

Justice Committee

Oral evidence: Pre-appointment hearing: HM Chief Inspector of Probation, HC 397

Tuesday 12 December 2023

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Members present: Sir Robert Neill (Chair); Tahir Ali; Rachel Hopkins; Edward Timpson.

Questions 1 - 27

Witness

[I](#): Martin Jones CBE, Chief Executive, Parole Board.

Examination of witness

Witness: Martin Jones.

Q1 Chair: Welcome to the Justice Committee's pre-appointment hearing on the Government's preferred candidate as HM chief inspector of probation, Martin Jones CBE. You are well known to the Committee from your current role.

Martin Jones: I am delighted to be here.

Chair: Before we begin, we must, as we do in every session, make our declarations of interest. I am a non-practising barrister and a former consultant to a law firm.

Edward Timpson: I am a barrister and former Solicitor General with a practising certificate. I am not currently undertaking any court work. I am a former chair of CAFCASS and former chair of the Child Safeguarding Practice Review Panel. My brother is chair of the Prison Reform Trust.

Rachel Hopkins: I am a trade union member of PCS and of Unite.

Q2 Chair: There is nothing for Mr Ali.

You, Mr Jones, are currently chief executive of the Parole Board. Before that, your background was in Ministry of Justice policy teams.

For those who do not know, what does that involve, and, having been established in your important role as chief executive, why did you decide to apply for this role?

Martin Jones: My background over the past 30 years has been in justice matters—as head of operations in the Courts and Tribunals Service, as a policymaker and, latterly, being in charge of the Parole Board for the past eight years.

The thing that excited me about this role is the opportunity to make a difference to people. I lead the independent Parole Board. Our relationship with the probation service is absolutely crucial in making the right decisions about which prisoners are safe to release and the right time to release them.

We all know that the probation service faces significant challenges. The opportunity as chief inspector to scrutinise that, to be an independent watchdog and to provide reports to Minister is crucial given how important youth offending services and probation services are to reducing crime and ensuring the public are safe in the future.

Q3 Chair: You have that awareness of probation, but in your current role do you have much day-to-day involvement with the probation service?

Martin Jones: I think I have more than enough to worry about in looking at the work of the Parole Board and our decision making. The information and evidence that probation officers provide to the Parole Board are



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absolutely crucial. Again, I have positive relationships with senior executives in the Prison and Probation Service, but my day job primarily involves talking to Parole Board members and the efficient operation of the system.

Q4 Chair: Can you explain how you ensure sufficient independence between what you do for the Parole Board and the operation of the probation service?

Martin Jones: When the Parole Board makes a decision it is sitting as a court, making decisions based on the evidence and the law. We hear evidence from the probation service and from the prisoner about the progress that the individual has made in custody. Sometimes, we will agree with officials' recommendations, but sometimes we will make a different decision. The important thing is that we are completely independent of the Government and the Ministry when we make those judicial decisions.

Q5 Chair: What makes you decide to move from a job where you are running things to being an inspector?

Martin Jones: I am interested in a new challenge. This is a big, exciting role and it is very much front of house: explaining to Parliament what is going on and acting as a watchdog. Being properly independent is the thing that really interests me. I have spent a long time in Whitehall, and although I will find being a chief inspector challenging I think I am well fitted for it.

Q6 Chair: As an inspector you do not have executive levers to pull. Would that be frustrating?

Martin Jones: No. I have a lot of experience of working alongside the other inspectors such as Charlie Taylor, chief inspector of prisons. It is that lens of explaining the problems in the Prison and Probation Service, in youth offending services and in effecting change. Part of that will be my relationship with this Committee and Parliament in relation to my findings and ensuring that those findings are acted on.

Q7 Chair: On time commitments, I know that you have professional and voluntary interests, such as chair of the Association of Chief Executives. If you were no longer a chief executive, I suppose you could not chair that any longer.

Martin Jones: Yes, subject to the views of this Committee, I would be looking to review that to ensure the focus of my time. That takes probably an hour or two a month, but other than that I have no other commitments.

Q8 Chair: No other conflicts of interest.

Martin Jones: None at all.

Q9 Chair: No other outside involvements.



Martin Jones: No.

Q10 **Chair:** Is there any area where you think you need to improve your skillsets? Do you think, "I will need to learn about this area"?

Martin Jones: It is clear from my CV that my background is in justice. I understand how the probation service and the criminal justice system work. That is a strong suit of mine.

I am well used to dealing with parliamentary Committees. I have always enjoyed myself in front of this Committee.

The area I need to work on is the fact that I have not previously been an inspector—so, bringing on that skillset. My CV shows that I am very good. I did not have a background in parole when I joined that body, but I am now considered probably one of the leading experts internationally in the world of parole.

I am confident that I have the right team around me at the inspectorate to draw upon those skills and work with the other justice inspectorates.

The other thing that I have is that being in charge of the independent Parole Board sometimes involves delivering difficult messages to people. Sometimes, we make unpopular decisions. In the spring this year, I think, I gave evidence to this Committee on the Victims and Prisoners Bill. The Parole Board had concerns about aspects of the Bill and it was my job to give direct, truthful evidence about our experiences.

Q11 **Rachel Hopkins:** Will you expand on and talk through your experience of leading an organisation and delivering on strategic priorities?

Martin Jones: The Parole Board is a large, complex organisation. I am in charge of 200 members of staff, with over 300 Parole Board members making decisions. I have an annual budget of about £27 million of public money that I must make sure is spent properly in ensuring that we deliver to our business plan objectives, dealing with cases in a timely fashion and in the right way. For example, being sensitive to the interests of victims is a crucial part of the parole system. I think I have led that with some energy over the past seven or eight years.

The other area is effecting change in the organisation. When I joined the Parole Board it was entirely paper-based; we are now entirely digital, which is much more efficient and effective.

The other thing I am very proud of from my time of working with the Parole Board is providing leadership and improving the diversity of the board membership. When I joined the Parole Board, it was striking that 4% of our members were from a black or Asian ethnic minority background. It is now more than 18% because of my getting stuck in to do the necessary to ensure that we made the Parole Board a more diverse place. We have people applying to join the Parole Board from more diverse backgrounds. That involved my doing things differently,



which shows I have the ability to grip a problem, not shirk it, and do what is necessary to bring about the right results for the public and communities.

Q12 Rachel Hopkins: Flipping that forward, what are your initial thoughts and views on HMIP's current strategic plan?

Martin Jones: The important thing to say is that I am the incoming chief inspector—hopefully. I will need to get a grip. It is easy to look from the outside at what you think the challenges are. The most important thing is to ensure that we maintain independent scrutiny of the performance of probation and youth offending services, providing a critical view, and identifying best practice and where there are problems. We cannot shirk from explaining the position that we find on the ground.

The other thing I am interested in is the planned programme of work across criminal justice inspection work with other inspectorates. We have really interesting work under way on the victim's experience of the criminal justice system, given all the hand-offs in the criminal justice system between the police to the prosecution, etc., and understanding that it can work only if you look at the system end to end.

Thematic inspections are incredibly important. Away from individual area performance, what are the themes that you see? One example might be serious further offending. What is the best practice? It gives you a lot to bite on. I am sure that once I am in post I will want to tweak those a little to ensure that they are refined to where I think we are. A lot of good work is going on in the inspectorate, and it is a well-respected organisation with a lot of experience that we would want to bring to bear.

Q13 Rachel Hopkins: What challenges will you and HMIP face over your term in office?

Martin Jones: Clearly, resources; it is not a huge budget. We have a £6.5 million budget, a team of about 80 people, with eight inspectors leading that work. Using those resources appropriately to ensure we are focused on the different priorities will be a challenge.

The other thing that is clear from reading the recent report is that the probation service has some significant performance challenges. A lot of reports last year demonstrated real difficulties and challenges in staffing and the impact of organisational change. There will be some difficult messages that we may have to deliver over that period, but we should not shirk from that. We need to ensure that we explain how the system is working and where people are in relation to, hopefully, seeing some signs of improvement.

Q14 Rachel Hopkins: You picked up on an important point—staffing and where the organisation is. In an inspection, would you ensure that the views of the trade unions represented there were heard?



Martin Jones: It is absolutely crucial. If you look at the way in which the inspectorate works, it should be taking views from all sorts of people in the system—certainly the trade union side.

The other important thing in our plans is talking to users of the system—people under probation supervision—to get their perspective on how effectively they are being supervised. It is important that you get all those views for a well-rounded view. Rather than just looking at the figures from the top, you have to understand what is happening on the ground.

Q15 **Rachel Hopkins:** You talked about the importance of independence. How will you ensure that you and the inspectorate are independent of any political or other pressures that you might encounter?

Martin Jones: I go back to my experience with the Parole Board, which by its very essence makes decisions about whether people are safe to be released from prison. Most of the people we see will have committed extremely serious criminal offences and caused huge harm to the public and victims. It is our job to apply the evidence and the law to come to an independent decision about whether people are safe to be released. We will get public and media attention on five or six of our decisions a year. It is important that we are robust in transparently explaining why we made those decisions, and being strong in saying, “It is not a matter for Ministers; it is a matter for the Parole Board.” It is a court with a proper appeals mechanism if people are unhappy with those decisions.

In my time as chief executive, I have had to stand really strong in protecting the independence of my organisation and in sticking up for it, sometimes speaking to the Committee about our views.

Last year, I gave evidence to this Committee on IPPs. The views that I put forward were quite different from some of the views put forward by Ministers on the need for reform. I have always been independently minded, and in this role that is enshrined in the make-up and independence of the role. We have a line through, obviously, to Ministers and, crucially, to this Committee and to Parliament in relation to our findings.

Q16 **Edward Timpson:** There is always a risk that those who are doing the inspecting or have come up with the framework for inspection have devised something that, on paper, looks set against the metrics they have set and everything is okay, but when you open the bonnet you discover all sorts of gremlins. How would you ensure that as an organisation you are inspecting the right things that get into the detailed mechanics of what makes the probation service work most effectively?

Martin Jones: There are two parts to the answer, one of which is really important in relation to our engagement in talking to all people involved in the service—service users, people on the ground. What does good look



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like? Sometimes, that is about more than tick boxes and the metrics. It is important that you get underneath that.

When I join the inspectorate, I expect to go on some inspections to ensure I understand what the frontline is like. You need constantly to challenge yourself. Part of the benefit of bringing in a new chief inspector is having a fresh pair of eyes. Are we measuring the right things? Are we getting the right metrics? If we are coming up with findings that perhaps are not resonating with those on the ground, we need to test and challenge whether we are measuring the right things.

At the Parole Board, we have done all sorts of work on the evidence around decision making. I always come back to the fact that, whatever your findings, are they based on evidence? You test relentlessly to ensure you get the data that is backed up by what you are finding on the ground.

Q17 Edward Timpson: Often, something that is lost through the inspection process is that you are not just looking for things that may not be going well. You may be trying to find beacons of good practice for the rest of the service. From your knowledge so far—I appreciate it is from some distance, albeit that you say you have good working knowledge of and relationships with the probation service—what do you think is working well that you would hope to build on and grow across the organisation?

Martin Jones: I would pick out two areas, based on my visits to local areas and my discussions at the senior level, the first of which is the work of the national security division of the probation service, which is looking at some of the most difficult cases. In particular, those involved in terrorism offending have good, strong working relationships with the counter-terrorism police and security services. That ensures that they get the best possible risk management plans, and there are some lessons to be learned in relation to other parts of the probation service, ensuring the right inter-agency links on the ground.

The other area I would particularly pick up is perhaps some of the inspection report work we have done in the north-east of the country. Again, we can look at the causes of offending. We all know that some of these go right back to accommodation, employment, drug treatment and that sort of thing. Having the right inter-agency links back in the community—where is that doing well? Often, it is about relationships. It is about having a relationship with the head of the local health team that ensures that you can bring in the interventions that you need and that you know will help in reducing reoffending in the long term.

Those are just a couple of examples of the best practice that you need to look out for, but I am sure we will identify more. It sometimes seems that the inspectorate is publishing a lot of reports and finding some difficult things for the probation service, and it is really important that there are some gems in there, to do with good, positive, best practice. There are a huge number of committed members of staff in the probation



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service, working their damndest and doing a good job. It is also about finding that, rather than always providing doom and gloom.

Q18 Edward Timpson: Youth offending services are an important part of the probation service. I think you would be inspecting about 33 different youth justice services. From the latest round of inspections, it would generally appear that those youth services are performing better than probation services that fall outside that regime. What are your early impressions or thoughts on why that might be the case?

Martin Jones: I have a couple of observations. First, the number of cases in the youth offending service tends to be lower than in the probation service, and I am sure that that assists.

Looking at the amount of change there has been in youth offending services, there has been something of a stable landscape over the last decade or so, whereas the probation service has been through two major reorganisations in that period. Reorganisation is itself incredibly destabilising, so I do not think that that helps with continuity.

Certainly, case numbers in youth offending services, and the local links to the police and other agencies, provide a pretty good model. I guess that they have not had the level of change that we have seen in the probation service. Some of that change—certainly “Transforming rehabilitation” and the move back to the national model—created disruption in relation to people moving around, and organisational change.

Q19 Edward Timpson: In some ways you may have answered this, but I will test you a little further, if I may.

The outgoing chief inspector of probation, Justin Russell, cognisant of the changes to the service in recent years that you have spoken about, called for an independent review of probation, and said that on the basis of his experience it should return to a more localised control approach. That would be only a few years on from the unification of the service that we have just seen. What is your view about the conducting of such a review?

Martin Jones: I am, obviously, currently the preferred candidate and it is really important to say that I do not quite have the knowledge on where it should go. I will form my view of it.

There is one thing that I would caution against. Some of the problems that the probation service is currently experiencing are the effect of change—two significant pieces of reorganisation over the period. Of course, it is a matter for the Government to work out the future strategy, but I caution against running into a third major reorganisation.

Looking at the current structures, there must be a way to deliver better localism in that model. My background is in the Courts and Tribunals Service and good court operations were about local area managers having the right relationships with the police and their probation counterparts, to ensure that things were well run. I still think that that is



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possible under the current structures; but we should keep an eye on it for the future. I would certainly not encourage a major transformation programme in the short term. I am not sure that the probation service could withstand it at the moment. That would be my concern.

Q20 Edward Timpson: You mentioned that one of the significant challenges was staff shortages. Any further reorganisation could have an impact on that, but overlaying that is the Government's most recent policy on a default against short sentences. That may put further pressure on probation. How will you factor that in when you are looking at various services and inspecting them?

Martin Jones: It is clear, looking at the numbers, that there has been a huge turnover of staff. There has been some success recently in recruiting staff, but, as far as bringing experience in, when you recruit new people it takes time for them to build the experience to be excellent at their job. It is going to take time to bring that on board.

Drawing on my experience at the Parole Board and at the Courts and Tribunals Service, I would say that probation officers are crucial to getting the right sentence in the first place, in relation to offenders who can be rehabilitated in the community. Clearly, the direction of travel on short sentences is about whether you can deal with people more effectively in the community. There is also the question of preparation for release, to ensure that a person can be successfully and safely managed in the community, with accommodation, and kept away from reoffending.

I would certainly expect, under my leadership, that the effectiveness of that court work, and planning for release, would be an area of focus. Clearly, getting those two areas right lifts some of the other pressures on the system. In the meantime, it feels like a pinch point, as there are staff who are relatively new in their post. I suspect that it will be a couple of years before we start to see the benefit from the staff currently being recruited.

Q21 Edward Timpson: You said that the work around thematic inspections is an important part of the repertoire available to you. I am a strong advocate of them, from the role I had at the national Child Safeguarding Practice Review Panel, and I encourage you to look at some of its thematic work as a good example.

You have limited scope within your resource to carry out that type of inspection. I think there were only seven in the last phase. Are there any particular areas of work, or key priorities, that you would want to gravitate towards, in some of the early thematic reviews that you carry out?

Martin Jones: I have not come to a view about that yet, and I would obviously want to speak to the inspection team about their view. I guess there is one key emerging theme from our recent work. As you said, the work on youth offending services shows that perhaps the quality of the work is better in some of those areas than in others. I do ask that



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question: if there are other areas that we want to focus on, could there be a lighter touch in areas where performance is good, and perhaps a longer period between inspections? We need to get the judgment right on how regularly to do it.

Of course, at the moment, if I were in the probation service, I would be rather wary of taking my eye off the ball too much, in relation to what is happening. I certainly hope we can build on the thematic inspection regime so that we focus on the things that really matter to people and avoid duplicating work. Perhaps we will have some shorter inspections, if we are going to do a thematic on a particular area, and not cover some areas in such great detail when we do the local inspection.

Q22 Chair: You talked about inspections generally, but other criminal justice agencies are involved in the field that you will have dealt with at the Parole Board. In particular, we have found a linkage between the probation inspectorate and the prison and Crown prosecution inspectorates. How would you work with them, and do you think you can do more to foster closer co-operation? I am not saying it is not good at the moment, but what more do you think you can do?

Martin Jones: I think it is a real opportunity for the four inspectorates to work together to ensure that we have the right priorities and that we work effectively together on the things that matter throughout the system. The programme of work that is under way includes important work on victims in the criminal justice system. I think it will be a real eye-opener when we publish our work on that.

There is also work under way, in which I am extremely interested, on domestic abuse in the system. Domestic abuse, again, runs right the way through from policing to prosecution, and then through to prisons and probation. That is an area on which the inspectorates could shine a light. Just ensuring that those inspectorates are working together to get the right priorities, and pooling our resources, has to be the right way forward. I am looking forward to those discussions.

I already know Charlie Taylor relatively well. I think he used to sit in the office behind me until relatively recently, so we are looking to building on those relationships.

Q23 Chair: That is fair enough. Do you have any objectives by which you judge whether you have been successful? It is a three-year term, normally, or a bit longer.

Martin Jones: It is a three-year term. I guess my view is that the most important thing is to embed myself in the organisation, understand its DNA and what it stands for, and to ensure that we build the right culture. I think we need a culture where people are passionate about doing the right inspection, but it is also about the way you do that. That is the sort of organisation I lead at the Parole Board—people who are interested, and who are driven to do a good job. That is what I am looking forward



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to at the inspectorate. That is what I want to do—perhaps ensuring that by the end of my term we have signs of strong improvement, particularly in the probation service, by holding people to account on where they need to be in the future.

Q24 Chair: It is an interesting thing: is the probation inspectorate an inspectorate or an improvement agency, in a sense, and how do you handle the mix between the two?

Martin Jones: It is really important that as the watchdog we are there to explain what we see when we go out and see the practice on the ground—to highlight the best practice or the challenges, where we see them. Of course, it is for the Executive to act on those.

The other thing that is really important for the inspectorate is to ensure that our recommendations are crunchy and have an impact, and that they are followed through. It is not only making recommendations that is important, but their impact for the long period. Again, hopefully in three years, we can judge whether recommendations have had an impact on the frontline.

Q25 Chair: The prisons inspectorate, as you know, took some steps to get in additional resource, and reorganise its resource, to do follow-up operations, so that the person inspected was not marking their own homework. Do you have any thoughts on how you might apply that in probation?

Martin Jones: It is worth thinking about. I am happy to talk to the prisons inspectorate about how it is doing that, and to stretch our resources as far as we are able. Obviously, it needs to be resourced properly before we do it, but I think there is scope for us to go back and do the right sort of review of things a year or 18 months after we have been in once.

Chair: Is there anything else from any of my colleagues?

Q26 Edward Timpson: I have a question about public confidence in the organisation and in you as the chief inspector. Some people will know you in your current role at the Parole Board and may have some views about cases that were dealt with during that period, which are well documented. Is that something that you are cognisant of? Is there anything you would want to try to do, to ensure as much public confidence in you and the organisation as possible?

Martin Jones: That is a good question. The important thing for me in running the Parole Board is that we are asked to apply the evidence and the law and to make decisions in line with that. It is important that we are accountable for those decisions. I have a strong track record at the organisation that I lead of being accountable, providing summaries to victims, and setting up a successful appeals process. We launched a documentary last year with the BBC which shone a light on the work we do. I would say that the really important thing about the Parole Board,



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looking at it in reverse, is that most of the time, when we review a case, we decide that people need to stay in prison for the protection of the public. That is about 75% of our decisions. We release about 25% of the people that we review each year. Of course, some of those people will have committed serious offences, but our job is to judge whether they have changed. It is not to assess whether they have been punished enough, but to ask, "Are you going to commit a serious offence thereafter?" Our track record on that is extremely good, in relation to a failure rate of less than 0.5%. I think that puts me in a good position to say that I can lead an organisation like the inspectorate, because my track record is a good one.

Q27 **Chair:** Is there anything else that you wanted to raise with us that you feel we have not touched on, Mr Jones?

Martin Jones: I just look forward to coming to see you again, hopefully, in due course, perhaps in the new role.

Chair: Thank you very much for your time and your evidence. We will now go into private session, because in these events we like to come to a decision about our report straight away.

Martin Jones: Thank you very much indeed.

Chair: Thank you. We will write with our conclusion as soon as we may.