingly draconian sickness management policies within the service and would like to raise a number of questions.

One cannot but agree that if one is being paid to work, one should normally be there. The mantra now is 'think of your colleagues'. To which I reply 'which colleagues?' If I come to work with a heavy cold there is no doubt that coughing and sneezing spreads the infection, especially now that most of us are working like battery hens in open plan offices. Should I give no thought to my colleagues with a hidden disability such as Type 1 Diabetes for whom a cold can have serious consequences? If my colleagues are to be so overburdened by having to take on one or two appointments in my absence, might this be because they are already working beyond capacity?

There is undoubtedly an obligation to present oneself for work when well, but surely an equal duty lies with the employer to ensure that working conditions are conducive to the maintenance of good health.

I am told that the policies are really aimed at those who take frequent, short term absences, yet in a career spanning over 30 years I have yet to see them tackled wherever I have worked. Equally, suggestions that those who turn up come what may should be rewarded for their efforts are surely discriminatory. What about rewarding disabled colleagues who are usually in the forefront of ensuring that they are at work, even when circumstances, such as Assistive Technology, noisy office conditions and lack of access continue to militate against them?

Am I alone in feeling this? If not, what can we as Napo members and our employers do together in future to produce a disciplined but humane policy?

Diana Sanderson
Chair, Durham Branch

Female Offenders: A New Challenge

Would you like to contribute to practice and policy debates on female offenders by undertaking pioneering research?

The Griffins Society Visiting Research Fellowship Programme offers a unique opportunity for individuals to explore their own interests or concerns about the treatment of female offenders. Candidates must have inquiring minds but previous research experience is not necessary as the Programme Director, Dr Judith Rungay, and the Griffins Society provide comprehensive supervision and support.

We are looking for research proposals that explore the resettlement needs of female offenders at any stage of the justice system or related fields (e.g. housing or drug and alcohol support). We welcome community-based proposals but prison-based research projects are also acceptable as long as they have a resettlement focus.

We positively encourage applications from a broad spectrum of candidates but Fellowships are not available to full-time academics or those studying for a degree.

Fellowships are usually conducted alongside existing employment commitments on a flexible part-time basis. The Programme lasts one calendar year from October 2007 and on completion Fellows must submit a 10,000 word Research Paper which the Griffins Society will consider for publication and promotion. Fellows will receive £3,000 towards research expenses.

The closing date for applications is 30 April 2007. If you have any questions about the Programme or would like to receive information on how to apply, please contact the Programme's LSE administrator: Bhuvana Ramana, Department of Social Policy, LSE, Houghton Street, London, WC2A 2AE. Phone: 020 7955 6935. Email: B.Raman1@lse.ac.uk



The Griffins Society
www.thegriffinsociety.org
Supporting women through
the criminal justice system



Open jails: A looming crisis

During October 2006, the Home Secretary, John Reid, announced emergency plans to cope with jail overcrowding. In the long term the Home Secretary is committed to providing 8,000 more prison places. However, in the short term, he is allowing more offenders serving sentences in the closed estate to be moved to open conditions and also into police cells, although he has rejected allowing prisoners out early under emergency provisions.

This month the prison population hit 80,000 for the first time in its history. In January 2004 Patrick Carter, when advocating the establishment of the NOMS, recommended that the prison population needed to stabilise at 80,000 and that it would do so if less people were given custody or probation and more were fined or cautioned. Almost three years later sentencing has not been rebalanced and the prison population is likely to reach 83,000 by the summer of 2007.

Research by Napo during November shows that prisoners are being re-categorized for open conditions regularly, but in many instances staff believe risk issues have not been properly addressed. In addition, some have absconded, others have committed further offences, and many have been returned to closed conditions following Probation or Police intervention. It is quite clear that some prisoners are being transferred into open conditions inappropriately and that issues of risk to the public remain unresolved.

Staff concerns

Probation staff working in open jails and in the community have raised a range of concerns about the Government's re-categorizing policy. They include:

- Over the last 12 months they have experienced a series of transfers where risk to the public, or risk of re-offending, is high.
- Offender Managers who are supposed to be involved in decisions before transfer are often 'mythical' or unable to visit jails because of expense, and are therefore excluded from the decision making process.
- If a Probation Officer in the community is involved, or consulted, often their views are bypassed by the Population Management Section at the Home Office, which says prison overcrowding takes precedence.
- The decision to reclassify is based on sentence history, and the stage the prisoner is at in their sentence, and not risk to the public.
- Violence, bullying, the presence of mobile phones and drugs are far more prevalent in open prisons than at any time in the past.

- In several open jails there are at least one to two inappropriate referrals every week, and at monthly meetings to discuss plans for new prisoners, between a quarter and a third are thought to have unresolved issues of risk.
- There would appear to have been an increase in the re-categorizing of serious domestic violence offenders. This group of people are normally serving 4 to 6 years.
- Increasingly victims are not consulted about re-categorization and transfer.
- Staff at open prisons believe that Category B and C jails have now been set monthly targets by the Prison Service for reclassification and transfer.
- There is a much higher level of fear within open jails following high profile serious offences over the past 12 months.
- Cases of prisoners absconding appear to have risen at most establishments.

Since 2001, there have been 496 prisoners absconding from Ford, which is one every 4 days. There have been 4,300 prisoners absconding from all open prisons since the date.

Napo has received over 50 case histories since the beginning of December where there was real concern about transfers to open conditions. Some of them are reproduced below.

Case Histories

A man was jailed for 6 years for robbery. He attacked lone women in cars. In August 2005 he was refused parole following a Probation recommendation, however, in 2006 he was transferred to an open prison. After one month he absconded and was then involved in 3 shop robberies using a knife. He was sentenced to 8 years. His Probation Officer was not consulted prior to the transfer to open conditions. He was refused parole because he was deemed dangerous and was also a chronic drug addict.

A man aged 28 was sentenced to 3 years for repeat burglaries. He has a history of violence and there are mental health issues. He was transferred to open conditions in May 2006 and absconded one day later. He has experienced various psychotic episodes linked to drugs and the community probation officer expressed concerns about the transfer. He said he was extremely



North Sea Camp open prison

worried by open conditions and later handed himself into the police and was transferred back to closed conditions.

A man aged 40 years old was sentenced to custody for 3 years for burglary. He is a registered prolific persistent offender, has a history of violence and non-compliance and was known to MAPPA. In his previous Category B prison he was in the middle of a 12 steps drugs programme. He didn't want to move but was transferred in August 2006. The prison did not consult with the probation officer before transfer to open conditions. He did get support at the open prison but was extremely upset at being moved before completing his drugs programme. Staff had tried to stop the transfer but failed. They had also complained to the Population Management Division at the Home Office but were told there was no alternative to transfer because of population pressures.

A man aged 23 was sentenced to 6 years for grievous bodily harm. He has a long history of violence and alcohol abuse. He was physically abused as a child, has been drinking alcohol since the age of 12 and involved in violent offences since the age of 17. He was moved to open conditions in July 2006 despite his multiple problems and the fact that he was classed as a high risk of harm. He was put on a substance abuse course and was doing well but he absconded in November 2006 after news of his daughter being moved into the care of foster parents.

The Home Office revealed in early January that it did not know how many prisoners who had absconded from open conditions were still at large. Napo took part in numerous radio and TV interviews, highlighting our concern about the number of individuals sent to open conditions clearly inappropriately.

Napo has since called for the Prison Inspectorate to look into the management of open jails and the categorisation policy in the Prison Service.

Harry Fletcher

Unpaid work: Targeted for sell-off?

Napo issued a press release over the Christmas period criticising Government plans to privatise Probation Areas and probation tasks, under the provisions of the Offender Management Bill. Napo believes that unpaid work is being targeted for sell off and that individual placements, often with vulnerable children and the elderly, will be lost. The size of groups is also likely to rise.

Individual placements will be lost because they are not profitable. The vast majority of the cost of unpaid work is staff and, therefore, group sizes and staffing ratios are bound to be affected.

Community service (later to be called Unpaid Work) was introduced in 1976. It was seen as a punishment and also used to rehabilitate offenders. Since that time, Government has pushed punishment to the fore and introduced high visibility projects and uniforms. Tasks have also become more mundane. If schemes were privatised, Napo believes tasks would become more punitive, and therefore less effective, and breach rates will soar. The potential for offenders'

learning skills could also be compromised.

Currently 35% of placements are for individual offenders and include working in charity shops, conservation work at nature reserves, working with children with learning difficulties, working for churches, working for people with disabilities and the elderly, and fundraising for local hospices. Virtually all the overheads are staffing so scope for profit is extremely limited. As a consequence valuable resources will be lost to churches, the elderly and vulnerable children.

The remaining 65% of offenders are placed in groups, normally six plus a supervisor. The sizes are bound to be affected by the profit motive and their effectiveness could be jeopardized.

In the press statement Napo said: 'Community Service or Unpaid Work is a success story. Nearly half a million hours were worked last year. Privatisation will lead to loss of individual placements with vulnerable children and the elderly. This will be a great loss to local communities.

The Probation Service already works with the voluntary sector with the majority of group placements in partnership. This should be expended and public confidence boosted.'

Harry Fletcher

Probation Service Christian Fellowship

Probation Centenary
Celebration Service

Saturday 30 June 2007 at 2pm

At St Matthew's Church,
20 Great Peter Street,
Westminster, London SW1P 2BU

Admission by ticket only: please contact
Lynn Petersen, Probation Dept, HMP
Doncaster, Marshgate, Doncaster, DN5
8UX ; 01302 763295 or email chair@psc.org.uk

'Not by might, nor by power, but by my Spirit, says the Lord'. Zechariah 4:6



Branch Reps' Courses 2007

Experienced Reps
12-15 March 2007
T&G Centre, Eastbourne

This course is for experienced reps who have already attended the Representing Members course and have had experience of dealing with grievances and disciplinary cases. The course will build on the skills and knowledge gained and will look at the more detailed aspects of case work and its impact on Napo's organising agenda.

Negotiating Skills
21-24 May 2007
T&G Centre Eastbourne

This course replaces the Bargaining Stage 2 course and is for reps who have

attended the Bargaining Stage 1 course. It provides reps with the opportunity to look at different negotiating techniques, appropriate responses, and what works in order to achieve your goals.

Building the Union - Organisation and Recruitment
25-28 June 2007
Wortley Hall, nr Sheffield

This is a branch development course and is suitable for Branch Officers and Branch Committee members. The course will look at various organising models, the importance of membership involvement and how to achieve it, and the ways in which effective branches work.

**Representing Members
(for black members only)**
17-20 September 2007
T&G Centre, Eastbourne

This course is designed specifically for black members in Napo providing representation to members involved in disciplinary and grievance proceedings. The course covers: members' rights at work; what is a grievance; how to handle a disciplinary case; skills for representing individual members; new dispute resolution regulations; and the duties and responsibilities of management. This course will be facilitated by a black tutor.



Butler Trust Award Scheme

The Butler Trust Award Scheme is now open – who will you nominate?

It's that time of year again when nomination packs for The Butler Trust Award Scheme are landing on the desks of Butler Trust champions across the UK.

Butler Trust awards are the most sought after independent awards for people working with offenders in the UK. Entry is free and the prestige of winning is considerable.

Butler Trust awards recognise exceptionally dedicated, and often creative, work undertaken by individuals and groups

working within the UK Prison and Probation Services, CJSW Services, private prisons and court escort and custody services.

This year six new awards have been added to the Scheme. They include Awards for: Community Engagement and Civil Renewal, Public Protection Work, Health and Well-being of Staff, The Trevor Brooking Award for Personal Development of Offenders Through Sport, Offender Management and Sentence Planning and the Community Justice Partnership Award.

Do you know someone whose work deserves to be nominated?



Nominations can be made by offenders, ex-offenders, fellow staff or colleagues from associated services. Nomination packs for the 2008 awards are now available from 020 8688 6062 or email: info@thebutlertrust.org.uk or download from the website www.thebutlertrust.org.uk.

The closing date for nominations is 31 May 2007.

OBITUARY – Kevin Wreford

1954 to December 2006

Kevin Wreford was an outstanding Probation Officer who joined Kent Probation Area in July 1985 where he worked until his recent tragic death at his own hands.

Originally from London, Kevin graduated from Warwick University and then worked at St.Mungos Hostel Battersea from 1979 to 1983. He subsequently gained his MA in social work and CQSW and worked for Lewisham Social Services until July 1984.

There followed a short period for Gravesend Social Services before commencing as a trainee for Kent Probation in October 1984. His first appointment was at the Dover Probation Office where he spent his first 6 years. He inspired trust was extremely reliable with a capable and painstaking approach to his work.

Time came for Kevin to move on and he accepted a secondment at the newly opened HMP Elmley on the Isle of Sheppey where he was the first main grade officer to arrive. Typical of Kevin, he opted to work on the vulnerable prisoner unit where he showed great commitment, integrity and stamina. Following this he was appointed as a PO in Swale, where he quickly readjusted going on to carry the entire caseload at Faversham.

In August 1999 he was appointed Deputy Manager of Fleming House Probation Hostel in Maidstone, in which post he was highly regarded by both staff and residents. Following an internal review he was subsequently appointed as a Senior Practitioner in October 2002.

Napo activist

There was another side to Kevin however, and that was his commitment to Napo. He was already an active member by the time he began work at the hostel and held a number of important Branch posts



including Treasurer, LNC Representative, NEC Representative, Co-Chair, and Chair until his illness compelled him to stand down in December 2005.

He was an inspiration to his colleagues and worked tirelessly for the benefit of his fellow Branch members. His contribution to the Branch was significant; he was always confident, charming and articulate and was often able to win important concessions and arguments in our local negotiations. If this was not enough, Kevin

was also a member representative, a role which he particularly enjoyed. Everyone whom he represented be it at grievance or disciplinary hearings remarked on his optimism and skill as an advocate. Many Branch members have him to thank for his work here.

Sadly, for many years Kevin suffered from a depressive illness which he struggled to contain and overcome. Few of his colleagues even knew or were aware of his mental health problems and he rarely burdened anyone with them, it was just not his style.

Kevin will always be remembered as kind and considerate man who had strong values and fought for what he believed in. He will be sorely missed by many, and to me he will always be remembered as a brave Napo activist and friend. He leaves behind a wife and two sons, his partner and daughter.

**Eriks Puce
Chair, Kent Branch**

Drugs, Alcohol and Criminal Justice: The shape of things to come

**2.00pm Monday 26 to
4.00pm Wednesday 28 March 2007**

University of Warwick

This conference organised by the Conference Consortium is aimed at practitioners, managers, policy makers, academics, service users and others concerned with new developments in practice and policy in the overlapping fields of drugs, alcohol and criminal justice. The programme will be of particular interest to probation staff.

There will be significant probation input into the conference. Debates include:

- What's happening in the world of alcohol?
- Working with families of substance

abusers and substance misusing parents

- Working with the perpetrators of domestic violence
- Making links and delivering with hard to reach groups in communities
- The motivational approach – what do we mean by motivation?

Residential delegate fee is £398 (including VAT). Non-residential delegate fee is £256 (including VAT)

Napo members wishing to attend should seek sponsorship through their Service or local Napo branch. Register online at www.conferenceconsortium.org/ (click on current events) or contact Michelle Vatin at the Conference Consortium for a registration form michelle@conferenceconsortium.org.

Centenary AGM 2007

Scarborough
19-21 October

The 2007 AGM will be celebrating 100 Years of the Probation and Family Court Service and a centenary theme will run through the conference including special guest speakers, centenary exhibitions and themed evening events. Make sure you don't miss this special AGM in this special year.

Registration forms will as usual be in the June issue of Napo News and members will also be able to register online from 1 June at www.napo.org.uk. Details of accommodation are already with branches/CAFCASS regions, contact your branch/section now to register your interest.

Foothills of the Pyrenees

Riverside village house with three double bedrooms (Campagne-sur-Aude). TV, DVD, washing machine. Stunning mountain scenery, sporting facilities, historical sites one hour's drive. Carcassonne airport is 45 minutes' drive. Prices from £150-£250 per week.

Contact Fiona or Paul on 01273 270198.
f.bauermeister@ntlworld.com
mob 07717151642

Northumberland Coast

Comfortable self contained spacious apartment. Grade II listed building close to beach. Sea views to Holy Island. Seabird sanctuaries nearby and hill walking. Three bed, sleeps up to eight. Child reductions

Phone 01670 516348 or email
dorothyslater@hotmail.com

La Manga Mar Menor

Spain. Sea front, three bedroom, two bathroom fully equipped apartment on unique Spanish peninsular at La Manga. Very restful location. From £175pw. Fly to Murcia close by.

www.la-manga-spain.co.uk
Tel: Margaret Fraser 01527 879446

Mont St Michel, Brittany

Three well-equipped stone cottages (sleeping 4, 4 & 7) in rural hamlet. Beaches, gardens, wildlife, walks, watersports, golf, cycling, tennis, riding. Close ferries and Ryanair flights.

www.domaine-des-feins.com
Tel:00 33 299 80 29 11

Private villa to rent in Bali

Set in tropical gardens, 500m from the beach, restaurants and coral reefs. Sleeps up to 4 people. Housekeeper included. Drivers service available for tours around Bali. Visit www.balibliss.com to see photographs! £200 per week

Call Lisa Bailey on 07891 784 737

Cumbrian cottage

Peaceful setting with rural views only 4 miles from Ullswater and 5 mins walk to Rheged Centre with restaurants, cinema and play areas for children. Large private garden with parking off-road. Dogs with prior agreement. Costs from £150 -£400.

Call Sue Holmes on 01794 522220
or email Romsay@tiscali.co.uk.

Southern Spain

Three bed villa with private pool, Vinuela, Andalucia, Spain. Situated in the heart of a tiny village amidst an area of outstanding beauty. Malaga Airport 50 mins, Granada Airport 90 minutes. From £250 per week. 10% discount on advertised prices for Napo Members.

Visit our website at www.casa-animarc.co.uk
or contact Jenny Yates on 07712367705, e-mail: jennyates438@btinternet.com

La Manga del Mar Menor

Spain. Two bedroom, two bathroom apartment overlooking secluded beach. Two pools, tennis courts. Unspoilt traditional area on La Manga peninsular. Near golf courses, beaches, marinas. From £175pw.

Call Val Roberts 07990515780 or
valerie.rob@ntlworld.com

Protaras, Southern Cyprus

New, quality, spacious 2 bedroom apartment, sleeps 6. Fully equipped kitchen, TV, DVD, communal pools, fully air conditioned, 10 minutes to beaches and all amenities, car park space. From £225 to £325 weekly. Available from April 2007.

Contact June on 07917401614 or email miss.lati@virgin.net

Algarve

Gorgeous new villa for rent. Fully equipped. Pool. Atlantic views. Sleeps five. One hour from Faro airport. From £180 per week.

Call Hugh on 01594 827244
www.hughsalgarvevilla.co.uk.

East Yorkshire Coast

Stunning Grade II listed cottage with secluded garden in Hornsea. Next to the Mere, 10mins from beach and on the Trans Penine Trail. Many original features - cobbled walls, beams, open fire and close to local amenities.

Please telephone Tracy on 07739 580548
and visit our website on www.hornseacottage.co.uk

NAPSAC – dates for 2007

Spring Meet

Grasmere in Lake District:
28 May - 2 June.

Booking forms available mid-Jan.
Closing date - 23 March

Autumn Meet

4 - 7 October. Venue to be confirmed.

Contact: Peter Holden 01299 250808 or
07958355514

peterjholden@hotmail.com

Change of details form

Important: If any of your details have changed please fill out this form and return, free of charge, to Napo, FREEPOST LON10564, London SW11 1YZ or e-mail your new details to membership@Napo.org.uk

Name _____

Membership no. (eg M012345)* _____

New grade _____

New address _____

Postcode _____

Is this address your Work or Home address? (Please tick one)

Work telephone no. _____

Date effective from _____

* Your membership number can be found on the top right-hand corner of the address label on your envelope.

I have changed Probation Area

from _____

to _____

Date effective from: _____

I have left the Probation Service

I have left CAFCASS

Date left: _____

Changing Lives

An oral history of probation Published by Napo – the Trade Union and Professional Association for Family Court and Probation Staff

In 1908 a small number of probation officers met in a house in Croydon to plan the formation of the National Association of Probation Officers, later to become Napo. The previous year, in August 1907, the Probation Service came into being and it has now existed for 100 years. Ironically it reaches its centenary at a time when its future as a national service is uncertain. Whatever happens over the next period the title ‘Probation’ is in danger of being lost.

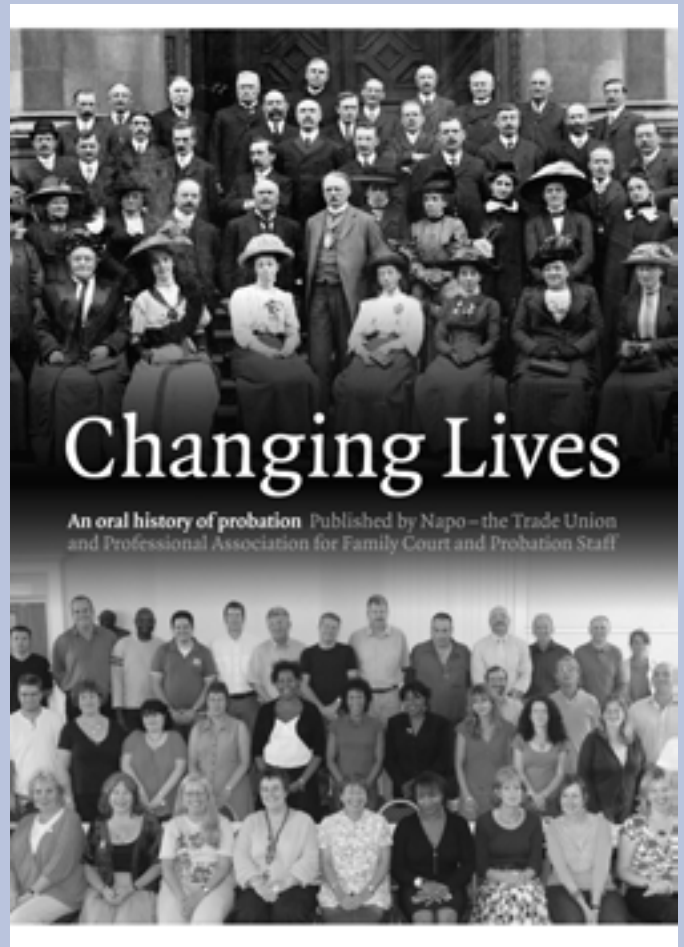
This book celebrates the work and achievements of the Probation Service over its first century.

It restates its values through the words of retired members, through the main events in its and Napo’s history, through images in film and television and through the comments of many individuals who have appreciated the contribution of the service over the last 50 years.

96 pages in full colour, softcover
240 x 170mm

Compiled and edited by
Harry Fletcher, Vicky Boroughs
and Kath Falcon.

Profits to The Edridge Fund



Price list

Napo Members £5.99

Non-members £8.99

Prices include p&p to UK.

Discount available for bulk orders.

For any enquiries contact
kfalcon@napo.org.uk

Telephone 020 7223 4887

www.napo.org.uk

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