Rt Hon David Gauke MP  
Lord Chancellor and the Secretary of State for Justice  
Ministry of Justice  
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7 February 2018

RE: Protocol with Her Majesty’s Chief Inspector of Probation

Thank you for your letter of 31 January 2018 and for consulting the Committee on the Ministry’s Protocol with Her Majesty’s Chief Inspector of Probation.

We note that the protocol is broadly the same as the protocol in place with HM Chief Inspector of Prisons. We have just a few comments to make:

- Private and third sector bodies: unlike the protocol with HMI Prisons, the protocol with HMI Probation makes no reference to the Inspectorate providing inspected private and third sector bodies with copies of reports and involving them in the Inspectorate’s annual stakeholder consultation exercise. Can we clarify whether the role of private and third sector bodies with HMI Probation is the same as it is with HMI Prisons? If it is, we would encourage you to include Section 23 from the protocol with HMI Prisons in similar terms in the HMI Probation protocol.

- There are references at paragraphs 6.4, 7.2, 8.1 and 12.3 to a ‘business plan’ for HMI Probation—the Inspectorate now publishes a ‘corporate plan’ and no recent business plan for HMI Probation is on their website (an annual plan was last published for 2015–16). I would therefore suggest that the corporate plan is referred to consistently throughout the protocol.

- Paragraphs 3.5 states that the Inspectorate does not have a statutory responsibility “to produce an annual report, but where a report is produced, the content is solely at the discretion of HMCIP”. Paragraph 7.3 states that the Inspectorate “will usually produce an annual report”. The two paragraphs imply a different frequency in the publication of annual report. It would be preferable for the wording to be consistent between the two paragraphs.

It would be helpful if you could set out how you intend to respond to our comments before you publish the protocol.

Bob Neill MP  
Chairman  
Justice Committee