



House of Commons
Justice Committee

Appointment of HM Chief Inspector of Prisons and HM Chief Inspector of Probation

Third Report of Session 2015–16



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relating to the report*

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The Justice Committee

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

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Committee staff

The current staff of the Committee are Nick Walker (Clerk), Gemma Buckland (Senior Committee Specialist), Jonathan Whiffing (Second Clerk), Christine Randall (Senior Committee Assistant), Anna Browning (Committee Assistant), Yohanna Sallberg (Sandwich Student), and Liz Parratt (Committee Media Officer).

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1 The recruitment process

Background

1. In July 2015 the Secretary of State for Justice, Rt Hon Michael Gove MP, consulted us on the joint recruitment process which the Ministry planned to undertake to appoint the next HM Chief Inspector of Prisons and HM Chief Inspector of Probation. The relevant correspondence is appended to this Report.¹ The Ministry subsequently advertised the roles from 31 July to 14 September on the Cabinet Office and Sunday Times websites, and the recruitment consultants GatenbySanderson undertook an executive search. Interviews were held by the selection panel on 27 and 28 October, and on 18 November the Secretary of State wrote to us with the names of his preferred candidates for each post, Peter Clarke for HM Chief Inspector of Prisons and Glenys Stacey for HM Chief Inspector of Probation,² together with copies of their c.v.s and responses they had given to questions on potential conflicts of interest and previous conduct. Further information about the recruitment process provided to us by the Ministry is also appended to this Report, including the composition of the selection panel and data on the diversity of candidates at each stage of the selection process in terms of gender, ethnicity and disability.³

2. The individuals occupying these posts, and the inspectorates which they lead, are of fundamental importance for the oversight, public accountability and effective operation of the criminal justice system. Both posts are subject to pre-appointment scrutiny by the Justice Committee, and our predecessor Committees have undertaken scrutiny in relation to both of them in the past.⁴ We held pre-appointment scrutiny hearings with Mr Clarke and Glenys Stacey on 24 November 2015. This Report contains our conclusions on the suitability of both candidates for the respective positions.

3. The coincidence of timing which has enabled the Ministry to hold a joint competition encompassing both these posts is the result of an unfortunate combination of circumstances. A competition was launched in autumn 2014 to find a successor to the current Chief Inspector of Prisons, Nick Hardwick, when his term of office was due to conclude, in July 2015. Our predecessor Committee held a one-off evidence session with Mr Hardwick on 4 March 2015⁵ in preparation for an expected pre-appointment scrutiny hearing. In the event the then Secretary of State for Justice, Rt Hon Chris Grayling MP, wrote to the Committee at the conclusion of the selection process to say that it had not been successful. Mr Grayling said

1 [Appendix B: Correspondence between the Secretary of State and the Chair](#)

2 [Appendix D: Letter from the Secretary of State to the Chair dated 18 November 2015](#)

3 [Appendix E: Information provided on the recruitment process by email by the Ministry of Justice on 18 November 2015](#)

4 Fourth Report from the Justice Committee, Session 2009-10, [Appointment of HM Chief Inspector of Prisons](#), HC 354; Fifth Report from the Committee, Session 2010-12, [Appointment of HM Chief Inspector of Probation](#), HC 1021; Seventh Report from the Committee, Session 2013-14, [Appointment of HM Chief Inspector of Probation](#), HC 640; Fourteenth Report from the Committee, Session 2014-15, [Appointment of HM Chief Inspector of Prisons: matters of concern](#), HC 1136

5 [Oral evidence on the work of HM Chief Inspector of Prisons](#), 4 March 2015, HC 1101

Although one candidate was assessed as being appointable, I was not content to propose a preferred candidate to the Justice Committee in the absence of a wider pool of candidates from which to select.⁶

4. In its Report on the matter, the Committee expressed concern about the Minister's unwillingness to put forward the name of the sole appointable candidate, pointing out that the Commissioner for Public Appointments, Sir David Normington, had described that person as "excellent".⁷ The Committee also expressed concern that two members of the selection panel had been active members of the same political party as the appointing Minister.⁸ In the absence of any appointment, Mr Hardwick agreed to continue in post as Chief Inspector until a new appointment could be made. We wish to express our appreciation to Mr Hardwick for providing continuity in this way.

5. The recruitment of a new Chief Inspector of Probation is taking place following the resignation of the previous incumbent, Paul McDowell, which took effect on 13 February 2015. The previous Justice Committee had endorsed Mr McDowell's candidacy following a pre-appointment scrutiny hearing in October 2013. In its report, the Committee said that Mr McDowell's breadth and depth of experience made him highly suitable to take on the role.⁹

6. Mr McDowell's position came into question in autumn 2014 when Sodexo, a company in which his wife held a senior position, was designated as a preferred bidder, jointly with Nacro, to deliver rehabilitation services in 6 of the 21 new Community Rehabilitation Company areas. Mr McDowell had declared his wife's position to the Ministry of Justice as part of the recruitment campaign, but the Ministry had not passed that information on to the Committee in the context of the pre-appointment scrutiny hearing. There was no requirement on them to do so in the Cabinet Office guidance in force at the time. At the end of 2014 and the beginning of 2015 discussions took place between the Ministry and Mr McDowell about whether and if so how the conflict of interest arising from his wife's position could be managed, and eventually he tendered his resignation. Since then Paul Wilson has been in post as interim Chief Inspector of Probation pending a permanent appointment: we gratefully acknowledge the work Mr Wilson has done during his time in the job.

7. In evidence to us on 24 November Glenys Stacey told us that the Secretary of State, Rt Hon Michael Gove MP, had rung her before the posts were advertised, to express regret that she was leaving her position in Ofqual and to draw her attention to the forthcoming competition.¹⁰ Mr Clarke confirmed that he had received a similar call from the Secretary of State.¹¹ Following the evidence session we contacted the Ministry seeking an urgent answer to the following questions

1. Did the Secretary of State ring or otherwise contact any people other than Mr Clarke and Ms Stacey to draw their attention to the competitions for the two HM Chief Inspector posts before those posts were advertised? If he did,

6 Fourteenth Report from the Justice Committee, Session 2014-15, [Appointment of HM Chief Inspector of Prison: matters of concern](#)

7 [Ibid.](#) para 9

8 [Ibid.](#) para 11

9 Seventh Report from the Committee, Session 2013-14, [Appointment of HM Chief Inspector of Probation](#), HC 640

10 [Qq 65, 69](#)

11 [Qq 124 to 126](#)

how many of those people subsequently applied and were found appointable by the panel in respect of each competition? Is there a record or note of the Secretary of State's conversations with Mr Clarke, Ms Stacey and anybody else contacted in this manner and, if so, please could the Committee have a copy?

2. Please could you advise how much the Ministry paid Gatenby Sanderson for their work in the joint recruitment exercise?

The Ministry responded that the Code of Practice for Ministerial Appointments required Ministers to be asked to suggest potential candidates at the outset of a recruitment process,¹² that Ministers and officials were able to approach people directly to see if they would be interested in applying, and that no note of any conversations was held by the Ministry. The Ministry also refused to disclose the payment made to Gatenby Sanderson on grounds of commercial confidentiality. The Ministry's full response is appended to this Report.¹³

Conclusions and recommendations

8. **The general position described above notwithstanding, we consider that it was unwise of the Secretary of State to ring prospective candidates for these specific posts with the apparent purpose of encouraging them to apply for them. They are posts whose occupants must arrive at independent and evidence-based judgments on the performance of the bodies required to deliver effective, lawful and humane custodial and probation services in the criminal justice system, and there should be no perception that either Chief Inspector is beholden to the Minister with overall responsibility to Parliament and the public for those services. The main responsibility of each Chief Inspector is to inspect and report publicly on the performance of the Department and its agencies. Our predecessor Committee recommended that the independence of HM Chief Inspector of Prisons should be enhanced by making it an appointment made by the Crown on parliamentary, rather than ministerial, recommendation.¹⁴ The Public Accounts Committee in the last Parliament recommended that a review should be undertaken of the appointment, budget allocation and reporting arrangements of Chief Inspectors in the criminal justice system.¹⁵ Neither recommendation was accepted by the Government. In our view this episode demonstrates, yet again, the sense of those recommendations. *We recommend that Parliament, not Ministers, should recommend names for appointment to the posts of HM Chief Inspector of Prisons and HM Chief Inspector of Probation, by means of an Address to Her Majesty. We also consider that it would have been better if we had been told by the Ministry that the Secretary of State had personally contacted potential candidates to draw their attention to the posts. We recommend that such information, including a note of conversations held, should be supplied to us in future when we are consulted at the outset of recruitment exercises for posts subject to pre-appointment scrutiny.***

12 [Code of Practice for Ministerial Appointments to Public Bodies](#), Commissioner for Public Appointments, April 2012, para 6.1

13 [Appendix F: Further information supplied by the Ministry of Justice by email on 24 November 2015](#)

14 Cf. Fourteenth Report from the Justice Committee, Session 2014-15, [Appointment of HM Chief Inspector of Prisons: matters of concern](#), para 12. See also the comments on HM Inspectorate of Prisons in the previous Committee's Ninth Report of Session 2014-15, [Prisons: planning and policies](#), HC 309, paras 159-162.

15 Fifty-third Report from the Public Accounts Committee, Session 2104-15, [Inspection in home affairs and justice](#), HC 975

9. We consider that in the circumstances it made good sense for the Ministry to combine recruitment for the two posts in one exercise. They are similar jobs calling for very similar qualities in their occupants, as the near-identical criteria for the person specifications demonstrate. The two Chief Inspectors will also have to work closely together on inspection of rehabilitative services to offenders in prisons and on release. We were consulted on the essential and desirable criteria for the posts at the start of the exercise. *Reflecting on the exercise following the pre-appointment scrutiny hearing we are of the view that it would be better for the criterion of “an understanding of the policy, political and media landscape in which the inspectorate works” to be made an essential criterion rather than a desirable one for future recruitment exercises for these posts, and we so recommend. The worlds of prisons and probation are institutionally, administratively and politically complex, and a certain level of experience of them should be required of people who aspire to these posts of Chief Inspector.*

10. We are grateful that we were consulted on the recruitment process before it was launched. Other than the concern we have highlighted, we are satisfied that the process has been conducted in accordance with the appropriate guidance and principles of fair and open competition, and that we have been provided with all appropriate information on which to come to a view on both preferred candidates.

11. We do however record a further concern, that the three-year tenure for the appointments for both posts may be too short to enable the new incumbents sufficient time to develop and then exercise full authority in their respective roles. This is particularly relevant as neither preferred candidate, by their own admission, has recent experience of prisons or probation services. A short tenure may also threaten the willingness of a Chief Inspector who would like to be re-appointed to challenge the Ministry or the Secretary of State. *We recommend that appointments to these posts in future should be for a standard period of five years unless there is a strong reason against that.*

2 HM Chief Inspector of Prisons

The Inspectorate

12. HM Inspectorate of Prisons (HMIP) is an independent office, sponsored by the Ministry of Justice. The role of HM Chief Inspector of Prisons was established by the Criminal Justice Act 1982. The Inspectorate's main statutory remit is to inspect prisons in England and Wales and immigration detention facilities across the UK, and to report its findings to relevant Ministers on the treatment and conditions of detainees. The Chief Inspector also has statutory responsibilities to inspect secure juvenile accommodation inside and outside the prison estate on behalf of the Youth Justice Board, police custody suites jointly with HM Inspectorate of Constabulary, court custody facilities, Border Force customs custody suites, and, jointly with OFSTED, Secure Training Centres. The Inspectorate also conducts studies into specific custodial issues, often in conjunction with other inspectorates.

13. HMIP's statement of purpose is to ensure independent inspection of places of detention, report on conditions and treatment, and promote positive outcomes for those detained and the public. The Inspectorate undertakes inspections according to its own methodology and published assessment criteria and standards (termed "expectations"). These are informed by best practice within the inspected bodies, referenced against international human rights and penal norms. This methodology is publicly available and governs how the Inspectorate will conduct inspection activities, assess evidence, reach conclusions and communicate the outcomes of such activities. The main products of the Inspectorate's work are inspection reports, which are published and normally include recommendations for action.

14. The Inspectorate's budget in 2014/15 was £4.6 million, of which 79% came directly from the Ministry of Justice, with the rest of its funding provided by the other bodies responsible for the services it inspects, such as the UK Border Agency, the Home Office and the Youth Justice Board.¹⁶ The Chief Inspector is supported by a Deputy Chief Inspector and, at the end of 2014-15, a team of 66 staff, including inspectors, researchers, administrators and other fee-paid staff. The Inspectorate does not have enforcement powers, and successive Chief Inspectors have seen the job as much more about encouraging best practice than monitoring compliance.

15. The work of HM Inspectorate of Prisons is informed by five value statements, that: independence, impartiality and integrity are the foundations of their work; the experience of the detainee is at the heart of their inspections; respect for human rights underpins their expectations; they embrace diversity and are committed to pursuing equality of outcomes for all; and they believe in the capacity of both individuals and organisations to change and improve, and that they have a part to play in encouraging and initiating change.¹⁷

16. These values are reflective of HM Inspectorate of Prisons' role as both a member and co-ordinator of the National Preventive Mechanism (NPM). The NPM is a collective of 20 visiting or inspecting bodies. It was established to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations

16 HM Chief Inspector of Prisons for England and Wales [Annual Report 2014-15](#)

17 [ibid](#)

regarding the prevention of ill-treatment to fulfil the UK's obligations under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), an international human rights treaty.

Role and person specification

17. The role and person specification established by the Ministry for the post of HM Chief Inspector of Prisons are as follows:

The essential criteria for this role were that candidates needed to be able to demonstrate:

- a proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence
- resilient and inspiring leadership and a record of either managing and leading or effectively holding to account a complex organisation in a challenging environment
- strong organisational skills, evidence of managing limited resources and understanding of contract and performance management
- an ability to carry out a demanding workload and work with prisoners, prison staff, senior managers, Ministers, politicians and others
- evidence of challenging existing performance and sound independence of judgement
- first-class experience of handling the media.

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

- an understanding of the policy, political and media landscape in which the Inspectorate works
- an understanding or experience of prisons or the wider criminal justice system in the UK or comparable jurisdictions
- experience of the youth justice system and/or children's services.

Mr Peter Clarke, the preferred candidate

18. The Secretary of State's preferred candidate, Mr Peter Clarke, had a long and distinguished career in the police from 1977 to 2008, for the last six years of which he was head of the Metropolitan Police's Anti-Terrorism Branch. Since retiring from the police, Mr Clarke has held a number of roles in the private, public and voluntary sector. These include membership of the National Security Forum and of the Board of the Charity Commission for England and Wales, and a period as non-executive Director of the Serious Organised Crime Agency. In 2014 Mr Clarke was appointed as the Education Commissioner for Birmingham to investigate allegations of Islamist infiltration into schools, the so-called Trojan horse affair. He is also a trustee of the Crimestoppers charity.

19. We asked Mr Clarke a range of questions about the relevance of his experience and skills to the position of HM Chief Inspector of Prisons, about his views on the principal challenges facing the Prison Service and the Inspectorate in the coming years, and on the financial, administrative and political environment in which the next Chief Inspector will be operating. During the session Mr Clarke identified a number of challenges facing the Prison Service, including levels of overcrowding and violence in prisons, and the need to refresh the prison estate.¹⁸ On priorities for thematic inspections he identified the issue of contraband, such as psychoactive substances, entering prisons and work which the Inspectorate could undertake with the National Offender Management Service (NOMS) to deal with this.¹⁹

20. At our hearing we pressed Mr Clarke hard on perceptions that as a former senior police officer he might have difficulty establishing his credentials as somebody able to stand up for prisoners' rights when necessary, or to recognize prisoners' capacity to change and improve their behaviour through rehabilitation. Mr Clarke responded

When I was divisional commander in Brixton, a huge amount of work was going on there to try to keep people away from the criminal justice system. I fully understand about perceptions. If because of something that I did in the past I am henceforward disqualified from performing what I think is an important role in the future, so be it, but it would be unfortunate, in my view. It would not reflect the reality of what I think I have, which is a fiercely independent view -- a view that if we can keep young people in particular out of the criminal justice system, that is by far the best way.²⁰

21. On the maintenance of independence from Ministers or wider political pressures, Mr Clarke cited occasions when he had resisted such pressures in his previous career. His 2014 report on the so-called Trojan horse affair in Birmingham had contained conclusions critical of the Department for Education²¹ and during his career in the police there had been one occasion when he had resisted significant pressure from overseas.²²

Conclusion

22. **We recognize that Mr Clarke has been recommended to the Secretary of State as an appointable candidate at the end of a comprehensive recruitment process during which he has been assessed against appropriate criteria by a selection panel chaired by a representative of the Office for the Commissioner for Public Appointments. Our role is not to assess whether the preferred candidate is the best person for the job, but whether he or she is appointable. Following our brief hearing with Mr Clarke, on balance we see no reason to disagree with the panel's verdict. We do however record our view that, while many of his skills will be transferable to the post of HM Chief Inspector of Prisons, given his police background and his slender experience and knowledge of the prison system, including in relation to prisoners' legal and human rights, he will have a major challenge to bring himself up to speed swiftly in order to command widespread public confidence in his suitability to undertake the role. We**

18 [Q 12](#)

19 [Q 17](#)

20 [Q 41](#)

21 [Q 9](#)

22 [Q 36](#)

recommend that consideration be given to some kind of handover arrangement with the current Chief Inspector to assist Mr Clarke when he takes up the post. We would also wish to see Mr Clarke produce a forward strategy for the Inspectorate within three months of becoming Chief Inspector, setting out with greater clarity and detail than was possible in the pre-appointment hearing the objectives he would intend to accomplish during his tenure. We welcome Mr Clarke's desire for a deeper relationship with the Justice Committee, and would wish to arrange an evidence session with him to discuss his strategy once it has been formulated.

3 HM Chief Inspector of Probation

The Inspectorate

23. HM Inspectorate of Probation's statement of purpose is as follows:

We are an independent Inspectorate, funded by the Ministry of Justice and reporting directly to the Secretary of State. Our purpose is to report on the effectiveness of work with adults and children who have offended. This is aimed at reducing reoffending, protecting the public, and improving the wellbeing of children at risk of reoffending, whoever undertakes this work. We inspect the quality and impact of services provided, and make recommendations designed to enable providers to continually improve the effectiveness of their services.²³

24. On its website the Inspectorate lists the following objectives which it is trying to achieve:

- We seek to assure Ministers and the public that adult and youth offending work is being delivered effectively
- We will challenge poor practice and the barriers to positive impact wherever we find them
- We seek to contribute to the development of effective practice of the organisations whose work we inspect
- We will identify and disseminate widely what works in practice based on inspection findings in order to enable improvement in probation and youth justice
- We will contribute to the development of sound policy that enables and facilitates effective practice and avoids unnecessary duplication and bureaucracy
- We will contribute to the overall effectiveness of the Criminal Justice System, particularly through joint work with other inspectorates
- We will actively promote diversity, both within our own organisation, but also in the organisations whose work we inspect.²⁴

25. The role of the Chief Inspector involves leading the Inspectorate (57 staff, of whom 38 were inspectors of different grades, at the end of 2014-15, and a £3.4m budget in that year).²⁵ The Chief Inspector is responsible for providing clear and visible leadership to the organisation and for setting standards, organisational direction and methodologies. HMCIP determines how the work of the Inspectorate can best be organised to provide sufficient coverage of all areas within a reasonable cycle agreed with Ministers, and within budget. In doing so, HMCIP ensures that focus on chronic or acute areas of concern is not lost. The Chief Inspector leads teams of inspectors, research and support staff in carrying out this work.

23 [HMIP statement of purpose](#), accessed 23 November 2015

24 [ibid](#)

25 [HM Inspectorate of Probation for England and Wales Annual Report 2014-15](#)

26. The Inspectorate works with other Inspectorates to deliver joint programmes and minimise the impact of the inspection process on the organisations concerned. The Inspectorate works in partnership with Ofsted, the Care Quality Commission, Estyn, Health Inspectorate Wales and Care and Social Services Inspectorate Wales. HMCIP also works closely with the Chief Inspectors of the other Criminal Justice Inspectorates to deliver a programme of joint inspection of the criminal justice system, agreed with Ministers, examining end-to-end processes that span two or more of the criminal justice agencies. The Chief Inspector works particularly closely with the Chief Inspector of Prisons, to provide joint inspection of offender management arrangements in prisons.

Role and person specification

27. The role and person specification established by the Ministry for the post of HM Chief Inspector of Probation, which are nearly identical to those for the post of Chief Inspector of Prisons, is as follows:

The essential criteria for this role were that candidates needed to be able to demonstrate:

- a proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence
- resilient and inspiring leadership and record of either managing and leading or effectively holding to account a complex organisation in a challenging environment
- strong organisational skills, evidence of managing limited resources and understanding of contract and performance management in the private sector and across complex supply chains
- an ability to carry out a demanding workload and work with offenders, front line staff, senior managers, Ministers, politicians and others
- evidence of challenging existing performance and sound independence of judgement
- first-class experience of handling the media.

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

- an understanding of the policy, political and media landscape in which the inspectorate works
- an understanding of, or experience of, offender management and rehabilitation, or the wider criminal justice system in the UK or comparable jurisdictions
- experience of the youth justice system and/or children's services.

Glenys Stacey, the preferred candidate

28. Glenys Stacey, the Secretary of State's preferred candidate for the post of HM Chief Inspector of Probation, is currently the Chief Regulator and Chief Executive of the Office of Qualifications and Examinations Regulation (Ofqual), the non-ministerial department

which acts as the regulatory body for qualifications, examinations and assessments in England and non-vocational qualifications in Northern Ireland. A lawyer by background, Ms Stacey has had a long career across a range of senior positions in the public sector, including, in the sphere of criminal justice, three years as Chief Executive of the Criminal Cases Review Commission between 1997 and 2000, followed by four years as CEO of the Greater Manchester Magistrates' Courts Committee.

29. We asked Ms Stacey questions intended to elicit information about her suitability for the post. In a similar fashion to our questioning of Mr Clarke, these covered the relevance of her experience and skills to the position of HM Chief Inspector of Probation, her opinions on the main issues confronting the effective delivery of rehabilitative services, and her understanding of the financial, administrative and political context in which the Chief Inspector will be operating.

30. Ms Stacey's experience, including in the criminal justice sector, has not been closely related to probation. She nevertheless thought that there were many similarities between regulatory and inspectorial work and thought that the job of Chief Inspector of Probation was one which would play to her strengths.²⁶ She gave an interesting answer when asked if she had considered applying for the prisons job: "This is probably rather awkward for a woman to say, but I rather felt that probation would take to a woman more kindly".²⁷ She had a number of cogent suggestions for future work priorities for the Inspectorate in the new Transforming Rehabilitation landscape.²⁸ We also welcome her recognition of the importance of improved morale among probation staff for the effective delivery of rehabilitative services.

31. We pushed Ms Stacey hard on details of the telephone call she received from Mr Gove drawing her attention to the forthcoming Chief Inspectors' competition, and we accept her assertion that her relationship with Mr Gove was "a little more formal than what one would normally describe as a working relationship".²⁹ We further pressed Ms Stacey for evidence that she would be able to withstand political pressure in her new role. She gave a convincing example of an occasion on which she counselled against the proposal of Mr Gove, when he was Secretary of State for Education, to replace GCSEs by the EBacc qualification, including taking her concerns to the Education Select Committee when she failed to get any traction putting them to Mr Gove.³⁰

Conclusion

32. Glenys Stacey has had a distinguished career in senior positions in the public sector, including several posts on regulatory bodies and in the criminal justice sector. Her name as an appointable candidate has emerged following an exacting and lengthy recruitment process conducted under the auspices of the Office for the Commissioner of Public Appointments, during which Ms Stacey has been assessed against the criteria which the holder of the post must meet. Our role is not to assess whether the preferred candidate is the best person for the job, but whether he or she is appointable. We agree with the judgement of the selection panel that Ms Stacey is appointable to the

26 [Q 104](#)

27 [Q 105](#)

28 See e.g. [Qq 86, 87, 100, 117](#)

29 [Q 98](#)

30 [Qq 95 to 97](#)

post of HM Chief Inspector of Probation. Given her lack of experience in relation to probation, we consider that she will need to make a swift start in demonstrating and communicating a clear vision for the Inspectorate over the next few years. We recommend that within three months of taking up post Ms Stacey bring forward a strategy for the Inspectorate during the period of her tenure as Chief Inspector, and we would wish to hold an evidence session with her following production of that strategy to discuss its implementation.

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

Chair of the Judicial Appointments Commission

Chair of the Office of Legal Complaints

HM Chief Inspector of the Crown Prosecution Service

HM Chief Inspector of Prisons

HM Chief Inspector of Probation

Prisons and Probation Ombudsman

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

Letter dated 11 July 2015 from Rt Hon Michael Gove MP, Secretary of State, Ministry of Justice, to Robert Neill MP, Chair, Justice Committee

Recruitment of the Chief Inspector of Prisons and Probation

I am responsible for Her Majesty's Chief Inspector of Prisons for England and Wales and for Her Majesty's Chief Inspector of the National Probation Service for England and Wales, both appointments that are subject to pre-appointment scrutiny by the Justice Select Committee. I am writing to offer you the opportunity to comment upon the recruitment process to recruit both Chief Inspectors before the posts are advertised. I have also written to David Ford, the Northern Ireland Justice Minister and Michael Matheson, the Cabinet Secretary for Justice in Scotland about the Chief Inspector of Prisons as they have an interest in that post.

The Chief Inspector of Prisons is a Royal appointment established by the Criminal Justice Act 1982, as an amendment to the Prison Act 1952. The Chief Inspector of the National Probation Service for England and Wales is a statutory appointment under the Criminal Justice and Court Services Act 2000. The Act requires that the Inspector shall be appointed by the Secretary of State. Her Majesty is notified by the Prime Minister as a courtesy. Both appointments are regulated by the Commissioner for Public Appointments.

My predecessor wrote to Sir Alan Beith on 19 March 2015 informing him that, in light of the necessity to re-run the recruitment competition for the Chief Inspector of Prisons, and the need to run a competition for a new Chief Inspector of Probation, a joint recruitment competition covering both posts would be run after the general election with a single selection panel.

Her Majesty's Chief Inspector of Prisons

The Chief Inspector has a statutory duty to report to the Secretary of State for Justice on conditions in prisons and the treatment of prisoners in all prisons and young offender institutions in England and Wales including those run by the private sector. The Chief Inspector is also delegated by the Criminal Justice Chief for Northern Ireland, under the Justice (Northern Ireland) Act 2000 to undertake prison inspections in Northern Ireland. The Chief Inspector may also, by invitation, carry out inspections in the Channel Islands and the Isle of Man.

The Chief Inspector also has a statutory responsibility to report to the Home Secretary on conditions and treatment in immigration detention centres throughout the UK and is responsible, along with HM Inspector of Constabulary, for inspecting police custody suits in England and Wales. The Chief Inspector also inspects Armed Forces Service Custody Facilities.

The Chief Inspector is responsible for:

- Publishing a rigorous inspection methodology and standards against which prisons, immigration detention facilities, and other places of custody are inspected;
- Delivering an inspection programme to assess which places of custody are meeting those standards and examining particular themes across the prison and immigration detention estate;
- Producing candid inspection reports including clear findings and recommendations;
- Visibly leading staff and managing a tight budget;
- Working with inspectorates and agencies to support informed inspections and the coherence of the criminal justice system;
- Co-ordinating the UK's National Preventative Mechanism under the optional Protocol to the Convention against Torture (OPCAT);
- Maintaining the independence of the inspectorate from the inspected agencies.

The proposed essential criteria for the post of Chief Inspector of prisons are:

- Proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills, and form judgements based on evidence;
- Resilient and inspiring leadership, and a record of either managing and leading or effectively holding to account a complex organisation in a challenging environment;
- Strong organisational skills, evidence of managing limited resources, and understanding of contract and performance management;
- Ability to carry out a demanding workload and work with prisoners, prison staff, senior managers, ministers, politicians and others;
- Evidence of challenging existing performance and sound independence of judgement;
- First-class experience of handling the media.

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

- An understanding of the policy, political and media landscape in which the inspectorate works;
- An understanding or experience of prisons or the wider criminal justice system, in the UK or comparable jurisdictions;
- Experience of the youth justice system and/or children's services

Her Majesty's Chief Inspector of Probation

The Chief Inspector has a duty to ensure the inspection of probation and youth offending services in England and Wales and provide independent scrutiny of the quality of work undertaken with individual offenders. They are responsible for delivering and developing programmes of inspection and the inspection methodology or “framework” against which both probation services provision and Youth Offending teams are inspected. The Chief Inspector is actively engaged in leading the day-to-day inspection process.

The responsibility for the production of all inspection reports including findings and recommendations sits with the Chief Inspector. They will provide independent assurance to the public on the effectiveness of adult and youth offending work.

The Chief Inspector will visibly lead staff and manage a tight budget. HMCI Probation accounts to the Permanent Secretary to the Ministry of Justice for the appropriate use of resources in accordance with budgetary delegation arrangements.

The Chief Inspector has a statutory requirement to consult other Chief Inspectors and Ministers on the development of HMI Probation’s Programme and Framework. The Chief Inspector needs to work with the other Chief Inspectors, and ministers and officials from the sponsoring department. The Chief Inspector should maintain the independence of the inspectorate from the inspected agencies.

The role of the Inspectorate is changing as the new rehabilitation services bed in.

The Chief Inspector will need to work within the changing landscape to support and test the new rehabilitative framework.

The proposed essential criteria for the Chief Inspector of probation are:

Candidates will be able to demonstrate:

- Proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills, and form judgements based on evidence;
- Resilient and inspiring leadership and record of either managing and leading or effectively holding to account a complex organisation in a challenging environment;
- Strong organisational skills, evidence of managing limited resources, and understanding of contract and performance management in the private sector and across complex supply chains;
- Ability to carry out a demanding workload and work with offenders, front line staff, senior managers, ministers, politicians and others;
- Evidence of challenging existing performance and sound independence of judgement;
- First-class experience of handling the media.

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

- An understanding of the policy, political and media landscape in which the inspectorate works;
- An understanding of or experience of offender management and rehabilitation, or the wider criminal justice system, in the UK or comparable jurisdictions;
- Experience of the youth justice system and/or children's services.

The joint competition

The proposed selection panel for this joint competition is:

- Mark Addison, the panel chair nominated by the Commissioner for Public Appointments;
- Indra Morris, Director General Criminal Justice, Ministry of Justice;
- Sir Theodore Agnew, Non-Executive Director, Ministry of Justice;
- Matthew Coffey, Chief Operating Officer, Ofsted; and
- Professor Julian Le Grand, professor of Social Policy at the London School of Economics and Political Science.

Learning from concerns previously expressed by the Committee about how we establish the political impartiality of the independent members of the panel, my department has introduced a form asking them about any political activity in the last five years. Both Mr Coffey and Professor Le Grand - the two independent members of this panel - have confirmed no such activity.

The posts will be advertised on the Sunday Times website and Cabinet Office Public Appointments gov.uk pages. Recruitment consultants will conduct an executive search. Subject to this consultation round, the intention is to conduct the search over the summer, conduct the sifts, pre-interviews by recruitment consultants, and actual interviews during September and October, and return to the Select Committee for the pre-appointment hearing in November. The intention is for the successful candidates to be able to take up the post when the current Chief Inspectors depart on 14 January 2016.

The advert and candidate information pack for this competition will make clear that applications are particularly welcome from women and from those currently working in, or with experience of, the private sector, and those that have not previously held public appointments.

Please let me know if you are content with the above plans. Also, if you know of anyone you wish to be invited to join the competition, could you please let me know in your response to this letter.

I would be grateful for your response by 27 July.

Letter dated 22 July 2015 from Robert Neill MP, Chair, Justice Committee, to Rt Hon Michael Gove MP, Secretary of State, Ministry of Justice

Recruitment of HM Chief Inspectors of Prisons and Probation

Thank you for your letter of 11 July 2015 regarding the joint recruitment process for Her Majesty's Chief Inspector of Prisons for England and Wales and for Her Majesty's Chief Inspector of the National Probation Service for England and Wales. Thank you in particular for giving the Committee sight of job description and criteria that will be advertised; the Committee considered this at its last meeting before the summer recess.

Before the first recruitment process for HM Chief Inspector of Prisons earlier this year my predecessor as Chair of the Justice Committee stressed the importance of the Chief Inspector being able to develop and maintain demonstrable and perceived independence from political pressures. I note that the list of responsibilities includes "Maintaining the independence of the inspectorate from the inspected agencies", but consider that this should be expanded to include Ministers and the Ministry of Justice.

In the recent Government Response to the previous Committee's Report on Prisons: planning and policies you indicated that there will be a review of the independence of all of the criminal justice inspectorates. Would you be able to give the Committee an initial timetable as to when you expect that review to begin and when you expect it to report?

Letter dated 21 August 2015 from Rt Hon Michael Gove MP, Secretary of State, Ministry of Justice, to Robert Neill MP, Chair, Justice Committee

Recruitment of HM Chief Inspectors of Prisons and Probation

Thank you for your letter of 22 July, regarding the recruitment of HM Chief Inspectors of Prisons and Probation.

I was grateful to receive your comments on the plans for the joint recruitment competition. We have accordingly amended the responsibilities of both the Chief Inspectors to include the requirement to make judgements independent of Ministers and the Ministry of Justice.

Please also note that Matthew Coffey has withdrawn as the fifth member of the selection panel. Four members is sufficient. The remaining panel members are:

- Mark Addison, the panel chair, nominated by the Commissioner for Public Appointments;
- Indra Morris, Director General Criminal Justice, Ministry of Justice;
- Sir Theodore Agnew, Non-Executive Director, Ministry of Justice; and
- Professor Julian Le Grand, Professor of Social Policy at the London School of Economics and Political Science (Independent Member of the Panel).

My officials have provided your office with the candidate information packs and the advertisement and will continue to keep your office informed of the progress with the competition.

Appendix C: Job advertisement for HM Chief Inspector of Prisons and HM Chief Inspector of Probation

Her Majesty's Chief Inspector of Prisons and Her Majesty's Chief Inspector of Probation – full time posts - £135,000 pa

The Ministry of Justice is looking to recruit two exceptional individuals as the Chief Inspector of Prisons and the Chief Inspector of Probation. These are high profile roles with the opportunity to improve the standards and efficiency of the probation and penal systems in England and Wales.

The Chief Inspector of Prisons reports on conditions in prisons and the treatment of prisoners in all prisons and young offender institutions in England and Wales including those run by the private sector.

The Chief Inspector of Probation is responsible for the inspection of probation and youth offending services in England and Wales and provide independent scrutiny of the quality of work undertaken with individual offenders.

The Chief Inspectors will visibly lead staff and manage a tight budget for their Inspectorates. They will provide independent assurance to the public on the effectiveness of rehabilitation services and prison establishments.

Candidates for either post will be able to demonstrate a proven high-level of intellectual rigour and analytical ability including the ability to process and interpret complex information. Along with resilient and inspiring leadership with a record of either managing and leading or effectively holding to account a complex organisation in a challenging environment.

These appointments are for an initial period of three years with the successful candidates appearing before the Justice Select Committee prior to their appointment being confirmed.

For further information about this post and to apply please visit;

<http://publicappointments.cabinetoffice.gov.uk/>

The closing date for this role is Noon 14 September 2015

Applications are encouraged from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability, gender identity. We particularly welcome applications from women, those with a disability and those from a black or ethnic minority background.

We would also particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments. We want to explore the widest possible pool of talent for these important appointments.

Appendix D: Letter from the Secretary of State to the Chair dated 18 November 2015

Recruitment of Her Majesty's Chief Inspector of Prisons and Her Majesty's Chief Inspector of Probation

As you are aware, I am responsible for Her Majesty's Chief Inspector of Prisons and Her Majesty's Chief Inspector of Probation. Further to our correspondence before the recruitment process began, I am pleased to put forward my preferred candidates for the Committee's consideration: Peter Clarke for Her Majesty's Chief Inspector of Prisons; and Glenys Stacey for Her Majesty's Chief Inspector of Probation.

Peter is a retired senior police officer, who served in the Metropolitan Police Service for more than 30 years. He rose to the rank of Assistant Commissioner and also served as Head of the Anti-Terrorist Branch and National Co-ordinator of Terrorist Investigations. In 2014 he was appointed Education Commissioner for Birmingham, with a remit to conduct an inquiry into the allegations concerning Birmingham schools arising from the "Trojan Horse" letter. Peter is currently a member of the Board of the Charity Commission.

Glenys is currently the Chief Executive of Ofqual, the exams regulator in England. She is a solicitor by profession but also has 17 years' experience leading public sector organisations, having previously served as CEO of Standards for England, Animal Health, the Greater Manchester Magistrates' Courts Committee and the Criminal Cases Review Commission. In August this year, she announced her intention to leave Ofqual when her term comes to an end.

Candidates were informed prior to appointment that the positions were subject to scrutiny by the Justice Select Committee. As you are aware the hearing is non-binding but I shall consider the committee's conclusions before deciding whether to proceed with the appointment.

The recruitment campaign followed the process described in my earlier letter to you. The criteria for the competitions and the selection panel are set out in the attached annex.

Although not subject to pre-appointment scrutiny, I would also like to take this opportunity to draw to your attention to the appointment of Kate Lampard, CBE, as the interim chair of the Advisory Panel on Deaths in Custody.

Kate is a former barrister and former deputy chair of the Financial Ombudsman Service. She was previously appointed by the Secretary of State for Health to provide independent oversight of the NHS's investigations into Jimmy Savile's activities, and to produce a "lessons learned" report. She was also commissioned by Serco to lead an independent review into the culture of Yarl's Wood Immigration Removal Centre. She currently serves as a senior non-executive director in the National Health Service. She will serve for a period of six months from 16 November 2015, during which time a public appointment exercise will identify a permanent Chair.

Annex

The selection panel for both competitions comprised:

- Mark Addison, panel Chair, nominated by the Commissioner for Public Appointments;
- Sir Theodore Agnew, Ministry of Justice non-executive director;
- Indra Morris, Director General, Criminal Justice, Ministry of Justice; and
- Professor Sir Julian Le Grand, Professor of Social Policy, London School of Economics, as the independent panel member.

Candidates for the role of HM Chief Inspector of Prisons will be able to demonstrate:

- Proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence.
- Resilient and inspiring leadership and a record of either managing and leading or effectively holding to account a complex organisation in a challenging environment.
- Strong organisational skills, evidence of managing limited resources and understanding of contract and performance management.
- Ability to carry out a demanding workload and work with prisoners, prison staff, senior managers, Ministers, politicians and others.
- Evidence of challenging existing performance and sound independence of judgement.
- First-class experience of handling the media.

Desirable Criteria

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

- An understanding of the policy, political and media landscape in which the inspectorate works.
- An understanding or experience of prisons or the wider criminal justice system in the UK or comparable jurisdictions.
- Experience of the youth justice system and/or children's services.

Candidates for the role of HM Chief Inspector of Probation will be able to demonstrate:

- Proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence.

- Resilient and inspiring leadership and record of either managing and leading or effectively holding to account a complex organisation in a challenging environment.
- Strong organisational skills, evidence of managing limited resources and understanding of contract and performance management in the private sector and across complex supply chains.
- Ability to carry out a demanding workload and work with offenders, front line staff, senior managers, Ministers, politicians and others.
- Evidence of challenging existing performance and sound independence of judgement.
- First-class experience of handling the media.

Desirable Criteria

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

- An understanding of the policy, political and media landscape in which the inspectorate works.
- An understanding of, or experience of, offender management and rehabilitation, or the wider criminal justice system in the UK or comparable jurisdictions.
- Experience of the youth justice system and/or children's services.

Curriculum Vitae—Peter Clarke CVO OBE QPM

Career summary

I was an officer in the Metropolitan Police from 1977 until 2008, when I retired from the position of Assistant Commissioner, Specialist Operations. Since leaving the police service I have assumed a number of advisory, non-executive and consultative roles. I am a Senior Advisor to Kellogg Brown and Root, a global engineering, construction and services company, and a non-executive Director with Knightsbridge Guarding, a London-based security firm. From 2008 to 2011 I was a fellow of the Center on Law and Security at New York University School of Law. In March 2009 I was appointed by the then Prime Minister to be a member of the National Security Forum, and from 2009 until 2013 was a non-executive Director of the Serious Organised Crime Agency. Since May 2013 I have been a member of the Board of the Charity Commission for England and Wales. In 2014 I was appointed as the Education Commissioner for Birmingham, with a remit to investigate allegations of Islamist infiltration into schools.

I write, lecture and broadcast on the subject of counter terrorism and national security, and have contributed to EU projects on surveillance, civil liberties and terrorist financing. I am a member of the Board of Trustees of the Crimestoppers charity, and a patron of the International Centre for the Study of Radicalisation at King's College, London.

Positions held

2014– Education Commissioner for Birmingham

Responsibilities:

- To investigate alleged Islamist infiltration of schools in Birmingham. Report presented to Parliament in July 2014

2013– Member of the Board of the Charity Commission for England and Wales

Responsibilities:

- Member of the Audit and Risk Committee
- Member of oversight committee for programme of fundamental organisational transformation
- Member of high risk cases oversight committee

2011– Senior Adviser, Kellogg Brown and Root Ltd

Responsibilities:

- To advise on corporate strategy and business development in the UK public sector

2009–2013 Non-executive director, Serious Organised Crime Agency

Responsibilities:

- Those of a NED in a non-ministerial government department, and also member of the Audit and Risk Committee

2008– Non-executive director, Knightsbridge Guarding (Interserve) Ltd

Responsibilities:

- Those of a NED in a UK plc

2008–2012 Senior Adviser, Olive Group

Responsibilities:

- To advise on the integration of security systems in the protection of national infrastructure

2002–2008 Head, Metropolitan Police Anti-Terrorist Branch and National Co-ordinator of Terrorist Investigations

Responsibilities:

- To give the strategic lead for all counter terrorist investigations in the UK and overseas as they affected UK interests

- To develop capacity and capability across UK law enforcement in all aspects of counter terrorism
- To develop counter terrorism strategies for UK law enforcement, including the promulgation of the current concept of operations
- To co-ordinate the work of the intelligence agencies, law enforcement and the prosecution authorities
- To advise government on CT issues as appropriate
- To liaise with the business community and other partners
- To develop UK CT linkages and capability overseas
- To be the main media spokesman for UK CT investigations
- To provide training, contingency planning, business continuity and resilience programmes across the counter terrorist community
- To shape and lead the Counter Terrorism Command, created in October 2006 from the amalgamation of the intelligence and evidential functions of CT policing

2001–2002 Acting Director of Personnel for the Metropolitan Police

Responsibilities:

- To lead the HR function for the 44,000 employees of the Metropolitan Police at a time of radical change
- To lead and reform all recruitment, training, selection and promotion processes.
- To meet recruitment targets at a time of unprecedented growth
- To lead personally the resolution of employment tribunal, grievance and discipline procedures

1996–2001 Head of the Royalty and Diplomatic Protection Department

Responsibilities:

- To provide personal protection to the Royal Family both in the UK and overseas, and to overseas royal visitors to the UK.
- To provide physical protection to the royal residences throughout the UK
- To provide protection to the diplomatic community in London, including their missions and residences
- To provide protection to the Houses of Parliament and associated sites
- In all cases to negotiate and agree levels of protection with all stakeholders, including principals, commensurate with risk, threat and vulnerability
- To be a trusted point of contact for all principals and other stakeholders

1994–1996 Divisional Commander, Brixton Division, Metropolitan Police

Responsibilities:

- To lead the provision of all policing services in Brixton
- To drive effective operations against robbers, drug dealers and gun dealers/users.
- To develop joint strategies with the Local Authority for crime reduction and community safety
- To be a Board Member of a multi-agency regeneration project
- To provide the operational and media response to an outbreak of rioting

1993–1994 Staff Officer to the Metropolitan Police Commissioner, Sir Paul Condon

Responsibilities:

- To fulfil all the usual requirements of a Staff Officer, and in particular the drafting of keynote speeches, letters and papers

Education, Training and Awards

2008	Honorary Doctorate in Law, University of Bristol	
2005	Officer of the Order of the British Empire (OBE)	
2002	Queen’s Police Medal (QPM)	
2001	Commander of the Royal Victorian Order (CVO)	
2002	Royal College of Defence Studies	
1998	Cabinet Office Top Management Programme	
1977–2007	Police Training Courses (Technical and Management)	
1974–1977	University of Bristol	LL.B (Hons).
1966–1973	Glyn Grammar School, Epsom	9 ‘O’ Levels, 3 ‘A’ Levels

Date of Birth: 27th July 1955

Publications

Learning from Experience—Counter Terrorism in the UK since 9/11. The inaugural Colin Cramphorn Memorial Lecture, Policy Exchange 2007

Report into allegations concerning Birmingham schools arising from the ‘Trojan Horse’ letter. HMSO, HC576, 2014

Developing a Strategy for Armed Response. World Institute for Nuclear Security, Vienna 2014

‘Investigating terrorism in the first decade of the twenty-first century.’ Chapter in *Investigating Terrorism: Current Political, Legal and Psychological Issues*. Ed. John Pearse, John Wiley and Sons, 2015

Peter Clarke - Conflicts of Interest and previous conduct

Please give details of any business or other interests or any personal connections which, if you are appointed, could be misconstrued or cause embarrassment to either the Ministry of Justice or the Her Majesty’s Inspectorate of Probation (HMI Probation) (sic).

Any particular conflicts of interest detailed here will not prevent you going forward to interview but may, if appropriate, be explored with you during your interview to establish how you would address the issue(s); should you be successful in your application.

Please also confirm if you have ever been convicted of, or cautioned for, any criminal offence or have been found guilty of professional misconduct, or if any such proceedings are pending (Please give details, including dates and amount of any fine or other penalty imposed) (NB successful candidates’ final confirmation will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check)

I confirm I have read and understood the sections in the candidate pack on ‘Standards in public life’ and ‘Political Activity’	x
--	---

(Please tick the above box)

If appointed I would immediately relinquish my private sector non-executive directorship and advisory roles with Knightsbridge Guarding and KBR respectively. I would also cease writing and commenting on matters of counter terrorism and national security. My term as a Board member of the Charity Commission expires in May 2016, but the Chairman of the Commission is aware of this application and the fact that I might need to relinquish my role slightly early. I would hope to be able to retain my roles as a trustee of the Crimestoppers charity and as a patron of the International Centre for the Study of Radicalisation at King’s College, London.

Is this your first public appointment?

Yes: No: x

Public Appointments Currently Held

Please say below if you currently hold any other public appointment posts:

Body	Period of Appointment	Government Department
Charity Commission	May 2013–May 2016	Cabinet Office

Curriculum Vitae—Glenys Stacey

Chief Regulator and Chief Executive, Ofqual

March 2011 to date

Ofqual (a non-ministerial department) is the independent regulator of qualifications and examinations. It regulates some 180 awarding organisations who in turn produce c15,000 regulated qualifications. Staff: 160. Budget: c£20m.

Key responsibilities:

Leadership, influence, advising Government, strategy (including regulatory strategy), performance, key regulatory decisions, leading the reform of GCSEs and A levels.

Key achievements:

Establishing and developing a new regulator, shaping and honing its regulatory strategy and ways of working, building its reputation and standing.

Establishing and maintaining standards; containing GCSE & A level grade inflation.

Establishing and maintaining effective tripartite relationships with Government and industry, and delivering significant qualifications reform at an unprecedented pace.

Chief Executive, Standards for England

April 2008–February 2011

SfE (a non-departmental public body) was the strategic regulator of standards and ethics in local democracy, regulating standards amongst some 80,000 elected members of local government. Staff: 90. Budget: c£15m.

Key responsibilities:

Leadership, strategy, performance, managing change, managing closure so as to implement Government policy to deregulate.

Key achievements:

Developing regulatory strategy.

Halving the time taken to complete complex misconduct investigations.

Managing the transfer of case management responsibilities to local government.

Chief Executive, Animal Health

October 2004–March 2008

Animal Health is an Executive Agency operating a 24hr GB-wide service. Working closely with operational partners, it implements and enforces specific national and EU legislation and regulations relating to animal health and welfare and public health, the control of animal diseases and the facilitation of international trade. In emergencies it implements control and eradication strategies on the ground. Staff: 2,000. Budget: >£100m.

Key responsibilities:

Leadership, strategy, performance, contingency planning for disease emergencies and national operational command in emergencies. Senior Responsible Officer, transformation programmes.

1977: BA (Hons) Law, University of Kent at Canterbury, 2.2

Glenys Stacey - Conflicts of Interest and previous conduct

Please give details of any business or other interests or any personal connections which, if you are appointed, could be misconstrued or cause embarrassment to either the Ministry of Justice or the Her Majesty’s Inspectorate of Probation (HMI Probation).

Any particular conflicts of interest detailed here will not prevent you going forward to interview but may, if appropriate, be explored with you during your interview to establish how you would address the issue(s); should you be successful in your application.

Please also confirm if you have ever been convicted of, or cautioned for, any criminal offence or have been found guilty of professional misconduct, or if any such proceedings are pending (Please give details, including dates and amount of any fine or other penalty imposed) (NB successful candidates’ final confirmation will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check)

I confirm I have read and understood the sections in the candidate pack on ‘Standards in public life’ and ‘Political Activity’	x
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(Please tick the above box)

I know of no business or other interests or any personal connections which could be misconstrued or cause embarrassment to MoJ or HMI Probation. I have never been convicted of a criminal offence or been found guilty of any professional misconduct and no such proceedings are pending.
--

Is this your first public appointment?

Yes: No: x

Public Appointments Currently Held

Please say below if you currently hold any other public appointment posts:

Body	Period of Appointment	Government Department
Ofqual	1 March 2011–28 February 2016	Ofqual is a non-ministerial department of its own accord

Appendix E: Information provided on the recruitment process by email by the Ministry of Justice on 18 November 2015

The roles and their requirements

Her Majesty's Chief Inspector of Probation

Her Majesty's Chief Inspector of Probation is a statutory appointment, under the Criminal Justice and Court Services Act 2000, reporting directly to Ministers, but operating independently of Government and the services under its scrutiny. The Chief Inspector is part of and leads the Inspectorate, which is an independent body.

The Chief Inspector of Probation has a duty to ensure the inspection of probation and youth offending services in England and Wales and provide independent scrutiny of the quality of work undertaken with individual offenders. The Inspectorate is responsible for delivering and developing programmes of inspection and the inspection methodology or framework against which both probation services provision and Youth Offending Teams are inspected.

The responsibility for the production of all inspection reports including findings and recommendations sits with the Chief Inspector. They will provide independent assurance to the public on the effectiveness of adult and youth offending work.

The Chief Inspector has a statutory requirement to consult other Chief Inspectors and Ministers on the development of HMI Probation's Programme and framework. The Chief Inspector needs to work with the other Chief Inspectors and Ministers and officials from the sponsoring department.

The role of the Inspectorate is changing as the new rehabilitation services bed in. The Chief Inspector will need to work within the changing landscape to support and test the new rehabilitative framework.

Role and Person Specification

The essential criteria for this role were that candidates needed to be able to demonstrate:

- a proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence
- resilient and inspiring leadership and record of either managing and leading or effectively holding to account a complex organisation in a challenging environment
- strong organisational skills, evidence of managing limited resources and understanding of contract and performance management in the private sector and across complex supply chains

- an ability to carry out a demanding workload and work with offenders, front line staff, senior managers, Ministers, politicians and others
- evidence of challenging existing performance and sound independence of judgement
- first-class experience of handling the media.

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

- an understanding of the policy, political and media landscape in which the inspectorate works
- an understanding of, or experience of, offender management and rehabilitation, or the wider criminal justice system in the UK or comparable jurisdictions
- experience of the youth justice system and/or children's services.

Her Majesty's Chief Inspector of Prisons for England and Wales

Her Majesty's Chief Inspector of Prisons for England and Wales is a Crown appointment made on the advice of the Secretary of State for Justice. The Chief Inspector is part of and leads the Inspectorate, which is an independent body. The Inspectorate provides independent scrutiny of the conditions for and the treatment of prisoners and other detainees, promoting the concept of "healthy establishments" in which staff work effectively to support prisoners and detainees to reduce reoffending and achieve positive outcomes for those detained and for the public.

The Chief Inspector has a statutory duty to report to the Secretary of State on conditions in prisons and the treatment of prisoners in all prisons and young offender institutions in England and Wales including those run by the private sector. The Chief Inspector is delegated by the Criminal Justice Chief for Northern Ireland to undertake prison inspections in Northern Ireland. The Chief Inspector may also, by invitation, carry out inspections in the Channel Islands and the Isle of Man.

The Chief Inspector also has a statutory responsibility to report to the Home Secretary on conditions and treatment in immigration detention centres throughout the UK and is responsible, along with HM Inspector of Constabulary, for inspecting police custody suites in England and Wales. The Chief Inspector also inspects Armed Forces Service Custody Facilities.

The Inspectorate's work constitutes an important part of the UK's obligations under the Optional Protocol to the United Nations Convention against Torture (OPCAT) and other Cruel, Inhuman or Degrading Treatment or Punishment. This Protocol requires signatory states to have in place regular independent inspection of places of detention.

Role and Person Specification

The essential criteria for this role were that candidates needed to be able to demonstrate:

- a proven high-level of intellectual rigour and analytical abilities including the ability to process and interpret complex information, apply reasoning skills and form judgements based on evidence
- resilient and inspiring leadership and a record of either managing and leading or effectively holding to account a complex organisation in a challenging environment
- strong organisational skills, evidence of managing limited resources and understanding of contract and performance management
- an ability to carry out a demanding workload and work with prisoners, prison staff, senior managers, Ministers, politicians and others
- evidence of challenging existing performance and sound independence of judgement
- first-class experience of handling the media.

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

- an understanding of the policy, political and media landscape in which the Inspectorate works
- an understanding or experience of prisons or the wider criminal justice system in the UK or comparable jurisdictions
- experience of the youth justice system and/or children's services.

The selection panel consisted of:

- Mark Addison, the selection panel chair nominated by the Commissioner for Public Appointments;
- Sir Theodore Agnew, MoJ Non-Executive Director;
- Indra Morris, Director General, Criminal Justice, MoJ; and
- Professor Sir Julian Le Grand, Professor of Social Policy, London School of Economics, as the independent member of the panel.

The roles were advertised from 31 July to 14 September on the Cabinet Office and Sunday Times websites and the recruitment consultants Gatenby Sanderson undertook an executive search. The selection panel carried out a longlist on 22 September, shortlist on 12 October and interviews on the 27 and 28 October.

The diversity of the field during the competitions is given in the tables below.

HM Chief Inspector of Probation

	Number of applicants overall	Longlist	Shortlist	Appointable candidates
Candidates	9	6	4	2
Diversity monitoring questionnaires returned	6	4	3	2
Male	3	1	0	0
Female	3	3	3	2
Black, Asian and mixed Minority Ethnic background	1	1	1	1
Declared disability (diversity questionnaire or Interview Access Scheme form)*	1	0	0	0

HM Chief Inspector of Prisons

	Number of applicants overall	Longlist	Shortlist	Appointable candidates
Candidates	17	8	4	3
Diversity monitoring questionnaires returned	10	5	2	2
Male	10	5	2	2
Female	0	0	0	0
Black, Asian and mixed Minority Ethnic background	0	0	0	0
Declared disability (diversity questionnaire or Interview Access Scheme form)	1	0	0	0

Appendix F: Further information supplied by the Ministry of Justice by email on 24 November 2015

The competitions for HMI Prisons and HMI Probation were advertised openly and were regulated by the Commissioner for Public Appointments. The Commissioner's Code of Practice is clear that the "ultimate responsibility for making public appointments rests with Ministers" and so Ministers "must be...involved at the beginning of the competition, when they must be asked to...suggest potential candidates to be invited to apply".

The Secretary of State suggested various potential candidates for these very important roles, including Mr Clarke and Ms Stacey. He spoke to various individuals to ascertain their interest in applying for these roles or to discuss potential candidates. A note of these conversations is not held by the Ministry of Justice as there is no requirement to do so.

Officials also spoke to a number of potential candidates as did the recruitment consultants.

The Cabinet Office Centre for Public Appointments has confirmed that, in accordance with the OCPA Code of Practice, Ministers should be encouraged to suggest names of any potential applicants to apply and Ministers and their officials may approach people directly to see if they would be interested in applying for certain jobs.

The Minister met with all appointable candidates for these roles, accompanied by the Panel Chair. He then - in line with the relevant guidance - chose, from the appointable candidates, the two individuals to put forward for pre-appointment scrutiny.

You ask how many candidates applied after speaking to the Minister and were found appointable. It would not be fair on the individuals concerned to disclose further information on appointable candidates.

The selection panel was chaired by a Public Appointments Assessor (PAA) nominated by the Commissioner for Public Appointments and included an independent panel member, Sir Julian Le Grand, a Professor of Social Policy at the London School of Economics.

At the end of the selection process, which included sifting of applications and interviews for both posts, the PAA confirmed the competition was both free and fair.

You also asked about costs. The contract rates are commercial in confidence so it would not be appropriate to disclose this.

Formal Minutes

Wednesday 25 November 2015

Members present:

Robert Neill, in the Chair

Alex Chalk

Dr Rupa Huq

Alberto Costa

Victoria Prentis

Philip Davies

Marie Rimmer

Mr David Hanson

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

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

Paragraphs 1 to 32 read and agreed to.

Several papers were appended to the Report as Appendices A to F.

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

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

[Adjourned till Tuesday 1 December at 9.15 am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry page](#) of the Committee's website.

Tuesday 24 November 2015

Question number

Peter Clarke, Ministry of Justice's preferred candidate for the post of Her Majesty's Chief Inspector of Prisons

[Q1–63](#)

Glenys Stacey, Ministry of Justice's preferred candidate for the post of Her Majesty's Chief Inspector of Probation

[Q64–126](#)

List of reports in the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

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

Session 2015–16

First Report	Draft Allocation Guideline	HC 404
Second Report	Criminal courts charge	HC 586