



HM Inspectorate
of Probation

The history of HM Inspectorate of Probation – a short paper

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This paper was originally created in 2010 by John Hutchings, retired Assistant Chief Inspector of Probation, and we gratefully acknowledge his work. It has now been updated by HM Inspectorate of Probation.

Foreword

The Inspectorate of Probation was formed in 1936. The Inspectorate inspects, and promotes excellence in, the work of probation and youth justice services across England and Wales. Its core purpose remains to promote high-quality probation and youth justice services that change people's lives for the better. The Inspectorate does this not just through local adult probation and youth justice services inspections, but also through national thematic, independent serious further offence reviews, research and increasingly important effective practice guides as well.

In addition to the history of the Inspectorate, this paper sets out the way the Probation Service has transformed over time, which has changed the way we inspect. This includes the 2014 *Transforming Rehabilitation* reforms which split the service into public and private probation components – the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs) – one of biggest structural changes in its history. Following this, in 2021 all of the core functions of the service returned to the public sector within a re-unified Probation Service, which is now responsible for managing all those under supervision on a community order or licence following their release from prison in England and Wales.

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Establishment of the Probation Inspectorate

1. The Probation Service was initiated on a statutory basis by the Probation of Offenders Act 1907, which made it possible for Magistrates' Courts to appoint probation officers, with local authorities paying them and deciding their level of remuneration¹. By 1922 the Departmental Committee on the conditions of service of probation officers recognised that they had now taken a prominent and permanent role in the courts system. However, it also found that many petty sessional divisions had taken no steps to make such appointments. This led to the Criminal Justice Act 1925, which put into force the committee's recommendation that while retaining an essentially local basis, there should also be provision for larger units of administration by the formation of what were to be called combined probation areas bringing different court areas together. Both single and combined areas were also to have Probation Committees with a duty to appoint and pay probation officers and deal with general administration. The 1922 Departmental Committee also suggested that the then Home Office Children's Branch should interest itself in the development of the probation service to give advice and help at a local level.
2. A Departmental Committee to study the whole question of social services in courts of summary jurisdiction was set up in 1934. As extensive use was now being made of the probation service in the courts there was seen to be a need to address the adequacy of the arrangements, the appropriate level of pay of probation officers, and the training of suitable persons to become probation officers. The committee's brief from the Home Secretary Sir John Gilmour was:

'to inquire into the social services connected with the administration of justice in courts of summary jurisdiction, including the supervision of persons released on probation and in suitable cases of persons ordered to pay fines; the application of conciliation methods to matrimonial disputes; the making of social investigations on behalf of the court and other work falling or likely to fall upon probation officers; and to report on the above questions and as to what changes are required in the existing organisation of probation services and otherwise.'
3. The report was published in October 1936. The committee's findings included:
 - The Home Office had played a central part in the development of the probation service, contributing greatly to the general raising of standards, including facilitating the formation of Combined Probation Areas. Through circulars and magistrates' conferences it had also tried to get courts to make greater use of probation.
 - Inspectors from the Home Office Children's Branch had made friendly visits to probation offices to discuss difficulties and to give advice and help. Magistrates, court clerks and probation officers stated that these visits had been useful. However, associating probation with the

¹ A more detailed history of the probation service from 1907 to 2010 can be found in "Redemption, Rehabilitation and Risk Management: A History of Probation" by George Mair and Lol Burke, 2011

Children's Branch had contributed to the idea that probation was primarily intended for young people.

- As the probation service was now developing rapidly it needed direction and guidance from an active central authority, and the Home Office needed to take responsibility for its general administration and supervision. It was difficult to see how adequate control of the payment of the government's grant could be exercised without some degree of inspection. Up until that time the Home Office could only rely on annual reports sent in by Probation Committees, but these were only submitted by a minority.

4. The committee accordingly recommended:

The Home Office should accept greater responsibility for the general administration, supervision, and direction of the probation service. The responsible officials should keep in close touch with the probation authorities, and the Secretary of State should be given a general power of inspection to satisfy himself that a reasonable standard of efficiency is being maintained.

5. The committee's report added that inspection by the Home Office had also been advocated by the Magistrates' Association, the Incorporated Justices' Clerks Society and the National Association of Probation Officers, as well as by individual magistrates, Clerks and probation officers.
6. The first probation inspector was appointed later that year, with two more appointed during 1937, one of the latter to be concerned specifically with probation officer training. On the outbreak of the war in 1939, staffing was reduced to just one man and one woman, but there was subsequent growth with the records showing that by 1949 ten probation inspectors were in post, with the first Principal Probation Inspector, F.J. MacRae, appointed the following year.

Early years

7. The Inspectorate's main tasks in these early stages of its life and indeed for several years after were as follows:
 - Increasing the number of people being trained to become probation officers, so as to reduce the use of part-time staff. Probation committees were advised on how much probation officers should be paid and on the number of staff they needed.
 - Making representations to committees on the need for suitable office accommodation and equipment. Many probation officers had previously worked from their own homes.
 - Prior to 1936 it had been exceptional for clerical assistance to be provided. Inspectors were able to persuade committees that this was necessary and indeed increasingly indispensable.
 - Ensuring allowances were paid to probation officers if they used a car as part of their work, or that cars were provided for them by the probation committee.

- Continuing to facilitate the creation of combined areas, as means of improving the service's administrative and professional development, especially in more rural areas. By 1958 there was only one county in England and Wales (the former Radnorshire) which did not have a large measure of combination.
- Encouraging the creation of supervisory posts. The Criminal Justice Act 1925 had authorised the creation of Principal Probation Officer posts but by 1936 only six of these were in existence. From 1949 onwards the approval of the Secretary of State was also required, both for the creation of any new supervisory post and for the appointment of the individual to it, this being given on the recommendation of the Inspectorate. By 1958 there were nationally in England and Wales 58 Principal Probation Officers, 17 Deputy or Assistant Principal Probation Officers, and 116 Senior Probation Officers.
- Probation area inspections, with the basis of this being the inspection of the work of each individual officer. Inspectors were described as giving constructive criticism as well as advice, encouragement, and stimulation. The inspector would help to keep the officer up to date and pass on good ideas from one officer to another.
- As part of area inspections there would also be meetings with the magistrates' probation case committee and with the Clerk to the Justices, both to ascertain their views about the work of the probation service and to help stimulate their interest in probation generally.

8. Although a written report would be prepared at the end of any inspection, it would be confidential to the Secretary of State, the findings being communicated to the probation committee and the Principal Probation Office mainly in a meeting at the end of the actual inspection.
9. A further significant part of the Inspectorate's work was involvement in the selection, training and subsequent confirmation in post of all probation officers, to ensure that the right individuals were appointed to do the work. Following an initial paperwork sift, inspectors interviewed every person applying for training and later visited students on their training courses. They also ran the Home Office's own training course for probation officers at Rainer House near Sloane Square in London, which combined two practical placements in probation offices with three months of lectures and teaching. After appointment every new probation officer would receive two visits from an inspector during their first year of work. A large number of probation officers at this time were also being recruited directly by probation areas in order to meet the increasing demands on the service, and here too the Inspectorate provided teaching input on short residential courses to people who were having to learn the work 'on the job', sometimes with only limited supervisory input wherever they were working.
10. The confirmation of every new probation officer in post was a key part of the Inspectorate's work and it remained its responsibility until the end of the 1960s. Its importance cannot be over-emphasised. It ensured that no probation officer (whether trained or a direct entrant) could continue

in post, unless the Inspectorate had assessed their practice as satisfactory, and as such gave the Inspectorate a crucial role in maintaining standards of good practice. All probation officers would receive two visits from an inspector during this period who would look at their work and make a recommendation which could lead to confirmation in post, the appointment ending, or confirmation deferred to a later date for improvements to be made.

11. A further Departmental Committee on the Probation Service was appointed by the Home Secretary RA Butler and the Secretary of State for Scotland John Maclay in May 1959. Known as the Morison Committee after its chairman, it was tasked with inquiring into all aspects of the probation service in England and Wales and in Scotland, including recruitment and training, its organisation and administration, the duties of probation officers and their pay and conditions of service.

12. The committee's report published in March 1962 made positive comment about the Inspectorate's work, stating:

'We have no doubt that the inspectors have performed the task that the 1936 Committee set for them. We believe that it is in great measure to their credit that the service has kept abreast of the knowledge and casework method that have enabled it to attain its present professional standing. In the administrative sphere they have also made a major contribution, placing their wide experience freely at the disposal of probation committees; and to them has fallen much of the considerable and delicate task of consulting and preparing local opinion that has enabled the valuable consolidation of probation areas to take place.'

13. However, the committee also noted that the balance of inspectors' duties had been altered by the recent rapid growth in the size of the probation service. It had been necessary to curtail full inspections of probation areas (which were thought to be desirable once every three years), because so much inspector time was taken up in selection, training, and confirmation of new probation officers. Concern was expressed about this with the hope that recent increases in the number of inspectors would allow more frequent area inspections to be re-instituted. It nevertheless recommended that the arrangements for inspectors to confirm all new staff in post should continue, stating:

'A high proportion of the present entrants to the service are untrained, have no nationally stipulated qualification, and have passed through no uniform method of selection. While this influx continues, the confirmation procedure is an essential safeguard, if only of minimum standards, and an essential accompaniment of the training which these entrants receive after appointment.'

14. It accordingly recommended:

- *'There should be no change in the inspectorate's functions. Training should remain a function of suitably qualified members of it'.*
- *'Full inspections of probation areas are desirable at about three yearly intervals'.*

- *'The confirmation of probation officers' appointments by the Secretary of State and the consequent visits to them by probation inspectors should continue. When the service has reached a universally satisfactory of qualification, the confirmation procedure might be further considered.'*

15. The committee considered whether a separate probation inspectorate should be established for the probation service still existing at that time in Scotland but concluded that the much smaller size of the service there could not support this, and that inspection functions should continue to be carried out by the joint Child Care and Probation Inspectorate, some of whose members were former probation officers. Finally it recommended against Inspectorate reports becoming public documents, stating:

'We think that the present practice should be retained, not only because inspectors are officers of the Secretary of State, and ought, if their reports are to be of real value, to be in a position to report to him confidentially, but because it encourages the personal and informal exchanges between inspectors and local administrators we consider essential.'

Consolidation

16. The Home Office's Report on the Work of the Probation and After-Care Department 1966 to 1968 describes 29 inspectors as being in post (including management grades), either in London or in Manchester, with ten of them now engaged full-time on training duties, including running the Home Office Training Centre. Other tasks related to training involved responsibility for stimulating recruitment; promoting new courses (both pre-service and in-service); and coordinating training for probation officers over the country as a whole. An important change though was that as from January 1968, responsibility for the confirmation of probation officer appointments when the individual had completed a course of approved training (now the vast majority of entrants to the service) was transferred to local committees. The report commented:

'Probation and after-care committees generally have welcomed this new responsibility, and one important advantage of the new arrangements is that members of the Probation Inspectorate are required to spend much less of their time on examining the work of officers whose appointment is subject to confirmation.'

and continued:

'inspectors are thus able to concentrate more on the inspection of probation and after-care areas and on the promotional aspects of their work.'

17. The report described how inspectors had also shifted their emphasis from detailed inspection of different aspects of the service's work to giving attention to management arrangements to ensure that these were sufficient to promote the aims of the service and foster the professional development of staff. This was deemed as appropriate at a time when the professional responsibilities of the service were rapidly increasing.

Examples of work which came under scrutiny as part of this process included social enquiry reports (as they then were) for the higher courts; dealing with homeless offenders; matrimonial casework; and the use of volunteers. As well as these inspection duties, the Inspectorate still remained responsible for approving probation officers for promotion to supervisory grades (the number of senior probation officers in post in England and Wales had increased from 260 in 1965 to 442 in June 1969) and for advising the Probation and After-Care Department on the wide variety of matters now affecting the work of the service.

18. By the time of the next departmental report in November 1972 the Inspectorate had acquired an additional regional office in Birmingham, the greater regional spread being seen as a means of facilitating easier communication with probation areas. The responsibility for approving senior probation officers in post had also now been given to the local committees. While inspectors continued to be heavily involved in policy advice at the centre (for example in planning implementation of the Criminal Justice Act 1972, which among other things introduced the community service order), it was clear that there had been a slowing down of the number of actual area inspections it was able to complete, with the report commenting:

'Some progress has been made towards catching up on arrears and now that full responsibility for approving the appointment of persons to be senior probation officers has been given to probation and after-care committees, the desired frequency of one full inspection of each area every four years should be facilitated. The Expenditure Committee recommended that the Home Office aim to increase the frequency of area inspections should be achieved as soon as possible, and maintained at the same or a higher rate, and the Government agreed with that recommendation.'

19. In relation to probation officer training, inspectors continued to run the Home Office's training course at the enlarged training centre, now based in Cromwell Road, West London, until its discontinuance in the early 1980s. They were heavily involved in courses for direct entrants, student supervisors, supervisory grades and probation officers assigned to work in prisons. Meanwhile the newly established Central Council for Education and Training in Social Work (CCETSW) had taken over responsibility for the training of social workers, including probation officers, and three inspectors were seconded to that body to assist its development.
20. As the probation service moved on into the 1970s, arrangements developed for members of the service to be seconded to the Inspectorate on two-year contracts to assist with the Cromwell Road course. It had also become possible to revert to a system of all probation areas (reduced from 79 to 56 as a result of the 1972 local government reorganisation) being inspected at least once every four years.

21. As part of its methodology, there had also been increasing focus in the Inspectorate's work on the efficiency of probation areas and the maintenance of standards. These elements came into much greater prominence after the government issued a Statement of National

Objectives and Priorities for the Probation Service in 1984, with the implementation of the statement becoming a central part of the Inspectorate's work during the period up until 1987. The Inspectorate also played a key role in the drawing up and periodic review of the Home Office's National Standards for the Supervision of the Offenders in the Community.

Development of role

22. There was also an increasing government view that the Inspectorate needed new direction and focus, following the disappearance of its training and recruitment functions. A Cabinet Office Efficiency Unit scrutiny (known as the Grimsey Report, after its author) recommended its work should now be primarily directed towards the efficiency and effectiveness of probation areas, and that these should become the main pillars of the inspection programme. As a result attention was directed more and more towards the policy and management of areas, with practice examined much more selectively. In 1988 another major change was the appointment of the first Chief Inspector from outside the Home Office, with Colin Thomas, previously Chief Probation Officer of South Yorkshire, and the recruitment of a number of experienced probation service managers on short-term secondments.
23. The practice was continued when Graham Smith, the Chief Probation Officer of Inner London succeeded Colin Thomas in 1992, completing the Inspectorate's first ever annual report at the end of his year of office. At the same time all Inspectorate reports became public documents – an important development in terms of the transparency and independence of the Inspectorate's role. The Criminal Justice Act 1991 also placed the Inspectorate on a statutory footing to strengthen its authority and widen its powers. These included a key role in the use of default powers, if these had to be applied to any probation area failing to fulfil its responsibilities.
24. The Efficiency Unit scrutiny had identified what should now be the three principal fields of inspection activity and these were realised in its subsequent work:
 - Efficiency and Effectiveness Inspections: a rolling programme was started in 1989 with the intention of covering the then 55 probation areas over a four-year period. Follow up visits also took place about two years after the original inspection to assess progress in implementing inspection recommendations.
 - Thematic inspections: these involved the selection of themes or topics in probation work that were of current interest to Ministers, the Department, the probation service, and related bodies. Between 1990 and 1993 the Inspectorate produced twelve such reports, examples including the work of the probation service with sex offenders, probation service provision for women offenders, offender employment and approved probation and bail hostels.
 - Internal Monitoring and Inspection: helping probation areas to develop their own arrangements for monitoring and inspecting their work, with

particular focus here on the quality-of-service delivery. Between 1988 and 1991 the Inspectorate engaged in a consultative and training exercise with the probation service to ensure that suitable arrangements were in place in all areas.

25. The pattern of a rolling cycle of probation area inspections continued under various different titles and formats, though with some change in emphasis. These have been:

- The Quality and Effectiveness Inspection Programme (1994-1998) continued to address strategic management of areas but also gave greater focus to the quality-of-service delivery, the views of service users (partnership organisations, sentencers, community service beneficiaries and offenders), and direct inspection of practice.
- The Performance Inspection Programme (1999-2002) had an increased focus on service delivery in probation areas' main fields of practice, namely pre-sentence reports, supervision of community orders and licences, and work with high risk of harm offenders. Inspection of management arrangements related to how they supported service delivery and provided value for money. All areas in a particular region were inspected around the same period to facilitate comparisons in performance.
- The Effective Supervision Inspection Programme (2003-2006): areas were inspected on how well they met defined inspection criteria focusing on:
 - the overall management of the area
 - the quality of the assessments carried out with offenders
 - the quality of interventions, including compliance with probation service national standards
 - the initial outcomes of the interventions, both in relation to criminogenic factors (for example employment, accommodation, substance misuse etc.) and whether there had been any change in the risk of harm and likelihood of reoffending.
- Areas were inspected in family groups, depending on their size and population density. Each inspection also included a separate thematic element focusing on the work of the several probation areas in a particular area of practice. Examples included employment and basic skills, domestic violence, racially motivated offenders and offender accommodation.
- Inspection of areas on the programme also saw the introduction of a new grade of staff to the Inspectorate, practice assessors. These were experienced probation service practitioners, recruited on short-term secondments, who were heavily involved in assessments of individual cases.
- The Offender Management Inspection Programme (2006-2009): these inspections assessed the quality of work with offenders by a number of agencies, including the Prison Service, working in conjunction with

probation areas. Under the OMI programme the emphasis has increasingly been on inspecting the work rather than inspecting the organisation. Evidence has been gathered through the detailed inspection of cases under the four key headings of assessment and sentence planning; implementation and interventions; achievement and monitoring of outcomes; and leadership and strategic planning. There has been a particular focus on the quality of work to assess and manage risk of harm to others, with areas being given a separate score on this. Ofsted played a part in these inspections and HMI Probation has also worked closely with HMI Prisons in their inspection of offender management in various custodial establishments.

Effective practice

26. During the second half of the 1990s and early 2000s the Inspectorate played a significant leadership role in the development of effective practice. During 1996 and 1997 the Inspectorate chaired a working group with the Home Office Probation Unit and the Association of Chief Officers of Probation leading to the publication of two significant documents aimed at improving probation service practice in work with offenders, *Strategies for Effective Offender Supervision* and *Evidence Based Practice: a Guide to Effective Supervision*. They provided a review of the types and effectiveness of the supervision and programmes currently provided by the probation service, addressing issues of professional practice, operational management, and effective monitoring and evaluation. From these initiatives various programmes for probation service work designed to reduce offending were developed and evaluated, a number of them gaining Home Office accreditation and national implementation.
27. Following on from the Effective Practice initiative described above, between 2001 and 2004 the Inspectorate carried out an audit of the accredited programmes by then being delivered in all probation areas, undertaking the work on behalf of the then National Probation Directorate (see further below). Audits measured both the quality of programme delivery, its integration with other areas of probation work and area leadership commitment. The work was undertaken by a new grade of Inspection and Audit Officers, who were recruited mainly from probation service middle managers. To begin with, audits focused on the programmes designed to address offenders' thinking skills, but as new programmes were introduced audits were broadened to address drug and alcohol work, and supervision of violent offenders and sex offenders. All areas were given a numerical score on the sufficiency of their programme arrangements. There were published reports with recommendations, and follow-up audits took place later to assess progress in their implementation.

Thematic Inspections

28. Alongside the inspection of the work of adult probation and youth offending services, HMI Probation has also since the early 1990s undertaken a substantial amount of thematic inspection work, examining a particular topic across a number of probation areas. Since 2009, thematic

work has included inspection of youth offending work as well as of adult offending work.

Current legislative basis

29. The Inspectorate and the office of the Chief Inspector were established in statute in 1993 under Section 23 of the Probation Services Act 1993. Following subsequent repeal, the Inspectorate's statutory basis can now be found in both the Criminal Justice and Court Services Act 2000 (CJCSA) (Sections 6 and 7), and the Offender Management Act 2007 (Section 12). The Police and Justice Act 2006 inserted Schedule 1A – further provision about the Inspectorate – into the CJCSA 2000.
30. The Inspectorate has a statutory duty to inspect and produce a report of an inspection for the Secretary of State for Justice.² A copy of each report must be laid before the House of Parliament. The Secretary of State for Justice has the power to give directions conferring further functions on the Chief Inspector and Inspectorate. An example of this is when the Secretary of State occasionally asks the Inspectorate to review a particular serious further offence (SFO) case – for example, see the report on the [independent SFO review of McSweeney](#).
31. Under the CJCSA 2000, the Chief Inspector has a statutory duty to set out the inspection programme and framework (from time to time) and to consult on this.³ The Inspectorate also has a duty to co-operate with the other Inspectorates (HMI Prisons, HMI Constabulary and Fire & Rescue Services, HMI Crown Prosecution Service, Care Quality Commission)⁴ and under Section 5 of the Act, the Chief Inspector may also act jointly with other chief inspectors.
32. The [Criminal Justice Joint Inspection \(CJJI\)](#) is a product of long-standing cooperation between the four criminal justice inspectorates (Probation, Prisons, Constabulary and Crown Prosecution Service) which was formalised by the Police and Justice Act 2006. The joint inspectorates work together to address issues that involve more than one criminal justice agency and have a direct impact on the public who use the justice system.

Recent changes and developments

33. The major developments in HMI Probation's work in recent years have been:
 - evolving the role of inspection following the establishment of central national management of the Probation Service
 - an increasing emphasis on inspection of public protection and safeguarding work
 - development of youth offending inspection work
 - joint work with the other Criminal Justice Inspectorates

² Criminal Justice and Court Services Act 2000, s.7

³ Criminal Justice and Courts Services Act 2000, Schedule 1A, s.2

⁴ Criminal Justice and Courts Services Act 2000, Schedule 1A, s.4

- *Transforming Rehabilitation* programme
- Covid-19 Pandemic
- serious further offence reviews
- re-unification of the Probation Service.

Establishment of central national management of the Probation Service

34. A major development relevant to the role of HMI Probation was the establishment of the National Probation Service in 2001. Up to that point HMI Probation had been the major source of information about the performance of local probation services. From 2001, a large part of this role was taken on by the National Probation Directorate, and subsequently by the National Offender Management Service (NOMS) (since 2018 HM Prison and Probation Service (HMPSS)), with its responsibility for the performance management of the Probation (and, subsequently, also the Prison) Service. HMI Probation developed a revised role following this - in line with its statutory duty - aimed at complementing the role of NOMS and focused on key aspects of work where direct inspection made assessments which cannot be made by other means.

35. The role of HMI Probation developed to have two main components. Firstly, as an independent inspectorate to provide assurance to Ministers and the public, through an inspection regime that establishes whether or not probation and youth offending work is being delivered effectively; and secondly to promote improvement in this work. The improvement role aligned well with the Government's 2003 policy on 'Inspecting for Improvement'. Mainly as a consequence of this revised role, and as noted above, an increasing focus of HMI Probation has been the inspection of the actual work done with individuals under supervision - by assessing a sample of representative cases.

Public protection and safeguarding work

36. Public protection and safeguarding work are both topics which cannot be readily measured by any means other than inspection and are key examples of where and how inspection uniquely adds value. The two subjects can be seen as being largely the same type of work in many respects but approached from the opposite direction. With safeguarding the focus is on current and potential victims (individuals who are at risk of harm from others or themselves); with public protection the focus is on current and potential offenders (of individuals who are at risk of harm to others).

37. Within the context of this work the Inspectorate carried out special inquiries, at the request of Ministers, into serious further offences committed by offenders while under probation supervision. The reviews carried out by the Inspectorate of the Hanson & White and Rice cases in 2006 attracted considerable public attention. The Inspectorate has also undertaken a number of special inspections following up certain serious further offence cases, among them Chester-Nash, Craig Sweeney and

Dano Sonnex. Assessment of the effectiveness of public protection and safeguarding work has also been built into HMI Probation's regular inspections of both probation and youth offending work.

38. The Secretary of State for Justice can ask the Inspectorate to complete an independent review into a specific case or aspects of a case, on occasion. In January 2023, the Inspectorate published two independent reviews into the cases of [Damien Bendall](#) and [Jordan McSweeney](#).

Serious further offence (SFO) reviews

39. Following a [thematic inspection of Serious Further Offence \(SFO\) reviews](#) in May 2020, the Inspectorate was asked by a previous Secretary of State for Justice, Robert Buckland QC MP, to take on a new quality assurance process of SFO reviews completed by probation service regions.

40. SFOs are specific violent and sexual offences committed by people who are, or were very recently, under probation supervision at the time of the offence. Whilst SFOs are committed by a small proportion of the probation caseload (around 500 serious sexual or violent offences each year), the consequences and impact on victims and families involved are devastating. It is essential that the Probation Service learns from these incidents to improve the management of risk and to support a reduction in reoffending.

41. The SFO review process begins when a person is charged and appears in court for a qualifying offence that was alleged to have been committed while they were under probation supervision or within 28 working days of the supervision period ending. The SFO review is then commissioned, which is intended to be both an internal management report and a document that can be shared with the victims or their family. Therefore, it should provide a robust and transparent analysis of practice and be written in a way that is accessible to both audiences. Unlike the arrangements in the youth justice sector, where reviews are conducted in a multi-agency setting, probation SFO reviews are single agency reviews.

42. Each probation region has an established SFO team consisting of reviewing managers, who complete all the SFO reviews for that region. A team in HMPPS then quality assures the SFO reviews and provides feedback to the region on the quality of the completed reviews.

43. From April 2021, the Inspectorate has been responsible for examining and rating the quality of a sample of 20 per cent of all SFO reviews undertaken by the Probation Service in England and Wales. This requires it to:

- examine and rate approximately 20 per cent of all submitted SFO reviews to drive
- improvement and increase public confidence in the quality of the reviews
- convene multi-agency learning panels to bring together agencies involved in specific cases to improve practice and strengthen partnership working
- provide an annual overview of this work.

44. As part of the routine local probation inspections, the Inspectorate also considers the quality of the SFO reviews being produced by a region, its analysis of the learning identified and whether this is translated into developmental action plans, and whether this activity positively impacts on practice deficits identified across the region.

Inspection of youth offending work

45. Since 2003, the Inspectorate has led the inspection of youth offending work, both on its own and jointly with other inspectorates. This followed the establishment of the new arrangements for youth justice, involving Youth Offending Teams (YOT) and the Youth Justice Board, established following the Crime and Disorder Act 1998.

46. During 2003-09 HMI Probation led a joint inspection of all (then) 155 Youth Offending Teams in England and Wales, by a multi-disciplinary group of inspectorates comprising HMI Constabulary, HMI Prisons, Ofsted, the Commission for Social Care Inspection (now merged with Ofsted), the Healthcare Commission (which has now merged into the Care Quality Commission), and in Wales HM Inspectorate of Education and Training in Wales (Estyn), the Care and Social Services Inspectorate Wales and Healthcare Inspectorate Wales. As with the inspections of probation work (see para 25), these inspections focused on the assessment, planning, interventions and outcomes of work with individual cases, with additional sections later being included about the quality of management and leadership in the YOT, and access to staff development and training. A report was published on each YOT. As the programme developed, arrangements were made to link the findings of the inspections to the Joint Area Reviews of Children's Services being carried out on the local authorities in England, and through that fully into the remit of local authority inspection.

47. A second round of inspections of youth offending work began in 2009. This comprised a core case inspection of youth offending work which inspected work in all 157 YOT areas over a three-year period, and a programme of thematic inspections. The core case inspection had a particular focus on the key elements of public protection and of safeguarding, and as with HMI Probation's other inspection programmes, was based mainly on the inspection of a representative sample of specific cases. Results from the core case inspections fed into the Comprehensive Area Assessment of local areas in England, led by the Audit Commission, of which HMI Probation was a full partner.

48. The thematic programme examined a series of particular issues in youth offending work in depth across a number of authorities. The programme was coordinated by HMI Probation with specific inspections led by other participating Inspectorates. In 2009-10 thematic inspections were carried out covering gangs, prevention work, alcohol misuse and offending, and court work and reports.

49. Between 2012 – 2016 the Inspectorate published a series of Short Quality Screening (SQS) reports of youth offending work. The SQS was part of a programme of risk proportionate inspection of youth offending work. It

was a short inspection consisting of two and a half days on site assessing cases. At the conclusion of the fieldwork, a short report in the form of a structured letter was provided to the Chair of the YOT Management Board detailing the findings. Outcomes from the SQS also informed the intelligence base that supported the identification of areas that received the Full Joint Inspection (FJI) (an inspection that examined half a dozen areas each year predominantly those performing less well). The SQS was a light touch inspection whereas the FJI was a bigger and more resource intensive inspection. The SQS was introduced to reduce resources and the burden of inspections on YOTs.

50. The Inspectorate's most recent cycle of youth justice services (YJS) inspections began in 2018 and is due to be completed by the end of September 2024. The current approach to inspecting YJS consists of three domains: (1) Organisational delivery – which looks at how the service is strategically run and led. The Inspectorate looks at workloads, staffing levels, and learning and development arrangements. Inspectors will also look at partnerships and services. (2) Court disposals – Inspectors look at the assessment, planning, implementation and delivery, and the reviewing processes being delivered to children and young people. (3) Out-of-court disposals – Inspectors look at the assessment, planning, and implementation and delivery being delivered to children and young people, and also at the overarching policy and provision for out-of-court work. From July 2021, the Inspectorate started rating the quality of resettlement work with children leaving custody as a standard for each local YJS. For this, inspectors look at the policy and provision for resettlement work.
51. Ratings for the second and third domain are based on detailed inspections of a sample of court and out-of-court cases at each YJS. When inspecting cases, inspectors make judgements on how well the YJS is meeting the needs of children to prevent re-offending, whether it has adequately assessed (and is ensuring) the safety and wellbeing of the children it is supervising and whether it has identified and is managing the risks the children may present to others. A range of information is also collected on each inspected child's characteristics and needs (for example whether they are on a child in need or child protection plan; have educational needs or a mental health problem or are in local authority care) to enable further analysis of the quality of support being offered to different cohorts of children. The ratings from all three domains are aggregated at the end of each inspection to give an overall score for each local YJS which can range from 'inadequate' to 'outstanding' (this inspection programme has been the first time in which the Inspectorate has given overall ratings for YJSs). An annual report summarising these scores is then published and these can be found on the Inspectorate's website.

Joint work with the other Criminal Justice Inspectorates

52. On several occasions from the late 1990s consideration was given to merging HMI Probation with one or more of the other criminal justice inspectorates. In particular, during 2005 and 2006 plans were developed by the Government for the merger of the then five criminal justice inspectorates – HMI Probation, HMI Prisons, HM Inspectorate of

Constabulary, HM Inspectorate of Court Administration and HM Crown Prosecution Inspectorate – into a new single Inspectorate covering criminal justice issues. However, in October 2006 the Government decided, in the context of the passage of the Police and Justice Bill (which was to include the necessary legislation) not to proceed with the merger. Instead, the Chief Inspectors of the five Inspectorates agreed with Criminal Justice Ministers to work together more closely on joint inspection, and in particular to develop an annual Joint Inspection Plan.

53. Prior to October 2006, HMI Probation – which had already undertaken a number of pieces of joint inspection work with other inspectorates – strongly supported the plans for merger and published 'First Principles' which it believed should underlie the establishment of the new Inspectorate. Nevertheless, following the Government's decision in October 2006 not to pursue the merger, HMI Probation has worked closely with the other criminal justice inspectorates to develop and carry out a programme of joint inspections and these continue.
54. Joint thematic inspection work has remained a major area of HMI Probation activity. Since 2007 HMI Probation has led joint inspections on enforcement of community orders, getting community orders started, probation hostels, electronic monitoring, the management of offenders' Risk of Harm to others by the police, prison service and probation service, prolific and other priority offenders, indeterminate sentences for public protection, offenders with mental health disorders, supervision of terrorism offenders and sex offenders, among others. As part of this process, HMI Probation contributes to a Joint Inspection Plan published by the Criminal Justice Inspectorates currently on a 2-year basis.
55. ***Supporting People Inspection Programme:*** Another example of HMI Probation's joint work with other inspectorates was the contribution made to the Supporting People Inspection Programme: Supporting People was the Government's long-term policy to enable local authorities to plan, commission and provide support services which help vulnerable people live independently. The inspection was a national five-year programme, starting in 2003, led by the Audit Commission, and partnered by the Probation Inspectorate and the (then) Commission for Social Care Inspection. All 42 probation areas were visited to examine how the probation service ensured that the accommodation needs of offenders were being properly addressed so as to promote social inclusion and reduce the risks of re-offending.
56. ***Joint targeted area inspections (JTAI):*** The JTAI programme is led by Ofsted and these inspections are carried out by inspectors from Ofsted, Care Quality Commission (CQC), HMICFRS and HMI Probation. JTAIs are carried out under section 20 of the Children Act 2004. Inspectors assess how local authorities, the police, health, probation and youth offending services are working together in an area to identify, support and protect vulnerable children and young people. Details and guidance used for each JTAI can be found [here](#).

57. **Departmental sponsor:** For most of its history the Inspectorate was hosted and funded by the Home Office. However in May 2007 the Inspectorate, along with HMI Prisons moved from the Home Office to the newly created Ministry of Justice (MoJ) and is now hosted and funded by MoJ. The Inspectorate's core role and work was not however materially affected by the move.

Probation inspection since 2013

58. Prior to June 2014, probation services in England and Wales were delivered by 35 Probation Trusts, working under the direction of the National Offender Management Service (NOMS). The inspection programme of Adult Offending Work (IAOW), launched by the then interim Chief Inspector, Liz Calderbank, started in April 2013 and replaced the previous Offender Management Inspection programme. It focused on quality of practice and looked for evidence of outcomes. The IAOW ran from 2013 – 2014 and was then replaced by a new programme reflecting the radical reforms to probation introduced by the Ministry of Justice under the *Transforming Rehabilitation programme*.

59. In 2013, the MoJ published a white paper setting out their *Transforming Rehabilitation* strategy. Under the government's *Transforming Rehabilitation* agenda, the probation service underwent structural reform which saw probation delivery split between private and public sector provision. In June 2014, a new public sector National Probation Service (NPS) was launched to supervise high-risk offenders, and 21 private sector Community Rehabilitation Companies (CRCs) were created to supervise low and medium-risk offenders. Staff who had previously been employed by probation trusts were divided between the two new organisations, and all existing cases were also divided. When the NPS and CRCs came into existence on the 1 June 2014, the CRCs were at this point companies in public ownership which shortly transferred over to private ownership following a competitive bidding process.

60. The Inspectorate carried out inspections during all six years of the *Transforming Rehabilitation* model, with the then Chief Inspector, Dame Glenys Stacey eventually concluding that the model was "irredeemably flawed" in her final annual report in 2019.

61. As a starting point, the Inspectorate carried out a series of inspections between April and September 2014, which focused on the operational impacts of early *Transforming Rehabilitation* implementation. The Inspectorate then published an overarching report on [Transforming Rehabilitation Early Implementation](#). During these inspections, inspectors looked at the newly created interface between the NPS and CRCs, while the CRCs were still publicly operated. The Inspectorate assessed court work, assessment and allocation (NPS); interface between the NPS and CRCs; and start of order for both the NPS and CRCs.

62. In May 2015, the Inspectorate published [a second report](#) looking at the work undertaken since the start of *Transforming Rehabilitation*. The Inspectorate concluded that the NPS and CRCs were still at an early stage of their journey and more work was needed to streamline processes and

reduce bureaucratic burdens that could stifle innovation. At the end of 2015 the Inspectorate published a [third report](#) in which the findings were similar and not much change was seen. The Inspectorate announced that it would continue to monitor the implementation of *Transforming Rehabilitation* until March 2016, and then would introduce a new Quality and Impact inspection programme in April 2016. It subsequently published [a fourth](#) and then a final [fifth report](#) in the reporting series on the early implementation of *Transforming Rehabilitation*.

63. Following this, from April 2016 the Inspectorate started a new round of local probation inspections, introduced by Dame Glenys Stacey – the Quality and Impact programme – reporting on the quality of probation work, and whether or not it was reducing reoffending, protecting the public, and ensuring individuals complied with their sentence. Dame Glenys Stacey was appointed as Chief Inspector in 2016 and came to the Inspectorate from Ofqual where she was Chief Regulator. During Dame Glenys' time as Chief Inspector, she was able to double the Inspectorate's resources and increased the pace of inspections (the Inspectorate completed 21 CRC inspections in the first year). Dame Glenys also reorganised the Inspectorate into two directorates – the strategy directorate and operations directorate.
64. The first round of the Quality and Impact inspection programme from 2016 to 2018 was designed to examine probation work in discrete geographical areas, equivalent to a police/Police and Crime Commissioner area, regardless of who delivered the work. The Inspectorate was interested in the work of both the NPS and the CRC, together with the contribution of any partners working with these organisations. The inspections focused on assessing how the quality of practice contributed to achieving positive outcomes for service users and evaluating what encouraging impact had been achieved. During these inspections, the Inspectorate found that for the NPS, court work and public protection work was generally carried out well. For the CRCs, whilst the Inspectorate saw ambitious and innovative operating models, some of the CRCs work was not of sufficient quality, with improvements needed around public protection work. Setbacks in the implementation of new IT systems were also seen. But the probation services (work of the NPS and CRCs taken together) in the regions inspected were generally good overall by 2018, and improvements from 2016 were starting to be seen.
65. The next round of local probation inspections, from 2018, inspected CRC and NPS areas separately and gave each a separate rating. Under Dame Glenys, the Inspectorate introduced a new methodology and set of standards for inspections. Inspection was split into three domains – (1) organisational delivery (2) case supervision (3) unpaid work and Through the Gate (CRCs) or court reports and statutory victim work (NPS regions). A clear difference was evident in the ratings for NPS regions (5 out of 7 of which rated 'Good' from 2018-2019) and for CRCs (19 out of 21 of which rated 'Requires improvement') – reflecting underlying differences in their resourcing due to flaws in the initial contractual assumptions for CRCs, which led to significant shortfalls in the funding available to run these

services compared to what was necessary. Practice to keep people safe across inspections of CRCs remained inadequate (2019-2020) and there was a sharp decline in the quality of case supervision within some CRCs. Conversely, NPS inspections showed the opposite, with CRCs scoring up to 25 percentage points lower than the NPS on the four key questions relating to public protection. The Inspectorate did continue to report on the innovative practice that some CRCs had invested in, such as local community hubs and a commitment to service user engagement; and urged the continuation of these innovations in the future unified plans.

66. Whilst a third round of CRC and NPS inspections was started in 2019 this inspection cycle was then paused following the Covid-19 pandemic and the national lockdowns and was not completed. Of the 12 out of 21 CRCs inspected on this cycle, three rated as 'good' with some signs of improved quality of work – particularly for 'through the gate provision' where 10 services rated as 'outstanding'. Two NPS services were inspected during this third cycle, and both rated 'good'
67. The inspections during *Transforming Rehabilitation* ran from April 2016 and concluded in July 2021 with the publication of the final CRC inspection report. This marked the end of six years of CRC inspections before these contracts came to an end and all CRC functions merged with the NPS into the single unified Probation Service.

COVID-19 Pandemic

68. The COVID-19 pandemic has had an unparalleled effect on all areas of modern society. Like every public service, probation services had to respond to these challenges at pace and play their part in keeping the public safe.
69. On 24 March 2020, probation providers moved to an Exceptional Delivery Model (EDM), prioritising the management of risk of harm to others. This dramatically altered the way in which probation services were delivered. Gold, silver and bronze command structures were launched to oversee this major change. Many offices were closed, with staff working from home. The risk of harm each current service user presented was reviewed and the type and frequency of contact determined in line with the operating models. Most face-to-face supervision was suspended except for those individuals assessed as posing a very high risk of harm to others. These included people released from prison for Terrorism Act (TACT) offences and those assessed as presenting a high risk of harm to actual and potential victims. All service users released from custody for their initial appointment, and those who did not have access to a telephone, were also seen face-to-face. Where doorstep visiting was not deemed necessary, staff contacted service users via phone calls.
70. All unpaid work requirements and the delivery of new accredited programmes were suspended. Staff working in courts were required to work remotely from home. Approved premises implemented strict social distancing guidelines, and some approved premises, for example in London, were closed.

71. HMI Probation paused local inspections at the same time as the country entered the March 2020 lockdown, and instead undertook a thematic review during June and July 2020 of EDM arrangements in probation and youth justice services to continue work to protect the public and meet essential needs. These reports (on [probation services](#) and [youth justice services](#)) were published in November 2020. A qualitative review approach was adopted, both to protect frontline services from the burden of a wider inspection, and to allow HMI Probation to focus on the essential components of probation and YJS supervision during this extraordinary time. Although this approach did not generate data that was generalisable, inspectors were able to map processes and gain richer insights into the detail of how probation services were faring in the EDM model.

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|----------------------|---|
| 23 March 2020 | Prime Minister Boris Johnson announces partial lockdown of the United Kingdom to contain the spread of COVID-19. HMI Probation pauses inspections. |
| 24 March 2020 | HMPPS issues Exceptional Delivery Model guidance to NPS and CRCs. |
| 05 June 2020 | HMPPS asks probation providers to start planning for the recovery of probation services. |
| 11 June 2020 | Secretary of State for Justice Robert Buckland announces that unpaid work and key rehabilitation programmes will also be taken back into public ownership along with offender management. |
| 30 July 2020 | A further 1,000 trainee probation officers in 2020/2021 announced. In addition, new IT systems are to be developed, aiming to give staff more time to focus on working directly with service users. |

Unification of the Probation Service

72. In July 2018, the MoJ announced that it would end CRC contracts early and put in place new arrangements for probation by late 2020⁵. The Government announced that all sentence management activity would be delivered by the NPS, with interventions and unpaid work being delivered by a number of new private or voluntary sector probation delivery partners. Additionally, the decision detailed plans to appoint a single leader for each probation region who would be accountable for delivery in that region.

73. In December 2019, all sentence management activity in Wales moved to the NPS. HM Prisons and Probation Service (HMPPS) then published a draft Target Operating Model⁶ in March 2020 setting out the proposed future model of probation services in England and Wales for after June 2021. In June 2020, given the impacts of the pandemic and the

⁵ Ministry of Justice (2018), *Strengthening Probation, Building Confidence* [[Strengthening probation, building confidence \(justice.gov.uk\)](#)]

⁶ HM Prisons and Probation Service, *The Target Operating Model for probation services in England and Wales* [[MOJ7350 HMPPS Probation Reform Programme TOM Accessible English.pdf \(publishing.service.gov.uk\)](#)]

uncertainties this causes, the Lord Chancellor announced that he was cancelling the planned probation delivery partner procurement, and that the delivery of unpaid work, Through the Gate services and behavioral change programmes would move back to the public sector from 2021. HMPPS then launched the first of the Dynamic Framework competitions.

74. The Probation Service unified on 26 June 2021. Following this, the Inspectorate launched a fresh cycle of probation inspections under a new probation inspection methodology which focused on smaller geographical units (the 108 Probation Delivery Units across England and Wales) with the aim of inspecting a third of these PDUs across the 11 English regions plus Wales in the first 18 months after unification. The new methodology also involved a greater and more explicit link between the Inspectorate's ratings for the leadership and management of a local service and what it found in the inspection of individual cases; poorer ratings for the latter at this point limited the ratings which could be applied to the former. This cycle of probation delivery unit (PDU) inspections ran from June 2021 to August 2023. This cycle covered inspections of 36 PDUs across 12 probation regions.
75. The inspection approach during this cycle of inspections consisted of three aspects: (1) PDU organisational delivery (domain one); (2) PDU case supervision (domain 2); and (3) a Regional review. The purpose of the regional review was to analyse the functions of the region and to identify the regional enablers and barriers to a PDU meeting the inspection standards. Domain one focused on leadership, staff, services and information and facilities. Domain two focused on the quality of practice assessed from selected cases. In relevant cases, inspectors also looked at the quality of the pre-sentence report, pre-release work by the community offender manager, and statutory contact with the victim.
76. In its most recent [annual report](#), the Inspectorate reported that two years on from reunification, the performance of the Probation Service against its quality standards has actually got worse, with the majority of services being rated overall as 'Inadequate' or 'Requires improvement'. The Chief Inspector, Justin Russell, called for "an independent review into whether probation should move back to a more local form of governance and control, building on the highly successful lessons of youth justice services".

The Inspectorate at present

Overview

77. HM Inspectorate of Probation is the independent inspector of probation and youth justice services in England and Wales. It sets the standards that shine a light on the quality and impact of these services. Its inspections, reviews, research and effective practice products provide authoritative and evidence-based judgements and guidance. The Inspectorate uses its voice to drive system change, with a focus on inclusion and diversity. Its scrutiny leads to improved outcomes for individuals and communities and its core mission remains to promote high-quality probation and youth offending services that change people's lives for the better.

78. The Chief Inspector is currently supported by a Chief Operating Officer who manages the heads of inspection teams and the headquarters functions which support these. The Inspectorate also has the Heads of Research, Thematic Inspections, and Communications.

Thematic inspections

79. In addition to the core adult probation and youth offending services inspections, the Inspectorate carries out thematic inspections. These inspections look at a specific area of probation or youth justice work, or at the quality of supervision of specific cohorts, like sex offenders or domestic abuse perpetrators. Unlike the local probation and youth offending inspections, where the Inspectorate may only visit one service, in a thematic inspection several services will be visited to look at the same theme. The Inspectorate's thematic inspection work can be carried out solely or jointly with other inspectorates.

80. Published thematic inspections since 2021 have included:

- [A joint thematic inspection of community-based drug treatment and recovery work with people on probation](#)
- [A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders](#)
- [The use of electronic monitoring as a tool for the Probation Service in reducing reoffending and managing risk](#)
- [Twenty years on, is MAPPA achieving its objectives? A joint thematic inspection of Multi-Agency Public Protection Arrangements](#)
- [The experiences of black and mixed heritage boys in the youth justice system](#)
- [A joint inspection of education, training and employment services in youth offending teams in England and Wales](#)
- [Offender Management in Custody – pre-release](#)
- [Offender Management in Custody – post-release](#)
- [Domestic abuse](#)
- [Counter terrorism joint inspection](#)
- [Race equality in probation follow-up inspection](#)

Criminal Justice Joint Inspections

81. The four criminal justice inspectorates produce and consult on a Joint Business Plan which sets out a programme of inspections of the Criminal Justice System (CJS) for the period specified, where two or more of the joint inspectorates will be working together.

82. The latest CJJI Business Plan for 2021 – 23 can be found here: [Joint inspection business plan 2021-23 \(justiceinspectores.gov.uk\)](#). This programme covers time-limited, targeted and themed inspections. Joint

inspections provide a unique focus on specific issues, such as: systemic and universal issues within the CJS, identifying and driving cost from the system, addressing risks and public safety, looking at the system end-to-end and the role individual agencies play, and public reassurance and confidence.

83. The joint inspectorates work within a rolling two-year programme. Priorities are set at the start of this period but are flexible and can react to changing circumstances where needed.

Conclusion

84. HM Inspectorate of Probation has now been established almost 90 years. Over that period it has developed from a very specialist Home Office unit in the pre-war and immediate post-war period, mainly focusing on the training and competence of individual probation officers, to one whose current tasks extend across a wide range of probation and youth offending inspection, research and effective practice. Its history demonstrates it to be an organisation that has both initiated change and adapted to the demands placed on it by both government and probation and youth justice services themselves. Now and into the future it will continue to shine a light on the quality of probation and youth justice work – celebrating effective practice but at the same time offering ideas for improvement, with the ultimate aim, as always, of protecting the public and transforming the life chances of those caught up in the criminal justice system.

Appendix 1: Chief Inspectors of Probation

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| No Chief/ Principal | 1936 – 1948 |
| Finlay MacRae | 1949 – 1972 (title of Principal Probation Inspector) |
| Mike Hogan | 1972 – 1980 |
| Roy Taylor | 1980 – 1985 |
| Cliff Swann | 1985 – 1988 |
| Colin Thomas | 1988 – 1992 |
| Sir Graham Smith | 1992 - 2001 |
| Professor Rod Morgan | 2001 – 2004 |
| Andrew Bridges | 2004 – 2011 |
| Liz Calderbank (interim) | 2011 – 2014 |
| Paul McDowell | 2014 – 2015 |
| Paul Wilson (interim) | 2015 – 2016 |
| Dame Glenys Stacey | 2016 – 2019 |
| Justin Russell | 2019 – 2023 |
| Sue McAllister (interim) | 2023 – 2024 |