

AGM 04/2014

**Minutes of the 101st Annual General Meeting of Napo
held at Venue Cymru, Llandudno, on Thursday, Friday
and Saturday
17th, 18th & 19th October 2013**

THURSDAY

1. QUORUM AND ROLL CALL

It was confirmed that the meeting was quorate and the General Secretary took a roll call which confirmed that sufficient Probation Branches and the Family Court Section were represented and over 5% of the membership registered.

2. OPENING OF CONFERENCE

Elfyn Llwyd MP welcomed those in attendance and addressed conference.

3. INTRODUCTION TO MONITORS

The co-lead Monitors, Charron Culnane and Arlene Simms, gave an introduction to the role of the Monitors during the course of Conference and read out Napo's monitoring statement.

4. INTRODUCTION TO THE STEERING COMMITTEE

The Chair of Steering Committee, Jeanne Peall, gave an introduction to the role of Steering Committee during the course of Conference.

5. CHAIR'S ADDRESS TO CONFERENCE

The Chair, Tom Rendon, addressed conference.

6. MINUTES OF 2012 AGM

The Minutes (**AGM 03/2013**) were **approved** as a correct record. It was requested for more information to be minuted about the Accountability and Treasurer's sessions' answers to questions.

7. MINUTE'S SILENCE

Conference observed a minute's silence in remembrance of colleagues who had passed away during the previous year.

8. APPOINTMENT OF OFFICERS

It was confirmed that Keith Stokeld begins his third term as Napo Treasurer; Tom Rendon continues a first term; Megan Elliott and Nick Smith continue in their first term as Vice Chairs (Probation) and Yvonne Pattison begins her first term as Vice Chair (Probation). The Vice Chair (Cafcass) officer post is currently vacant.

9. EDRIDGE FUND ACCOUNTS & ANNUAL REPORT

Anne King (Chair of Edridge Trustees) presented the Accounts and Annual Report which were **approved**.

10. TRAINING COMMITTEE MOTION: Preparing for Change in an ever changing market

On behalf of Training Committee, it was proposed by Patricia Johnson and seconded by Yvonne Pattison, that:-

“Training Committee is concerned about the apparent lack of training opportunities afforded to our members. The Government is pressing forward with their Transforming Rehabilitation agenda and we are concerned that our staff group needs to be prepared for change.

Although it is appreciated that cutbacks are being made across the board, and tough decisions about resources will inevitably have to be made, Trusts are seriously failing to meet the new challenges that the changing situation presents by offering staff little more than ‘mandatory’ training.

What is urgently required is for Probation Employers, including Trusts, to enable staff to have access to good quality training and career development opportunities which will ensure that they are well prepared and best placed for future employment.

With this in mind, Training Committee calls upon Napo’s Officers and Officials to impress upon Trusts, and the MOJ/NOMS, the urgent need to proactively enable and assist all staff to have proper access to appropriate training and development opportunities, whether this is provided in-house or externally, via Union Learning funding and other similar funding streams.

In addition, Napo needs to campaign for enhanced severance packages that include concrete provisions which ensure a guarantee of access to training for all those who are identified as susceptible to redundancy.”

The motion was **carried**.

11. ADDRESS TO CONFERENCE

Elfyn Llwyd MP read out a solidarity message on behalf of John McDonnell MP who had to give his apologies as he had been taken to hospital.

Elfyn gave the report for the Justice Unions’ Parliamentary Group instead.

12. WHAT REALLY WORKS IN PROBATION AND IN SOCIAL WORK

Janet Crowe, Deputy Director, Prison Reform Trust; Professor Paul Senior, Director of the Hallam Centre for Community Justice; and Theo Gavrielides, Director of Independent Academic Research Studies (IARS) spoke in the debate, followed by a question and answer session.

13. PRESENTATION TO HARRY FLETCHER

Ian Lawrence, General Secretary, thanked Harry Fletcher for all his work over 30 years for Napo and presented him with a miner's lamp, a watch and an engraved tankard.

FRIDAY

14. QUORUM

It was confirmed that the meeting was quorate.

15. ANNUAL REPORT AND ACCOUNTABILITY SLOT

The General Secretary, Ian Lawrence, introduced and presented the Annual Report 2012/13 and gave the outcome of Napo's industrial action ballot concerning the trade dispute over Transforming Rehabilitation.

16. TREASURER'S REPORT (AGM04/2013)

Keith Stokeld, Treasurer, presented the Treasurer's Report. The report contained **2 recommendations** as follows:

- 1 That the AGM approves the accounts for 2012 as contained within the annual report;
- 2 That Bryan and Ridge Chartered Accountants are appointed as Napo's auditors for 2013, with a view to Napo tendering for the Audit Service for 2014.

Questions were put and responded to on:

- Increase in amount of sundry debtors
- GS remuneration
- Contingent Liability – Tribunal expenditure
- Computer maintenance costs
- Office Relocation Reserve Fund

Following the acceptance of the 2 recommendations in the Treasurer's Report, and proposed subscription rates being agreed:

0.96% of salary

Salary Band £	Monthly Rate £	Annual Rate £
8000 and under	N/A	ψ12 00
*8001 – 9000	3.60	43.20
*9001 – 10000	4.00	48.00
10001 – 11000	8.80	105.60
11001 – 12000	9.60	115.20
12001 – 13000	10.40	124.80
13001 – 14000	11.20	134.40
14001 – 15000	12.00	144.00
15001 – 16000	12.80	153.60
16001 – 17000	13.60	163.20
17001 – 18000	14.40	172.80
18001 – 19000	15.20	182.40
19001 – 20000	16.00	192.00
20001 – 21000	16.80	201.60
21001 – 22000	17.60	211.20
22001 – 23000	18.40	220.80
23001 – 24000	19.20	230.40
24001 – 25000	20.00	240.00
25001 – 26000	20.80	249.60
26001 – 27000	21.60	259.20
27001 – 28000	22.40	268.80
28001 – 29000	23.20	278.40
29001 – 30000	24.00	288.00
30001 – 31000	24.80	297.60
31001 – 32000	25.60	307.20
32001 – 33000	26.40	316.80
33001 and above	27.20	326.40

a) Professional Associate Members – 25% of the above rates.

b) Unemployed Members and Members on Maternity/ Paternity Leave – FREE.

c) Associate Members - £40 per annum.

d)** Retired members

- Non Voting Membership - Annual subscription of £30 (no voting rights)
- PAM Membership - £50 per annum (voting rights at AGM and Branch meetings but not employer issues)

NB: (i) Staff earning up to scale point 39 are eligible for 3 months free membership on Joining Napo for the first time. Contact your Branch Membership Secretary for details.

(ii) Members on long term sick leave should have their subs adjusted to be commensurate with their salary; so subs are reduced when the member is on half pay and then cease when the member receives no pay. Subs should be reinstated when the member receives a salary again.

ψ Payable in full only.

* 0.48% of salary for these bands.

** Following a constitutional amendment at the 2010 AGM retired members can opt for either of these options.

The Treasurer's report was **adopted**.

17. FAMILY COURT JOURNAL REPORT

Brian Kirby of the Editorial Board of the Family Court Journal provided the report.

18. PROBATION JOURNAL REPORT

Keith Stokeld provided the report on behalf of the Editorial Board of the Probation Journal.

19. Monitors' Report

Charron Culnane and Arlene Simms presented the Monitors' Report.

20. PROBATION SESSION

Leanne Wood AM, Leader of Plaid Cymru; John Whitefoot, Community union; Steve Gillan, General Secretary of POA; and Michael Spurr, Chief Executive of NOMS, addressed the Probation professional meeting, followed by a question and answer session.

21. FAMILY COURT SECTION PROFESSIONAL SESSION

Andy Stanton (Chair, Family Court Committee) and Brian Kirby (Editor, Family Court Journal) reported back on the past year's work of the Committee and the Journal. Elfyn Llwyd, MP then addressed the Family Court Section professional meeting about the current crisis in the Family Justice System, which was followed by a question and answer session. The session was chaired by Tony Mercer, Vice Chair (Cafcass).

22. DVD SHOWING & AWARD

Surrey and Sussex Branch provided the Sea Dogs DVD which was shown and Sharon Herring and Philippa Peacock were presented by Ian Lawrence with awards won for Charity.

23. NOTICE OF EMERGENCY MOTION (EM1)

Conference voted on whether the motion on **Hardship Fund** should be considered as an emergency motion to be included in conference business. The vote to hear the emergency motion was **lost**.

24. NOTICE OF EMERGENCY MOTION (EM2)

Conference voted on whether the motion on **Resignation of Minister** should be considered as an emergency motion to be included in conference business. The vote to hear the emergency motion was **carried**.

25. RETURN TO ANNUAL REPORT AND ACCOUNTABILITY SLOT

Regarding the Annual Report, questions were put and responded to on:

- Napo's level of support to Pride and similar events organised for trans people
- Written monitoring reports of AGM
- Support for outsourced staff
- Getting 100,000 signatures to the Save Probation E-petition
- Further campaigning advice for branches around Transforming Rehabilitation

AGM went into a short confidential closed (for full members only) session.

Following the earlier acceptance of the Treasurer's report, the Annual Report including 2012 accounts, was **adopted**.

26. CHANGEOVER OF OFFICERS

A speech of thanks was given and a miner's lamp presentation to outgoing Vice Chairs Probation (job share) Caroline Bewley/Eve Chester and Tony Mercer, Vice Chair Cafcass. Yvonne Pattison (Vice Chair Probation) was welcomed to the platform.

27. CAMPAIGNING COMMITTEE MOTION: Labour Party electoral commitment to restore public probation service

It was proposed by Mike Guilfoyle and seconded by Christopher Hignett, that:-

"This AGM, whilst acknowledging the urgency of the need to continue the campaign to retain and save a public Probation Service, also recognises that the political drive to dismantle the Probation Service in a wantonly ideological way imposes an obligation on the union to consider all available political options to preserve a unified service. Sadiq Khan MP, Shadow Secretary of State for Justice, has been invited to address AGM and his commitment to retaining a public owned Probation Service (whilst not unqualified) was reiterated recently when he addressed the Howard League and the PSO Conference. He noted that:

"In my vision for probation, there is no place for a madcap splitting of responsibility for offenders based on their level of risk. Day to day case management of all offenders will be done by probation trust staff. With trusts able to contract in support for skills, training, alcohol and drug dependencies as they see fit. The best performing probation trusts will get more freedoms over their budgets, and how they procure services, rewarded for their achievements. I believe this vision for probation – a publicly run probation service – can instil a laser-like focus on reducing re-offending. It would be free of the distractions of the rush to privatise. Instead, it will be focused on improved outcomes – reduced crime from re-offending."

We therefore call on the Shadow Secretary of State for Justice to once again reaffirm his commitment to a free-standing unified public Probation Service at AGM and in anticipation of Labour coming back into Government in 2015 to continue to mitigate, by all available political and parliamentary avenues, the egregious damage currently being inflicted on Probation staff due to this Government's wilful efforts to dismantle Probation."

The motion was **carried**.

28. GUEST SPEAKER

Paul Nowak, Deputy General Secretary of the TUC addressed Conference and gave solidarity greetings on behalf of the TUC and a commitment to support Napo in its campaign against Transforming Rehabilitation.

29. CHALLENGE TO ORDER OF BUSINESS (AGM 09/2013)

A challenge was put to the order of business, proposing to move the motion entitled 'Vote of no confidence in Chris Grayling, Secretary of State for Justice' higher up the order of business. Conference voted on whether to accept the challenge to the order of business and this vote was **carried**.

30. EQUAL RIGHTS COMMITTEE MOTION: People from Gypsy/Traveller/Roma backgrounds are being unfairly disadvantaged by the Criminal Justice System

On behalf of Trent Branch, it was proposed by Ann Emslie and seconded by Pervez Sadiq, that:-

"This AGM understands that people from Gypsy/Traveller/Roma backgrounds are being unfairly disadvantaged by the Criminal Justice System, particularly at times of arrest, plus pre and post-sentence. Moreover, their sentencing experiences are noted to be significantly different in length, severity and opportunity compared to that of the majority of the settled community. Particular difficulties are also noted in recent research pertaining to the experiences of young Irish Traveller men in the prison system, evidencing that these individuals experience high levels of racism and discrimination, which in turn leads to self harming and higher mortality rates from suicide.

This AGM believes that the Probation Service and Cafcass need to have a greater understanding of this community and develop practices that enable us to work with them in an equitable and non discriminatory manner.

This AGM resolves that Equal Rights Committee should liaise with other experts in the field to develop and provide training materials in order to raise awareness of these issues and enable equitable outcomes to be achieved.”

The motion was carried.

31. NATIONAL EXECUTIVE COMMITTEE MOTION: Vote of no Confidence in Chris Grayling, Secretary of State for Justice

On behalf of Napo Cymru, it was proposed by Stuart Arrowsmith and seconded by Rob Thomas, that:-

“This motion proposes that Napo no longer has confidence in the Secretary of State for Justice, Chris Grayling.

We believe the Transforming Rehabilitation agenda is not in the best interests of the public, the Criminal Justice System, its workers, or even the offenders whose needs it purports to address.

In a press release announcing the planned changes on 9th May 2013, the Ministry of Justice stated:

- **each year around 65, 000 of the most prolific offenders serving sentences of up to two years will receive extended, targeted rehabilitation,**
- **although crime is falling, reoffending rates have barely changed in a decade, and more than 58 per cent of prisoners serving less than 12 months go on to commit further crimes within a year of release,**
- **Chris Grayling as saying "It is simply not good enough that we spend £4 billion a year on prisons and probation, and yet make no real dent in the appetite of offenders to commit more crime."**

The elision and repetition of these and similar statements has given the erroneous impression of under-performance by the Probation Service, when in truth targets have been met and performance improved under a relentless regime of cuts to funding. Probation is the solution and not the problem.

Clearly the national policies to change the Probation Service are ideologically driven, disregarding of evidence and determined on the basis of personal preference and assumption.

This union deplores the introduction of making profit from punishment through the ‘marketisation’ of the Criminal Justice System and believes it is not possible to maintain standards of service, reduce cost and produce profits for private companies.

The Transforming Rehabilitation agenda is fundamentally flawed, will put the public at risk and should be withdrawn.

We therefore call on the Napo Executive, Officers and Officials to immediately make clear to the government, press and public that they have lost the confidence, support and good will of the union for the future development of the Criminal Justice System.”

The motion was **carried**.

32. FAMILY COURT COMMITTEE MOTION: The impact of legal aid cuts on family proceedings

On behalf of the Family Court Committee, it was propose by Andy Stanton and seconded by Sherry Garnham, that:-

“Conference is seriously troubled at the consequences of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 on the conduct of private family proceedings.

Conference notes with concern the impact that cuts in legal aid to parents is already having on the Courts’ ability to resolve cases in private Family Court proceedings. The consequences of this legislation were anticipated not only by the various professional bodies working with children but by a Ministry of Justice research summary. The rash move to achieve savings on the legal aid budget is more likely to bring increased costs elsewhere on court time, other professionals waiting, unnecessary adjournments and emotional harm to adults and children.

Conference notes that angry and fractious parties are not deterred from litigation for the want of affording legal advice. It is one area of law where the advice to a parent from a critical and legally trained friend is crucial if a child-centred resolution to a dispute can be found.

Conference notes that although legal aid is still available in those cases where domestic violence features, the new rules set a dangerously high threshold of proof of domestic violence. Conference also notes with concern, that in the absence of appropriate support, the victim of domestic abuse faces the risk of being cross-examined by the perpetrator in the Family Court.

The decision to remove legal aid in most private law cases ignores the gravity of safeguarding in private law proceedings. Conference is concerned about the incidence of parties committing suicide having murdered their children, and deprecates the lack of attention this Government has given to ensuring that proceedings can be conducted as safely as possible with the assistance of appropriately trained legal professionals.

This Conference instructs the Family Court Professional Campaigning and Training Committee to campaign for the reinstatement of adequate legal aid provision in the family courts, by:

- 1. collating information and evidence of the delay caused by increased litigation bought by litigants in person,**
- 2. campaigning using press releases and the internet to highlight the issue,**
- 3. working with the Family Court Unions Parliamentary Group to raise awareness,**
- 4. working with other groups such as Justice Alliance, the Justice Forum, Resolution and the Interdisciplinary Alliance for Children to lobby ministers and campaign for reinstatement of legal aid,**
- 5. calling on the Labour Party to commit itself in its manifesto to the full re-instatement of legal aid.”**

The motion was **carried**.

33. HEALTH & SAFETY COMMITTEE MOTION: Holding fast to good health & safety practice

On behalf of Health & Safety Committee, it was proposed by Eve Chester and seconded by Rod Mitchell, that:-

“This AGM encourages all members and instructs the Health & Safety Committee, to work with national Officers and Officials to highlight and promote to all of our employers (existing and prospective), the following key issues, in line with safety legislation and existing Health & Safety Policy manuals for the Probation Service and Cafcass:

- the importance of the Health & Safety reps’ role in the Probation and Cafcass organisations and workplaces,**
- the responsibility of our employers to risk assess fully any proposed changes in work practice (including office location/premises) in conjunction with the local Health & Safety reps and,**
- the importance of the employers taking a pro-active stance towards their responsibilities for staff who may have a disability and/or protected characteristics as defined by the Equality Act 2010 to minimise the risk of health & safety related concerns arising for them and of working positively and creatively in relation to any concerns that may develop, again in conjunction with local Health & Safety reps and relevant specialist advisers.”**

The motion was **carried**.

34. NATIONAL EXECUTIVE COMMITTEE MOTION: Oppose the TR agenda

As a composite of motions 15&16, on behalf of Napo Cymru and Probation Negotiating Committee, it was proposed by Jackie Leggett and seconded by Jane Foster, that:-

“The Government’s announcement that it intends to contract out 70% of the work of Probation Trusts in England and Wales is a blatant, ideologically driven action which threatens to dismantle the Probation Service and in turn threatens the job security, terms and conditions and pensions of its staff.

This AGM supports the work already being done to defend our members’ jobs and the terms of their current contracts, including the ballot of all affected members. It is the view of this AGM that strike action of this kind is the only way it has to make the Government sit up and listen. In tandem with this approach Napo will only be prepared to discuss members’ job security and the nature of their contracts through the National Negotiating Council with direct representatives of the probation staff employers.

In the meantime all branches will boycott any attempts made to enter into negotiations with branch officers which are designed to implement the contracting out of Probation Service work.

This will mean that all Napo branches should refuse to enter into discussion on implementation with their local employers, including chief executives. This will not preclude genuine information sharing with local employers.”

The motion was **carried**.

**35. NEGOTIATING COMMITTEE - CAF/CASS/PROBATION MOTION:
The trade union campaign to save our public services should include a cost of living pay claim**

On behalf of Cafcass Negotiating Committee, it was proposed by Steve Hornby and seconded by Nicki Kenney, that:-

“This AGM believes that the “Deficit” is an invention of the hyper-rich in order to justify their onslaught on the welfare state, the organised labour movement, the poor and the disadvantaged in order to protect their wealth. It recognises that many serious economists believe that the way to tackle the current recession includes not cutting the public sector workforce nor reducing their spending power or ability to pay taxes.

Public service workers have already had a two year pay freeze followed by a third year which may bring a 1% increase if we're lucky. During this period our standard of living has reduced in real terms by something like 11%.

This AGM believes that the fight to save public services including probation and the jobs of public sector workers is not an alternative to fighting for decent wages and a reasonable standard of living, but part of the same struggle. This AGM therefore calls on all the public sector unions to include a pay claim of 11% or £2,500, whichever is greater, as part of our fight-back to save the welfare state and repulse the iniquities of neo-liberal economics."

The motion was **lost**.

36. NEGOTIATING COMMITTEE – PROBATION MOTION: Union support within SFO investigations

On behalf of Lancashire Branch, it was proposed by Eve Chester and seconded by Jo Williams, that:-

"This AGM asserts that it is overdue and indeed vitally necessary at this crucial time in Probation history, with uncertainty as to the identity of our future employers, that Probation staff have the right to have a trained union rep to accompany them at any Serious Further Offence (SFO) investigation interviews. This would ensure that, at a time of likely stress and potential distress, let alone possible fear of inferences or even assertions of individual culpability being made, staff in the future are afforded appropriate individual guidance and support from a union rep to maximise the likelihood of a fair and comprehensive analysis of the SFO and the staff member's performance in relation to Service responsibilities at the pertinent time. The national Officers and Officials, supported by Professional Committee, will promote this proposal strongly and expeditiously within the relevant national negotiating fora."

This motion was **carried**.

37. PROFESSIONAL COMMITTEE MOTION: Transforming Rehabilitation and domestic violence

On behalf of Professional Committee, it was proposed by Nick Peake and seconded by Kath Alsop, that:-

"Napo is seriously concerned that the privatisation measures being proposed for the Probation Service will place those convicted of crimes involving domestic violence into the hands of private contractors who are unlikely to have the necessary standards, skills and experience to work with this most complex

of issues.

Crime figures suggest domestic violence to be constantly on the increase and that at least two women a week and one man a month die at the hands of either partners or ex-partners. Children living in homes where there is violence between their parents or carers are statistically much more likely to be victims of neglect or physical abuse. The financial cost of domestic violence to society has been estimated to run into billions of pounds.

According to the Government's proposals contained in the "Transforming Rehabilitation" document only MAPPA cases, victim contact services and cases assessed as "High Risk" will in future be supervised by the public sector National Probation Service. However, many cases involving domestic violence fall outside these categories and the proposed arrangements will place responsibility for the supervision and rehabilitation of perpetrators in the hands of private sector organisations with no proven track record of working with the complex and challenging needs of perpetrators or the organisations with whom Probation routinely work to manage the risks posed to victims and potential victims. Working together with other organisations is an essential part of the treatment and management of perpetrators and the safeguarding of victims and potential victims. Relationships with relevant organisations have been established over many years and there is a significant risk that those relationships could be compromised through the fragmentation of probation tasks between several providers.

This Conference believes that any changes to the function and structure of the Probation Service proposed by the Government must ensure that the supervision and rehabilitation of perpetrators of domestic violence remain the responsibility of a public sector Probation Service, regardless of their initially assessed level of risk, in order that skilled and experienced staff can work closely with them to reduce the risk posed by them to existing and future victims. It therefore calls upon Officers and Officials, with the assistance of Professional Committee, to highlight the dangers inherent in the proposed organisational changes to addressing domestic abuse."

On being put to a ballot the motion was **carried**.

SATURDAY

38. QUORUM

It was confirmed that the meeting was quorate.

39 CONSTITUTIONAL AMENDMENT: Membership Eligibility

Amendment having been accepted, on behalf of the National Executive Committee, it was proposed by Judith Gardiner and seconded by Keith Stokeld, that:-

“In clause 4 (a)(i) delete the words ‘by a probation trust, or Cafcass’ and replace with ‘by an organisation delivering probation, rehabilitative or family court services’.

The new clause will read as follows:

(a) The following persons in England, Wales and Northern Ireland shall be eligible to be full members of the Association:

(i) Persons paid on a salary scale drawn from those which the Association is involved in negotiating and employed by an organisation delivering probation, rehabilitative or family court services.

**And in Clause 21 Branches – para b (i) – delete:
“by a Probation Trust or Cafcass whose area is included”**

The Constitutional Amendment was **carried**.

40. EMERGENCY MOTION A: Resignation of Minister

It was proposed by Roger Kennington and seconded by Shirley Anderson, that:-

“In the light of today’s revelations of Lord McNally’s ill advised lobbying meeting about probation contracts with troubled Welfare to Work organisation A4E at the Liberal Democrat Conference, this AGM declares that it has no faith in the Minister’s integrity.

AGM therefore instructs the Officers and Officials to write immediately to demand the Minister’s resignation. “

The emergency motion was **carried**.

41. NATIONAL EXECUTIVE COMMITTEE MOTION: Transforming Rehabilitation – the risk to public safety

On behalf of Probation Negotiating Committee, it was proposed by Robbie Bourget and seconded by Martin Bull, that:-

“This AGM is appalled that private companies, who have no proven ability in the field of rehabilitation, are already working in conjunction with this Government and are busy lobbying for more work for themselves, while established Probation Trusts are specifically forbidden to bid for the 21 proposed contract package

areas.

Nevertheless, this Government persists in its belief that allowing the privatisation of Probation to go ahead with only the private sector bidding for the work will guarantee reduced costs and reduced re-offending. Conference is also seriously concerned that the Government has announced that providers will not be held to the same standards and requirements of the Probation Service, nor will they be required to use the same IT systems such as OASys and N-Delius, making it difficult to monitor the work that the private sector might undertake.

This AGM believes that the Government has failed to adequately consider the safety of the public, the rehabilitation of those who have offended or the wider detrimental impact of their so called 'Rehabilitation Revolution'.

This AGM directs its Officers and Officials to:

- continue to present the public safety aspect as a key part of the Napo campaign in local and national media contact, and to Parliament,
- regularly revise and re-issue our campaigning material which highlights the professionalism of Probation staff so that this can be used by branches in their local activities,
- ensure that Napo prepares for a similar scenario should it be faced by our Family Court Section members."

The motion was carried.

42. NATIONAL EXECUTIVE COMMITTEE MOTION: Oppressive use of policies and procedures

As a composite of motions 13&14, on behalf of Staffordshire and West Midlands Branch and Greater London Branch, it was proposed by Ralph Coldrick and seconded by David Masterson, that:-

"This AGM believes that Probation Trusts and Cafcass are employing disciplinary, capability and sickness/absence procedures, in place of redundancy and to intimidate staff. Following Napo's recent survey of Probation Trusts and Cafcass, this union will highlight, once again, this inappropriate use of procedures and the oppression that lies behind them. Inappropriate use of procedures will be taken up at national and local levels and in the media. Disputes will be registered wherever and whenever this applies."

The motion was carried.

43. CONSTITUTIONAL AMENDMENT: Committees of the NEC

On behalf of the Family Court Section, it was proposed by Nicki Kenney and seconded by Steve Hornby, that:-

“Add a new sub-para (f) to Section 17 – Committees of the NEC:

“The NEC shall delegate the election of a Family Court Committee, which shall have responsibility for all professional, campaigning and training issues that are relevant to the Family Court Section, to the Family Court Section AGM.”

The Constitutional Amendment was **carried**.

44. CONSTITUTIONAL AMENDMENT: Committees of the NEC

On behalf of the Family Court Section, it was proposed by Nicki Kenney and seconded by Steve Hornby, that:-

“Add new paragraph at end of Section 17:

“Where the business of a committee concerns the interests of all members as defined in Section 4(a)(i), one place shall be reserved for a member of the Family Court Section.”

The Constitutional Amendment was **carried**.

45. CONSTITUTIONAL AMENDMENT: Cafcass Negotiating Committee

On behalf of the Family Court Section, it was proposed by Steve Hornby and seconded by Nicki Kenney, that:-

“Section 20 (b) - Cafcass Negotiating Committee

(i) Line 4 – insert after ‘Committee.’: “The NEC shall delegate the election of a Negotiating Committee to the Family Court Section AGM.”

Line 6 delete “The NEC...” and replace with “The Family Court Section AGM...”

Delete sub-clause (iii) and replace with “The composition, procedures and standing orders of the Cafcass Negotiating Committee shall be set out in the constitution of the Family Court Section.”

The Constitutional Amendment was **carried**.

46. CONSTITUTIONAL AMENDMENT: Cafcass Negotiating Committee

On behalf of the Family Court Section, it was proposed by Steve Hornby and seconded by Nicki Kenney, that:-

“In Section 20 (b) sub-clause (vi):

Line 2 delete “to hold a meeting or meetings” and replace with “to hold an e-ballot of all members of the Section”

Line 5 delete “present and voting at branch meetings”

Line 7 delete “Meetings of the Section for the purpose of pay ratification only, need not be quorate.”

The Constitutional Amendment was **carried**.

47. NATIONAL EXECUTIVE COMMITTEE MOTION:

As a composite of motions 22&23, on behalf of Training Committee and Officers, it was proposed by Patricia Johnson and seconded by Caroline Bewley, that:-

This AGM, whilst noting the progress of the initial discussions between Napo, the Probation Association and Ministers on the possibility of the creation of a Probation Institute, reaffirms that Napo is already the established and recognised professional body for Probation practitioners.

This conference is concerned that the Secretary of State for Justice has decided not to back a Licence to Practice for Probation staff. This is particularly disappointing at a time when the privatisation agenda threatens to undermine our expertise and professionalism. Had the Government given its backing to a Licence for practitioners, this would have been one way of helping to guarantee professionalism within a fragmented probation market place.

On a positive note we welcome the Secretary of State’s intention to maintain professional standards through an Institute of Probation. The purpose of an institute should be to provide a robust accreditation and licensing framework for practitioners and managers, safeguard our profession in the longer term and protect it from any attempt to erode or undermine standards of quality and professionalism. It would serve as a custodian for excellence and quality assurance within the profession whilst at the same time supporting staff who are working towards a qualification.

This Conference endorses the work done by Napo in developing the idea of an independent Probation Institute that will set practice and develop standards of the highest quality.

As a professional association we believe that the obvious place for responsibility for this institute sits with Napo and we call on the Napo Officers/Officials to:

- continue to campaign for the future of Probation Qualifications Framework as the central, definitive and universal training structure for all Probation practitioners,
- continue active engagement with other parties in the establishment of a Probation Institute,
- continue to promote the establishment of a Licence to Practice.

This engagement with the relevant bodies, particularly the Government, should continue so that an independent and national institute for staff can be developed, undertaking supervision of current and future service users in the Criminal Justice System, to maintain, uphold and protect professional standards and qualifications.

The Officers group are instructed to report the progress of discussions to members on a monthly basis and to bring their final recommendations to the NEC for consideration prior to entering into any binding agreement with other parties.

The motion was **carried**.

48. GUEST SPEAKER

Vera Baird QC Northumbria's Police and Crime Commissioner addressed conference.

49. Monitors Report

Charron Culnane and Arlene Simms presented the Monitors' Report.

50. Constitutional Amendment:

Amendment having been accepted, on behalf of the National Executive Committee, it was proposed by Keith Stokeld and Liz Askins, that:-

“Delete Section 26 (a) and replace with the following:

“(a) The NEC shall maintain a Legal and Representation Fund. The fund shall be financed by the transfer from the general funds of the Association based on a maximum limit of an average of the previous 5 years spend. The NEC shall in exceptional circumstances reserve the right to transfer additional funds in excess of this limit.”

The Constitutional Amendment was **carried**.

51. NATIONAL EXECUTIVE COMMITTEE MOTION: N-Delius

Amendment having been accepted, on behalf of Staffordshire and West Midlands branch, it was proposed by Nick Makin and seconded by Jenny Aston, that:-

“Napo AGM congratulates those dedicated employees who have attempted to implement N-Delius in the professional and seamless manner expected of them. However, the effect N-Delius has had on staff morale, effective practice, and health and safety cannot be ignored. We now believe that N-Delius is not fit for purpose and should be replaced with something that is. In this regard, Napo AGM demands that the MoJ re-examines the Delius system that was in place within the Staffordshire and West Midlands and other areas before N-Delius was implemented, as this was more efficient and time effective than N-Delius on every level.”

The motion was **carried**.

52. NATIONAL EXECUTIVE COMMITTEE MOTION: Payment by Results

On behalf of the Officers, it was proposed by Tom Rendon and Eve Chester, that:-

“This AGM deplores the proposed Payment by Results (PbR) model that underpins the Government’s deeply flawed and ideologically driven Transforming Rehabilitation agenda.

Conference is appalled that, once again, the taxpayer is destined to subsidise the activities of private contractors who, under the PbR formula, will still receive financial awards for ‘fee for service’, even if reoffending rates increase during the life of the contracts.

The Officers group are instructed to pursue any appropriate legal challenges and campaign vigorously through Parliament and the media to expose this disgraceful situation.”

The motion was **carried**.

53. PROFESSIONAL COMMITTEE MOTION: Pre-Sentence assessment

On behalf of Professional Committee, it was proposed by Sarah Wake and Kath Alsop, that:-

“The last few years have seen a combination of cuts to probation and court budgets as well as necessary attempts to reduce workload pressure in probation field teams. The result in many probation areas has been an emphasis on speed and increased quantity of expedited pre-sentence assessments and a

consequent decline in the quality of those assessments. It is inevitable that, given a very short space of time in which to screen for suitability for and complete Oral reports “on the day” at court, the opportunity to make thorough checks in terms of domestic abuse and child protection is lost. Cases can easily slip through the net and risk not being adequately monitored thereafter.

With the Transforming Rehabilitation agenda moving with increasing speed to privatise a minimum of 70% of current probation work by Autumn 2014 the pre-sentence assessment process (still located in the public sector) will become increasingly vital, particularly in relation to public protection and risk management. It will also determine allocation to public and private sectors. Furthermore there are concerns that political and market pressures could mean reports propose inappropriate or excessive sentences rather than the minimum sufficient to reduce reoffending. Government pressure to also include “proper punishment” in each and every sentence could mean an increase in breaches, costly both financially and socially.

This AGM demands that the pre-sentence assessment process itself be subjected to a rigorous reassessment to ensure high quality standards. It calls upon Professional Committee, assisted by Officers and Officials to:

- investigate the extent of these issues,
- highlight the impact of these changes,
- issue guidance to members.”

The motion was **carried**.

54. NATIONAL EXECUTIVE COMMITTEE MOTION: Improper financial gain from transferring to the private sector

On behalf of Surrey and Sussex Branch, it was proposed by Guy Tilbury and seconded by Carole Brownsey-Joyce, that:-

“This Conference calls upon this Government and any future Government to ensure that an independent body conducts a full review when any senior MOJ or NOMS official leaves the public sector and gains employment in the private sector.

As a matter of course, all bidding processes and contracts that those individuals have been involved in, should be examined in detail to establish whether undue favour has been given to any private sector companies in explicit or implicit return for future employment or other financial gain. Full access to email and telephone records should be made available as part of this audit process.

This Conference seeks an assurance that any malpractice would result in an immediate referral to the Serious Fraud Office and the Crown Prosecution Service.”

55. CAMPAIGNING COMMITTEE MOTION: The Coalition Government must be defeated before May 2015

Tony Mercer proposed and Nicki Kenney seconded that:-

“This AGM recognises that to wait for a general election in May 2015 in the hope that the Tories don’t get a parliamentary majority with or without the support of their Lib-Dem poodles, is not a strategy that has any chance of success.

The dismantling of the welfare state; the erosion of democracy; the decimation of the public sector trade union movement; the privatisation and dismemberment of the Probation Service, and the consequent threat to the survival of Napo as an independent Trade Union may well all have been achieved by May 2015. Even if the Coalition were then to be replaced by a New Labour Government, which currently seems increasingly unlikely, Ed Miliband is on record as saying that he will not reverse the Coalition’s austerity measures.

This AGM therefore realises that the only way to prevent the catastrophe outlined above is to launch a campaign of mass, non-violent, civil disobedience to bring down the Coalition Government, on a scale unprecedented in this country, involving all those sectors of society which oppose the present Government’s “austerity” measures and the dysfunctional, corrupt and inherently unjust neo-liberal economic system that commands them.”

The motion was **carried**.

56. CLOSURE AND THANKS

The Chair, Tom Rendon, closed the Conference congratulating members for attending and maintaining quoracy. He thanked Steering Committee; Napo admin staff Keith Waldron, Kath Falcon, Annoesjka Valent and Anne Burbidge including Beverley Cole from Greater London branch for assisting at staff reception; the staff at Napo Cymru venue in particular Sue Thomas and the IT staff; stall holders; monitors; the stewards; the Edridge Fund; all speakers at Conference and fringe meetings including all Guest Speakers; the providers of the evening entertainment, the band Xtatic and all the Karaoke singers; staff from the Crèche Nipperbout Active Childcare; Stefano Cagnoni, the photographer; and all Officers and Officials.