Probation Programme

Market Engagement – Day 1

Future probation services

Protecting and advancing the principles of justice
Introduction

We are consulting on the future of probation for an eight-week period, from the 27th July to 21st September. In his foreword to the consultation, the Secretary of State said:

“We want to see less reliance on ineffective short prison terms, and in order to achieve this courts must have confidence that probation services will deliver tough community sentences. […]”

“I believe that there is strength in this mixed market approach, with scope for a range of providers, including in the voluntary sector, to continue to bring fresh, innovative ideas to probation services. […]”

“I look forward to hearing the views of the many people and organisations with an interest in the delivery of these services, and your input will be used to introduce changes that strengthen our probation system and, in turn, help to break the cycle of reoffending.”
Our vision for the future of probation services

We want a probation system that the public is reassured by, that judges and magistrates have confidence in, and that delivers the right balance of proportionate punishment and rehabilitative support to offenders.

We think that a mixed market for the provision of probation services is still the best approach to improving outcomes for offenders and promoting innovation.

We want to build and learn from what has worked well so far, as well as what hasn’t, and need input from our all of our stakeholder groups to do this.

Tailored support and rehabilitation services for offenders, based on risk and need, with clearer minimum standards across providers, and more robust offender management practices.

Strong collaboration with local partners, including voluntary sector organisations, local authorities, and Police and Crime Commissioners.

A diverse mixed market of service providers, making the most of expertise from the public, private and voluntary sector.

Increased judicial confidence, with fewer short custodial sentences and more community sentences awarded.
**Market engagement – Thematic sessions**

- **Wednesday 15th**: Commissioning and Local Partnerships #1 (AM)  
  System enablers #1 (PM)
- **Tuesday 14th**: Probation services #1: (Full day)
- **Thursday 16th**: Commercial model #1 (AM)
- **Wednesday 5th**: Commissioning and Local Partnerships #2
- **Tuesday 4th**: Probation Services #2:  
  System enablers #2
- **Wednesday 12th**: Commercial model #2
- **Tuesday 11th**: System enablers #2
- **Wednesday 12th**: Commercial model #2
- **Tuesday 18th**: Pre-qualification criteria

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**Voluntary Sector Engagement Events**

- **Monday 20th**: Bristol
- **Wednesday 22nd**: London
- **Wednesday 22nd**: York
# Agenda – Day 1

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Aim</th>
<th>Length*</th>
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<tbody>
<tr>
<td>1</td>
<td>Introduction</td>
<td>Set out the purpose of the session</td>
<td>15 minutes</td>
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<tr>
<td>2</td>
<td>Advice to Court and allocations</td>
<td>Provide an overview of the current advice to court and case allocation process and set out our future design principles</td>
<td>30 minutes</td>
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<tr>
<td>3</td>
<td>Offender Management</td>
<td>Set out details of this key probation function and the role of the Responsible Officer. Consider future design principles, especially in relation to risk assessment, offender contact and post sentence supervision</td>
<td>1 hour 15 minutes</td>
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<td></td>
<td><strong>Coffee break</strong></td>
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<tr>
<td>4</td>
<td>Delivery of sentence requirements</td>
<td>Share our thinking on unpaid work, treatment requirements, Accredited Programmes and Rehabilitation Activity Requirements</td>
<td>1 hour 30 minutes</td>
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<tr>
<td></td>
<td><strong>Lunch</strong></td>
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<td>5</td>
<td>Resettlement</td>
<td>Seek your views on the design of a future resettlement model. Share our thinking on the future resettlement principles and options.</td>
<td>1 hour</td>
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<tr>
<td>6</td>
<td>Close</td>
<td>Closing remarks</td>
<td>15 minutes</td>
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*indicative length of each session
Introduction to Day 1

SCOPE

• This session will focus on the probation system in England. Separate engagement events will cover plans for Wales.

• It will focus on future services and key areas of change rather than current services, although we will provide some background context.

FORMAT

• Delegates are attending via online methods as well as in person. We welcome questions and contributions from all participants.

THEMES

• Terminology (e.g. Offender vs Service User).

• A cross-cutting theme for consideration is how we improve outcomes for specific offender groups. Please keep this in mind as the discussion progresses.
Advice to court and case allocation

Laura Fairweather

Protecting and advancing the principles of justice
Advice to Court

• National Probation Service (NPS) will continue to hold the statutory responsibility for advice to Courts.

• The drive to sentence on-the-day has resulted in a significant increase in Oral Reports.

• There has been a significant reduction in Pre Sentence Reports requested.

• NPS has an ongoing improvement programme which includes improving quality of PSRs; report formats; better recording of risk assessment and other information.

• NPS have introduced the Effective Proposal Framework tool (EPF) for report writers, providing information on local interventions for identified needs and more targeted proposals.

• Contracted providers will continue to be responsible for providing information on the progress of cases managed by them and for developing breach packs for enforcement proceedings.
Advice to Court – Future design principles

- Improve the quality of risk assessment of pre sentence reports
- Increase assessment of suitability for accredited programme requirements
- Improve communication and awareness of local contracted provider rehabilitation provisions
- Clarify and improve expectations of post sentence delivery of the rehabilitation activity requirement (RAR).
- Improve report writers ability to obtain up to date information and intelligence from Police and Social Services
- Improve contracted provider provision of up to date information on current and previous cases
- Revise and provide guidance on enforcement practice to include guidance on number of acceptable absences during the order
- Increase confidence in the management of community sentences
- Consideration of how best to include contracted provider staff in courts
Case Allocation

- **NPS** will continue to be responsible for the *allocation of cases* within 2 days of sentence.
- Retained NPS cases are; **High** or **Very High Risk** of **Serious Harm**, those subject to MAPPA, Foreign National custodial cases, some public interest cases.
- There are no plans to materially change the cohort of offenders retained by the NPS or contracted providers.
- We are **reviewing** the current allocation rules in relation to **foreign national custodial cases**.
- **Inadequate assessment** and/or incomplete recording at court and case allocation point could result in *allocation* to the **wrong organisation**.
- Issues have arisen about the **level of information provided** to contracted providers at case allocation.
- There is a project to **improve communication** and **information** available for **case allocation** decisions for example **Domestic Abuse** and **Safeguarding information**.
In the consultation document we ask:

**Question 5:** What further steps could we take to improve the effectiveness of pre-sentence advice and ensure it contains information on probation providers’ services?

**Question 6:** What steps could we take to improve engagement between courts and CRCs?

**Question 7:** How else might we strengthen confidence in community sentences?

We are also keen to explore the following issues:

- What role can contracted providers play in improving advice to court?
- How could contracted providers communicate and exchange information quickly and efficiently with report writers given the tight timescales involved?
- What system improvement would assist the timeliness and quality of case allocations?
Offender management

Caroline Morrison

Protecting and advancing the principles of justice
Offender Management

Offender Management is at the core of probation service delivery. At its simplest it requires the **effective delivery** of the **sentence** of the **court**.

It ensures service users subject to community orders, suspended sentence orders, licence and post-sentence supervision are properly managed, **requirements** are **delivered**, **risks managed** and **enforcement** action taken after non-compliance.

It is an **evidenced-based**, end-to-end system of working with **individuals**, who are at the heart of delivery to ensure effective rehabilitation and resettlement.

**Desistance Approach** - Significant amount of research which identifies the importance of building a positive relationship with the service user, to enable change. It requires:-

- Trust
- Clear boundaries
- Optimism for the future
- Commitment to change
- Resilience
- Consistency
- Tailored to the individual
Responsible Officer

All Service users subject to Community orders, Suspended Sentence Orders, Prison sentence, Licence and Post Sentence Supervision will be managed by a **Responsible Officer**.

The Criminal Justice Act 2003 defines the duties of the Responsible Officer as:-

(a) to make any arrangements that are necessary in connection with the requirements imposed by the order,

(b) to promote the offender’s compliance with those requirements, and

(c) where appropriate, to take steps to enforce those requirements.
Responsible Officer Tasks and Functions

- Sentence Planning
- Broker Delivery
- Agency Liaison
- Enforcement
- Delivering or commissioning Change Activity
- Signposting
- Manage Risk
- Pre Release Planning

RO
Responsible Officer tasks and functions

A sequence of tasks and functions make up the offender management system and therefore defines the Responsible Officer role:

- Assessment and preparation of a sentence plan and regular reviews to identify and sequence the activity required to manage individual risks and rehabilitate the service user
- Manage pre-release planning
- Broker the delivery of requirements/conditions
- Liaison with other agencies to manage risks
- Adopting an inquisitive approach and verify information to manage risk
- Enforcement in the event of non-compliance
- Delivering or commissioning change activity, including practical support and motivational work to increase compliance, address need and reduce reoffending
- Signposting to universal services provided by other agencies
Risk Assessment and sentence planning

• Risk assessment, identification of needs, planning and facilitating interventions/activities that address risks and needs are a critical component of offender management, reducing reoffending and protecting the public.

• Current requirements are for a risk assessment and development of a sentence plan within 15 days of allocation, reviewing of the plans as determined by the responsible officer, termination review within the required timescales.

• New guidelines and criteria are planned in relation to the level of risk assessment at different points during the offender journey.

• We intend to review National Standards and practice guidance and revise as required.

• We are reviewing the inconsistent use of Risk Review and Risk Escalation following inspection findings and the Justice Select Committee recommendation.

• Evidence supports the practice of involving the individual in the assessment and planning process can lead to better outcomes.

Poor quality risk assessment, reviews and inadequate risk management are common themes in reviews of serious further offence cases.
Risk Assessments and Serious Further Offences

- SFOs are difficult to predict from an actuarial perspective only, risk assessment needs to consider dynamic factors such as a change in circumstances and presenting behaviours.

- Sometimes things can and do go wrong - some individuals have gone onto commit serious further offences (2014/15 253 SFO convictions; 2015/16 244* SFO convictions - *some cases still pending)

- **Common themes from SFO case reviews:**

  Insufficient information sharing and recording.

  Poor quality initial risk assessment; reviewing risk assessments after significant events and updating of the Risk Management Plan, insufficient risk escalation practice.

  Lack of an investigative approach (validation and professional curiosity).

  Insufficient case transfer practice.

  No evidence of line management oversight.

  Inconsistent enforcement practice.

  Indefensible reporting frequency.
Future design principles for risk assessment & sentence planning

- Rationalise the different assessment types and clarify their use
- Improve the quality of risk and needs assessment recording
- Improve development of sentence planning to include involvement of service user
- Require regular sentence plan reviews that indicate whether needs and objectives have been met and risks mitigated
- Clarify assessment approach for standalone UPW requirements and other single requirements
- Improve the assessment of education and training needs for UPW requirements
- Review the Risk of Serious Harm Risk Review procedures
- Review the Risk Escalation operational systems and processes
- Review NPS structures for Risk Escalation and Risk Review
- Ensure lessons from SFOs are consistently implemented and acted on.
We are keen to explore the following issues:

• How can we improve risk assessment and reviews?
• How can we improve risk escalation?
• How can we ensure consistency in assessment and sentence planning for UPW requirements?
Offender Management current practice

• Probation staff who are skilled and experienced in managing and delivering sentences of the court and working with individual to reduce reoffending
• Tiering of cases to ensure resources follow risk and need
• Models of delivery which focus on desistance
• Innovative use of estates including use of partnership hubs and informal environments
• Use of supply chain/specialist providers to meet need
• Use of peer mentors and volunteers
• Use of Women's centres
• Use of customer service centres to support the administrative process and compliance
Future design principles

- Frequency and form of contact
- Earlier involvement of the RO pre-release
- Proportionate post-sentence supervision
- Quality
- Distinction between OM and rehabilitative change
- Meeting diverse needs
Contact with the Responsible Officer – current contract

To increase sentencer and public confidence in the delivery of orders of the court we have introduced a requirement that providers must offer a **minimum** of monthly face-to-face contact for the first 12 months of orders and licences

- Appointments offered with the expectation of monthly contact
- Minimum means that for cases with higher levels of risk of serious harm and need, contact will be more frequent
- Clear and defensible position in the management of risk and need
- Telephone contact can be used in addition to face-to-face contact
Future design principles and questions

We want to test with you our future design principles for contact with the Responsible Officer

- Greater specification of good quality offender contact, including the form, frequency and continuity of contact, and the use of appropriate locations

In the consultation document we ask:

**Question 1:** What steps could we take to improve the continuity of supervision throughout an offender’s sentence?

**Question 2:** What frequency of contact between offenders and offender managers is most effective to promote purposeful engagement? How should this vary during a period of supervision, and in which circumstances are alternatives to face-to-face meetings appropriate? Do you have evidence to support your views?
OR 2014, Section 2 created a period of post-sentence supervision (PSS) after licence for people serving custodial sentences of more than 1 day but less than 2 years.

All people released from custody will be subject to at least 12 months supervision.

The total supervision period (licence plus PSS) begins at the end of the custodial part of the sentence and ends after 12 months from the date of release. 12 months comprises the period on licence plus whatever post sentence supervision is required to make up 12 months.

This means that there is a changing ratio of licence/supervision as sentence lengths increase:

Total sentence of 6 months

<table>
<thead>
<tr>
<th>3 month custodial period</th>
<th>• 3 months licence</th>
<th>9 months supervision</th>
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12 months total supervision in the community

Total sentence of 18 months

<table>
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<tr>
<th>9 month custodial period</th>
<th>9 months licence</th>
<th>3 months supervision</th>
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12 months total supervision in the community
Standard & Additional Licence Conditions

There are standard licence conditions given to all people and additional discretionary licence conditions given to some. For sentences under 12 months all of those conditions will be available although it is less likely that the additional conditions will be appropriate for many people (with the exception of the “programme” condition).

Standard licence conditions:
1. Be well behaved, not commit offences
2. Keep in touch with supervisor
3. Receive visits from supervisor
4. Reside at approved address and seek permission to move
5. Undertake only approved work and seek permission to change jobs
6. Not to travel outside UK without permission

Additional conditions
1. Contact requirement
2. Prohibited activity
3. Residency
4. Prohibited residency
5. Prohibited contact
6. Programme requirement
7. Curfew
8. Exclusion
9. Supervision
10. Non-association
11. Drug testing
12. Polygraph condition (from January 2014)
Post Sentence Supervision

The purpose of the post sentence supervision period is rehabilitation and the requirements are therefore more limited than licence conditions.

There are 10 requirements the Secretary of State “may” specify:

1. Good behaviour
2. Not commit any offence
3. Keep in touch
4. Receive visits
5. Reside at approved address and get prior permission for one or more nights away
6. Only undertake approved work and notify of changes
7. Not to travel outside British Isles
8. Participate in activities as directed by a supervisor
9. Undertake drug testing
10. Attend drug appointments
Future design principles and questions

- Increase focus on rehabilitative purpose of Post Sentence Supervision
- More proportionate post-sentence supervision linked to sentence length, risk management and rehabilitative needs
- Consideration of the application of incentives and punishments

**Consultation Question 4:**

Q. What changes should we make to post-sentence supervision arrangements to make them more proportionate and improve rehabilitative outcomes?
Future design principles and questions

- Timely enforcement
- Improved information sharing
- Improved recording
- Improved management oversight
- Revised National Standards/Practice guidance
- Quality Measures
- Earlier involvement of the Responsible Officer in pre release planning
- Clarity of the duties of the Responsible Officer and the delivery of rehabilitative change
- Tailored provision which reflects individual needs, including the potential for using peer mentors, volunteers and women’s centres.

**Additional Question** How can we ensure the particular needs of different groups are met through offender management?
Delivery of sentence requirements

Kim Roberts-Waldron

Protecting and advancing the principles of justice
Introduction

In this session we will;

• Provide an introduction to the delivery of the key requirements attached to community sentences. This includes unpaid work, treatment requirements, accredited programmes and rehabilitation activity requirements.

• Share our current thinking on future design intentions and seek your views on these
Introduction

If the court decides the offence merits a community order the court then sets the requirements of the order. The court has a choice of 14 requirements it can add to the order:

- Unpaid work (known as Community Payback)
- Curfew
- Rehabilitation Activity
- Programme (an accredited programme addressing specific offending behaviour)
- Mental health treatment
- Drug rehabilitation
- Alcohol treatment
- Prohibited activity
- Exclusion
- Residence
- Attendance Centre
- Restrictions on travel abroad
- Alcohol abstinence and monitoring
- GPS tracking
Unpaid Work

Caroline Morrison

Protecting and advancing the principles of justice
What is unpaid work?

- Unpaid work is a requirement attached to a community or suspended sentence order. It can also be made as a supervision default order and enforcement order, but cannot be a licence condition.

- It is one of the most commonly used requirements. In 2017 there were 60,000 requirements made. Courts can impose between 40-300 hours reflecting the seriousness of offences.

- It is used by the courts as a punishment as it deprives individuals of their free time and as reparation to communities (it is often referred to as Community Payback). It can also support rehabilitation by instilling a work ethic and routine, teaching cooperation and work-related skills, and promoting reintegration in the community.

- Unpaid work can be delivered in a group or one to one setting. Examples include gardening, painting and decorating, waste clearance, charity work and graffiti removal.

- Work should benefit the local community. Views of local people and community stakeholders such as PCCs are taken into account when identifying potential work placements. Unpaid Work is visible to the public through clothing and signage.
Unpaid work – Delivery requirements

• Prior to commencement individuals must be assessed for their suitability to undertake the work (including risk of serious harm) and receive induction (including health and safety).

• Unpaid work must commence within 7 working days of allocation and requirements must be completed within 12 months.

• Employed individuals must do a minimum of 7 hours a week. Unemployed individuals must do a minimum of 28 hours a week.

• 20% of hours can be used for employment-related training

• Women have an option not to be placed in an all male environment

• Unpaid work is delivered by CRCs to their low and medium-risk offenders, as well as to the NPS higher-risk cohort.

• Work cannot directly replace paid employment and providers cannot profit directly from the work. Providers can generate income to contribute to the cost of delivery e.g. materials.
Areas of good practice

• Probation Services have had a long history of delivery of Unpaid Work
• Expertise in assessing and managing risk on unpaid work placements
• Providing work related placements and development of work related skills
• Managing public nominations for unpaid work placements
• Experience in sourcing appropriate placements
• Experience of delivering volumes of placements
• Managing relationships with beneficiaries of unpaid work
• Experience of effectively managing challenging behaviour in a group setting
• Positive contribution to local communities through reparation
Future design principles

- Timely and quality assessment, induction and starts
- Maximise the rehabilitative potential
- Increased Employment Focus
- Availability of quality of placements
- Delivery to females
- Timely Enforcement and completion
Future design principles

- Enabling a timely and quality assessment and induction to take place prior to commencement
- Maximise the rehabilitative potential of Unpaid Work through increased employment focus and use of pro social modelling and motivational interviewing
- Increasing the employment focus of placements and use of 20% hours
- Improving intensive delivery for unemployed individuals
- Introduce quality measures
- Ensuring appropriate placements for females
- Measurement of acceptable absences and appropriate use of professional judgment
- Completion within 12 months - measure, reduce stand downs, timely enforcement
- Revised practice guidance and national standards
In the consultation document we ask:

**Question 3**: How can we promote unpaid work schemes which both make reparation to communities and equip offenders with employment-related skills and experience?

We are also keen to explore the following issues:

- How can we maximise the rehabilitative potential of unpaid work?
- How can we improve the delivery of intensive unpaid work for unemployed individuals?
- What can we do to secure appropriate placements for females?
Treatment requirements

Kim Roberts-Waldron

Protecting and advancing the principles of justice
Treatment requirements and evidence of need

Types of Treatment Requirements:
- **Drug Rehabilitation Requirements (DRRs),**
- **Alcohol Treatment Requirements (ATRs)**
- **Mental Health Treatment Requirements (MHTRs).**

Treatment Requirements were introduced in the Criminal Justice Act 2003, can be made by the courts (either Crown or magistrates’) for offenders aged 18 or over to attend substance misuse or mental health treatment as part of a community order (CO) or suspended sentence order (SSO). These can be either standalone requirements or one of a number of requirements of a CO or SSO.

Consistent with the general principle that engagement in treatment is voluntary, a court can only impose an MHTR, DRR or ATR where the offender has expressed a willingness to comply with the requirement. This is often referred to as ‘consent’ to treatment.

A study of adult offenders starting community orders in 2009 and 2010 showed:
- **35%** reported a formal diagnosis of mental health problem
- **32%** of those who were formally assessed identified as having a drug misuse need
- **38%** assessed as having an alcohol problem.

In 2017 less than **1%** of all community orders had a mental health treatment requirement attached, **5%** had a drug rehabilitation requirement and **3%** an alcohol treatment requirement.
Delivery of treatment requirements – role of the Responsible Officer & treatment providers

Responsible Officers from the NPS or contracted providers take overall responsibility for:
- Making any necessary arrangements in connection with the requirement
- Understanding what is available and promote treatment needs
- Promoting service user compliance with the order.

Treatment Providers are responsible for:
- Ensuring that the treatment delivered will be managed by an agreed lead within the appropriate commissioned treatment service.
- Treatment requirements are delivered collaboratively with statutory and multi-agency partners (such as the Department of Health and Social Care (DHSC) and local authorities). These partnerships bring together the necessary resources and skills to help those with mental health and substance misuse difficulties.
- MoJ, DHSC, NHS England and Public Health England have developed a protocol to increase the use of community sentences with treatment requirements. This sets out the action required by health and justice partners to ensure pathways into timely and appropriate treatment are in place. The protocol is currently being tested in five areas across England (as health is devolved in Wales).
Delivery challenges and design principles

Challenges
- Information sharing and establishing effective partnerships
- Number of CSTRs given are low when compared to level of need
- Managing Breach

Design principles
- Information sharing
- Multi-agency working
- Effective sentencer Liaison
- Understanding of current provision
- Promoting the Treatment Needs of service users
- Responsible officer to decide on breach action – breach to be concerned with compliance not treatment
• What are your views on the challenges and opportunities to improve the delivery of treatment requirements?

• What support from the Authority would you need to be able to deliver treatment requirements to address the needs as described?
What are Accredited Programmes?

• An Accredited Programme (AP) is a structured intervention which has been accredited by the Correctional Services Accreditation and Advice Panel (CSAAP); which ensures that the programme has been independently assessed based on the best available evidence and is likely to be effective if well implemented.

• The programmes’ that CSAAP accredit are typically interventions that address entrenched anti-social thinking, attitudes and behaviours that lead to reoffending.

• Accredited Programmes remain a statutory sentencing option (2003 Criminal Justice Act) and can be delivered as part of a community or suspended sentence order.

• Accredited Programmes are highly structured, vary in length and intensity and are underpinned by an operating manual which covers all of the delivery requirements.
**Current model**

- CRCs are mandated to provide both the **Thinking Skills** programme and the **Building Better Relationships Programme**.

- NPS are responsible for delivery of accredited programmes for sex offenders.

- The model is intended to ensure that the accredited programmes designed to address high volume needs are consistently available.

- There are a range of other accredited programmes available in the community which address other needs including: alcohol-related violence, substance misuse and drink-driving which are currently being offered by some providers.
Challenges

The volume of accredited programmes have fallen since 2006.

- In more recent years the decline has continued but Accredited Programmes have remained at a fairly stable proportion:
  - Community orders (7% for 2010-2017)
  - Suspended sentence orders (9% for 2010-2017).

- This suggests that the overall decline in COs/ SSOs is the primary driver for the fall in volumes since 2010/11.

- There has been a recent levelling of volumes and, as overall volumes of offenders starting COs and SSOs have both fallen slightly since 2016, this is a marginal increase in the proportion of offenders getting accredited programmes.

- The historically low volume of referrals makes it harder to secure viable numbers to deliver individual programmes. Leading to longer waiting lists, which reduces confidence in the availability of programmes and consequently reduces referrals.
Volume of CO/SSO disposals and proportion with Accredited Programmes
Design principles

• We want to ensure that the right suite of accredited programmes is available to meet the risks and needs of the probation caseload.

• There continues to be the highest demand for Accredited Programmes which address either general offending or domestic abuse, with these needs being frequently occurring in all areas.

• We therefore envisage that contracted providers will continue to offer the following programmes:
  - **Thinking Skills Program**: addresses a wide range of commonly-occurring cognitive deficits and has a wide eligibility criterion.
  - **Building Better Relationships**: is suitable for men who have committed offences of interpersonal violence against an intimate partner and who present a raised risk of further similar offending.

• The NPS to maintain responsibility for sex offending programmes.

• We want to ensure that Accredited programmes are the intervention of choice where the eligibility criteria are met and that:
  - All individuals who are eligible and ‘available’ are made subject to an AP as part of a CO/SSO.
  - No ineligible cases are made subject to an AP as part of a CO/SSO.
  - People are supported to commence and complete an AP at the point at which they are programme-ready.

How should we achieve this?
Q&A

• Would you want an opportunity to deliver any additional accredited programmes as well as TSP and BBR?

• What support do you need from the Authority to ensure an adequate number of programme referrals?

• How would you ensure AP delivery only to those who meet the eligibility criteria?
Rehabilitation Activity Requirements

Kim Roberts-Waldron

Protecting and advancing the principles of justice
Key principles of effective rehabilitative services

- **Correct targeting of activity is the basis for securing desired outcomes**

- **Rehabilitation effort should be proportionate to risk**
  - Intensive rehabilitative effort should be focused on those with a higher likelihood of reconviction
  - Those at low risk of reconviction (i.e. OGRS below 25%) are unlikely to benefit from rehabilitation interventions.

- **Rehabilitation should address criminogenic needs**
  - Rehabilitative interventions *only* make a difference to reoffending when they focus on the skills, behaviours and attitudes that relate to the person’s pathway into crime - and those that hinder the way out.

- **Providers should use approaches that work and be responsive to the person and their circumstances. There is increasingly strong evidence that supervision in the community is most effective when it is:**
  - Structured both within each session and across the trajectory of the supervision period
  - Addresses criminogenic attitudes and thinking as well as practical and social needs
  - Has a motivational and engaging relationship at its core
  - Emphasises social integration
  - Provides links to community agencies for continuing support post sentence.
What is the Rehabilitation Activity Requirement?

- The primary vehicle for delivering rehabilitative interventions is the RAR.
- The RAR is the most frequently used requirement included in COs and SSOs with 73,170 Orders made which included a RAR between April 2017 and March 2018.
  - Introduced by the Offender Rehabilitation Act 2014
  - Replaced supervision and specified activity requirements
  - One of Fourteen (14) requirements that can be added to a Community or Suspended Sentence Order.
- The Court decides on the maximum number of RAR activity days but does not specify the activities.
  - The number of days to be delivered are prescribed by the Court
  - The specific interventions that will be carried out is not outlined.
- The main purpose of the RAR is:
  - To deliver planned and structured interventions
  - To secure the service user’s rehabilitation by addressing the needs which led to their offending or which will stabilise them prior to addressing these needs
Current model

- Maximum flexibility - to deliver high-quality activities / interventions aimed at reducing reoffending with limited specification in terms of what or how CRCs should deliver the RAR.

- In house development - Providers have developed a range of RAR interventions which they both deliver to their own caseload and also offer to the NPS as ‘elective services’ via the rate card.

- Mixed delivery models - There are different delivery models with some use of supply chain providers as well as in-house specialists and both 1-1 and group interventions.
Challenges and design principles

Variation in the amount of purposeful activity being undertaken within the RAR.

**Design Principle:**
- Describe appropriate outputs and outcomes for each intensity level and for each need area.

Lack of confidence in both the type and amount of activity being delivered within the RAR.

**Design Principles:**
- **Articulate the specific, structured interventions** to meet the key criminogenic needs which are not met by either accredited programmes or treatment requirements.

- **Offer a detailed explanation of how** interventions will be customised to secure outcomes for varying intensity of need and to meet the needs of groups such as women, young adults, BAME and those with learning difficulties.

Staff remain confused about the purpose of the RAR and what they should deliver within it.

**Design Principle:**
- **Produce clear guidance** to all staff and stakeholders involved in the delivery of RAR

We are seeking a provider-led response rather than prescribing the detailed activities that should be delivered. We have identified additional activity to be undertaken internally to enhance staff confidence and ability to deliver and record RAR interventions consistently.
### Summary of proposed RAR specification

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<thead>
<tr>
<th>Need Area</th>
<th>Intensity Level</th>
<th>RAR Offer – outline outcomes sought</th>
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</thead>
<tbody>
<tr>
<td>Accommodation</td>
<td>Low/ Medium/ High</td>
<td>To prevent homelessness, remove barriers to accommodation, increase stability of accommodation.</td>
</tr>
<tr>
<td>ETE</td>
<td>Low/ Medium/ High</td>
<td>To enhance employability, secure employment</td>
</tr>
<tr>
<td>Finance/ Benefit/ Debt</td>
<td>Low/ Medium/ High</td>
<td>To support effective financial management, reduce debt,</td>
</tr>
<tr>
<td>Relationships</td>
<td>Low/ Medium (BBR for others)</td>
<td>To improve skills and ability to build and maintain positive family relationships or healthier intimate relationships</td>
</tr>
<tr>
<td>Attitudes/ Thinking/ Behaviour</td>
<td>Low (TSP for others)</td>
<td>To improve cognitive skills and problem-solving.</td>
</tr>
<tr>
<td>Non-dependant alcohol</td>
<td>Low/ Medium/ High (DRRs/ ATRs for other substance misuse)</td>
<td>To build coping strategies, reduce anxiety about change, increase self-awareness and build self-efficacy and access support.</td>
</tr>
<tr>
<td>Lifestyle and Associates</td>
<td>Low/ Medium/ High</td>
<td>To build pro-social support network, social capital and pro-social recreation, and develop future orientation and try new identities</td>
</tr>
<tr>
<td>Emotional Management</td>
<td>Low/ Medium/ High (Mental Health treatment requirements for diagnosed conditions)</td>
<td>To improve emotional well-being, self-efficacy and resilience and build skills in emotional management e.g. impulsivity, temper control, destructive thoughts and self-regulation.</td>
</tr>
</tbody>
</table>
RAR Guidance
Education, Training & Employment

Decision triggers

Characteristics
- Has a satisfactory level of numeracy and literacy
- Has been previously employed (paid/voluntary), may have gaps due to redundancy, etc.
- Will have made efforts to be in employment
- Considers employment advantageous and recognises positive benefits of working
- Stayed at school, usually has educational qualifications
- No evidence of learning need
- Values education and training and prepared to take advantage of opportunities
- High level motivation and evident means to achieve goals.
- Additional support possibly required in the face of setbacks.

Eligibility considerations

- OGRS
  - 49%

- OASys
  - 3+
  - For Questions: 4.2 – 4.5

Use professional judgement where statistical factors do not reflect current circumstances.

Recommended outcomes

Delivery Method
- Groupwork
- One-2-one
- Combination
- Specialist provision
- Wrap around

RAR days
- Days Average 5 days Maximum 15 days

Theoretical Approach
- Task centred approach

Enhanced provision
- In addition to the above provision, interventions for women should, where possible be delivered by female staff, and consider the following:
  - Removing barriers (childcare, isolation, building esteem)
  - Supporting return to work through skills refresh after period of staying at home with children
  - Opportunities that encourage purpose and structure
  - Empowerment and confidence building
  - Access to ETE options should consider local opportunities
  - Consider service users who may be isolated and how to remove these barriers (i.e. religion, culture, sexual orientation, DV)

Intended Outcomes
- Continued employment negotiated with existing employer
- Secure employment or placement on education or training pathway
### Decision triggers

#### Characteristics
- **Numeracy & Literacy**
  - Have basic level numeracy and literacy skills, but has deficits

- **Employment**
  - Require confidence and motivation to develop basic skills and employability skills to be able to access training or employment.
  - Multi-agency, specialist advice may be required.
  - Have been previously employed (paid/voluntary), have periods of instability.
  - Change jobs regularly for no obvious reasons.

- **School**
  - Partially completed vocational training.
  - Left school at leaving age, may have been disruptive.
  - May have qualifications, may require re-training/new skills.

- **Motivation**
  - Recognise benefits of work, but express reservations about the need to work, train etc.
  - May be reluctant to embark on training and will require motivation.

- **Readiness**
  - Some motivation and capacity for change.
  - Requires confidence and motivation to develop skills.

### Eligibility considerations

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>OGRS3</th>
<th>OASys</th>
</tr>
</thead>
<tbody>
<tr>
<td>50–75% OGRS3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3+ OASys</td>
<td></td>
<td></td>
</tr>
<tr>
<td>≤25% OASys</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Recommended outcomes

- **Delivery Method**
  - Average 12 days
  - Maximum 25 days

- **Theoretical Approach**
  - i.e. Psychosocial approach, better lives model, desistance approach

- **Intended Outcomes**
  - Enhanced employment skills
  - Accessing education, training or temporary employment.

### Enhanced provision

- In addition to the above provision, interventions for women should, where possible, be delivered by female staff and consider the following:
  - Removing barriers (childcare, building esteem)
  - Support skills refresh after gaps in employment due to child rearing.
  - Opportunities that encourage purpose and structure.
  - Empowerment and confidence building.
  - Access to ETE options should consider local opportunities.
  - Consider how experiences of trauma is impacting their ability to manage conflict and deal appropriately with authority within the workplace.
  - Workshops to be delivered in women only groups.
  - Consider service users who may be isolated and how to remove these barriers (i.e. religion, culture, sexual orientation, DV).
RAR Guidance
Education, Training & Employment

Decision triggers

Characteristics

- Have a learning disability/difficulty
- Unable to complete OASys self-assessment without support
- Evidence from basic skills assessment that there are problems with literacy and numeracy indicates that they have problems completing forms etc.

- Has not worked
- Unemployed/no history of working, not completed any apprenticeships

- no qualifications

- Requires significant level of input to maintain motivation, to work alongside multiple agencies and to build confidence.
- Expresses the belief that they don’t need to work and is unmotivated to find employment or take advantage of training opportunities

- Limited motivation or means and building confidence and hope likely to be needed prior to skills-building
- Multiple complex barriers, likely to require sequencing and simultaneous multi-agency work.

Eligibility considerations

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Eligibility considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>OGRS3</td>
<td>≥50%</td>
</tr>
<tr>
<td>OASys</td>
<td>≥75%</td>
</tr>
<tr>
<td>For Questions: 4.2 – 4.5</td>
<td></td>
</tr>
</tbody>
</table>

OR

Recommended outcomes

Delivery Method

- Days

- Days
- Average 20 days
- Maximum 40 days

- Group work
- One-2-one
- Combination
- Specialist provision
- Wrap around

Theoretical Approach

- i.e. Psychosocial approach, better lives model, desistance approach

Intended Outcomes

- Achieve nationally accredited qualifications or enhanced ability to follow-up advice, information or support for specific learning difficulties.

Enhanced provision

- In addition to the above provision, interventions for women should, where possible, be delivered by female staff and consider the following:
  - Removing barriers (childcare, building esteem)
  - Opportunities that encourage purpose and structure
  - Empowerment and confidence building.
  - Access to ETE options should consider local opportunities
  - Female only workshops
  - One to one peer mentor to provide high level of support in sequencing activity
  - Consider how experiences of trauma is impacting their ability to manage conflict and deal appropriately with authority within the workplace
  - Consider service users who may be isolated and how to remove these barriers (i.e. religion, culture, sexual orientation, DV)
In the consultation document we asked:

**Question 8:** How can we ensure that the particular needs and vulnerabilities of different cohorts of offenders are better met by probation? Do you have evidence to support your proposals?

We are also keen to explore the following issues:

- How would you want to build interventions which meet key needs and which make best use of existing universal and third sector providers?

- How would you determine other need areas where you would want to deliver interventions which secured the desired outcomes?

- What support from the Authority would you need to be able to deliver RAR interventions to meet key need areas?
Key principles of effective rehabilitative services

Video clip
Assuring Effectiveness

Kim Roberts-Waldron

Protecting and advancing the principles of justice
Quality Assurance and impact evaluation: Principles for Effective Interventions

We welcome your views on the type of scrutiny and/or assurance that should be applied to programmes and interventions delivered by contracted providers.

Research indicates that a programme or intervention is likely to be effective if it:

1. Is evidence based and/or has a credible rationale (theory of change)
2. Addresses factors relevant to reoffending and desistance (for example targets relevant criminogenic needs, such as poor problem solving)
3. Is targeted at appropriate users
4. Develops new skills (i.e. not just about awareness raising)
5. Motivates, engages and retains participants
6. Is delivered as intended (with quality assurance data provided)
7. Is evaluated

These principles are taken from the results of meta-analysis on what works to reduce reoffending.
Accredited Programmes & Principles for Effective Interventions

There are two ways in which we apply these principles to prison and probation practice.

➢ CSAAP Accreditation for Offending Behaviour Programmes

Accreditation provides the highest level of scrutiny and assurance for offending behaviour programmes. Accreditation is provided by the Correctional Services Accreditation and Advice Panel (CSAAP); a group of independent and international experts who assess whether a programme is designed based on the best available evidence, delivered correctly, evaluated and continuously updated.

➢ Principles for Effective Interventions (non-accredited programmes and interventions)

CSAAP have endorsed a set of “Principles for Effective Interventions” to support the development and implementation of interventions that are not accredited, and provide assurance that they effective. The MoJ are developing the principles into a toolkit.

We welcome views on how the Principles for Effective Interventions may apply to future CRC contracts. (These Principles do not currently form part of probation policy and/or contracts).
1. What are your views on the Principles for Effective Interventions? In addition to accreditation, should this be used as part of future contracts and/or guidance for non-accredited programmes?

2. Who should undertake the scrutiny / assurance process for non-accredited programmes?
Resettlement

Jane Browne

Protecting and advancing the principles of justice
Introduction

We want to get your views on how to design a resettlement model for the future which supports the changes taking place in the prisons and, includes a new way to manage the sentence in prisons and community, as well as to gauge views on how to improve reintegration for those released from prison;

We want to hear your views about what will work best to remove confusion of roles, duplication of processes and accountability across prisons and probation;

We will share our current thinking on new design principles but this is to initiate a discussion and to learn from your experiences - we are open to other ideas.
Introduction to Through The Gate

In 2015, Transforming Rehabilitation introduced significant reforms to probation by providing support to everyone released from prison, including remands;

It is the successful planning and support for those preparing for release as well as providing support on release. It’s a core part of probation work;

It requires probation to understand the impact of the transition on users’ circumstances, as well as to work effectively and collaboratively with the prisons and with wider service providers.
The current TTG model in prisons

Prison staff complete the first part of a basic custody screening tool at reception to determine the needs of an individual, including his or her resettlement needs.

Within 5 days CRC complete the second part of basic custody screening tool; which will identify the means of meeting the resettlement needs of each user.

CRC undertake to meet the immediate resettlement needs (prompted by being taken into prison) eg: housing.

CRC refer to services provided in prison and/or in the community.

CRC delivers resettlement services in prison as part of the pre release planning work.

Start pre-release work 12 weeks before a person is released from prison.

For high risk of harm only – community responsible officer (RO) manages the sentence activity in prison, pre and after release.
The new enhanced TTG specification gives current suppliers greater clarity on what to deliver and when to signpost to other services.
What we’ve learned from the current TTG model

Resettlement Research Recommendations (2018)

Research methods: surveys and focus groups with c.270 CRC and NPS staff and c.260 users released from prison within past 6 months

- Do more to reduce impact of short sentences
- Single plan for risk and need
- Review tools to identify need
- Clarity of prison, NPS/CRC staff roles
- Remove duplication & confusion
- Someone to meet at gate
- Focus on wellbeing during transition
- Improve engagement with family
Principles for future resettlement services

Principles from Research and Evaluation Exercises

The future resettlement model should:

- Be user focused
- Be aligned to whole system
- Focus on access into local services
- Be Simple
- Remove duplication & confusion
- Consider 2020+ vision
Changes to the prison estate
From 2020: Prison types and movement between prisons

- Everyone starts a sentence from a reception prison – it is the gateway between court and the rest of the prison estate;
- For those with up to 28 days left to serve at point of sentence – they will start the sentence and be released from a reception prison;
- For those with more than 28 days left to serve at point of sentence - they will spend up to 10 days in a reception prison but then move to either a resettlement or trainer prison;
- For those in a trainer prison – they will move into a resettlement prison 24 to 6 months left to serve, depending on risk/need levels and CRC/NPS allocation.
Changes in the roles of prison staff

Overview of new roles (offender management in custody / OMiC)

**Keyworker**
- They are prison officers working on prison wings in all prisons
- They will give practical support to individuals throughout their time in prison
- They offer regular one-to-one time
- They do not replace the responsible officer role
- Everyone in prison will have a keyworker

This model is being rolled-out from 2020

**Prison Responsible Officer (prison and NPS staff)**
- In addition to the role above, some individuals will also be allocated to a dedicated prison responsible officer who will manage the prison part of the sentence
- Except for those with 10ms or less time to serve, where there will be a community RO tasked to manage the prison and community part of the sentence
- Hand-over to community responsible officers will happen between 7-3 months

The shift of some of the responsible officer tasks into the prison is to ensure the ‘management of the sentence’ starts early during the prison sentence
High-level design principles and options

**Design principles**
- Review resettlement services
- Remove duplication of tasks and accountabilities

**Options**
- Continue with enhanced TTG specification
- Integrate with responsible officer role
Overview of high-level design principles

Remove duplication of tasks and responsibilities

- Have one plan for each user and ensure information is shared and built on
- Improve early identification of need for those on very short prison sentences
- Be clearer on who is responsible and accountability for different tasks across prisons and probation

Improve co-ordination between prisons, probation and other services

- Utilise services provided by prisons
- Focus on maintaining tenancies, benefit claims or employment for those serving very short sentences
- Sequence and coordinate services throughout sentences, removing the distinction between resettlement and non-resettlement services
- Improve access to mainstream services provided in the community
Overview of high-level resettlement options

Continue with current Through-the-Gate principles
• Suppliers continue to deliver the model as it is now, including with the additional specification of requirements.
• There are choices about the scope of services provided to different cohorts.

Benefits
• CRC continues to deliver the same model
• Enables improvements to the model to be embedded over time
• Impact of new specification is fully realised
• Build on areas where effective practice is evidenced

Integrate resettlement tasks into the Responsible Officer role
• Maximise new roles in prisons for those on sentences of more than 20 months;
• Use the sentence plan for risk and need;
• Extend the community Responsible Officer role to manage the sentence for those on prison sentences of less than 20 months.

Benefits
• Aligns risk and need work with resettlement activity, increasing prospect of needs being met in a joined-up way;
• Enables one plan per user, with a single person being accountable at every stage of sentence, reducing the need for multiple relationships and decision-making.
Resettlement – Market Engagement

In the consultation document we ask:

**Question 9:** How could future resettlement services better meet the needs of offenders serving short custodial sentences?

We are also keen to explore the following issues:

- How can we ensure we identify and act on needs quickly to protect tenancies, jobs, benefit claims for those on sentences of 8 weeks or less?
- How can we remove duplication and streamline the early identification of needs?
- Are there strong preferences for either (i) maintaining the current TTG model or (ii) promoting a reach-in model which gives greater responsibility to Responsible Officers in the community?
- How can we make greater use of existing services in prisons, and what role should prison governors play in resettlement?
- Are there other options we should be considering?
End of Day One

Please send any feedback and comments to ProbationCommercialTeam@justice.gov.uk
MoJ is undertaking this market engagement (“ME”) alongside the ‘Strengthening Probation, Building Confidence’ public consultation, which was launched on 27 July 2018. Please note the following, MoJ:

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makes no guarantee, representation nor warranty (express or implied) with respect to any information disclosed as part of this ME;

MoJ shall not be liable for any loss or damage arising as a result of reliance on information disclosed as part of this ME and/or from any participation in the ME; and is not committed to any course of action as a result of this ME.