



Gwasanaeth Carchardai a
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HM Prison & Probation
Service in Wales

Future Probation and Resettlement Services Wales

September 2018



Introduction – Context

- Ministry of Justice consultation - “Strengthening probation, building confidence” <https://consult.justice.gov.uk/hm-prisons-and-probation/strengthening-probation-building-confidence/>
- Sets out the strategy for improving the quality of supervision, rehabilitation and resettlement beyond 2020
- Aim is to create a more integrated system which works effectively with local partners
- CRC contracts will come to an end earlier than anticipated in 2020
- Introducing new arrangements for probation services in Wales which are a better fit with the devolved responsibilities of the Welsh Government and the existing partnership landscape.
- We want to explore with stakeholders and the market how more effective delivery arrangements and wider system improvements can be put in place. Today is part of that process



Agenda



- Introduction and HMPPS in Wales overview
- Probation
- Consultation for Wales
- Intervention Services
- An insight into the services
- Market engagement and procurement
- Commissioning models
- Next steps
- Q&A



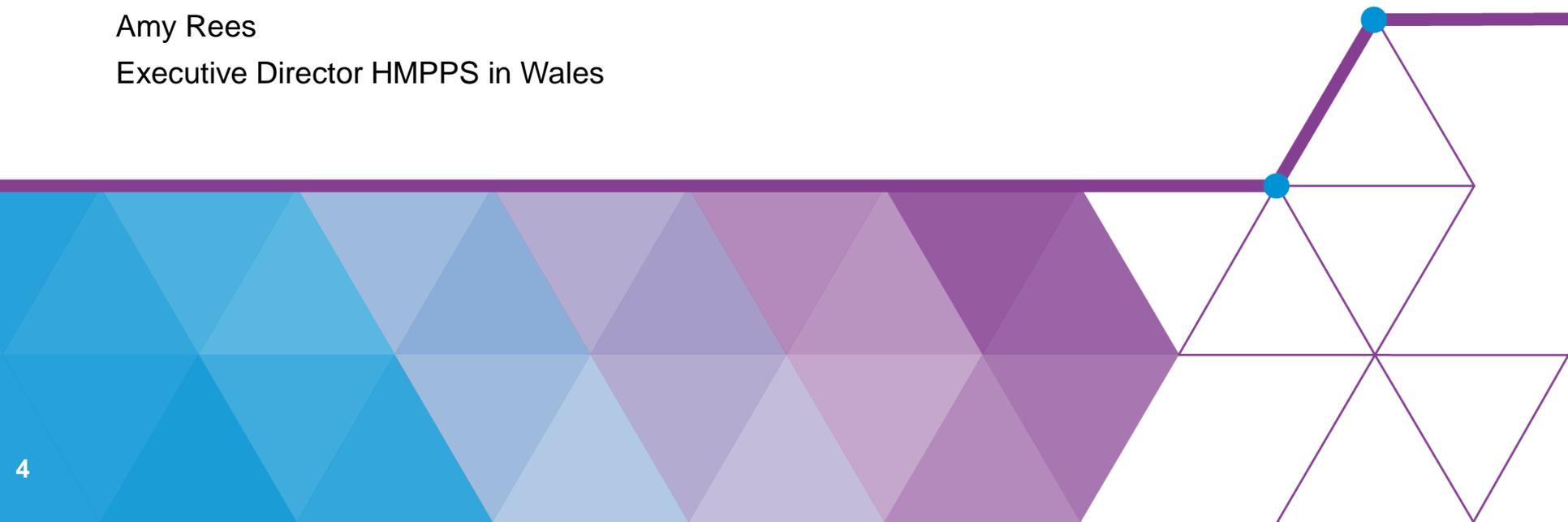
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HMPPS in Wales overview

Amy Rees

Executive Director HMPPS in Wales



The Vision

HMPPS in Wales Vision

Our ambition is to build an integrated, efficient, high-performing offender management system in Wales. We will lead the way by constantly innovating to reduce re-offending and protect the public

Future Probation and Resettlement Services Wales Vision

Integration of core aspects of the offender management functions currently provided by the CRC into the National Probation Service in Wales combining probation provision under the overall management of Her Majesty's Prison and Probation Service (HMPPS) in Wales, allowing for increased integration across prisons and probation in Wales

Performance

NPS

- NPS Wales division ended the year in April as the 3rd highest performing NPS Division taking into account performance against all service levels
- As of June 2018, NPS Wales are green on every service level target (year to date), apart from one metric on successful completion of licences and post sentence supervision

CRC

- Wales CRC compares well against other CRCs, positioned 7th out of 21 across all measures in June 2018
- Wales has been the only CRC to meet and exceed all Service Levels on two occasions in the last 12 months, and are exceeding all Service Levels on the Quarterly performance measure for the last three quarters

Prison

Annual Prison Performance Ratings 2017/18

- HMP Cardiff – 2
- HMP Prescoed – 4
- HMP Parc – 2
- HMP Swansea – 2
- HMP Usk – 3

- HMP Cardiff and Swansea have both seen a reduction in the level of staff assaults, as well as a general improvement in performance over the last 12 months

Changing the way we operate



The Future

Our ambition is to build an integrated, efficient, highly performing offender management system in Wales, with HMPPS in Wales at the heart of the partnership, leading the way by constantly innovating to reduce re-offending and protect the public.



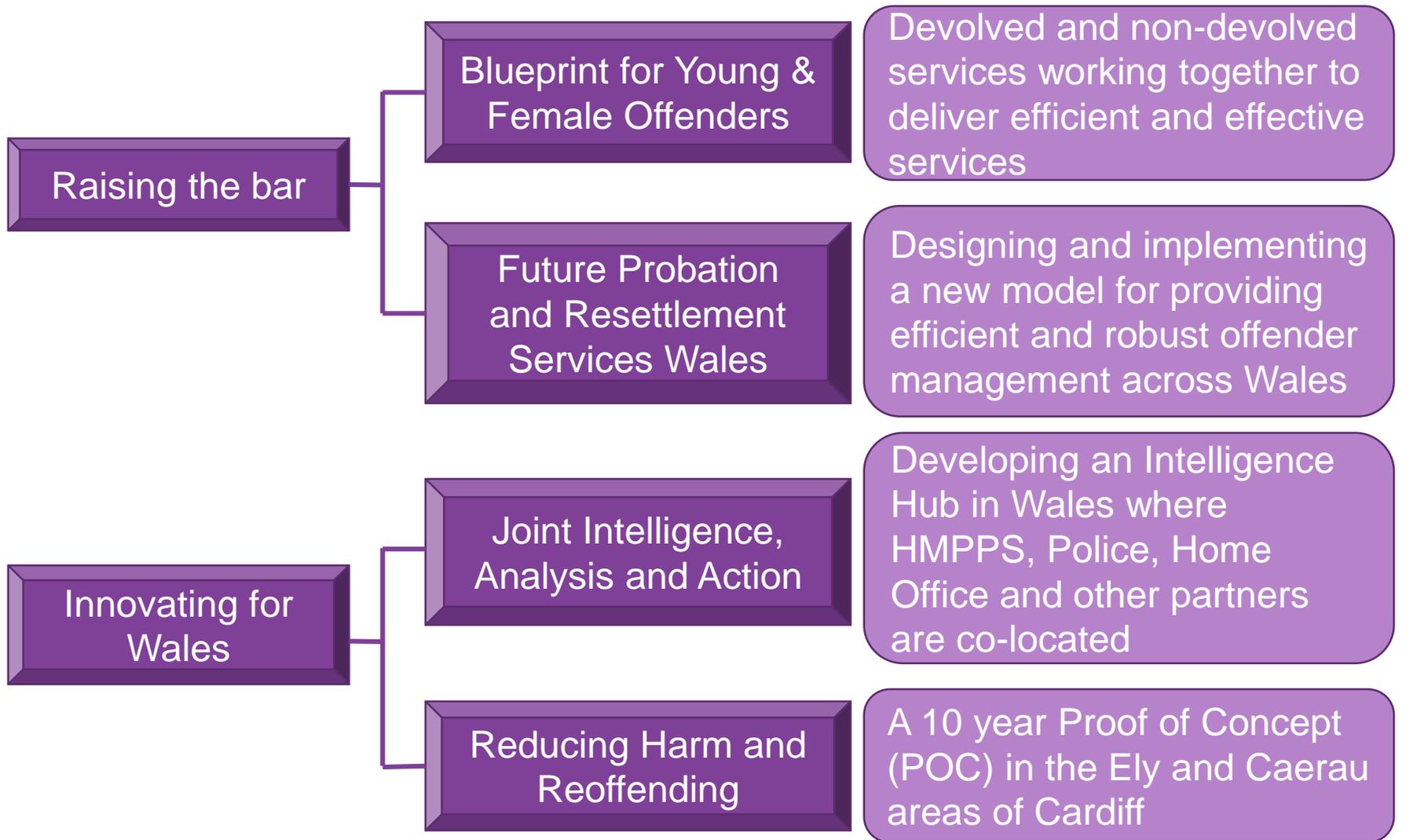
Raising the bar

Innovating for Wales

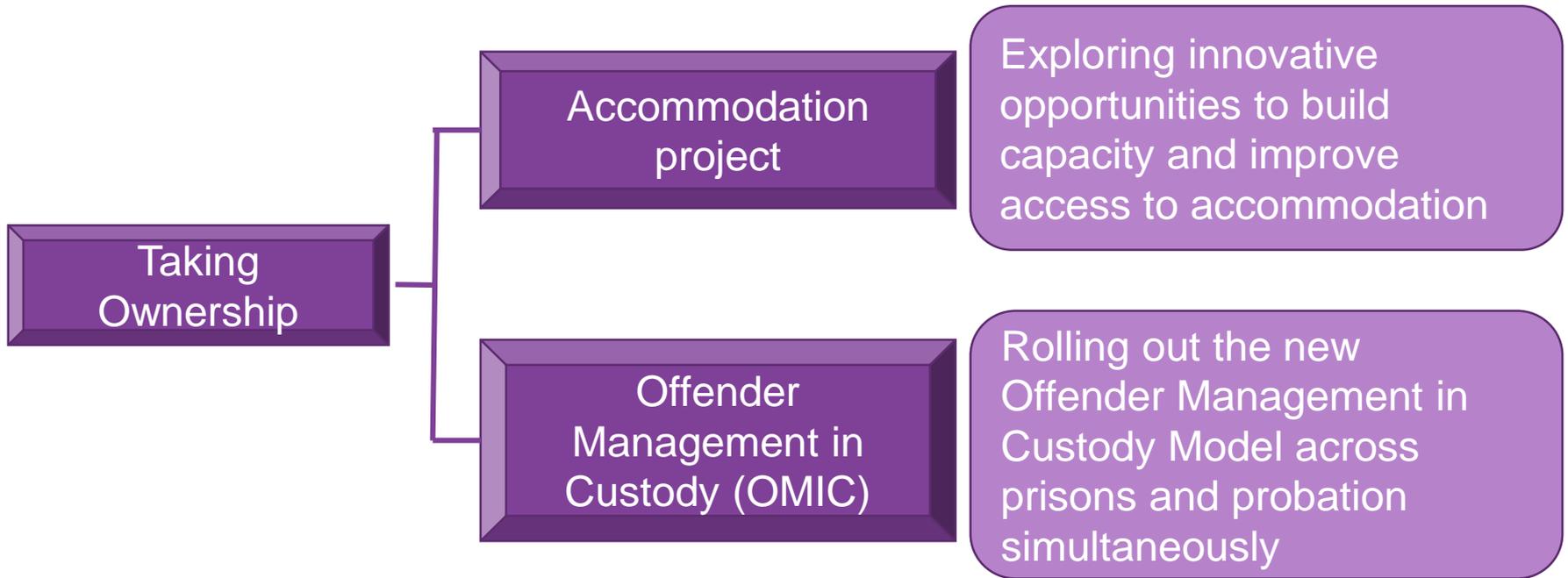
Taking ownership

HMPPS in Wales - raising the bar, innovating and taking ownership to overcome the barriers to turning offenders' lives around to make Wales a safer, healthier and more prosperous community with fewer victims.

Background



Background



Future Probation and Resettlement Services Wales Vision

Increased levels of help for the under 12 months group

Increased on the ground staff

Increased join up between prisons and probation

Less overall case loads for probation staff

Joint commissioning of Through The Gate

Real input from the 3rd sector

Decreased duplication of work

Offender management controlling the journey



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Probation



What is probation?

Probation services were developed by courts in the 19th century to 'advise, assist and befriend' offenders. In the 20th century a professionalised service developed rooted in a social work tradition.

From the 1980s probation policy has increasingly stressed the importance of enforcement, public protection and punishment alongside rehabilitation.

Probation services work with individuals given community and suspended sentences, and those in custody or being supervised after release.



Why is probation important?

The Government has a responsibility to deliver a criminal justice system that **protects the public**, **punishes** those who have broken the law in a meaningful, proportionate way, and **supports offenders** to turn away from crime.

Well-functioning probation services are integral to this

Key responsibilities of the probation system include:



Provide **advice to courts** so that sentences can better reflect the often-complex factors at play in an offender's circumstances



Manage the ever-changing **risk profile** of those in their care, and determine appropriate interventions to support **rehabilitation**.



Make sure that those they supervise **fulfil the conditions** of community sentences, suspended sentences, and licence conditions.

Legal context

The Offender Management Act 2007 imposed a duty on the Secretary of State to ensure that “sufficient provision” is made for probation services – but the Secretary of State has flexibility in how these services are provided.

The 2007 Act defines the aims of probation as:

- a) the protection of the public;
- b) the reduction of re-offending;
- c) the proper punishment of offenders;
- d) ensuring offenders’ awareness of the effects of crime on the victims of crimes and the public; and
- e) the rehabilitation of offenders.



The Offender Rehabilitation Act 2014 extended post-release supervision to offenders sentenced to custody for less than two years.

Now all offenders receive at least 12 months supervision and support after release from prison – previously offenders serving custodial sentences of less than 12 months were released without any support from probation.

This means that the probation caseload increased.

As with all public bodies, probation services must comply with the **Equality Act 2010**. This means they must pay due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity;
- foster good relations between different people when carrying out their activities.

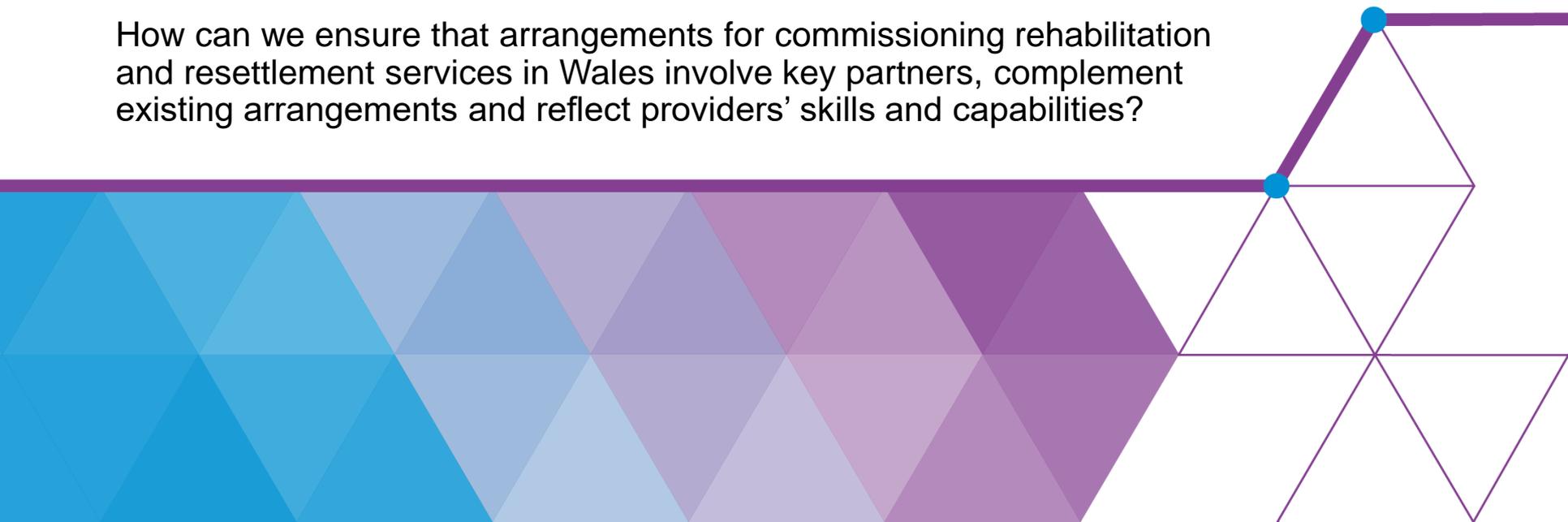


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Consultation for Wales

How can we ensure that arrangements for commissioning rehabilitation and resettlement services in Wales involve key partners, complement existing arrangements and reflect providers' skills and capabilities?



Introduction

- Integrating the offender management function of the CRC into the NPS to create a single probation system here in Wales
- The model will allow for joint commissioning opportunities with both the WG and PCCs
- The project provides the opportunity to achieve increased integration across prisons and probation
- From an operational perspective it will allow for the closer alignment of CRC and NPS structures and a stronger role for local partners in shaping probation services
- Intervention and resettlement services will be put out to market. The design of the model will take account of stakeholder feedback, lessons learnt and the Welsh political landscape
- There will be business opportunities for HMPPS in Wales to learn from current Wales CRC practice

Comparison between models for England and Wales

	England	Wales
Advice to court and case allocation	NPS	NPS (all cases automatically allocated to NPS)
Offender management	NPS and new providers	NPS
Unpaid work	New providers	New provider(s)
Accredited Programmes	New provider(s) for others	NPS for sex offender programmes New provider(s) for others
Rehabilitation Activity Requirements	New provider(s)	New provider(s) and / or NPS
Resettlement	New provider(s)	New provider(s)
Other		Potential to work across prison and probation. Potential co-commissioning with WG and PCCs and other stakeholders



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Intervention Services



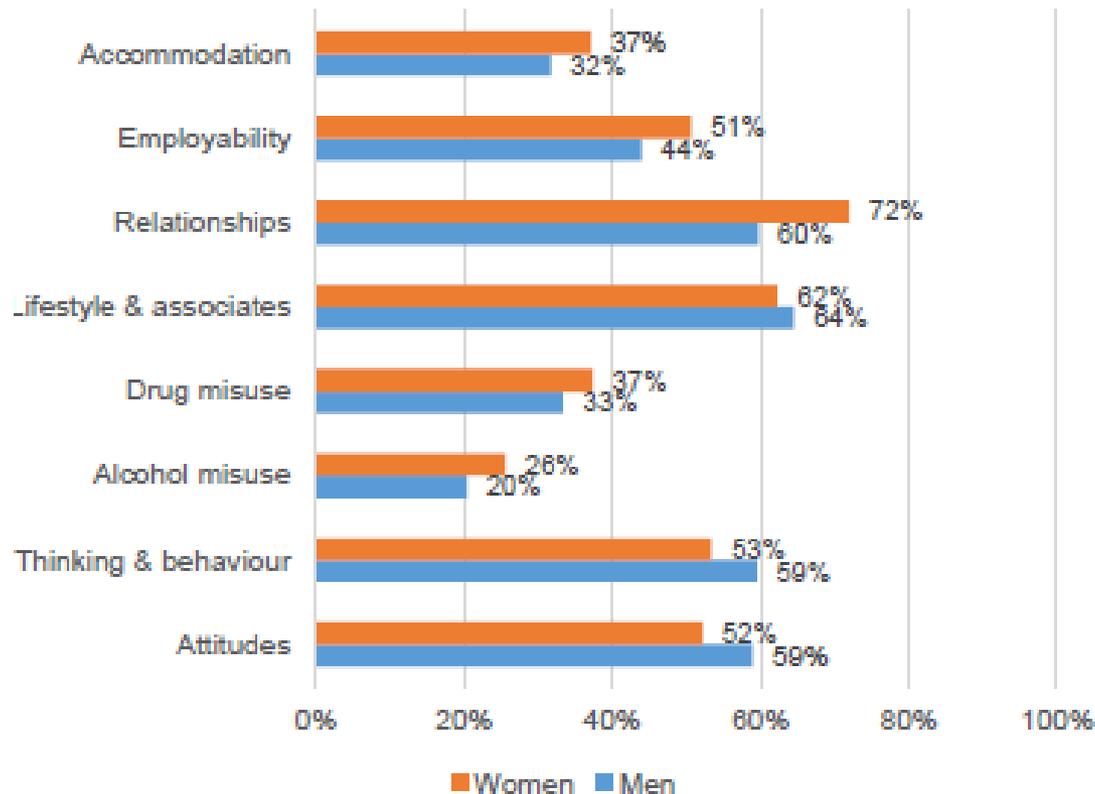
Aims

- In this session we will:
 - Provide an introduction to the delivery of the key requirements attached to community sentences, including Unpaid Work, treatment requirements, accredited programmes and rehabilitation activity requirements
 - Share our current thinking on future design intentions and seek your views on these

Context

Those who commit crimes often have **complex, multiple needs** which contribute to their offending behaviour. Probation services help to address these.

Proportion of offenders supervised in the community with identified criminogenic needs, 30 June



*These figures exclude women and men without a valid OASys assessment or needs data at this point in time.

Introduction to Intervention Services

- If the court decides to impose a community or suspended sentence order, they have a choice of 14 requirements that can be added to the order:
 - Unpaid work (known as Community Payback)
 - Curfew
 - Rehabilitation Activity
 - Accredited Programme
 - 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

- One of the most commonly used requirements. Courts can impose between 40-300 hours reflecting the seriousness of offences
- Used by the courts as a punishment as it deprives individuals of their free time and as reparation to communities. It can also support rehabilitation by instilling a work ethic and routine, teaching co-operation and work-related skills, and promoting reintegration into the community
- Can be delivered in a group or one to one setting. Examples include gardening, painting and decorating, waste clearance and charity work
- Work should benefit the local community.
- We are interested in exploring how providers can increase the employment focus of placements and make better use of the 20% of hours that can be used for employment related training

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.
- Typically interventions addressing entrenched anti-social thinking, attitudes and behaviours that lead to reoffending.
- The highest demand is for Accredited Programmes addressing either general offending or domestic abuse, but a range of other programmes are available
- We are committed to ensuring the right suite of accredited programmes is available to meet the risks and needs of those in our care - in custody or community

Rehabilitative Activity Requirement (RAR)

- The RAR is the primary vehicle for delivering rehabilitative interventions
- It is the most frequently used requirement included in COs and SSOs
- 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
- The Court decides on the maximum number of RAR activity days to be delivered. The activities or interventions to be carried out are not specified.
- Correct targeting of activity is key. Rehabilitation effort should be proportionate to risk. Rehabilitation should address criminogenic needs

Summary of elements of RAR

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



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Resettlement



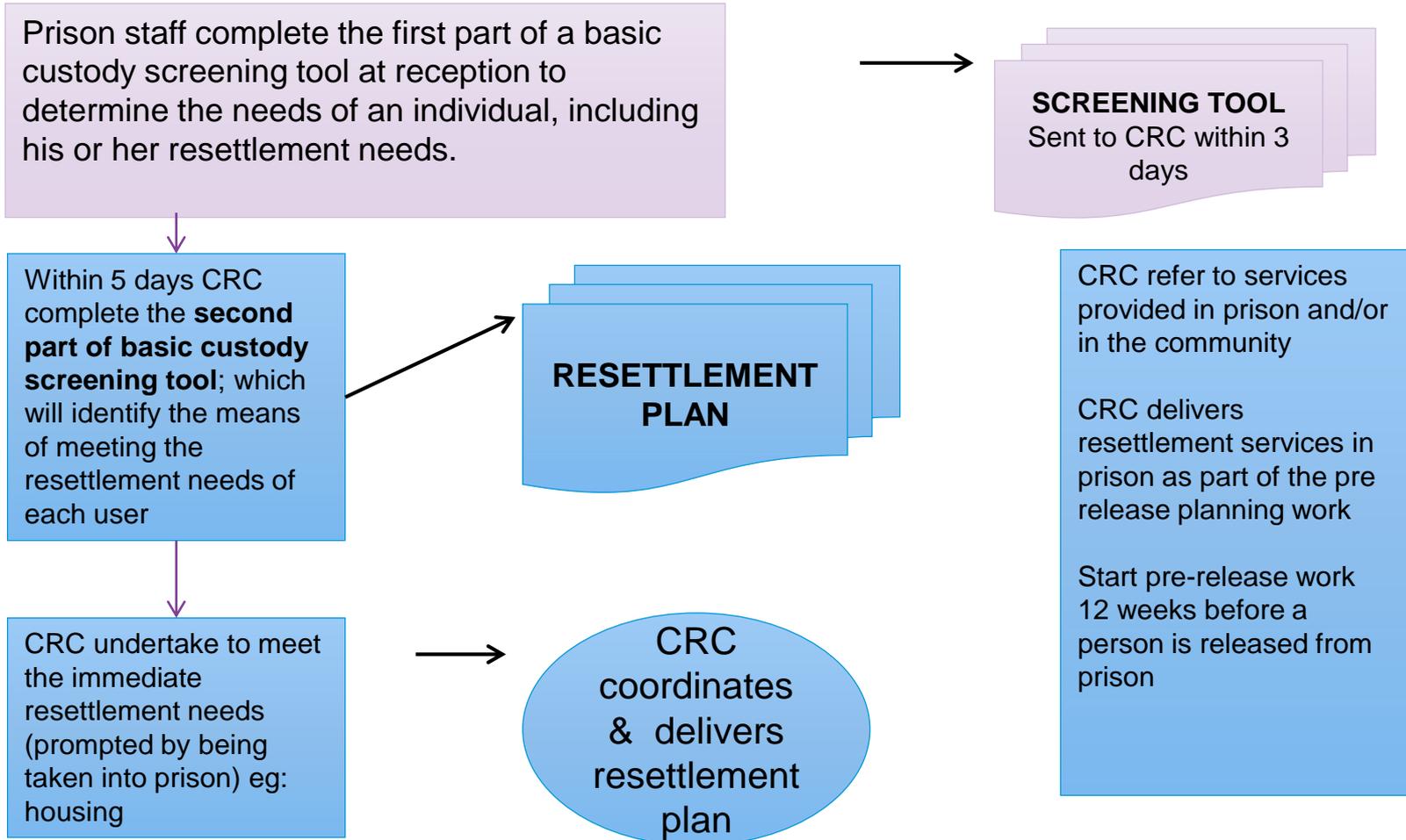
Current Through the Gate services

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**;

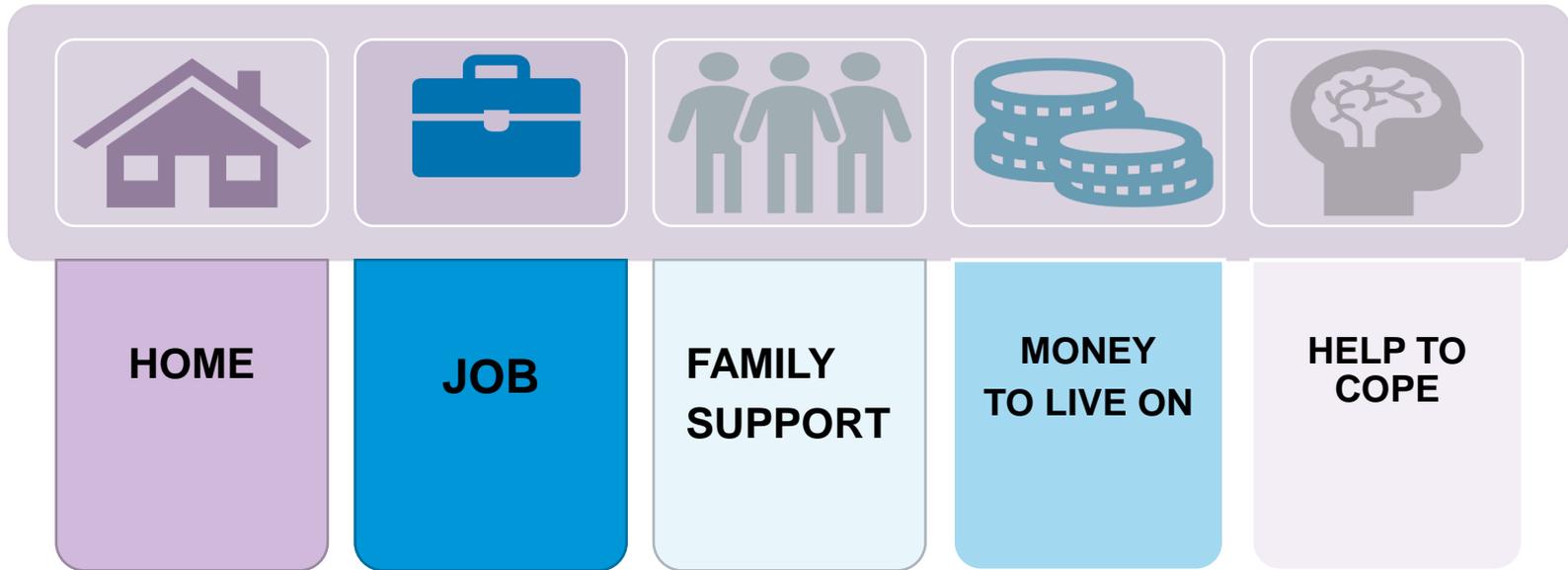
It requires probation to understand the **impact of the transition** on users' circumstances, as well as to **work effectively and collaboratively with the prisons and with wider service providers**.

Current TTG Model



For high risk of harm only – community responsible officer (RO) manages the sentence activity in prison, pre and after release

Current TTG Services



Areas of TTG service and support provided by CRC in prisons

The new enhanced TTG specification gives current suppliers greater clarity on what to deliver and when to signpost to other services

Resettlement consultation

We want to get your views on how to design a resettlement model for the future which:

- is user focussed
- engages the individual in prison with the resettlement planning process from the outset
- improves reintegration for those released from prison
- supports those in the community with resettlement needs
- considers local needs and access to local services providing specialist support
- maximises the chances of successful resettlement by engaging with families, significant others and the community
- takes into account the changes taking place in the prisons

We also want to understand how we could **remove confusion of roles, duplication of processes and accountability across prisons and probation;**

Potential co-commissioning

- HMPPS in Wales currently co-commission a range of services with key partners
- Co-commissioning approach ensures alignment on key strategic priorities and promotes integrated working
- Examples of co-commissioning arrangements:
 - Substance misuse services including as part of Drug Rehabilitation Requirements and Alcohol Treatment Requirements
 - Co-commissioned in each of the four police force areas with PCCs and Area Planning Boards
 - Delivered by consortium of treatment providers
 - Creates alignments and continuity across the criminal justice substance misuse provision landscape
- We are keen to explore potential co-commissioning arrangements as part of the new service design



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Market engagement and Procurement

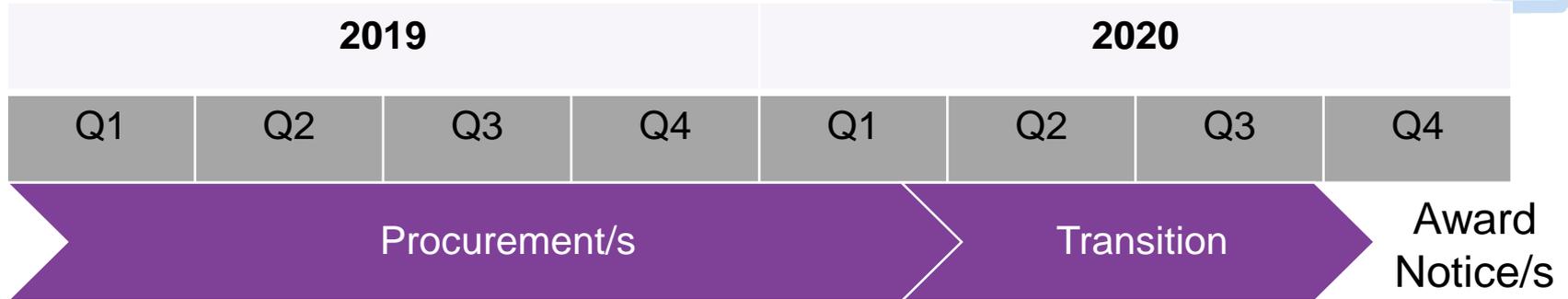


Pre-procurement timeline



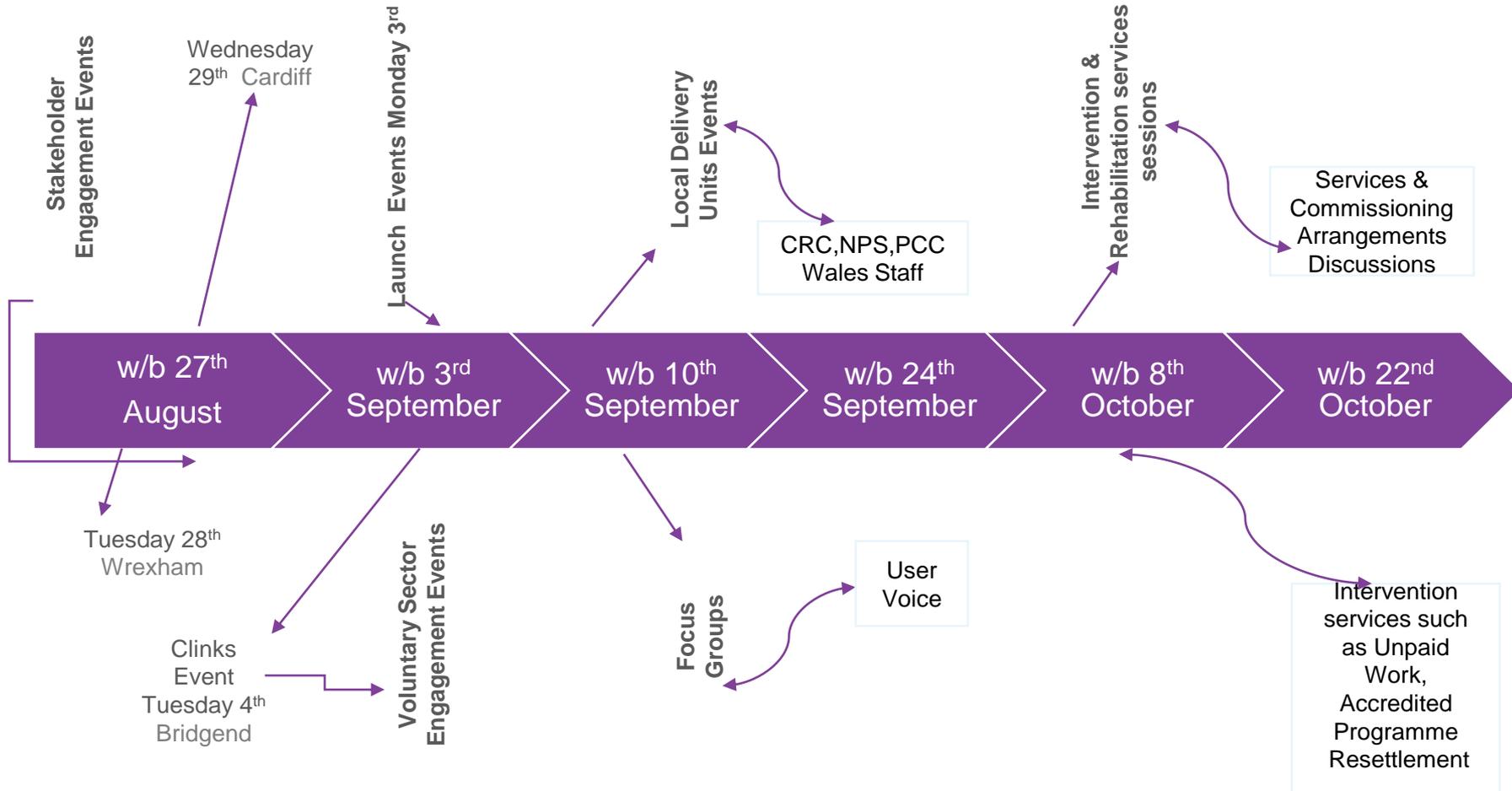
- The **Prior Information Notice** has been published <https://ted.europa.eu/udl?uri=TED:NOTICE:331911-2018:TEXT:EN:HTML&src=0>
- Our aim is to formally launch the procurement/s in Spring 2019.
- Market engagement to help inform and shape the way we design the service and contract will continue for the next **8 weeks**.
- Market warming activity will be undertaken a few months before the launch of competition to create the foundations for an effective procurement process.

Procurement timeline



- It is our intention that the services being awarded are listed within **Schedule 3 of the Public Contracts Regulations 2015**, and pursuant to regulation 74 will be subject to the **Light Touch Regime**
- The number of procurements and types of contracts is yet to be determined
- We aim to have contracts signed by **early 2020**
- We will allow a **six month transition period** enabling the new service to be live by the end of 2020.

Market engagement – Thematic sessions





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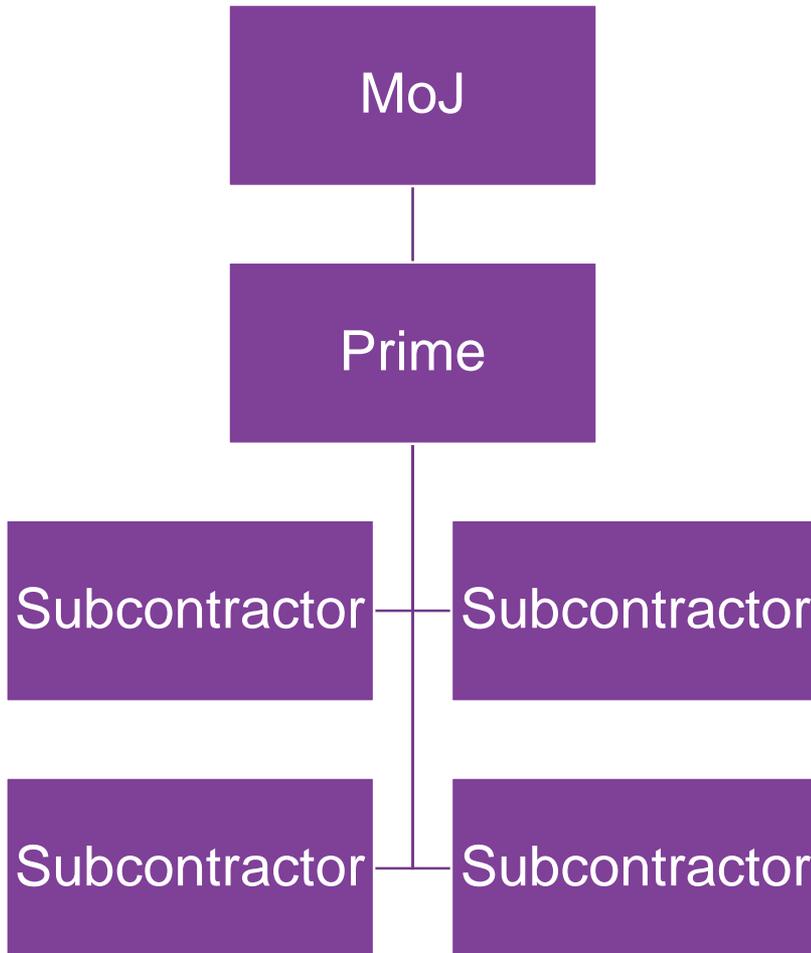
Commissioning Models



Key points

- We will be exploring all potential models for the commissioning and contracting of services over coming months as we develop our service design and as we listen to our Consultation;
- For now, and purely as a means of seeking your early thoughts, we wish to share with you some of our thinking on a couple of generic high level models for engagement;
- But nothing at this stage is definitive. Our commercial approach will be defined over coming months and shared with the market prior to launch of formal competition/s that we anticipate taking place during the first half of 2019;
- The most important aspect is that we finalise a model that:
 - Supports our vision for delivery;
 - Supports those in our care to receive the service they require;
 - Supports the voluntary and charity sector to work better with the Authority and
 - Shows there is a market appetite for the solution being created

Traditional approach



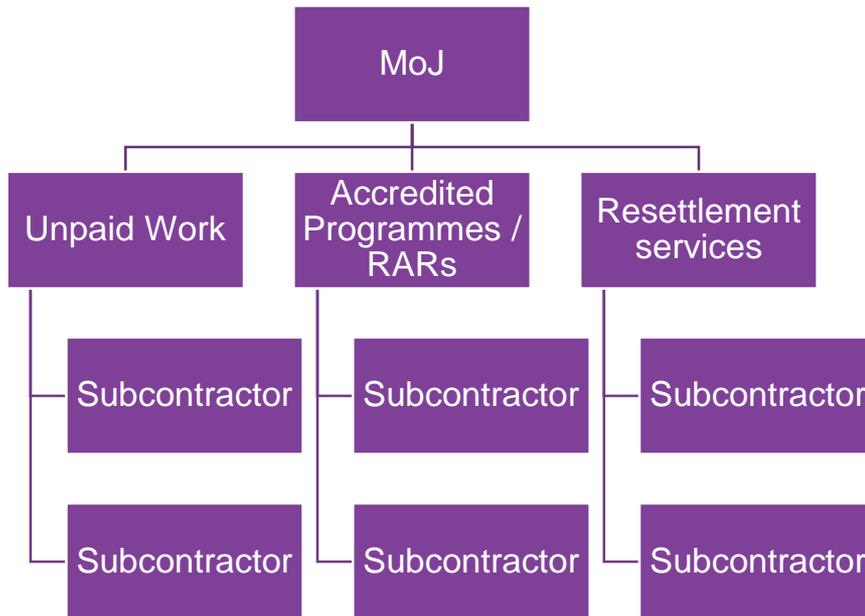
- **Features:**

- The Authority contracts with a prime provider for all Intervention Services
- The prime provider commits to delivering all Intervention Services
- The prime provider subcontracts elements

- **Key considerations:**

- Market stewardship
- Attractiveness to VCS
- Is one provider a specialist?
- ISPA

Alternative models



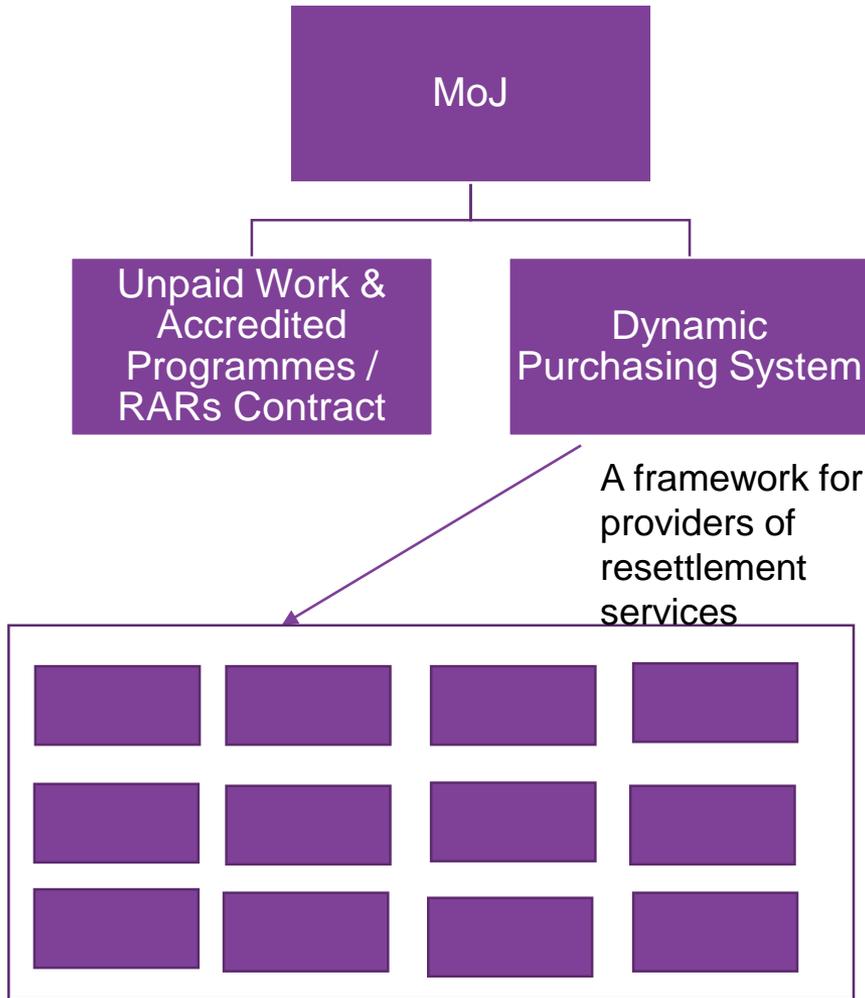
- **Features:**

- The Authority contracts for Intervention services separately
- The providers commits to delivering there specific services
- The providers subcontracts elements

- **Key considerations:**

- Attractiveness to market
- Market stewardship
- Attractiveness to VCS
- ISPA

Alternative model



• Features:

- A contract for Unpaid Work and Accredited Programmes – who could subcontract elements
- A framework for resettlement providers which could be based on specialism and / or locality
- Offender Managers calling off from the framework

• Key considerations:

- Attractiveness to market
- Market stewardship
- Attractiveness to VCS
- Local delivery v national requirements



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Next steps



Communications



- Market Engagement events will be held face-to-face in Wales from October onwards (Date TBC) and where possible, will accommodate remote access. Further communication to register for these events will be issued shortly.
- MoJ Commercial e-mail: probationcommercialteam@justice.gov.uk
- Main address: <https://www.gov.uk/government/organisations/ministry-of-justice>
- Clinks Event Registration: <https://www.clinks.org/events>



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Q&A



Important points to note

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:

- is not liable for any costs incurred by anyone who chooses to participate in this ME;
- may choose and/or be obliged to disclose information submitted to it as part of this ME. In particular please note MoJ is subject to the Freedom of Information Act 2000 (as amended) and the Public Contracts Regulations 2015 (as amended);
- 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.