



An updated response to: A thematic inspection of Post-release supervision for short-term prisoners: the work undertaken by Community Rehabilitation Companies (CRCs)

Report Published: 21<sup>st</sup> May 2019

Original Action Plan Submitted: 21<sup>st</sup> May 2019

Updated Action Plan Submitted: 15<sup>th</sup> May 2020

## INTRODUCTION

Her Majesty's Inspectorate of Probation is the independent inspector of youth offending and probation services in England and Wales. It reports on the effectiveness of probation and youth offending service work with adults and children.

In response to the report, HMPPS/MoJ are required to draft a robust and timely action plan to address the recommendations. The action plan confirms whether recommendations are agreed, partly agreed or not agreed (see categorisations below). Where a recommendation is agreed or partly agreed, the action plan provides specific steps and actions to address these. Actions are clear, measurable, achievable and relevant with the owner and timescale of each step clearly identified. Action plans are published on the HMI Probation website. Progress against the implementation and delivery of the action plans will be monitored by HMPPS/MoJ and reviewed annually by HMI Probation.

Term	Definition	Additional comment
Agreed	All of the recommendation is agreed with, can be achieved and is affordable.	The response should clearly explain how the recommendation will be achieved along with timescales. Actions should be as SMART (Specific, Measurable, Achievable, Realistic and Time-bound) as possible. Actions should be specific enough to be tracked for progress.
Partly Agreed	Only part of the recommendation is agreed with, is achievable, affordable and will be implemented. This might be because we cannot implement the whole recommendation because of commissioning, policy, operational or affordability reasons.	The response must state clearly which part of the recommendation will be implemented along with SMART actions and tracked for progress. There <b>must</b> be an explanation of why we cannot fully agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.
Not Agreed	The recommendation is not agreed and will not be implemented. This might be because of commissioning, policy, operational or affordability reasons.	The response must clearly state the reasons why we have chosen this option. There <b>must</b> be an explanation of why we cannot agree the recommendation - this must state clearly whether this is due to commissioning, policy, operational or affordability reasons.

## Context

In May 2019 HMIP published a report following their thematic inspection of the 'Post-release supervision for short-term prisoners: The work undertaken by Community Rehabilitation Companies (CRC's)'. The report stated, '*There is a growing body of evidence that the arrangements for the supervision of short-term prisoners are not working as intended*'. Consequently, HMIP made 11 recommendations in total for The Government Reducing Offending Board (3), The MOJ (3), HMPPS to work with HM Courts & Tribunals Service to (HMCTS) (2), The CRC's (2) and NPS (1) to improve the service delivered to this cohort.

Of the 11 recommendations, 7 were agreed, and 4 partly agreed, an action plan was produced in response to these and collectively we are rising to the challenge of responding effectively to HMIP's findings. Since May 2019 we have been working towards achieving the objectives in the action plan and this document summarises the progress made to date. For ease of reference, an overview has been provided. This is followed by a table showing the original action plan against each recommendation in shaded fields and an update of progress in plain cells. Actions have been implemented in the interests of short and longer-term improvement and in many cases, it will take time before the benefits for staff, service users and/or potential victims are fully realised. **The projected completion dates outlined will be reviewed in the light of Covid-19, and may be delayed.** Nevertheless, this action plan is a priority for all staff involved in the implementation of improvements and for their Senior Leaders at all levels in HMPPS. Effective communication will be critical and we will continue to work towards the objectives in the future, driving improved confidence and performance.

## Introduction

There is a growing body of evidence that the arrangements for the supervision of short-term prisoners are not working as intended. Our Through the Gate (TTG) inspections, conducted jointly with HMI Prisons (HMI Probation 2016, 2017), provided an early indication that pre-release work by CRCs was not improving immediate resettlement needs for prisoners. Our thematic report on enforcement and recall (HMI Probation, 2018), while based on a small sample, highlighted that the quality of case management and consequent decisions on enforcement of PSS was poor in CRCs. There is no national data or management information on how the new arrangements for PSS are working, and no systematic evaluation in train.

The Justice Select Committee has questioned whether the legislation has achieved what was intended. Changes to PSS are being considered following the MoJ consultation on the future of probation, '*strengthening probation, building confidence*'. Ministers have made it clear that they would like to see a reduction in the use of short-term imprisonment.

**HMIP decided upon a thematic inspection to shed light and help inform the development of resettlement services.**

ACTION PLAN: A thematic inspection of Post-release supervision for short-term prisoners: the work undertaken by Community Rehabilitation Companies (CRCs)

1. Rec No	2. Recommendation	3. Agreed/ Partly Agreed/ Not Agreed	4. Response Action Taken/Planned	5. Responsible Owner (including named individuals and their functional role or department)	6. Target Date
	<b>The Government Reducing Reoffending Board to:</b>				
1	Improve local commissioning arrangements and provide sufficient substance misuse and mental health services for people released from prison.	Partly Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>This recommendation has been partly agreed as it is directed at the cross-Government 'Reducing Reoffending Board'. Whilst the MoJ, through the Secretary of State for Justice, may bring matters to the Board's attention, it has no direct control over the agenda taken forward by the Board.</p> <p>In Wales Her Majesty's Prison &amp; Probation Service (HMPPS) and the South Wales Police &amp; Crime Commissioner jointly commission a psychosocial service which acts as a broker between clinical provision in custody and the community. The contract provider works with the Probation Officer at the Sentence Planning stage, to ensure that access to services such as mental health is prioritised and sequenced accordingly.</p> <p>In the Criminal Justice System (England), health services are commissioned in custody by NHS England and by Clinical Commissioning Groups (CCGs), local authorities and Public Health England in the community. In Wales, health services (including substance misuse and mental health) are devolved to the Welsh Government, which allocates funding to Area Planning Boards.</p>		

		<p>The Ministry of Justice (MoJ) recognises that the commissioning structures of offender health services between custody and community are highly complex – with different geographical structures and separate agencies having responsibilities within custody and the community. It is committed to working with health partners to help ensure that vulnerable offenders are able to have a smooth transition back into the community and have access to the health services they need. This will be developed by:</p> <ul style="list-style-type: none"> <li>Supporting access to, and continuity of care through, the prison estate, pre-custody and post-custody into the community is one of the three core shared objectives of the National Partnership Agreement (NPA) for Prison Healthcare in England, which health and justice partners (MoJ, Department of Health &amp; Social Care [DHSC], Her Majesty’s Prison &amp; Probation Service [HMPPS], NHS England and Public Health England) are working together to deliver. The NPA workplan sets out the actions (along with owners and timescales) against which its objectives are to be delivered.</li> <li>Public Health England have produced a continuity of care toolkit in August 2018 to support prison healthcare teams and community-based substance misuse services to improve engagement in treatment after release. HMPPS are working with PHE to implement this toolkit across the regions with regular reviews.</li> <li>There is a commitment in the NHS Long Term Plan to develop a care after custody service, ‘RECONNECT’, to engage and support more people after custody. The MoJ is working with the NHS to take this forward.</li> <li>MoJ is working with the DHSC, NHS England and Public Health England to establish the new Health and Justice Information Service to link prison healthcare systems to healthcare systems in the community. This will enable the sharing of GP-to-GP patient records when offenders leave prison, thereby supporting information exchange with community-based providers and support continued</li> </ul>	<p>Deputy Director, Vulnerable Offenders Team (VOT)</p> <p>Deputy Director, VOT</p> <p>Deputy Director, VOT</p> <p>Deputy Director, VOT</p>	<p>On-Going, workplan covers 2018-2021</p> <p>March 2020</p> <p>March 2021</p> <p>March 2020</p>
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			<p>treatment 'Through the Gate'. The first phase of this work will seek to link existing records to the NHS Spine.</p> <ul style="list-style-type: none"> <li>The National Probation Service (NPS) is in the final stages of publication of the NPS Health and Social Care Strategy 2019-2022. One of the three core commitments of the strategy are to work with health and justice partners to improve continuity of care, which includes increasing the uptake of substance misuse treatment in the community post-release.</li> </ul>	NPS Divisional Director with Health Portfolio	December 2019
			<p><b><u>Update (May 2020)</u></b></p> <p>Since our previous response to this report, the Reducing Reoffending Board was replaced in July 2019 with a new Cabinet Committee structure. The Ministry of Justice continues to work across government using an evidence-based approach to tackle the causes of reoffending.</p> <ul style="list-style-type: none"> <li>Health and justice partners continue to work together to address the shared objectives set out in the National Partnership Agreement - <a href="#">NPA for Prison healthcare</a>.</li> </ul> <p><a href="#">The Advisory Council for the Misuse of Drugs (ACMD) report on Custody to Community Transitions</a> was published on 12 June 2019 and the <a href="#">Government response to the report was published on 24 October 2019</a>. In October 2019 Minister Frazer agreed to be the lead Minister and for the MoJ to be the lead department on custody to community transitions as per recommendation 1 of the ACMD report. We will continue to work with health and justice partners and other government departments, to take the recommendations within the report forward.</p> <ul style="list-style-type: none"> <li>As part of the Drug Recovery Prison (DRP) pilot at HMP Holme House, a Connecting Communities Team has been established to aid the transition of prisoners from custody to the community and</li> </ul>	Deputy Director, VOT	Ongoing
			<ul style="list-style-type: none"> <li>As part of the Drug Recovery Prison (DRP) pilot at HMP Holme House, a Connecting Communities Team has been established to aid the transition of prisoners from custody to the community and</li> </ul>	Deputy Director, VOT	Ongoing

			<p>help to ensure that recovery continues post-release. Already learning from this initiative has been essential in setting up the Reconnect service proposed by NHS England as part of their Long-Term Plan. Until the impact evaluation of the DRP reports in 2023, it is not possible to attribute outcomes directly to the DRP pilot or any specific aspect of it.</p> <p>The “RECONNECT” project, which aims to support prisoners with complex health and addiction issues on release into community provision, has commenced its regional pilot programme stage. The MoJ continues to work with the NHS to take this forward.</p> <ul style="list-style-type: none"> <li>• Work between the MOJ and the DHSC, NHS England and Public Health England continues, and is ongoing, to establish the new Health and Justice Information Service to link prison and community healthcare systems.</li> <li>• <a href="#">The NPS Health and Social Care Strategy was published in June 2019.</a></li> </ul> <p>As of January 2020, each NPS Division now has an agreed Health and Social Care Action Plan to operationalise the overall strategy. Each of these action plans includes a specific section on substance misuse. However, it is worth noting that the strategy was drafted for the National Probation Service prior to the announcements that NPS would take responsibility for the management of all offenders. Therefore, the strategy does not explicitly cover the specific needs of short-term prisoners supervised by CRCs now, although there is CRC representation on the current NPS Health Lead’s Group, which oversees the strategy ensuring a link on key developments, ideas and best practice.</p>	<p>Deputy Director, VOT</p> <p>NPS Divisional Director with Health Portfolio</p>	<p>Ongoing</p> <p>Completed</p>
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2	Reduce the barriers to accessing Universal Credit for relevant prisoners at the point of release.	Partly Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>This recommendation has been partly agreed as it is directed at the cross-Government ‘Reducing Reoffending Board’. Whilst the MoJ, through the Secretary of State for Justice, may bring matters to the Board’s attention, it has no direct control over the agenda taken forward by the Board.</p> <p>The Ministry of Justice (MoJ) agrees that offenders should have prompt access to the benefits to which they are entitled on the day of release. Its Education and Employment strategy, published in May 2018, set out how it would “work with the Department for Work and Pensions (DWP) to explore ways to deliver enhancements to the current benefit claim process so that ex-prisoners have easier access to financial support on the day of release where needed”. Since the launch of the strategy, the MoJ has worked closely with DWP to improve the process to access Universal Credit, building on the pilots in HMPs Belmarsh, Wayland and Norwich.</p> <p>MoJ is undertaking internal work, which is at early stages, to improve access to ID and Bank Accounts, which are known to be key enablers of access to Universal Credit, as well as wider reducing reoffending goals such as accommodation and employment.</p>	MoJ Director General for Policy, Communications and Analysis	Autumn 2019
			<p><u>Update (May 2020)</u></p> <p>Since our previous response to this report, the Reducing Reoffending Board was replaced in July 2019 with a new Cabinet Committee structure. The Ministry of Justice continues to work across government using an evidence-based approach to tackle the causes of reoffending.</p> <ul style="list-style-type: none"> <li>In July 2019, we committed to ongoing collaboration with DWP through the publication of our <a href="#">National Partnership Agreement</a>,</li> </ul>	MoJ Director General for	Ongoing



			<p>which sets out clear roles and responsibilities for each department in getting prisoners into work and access to benefits. DWP are also running several new pilots which will help inform the ways in which we can improve the transition from prison to release and claiming Universal Credit. The pilots commenced last year, and the MOJ will continue to work with DWP for as long as is deemed necessary to improve access to Universal Credits.</p> <ul style="list-style-type: none"> <li>MoJ continues to progress work to improve access to ID and Bank Accounts, which are known to be key enablers of access to Universal Credit, as well as wider reducing reoffending goals such as accommodation and employment. This work is currently linked to the ongoing offending review, and will be dependent upon securing appropriate funding.</li> </ul>	Policy, Communications and Analysis	Ongoing
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3	Develop a national strategy for the provision of appropriate accommodation for those under probation supervision and in need.	Partly Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>This recommendation has been partly agreed as it is directed at the cross-Government ‘Reducing Reoffending Board’. Whilst the MoJ, through the Secretary of State for Justice, may bring matters to the Board’s attention, it has no direct control over the agenda taken forward by the Board.</p> <p>The Ministry of Justice Single Departmental plan, published in early 2018, committed to helping ‘offenders secure suitable accommodation on release from prison by implementing our accommodation strategy’. This commitment arose from the proposals articulated within the <a href="#">Prison Safety &amp; Reform White Paper</a> and was intended to</p>	Deputy Director Reducing Reoffending	Completed
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		<p>demonstrate the MoJ's commitment towards tackling this major contributory factor to recidivism.</p> <p>As part of the preparatory work to develop the Ministry of Housing, Communities and Local Government (MHCLG) Rough Sleeping Strategy, MoJ collaborated with the Reducing Reoffending Third Sector Advisory Group (RR3): the proposals identified for supporting offenders were incorporated into the strategy.</p> <p>MHCLG published the <a href="#">Rough Sleeping Strategy Delivery plan</a> in December 2018, which set out how government intends to deliver the commitments made in the strategy, together with an update on progress so far, further information including key milestones and information on next steps.</p> <p>In Wales HMPPS have agreed to co-fund a post with the Welsh Government to enhance responses to homelessness amongst the offender population. The Homelessness Pathway will also be refreshed to ensure appropriate partnership working between HMPPS in Wales, the Welsh Government and Welsh Local Authorities.</p>		<p>Completed</p> <p>Ongoing</p> <p>Ongoing</p>
		<p><b><u>Update (May 2020)</u></b></p> <p>Since our previous response to this report, the Reducing Reoffending Board was replaced in July 2019 with a new Cabinet Committee structure. The Ministry of Justice continues to work across government using an evidence-based approach to tackle the causes of reoffending.</p> <p>HMPPS are developing a policy framework for accommodation provision, detailing information on best practice and respective roles and responsibilities for all CJS partners, due to be published in July 2020. MoJ &amp; Ministry of Housing, Communities and Local Government (MHCLG) have jointly delivered the Offender</p>	<p>Deputy Director Reducing Reoffending</p>	<p>*July 2022</p>

			<p>Accommodation pilot in three prisons (Leeds, Bristol &amp; Pentonville), which aims to provide accommodation and wrap around support. The pilot will conclude in July 2022 and subject to evaluation, will be rolled out nationally across England &amp; Wales.</p> <p>HMPPS currently operates an Accommodation leads forum, which meets quarterly and is chaired by the Head of Contract Services Delivery Unit Going forward, the HMPPS Silver Accommodation structure was introduced to support the COVID response, will be incorporated into the Accommodation leads structure to provide effective overarching governance across HMPPS.</p> <p><a href="#">The Ministry of Justice Single Departmental updated plan, published in June 2019</a>, committed to working with the MHCLG to 'increase the number of offenders who enter stable accommodation on release from prison'. This reflects the MoJ's ongoing commitment towards tackling this major contributory factor to recidivism.</p> <p>HMPPS Wales and Welsh Government have been piloting an accommodation model in the Rhondda to contribute towards longer term investment into accommodation provision. The funding from the Welsh Government was secured from September 2019 to launch the pilot, and a further 12 months of funding has now been secured. The pilot provides those who leave prison with a housing need with tailored floating support and assists with finding housing. The findings from this pilot will be combined with the learning from the Offender accommodation pilots to design a longer-term solution for supporting offenders into accommodation.</p>		<p>Completed and Ongoing</p> <p>Ongoing</p> <p>*September 2020</p>
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	The MoJ to:				
4	Pilot alternatives to custody for short-term prisoners, including supported accommodation, mental health and substance misuse treatment and, where appropriate, the use of modern monitoring technologies.	Agreed	<p><u>Original Action Plan (May 2019)</u></p> <ul style="list-style-type: none"> <li>The Ministry of Justice are looking at options to restrict the use of short custodial sentences, but have not at this stage reached any conclusions. MoJ wants to make sure that both the public and judiciary have confidence in non-custodial sentences, and are keen to learn from existing approaches that provide alternatives to custody, such as the Intensive Community Order operated by partners across Greater Manchester.</li> <li>MoJ has developed a protocol with the Department of Health and Social Care, NHS England and Public Health England which supports greater use of community sentences with mental health, alcohol and drug treatment requirements, including as an alternative to a custodial sentence. This is now being piloted across 5 magistrates' courts, and the NHS Long Term Plan, published in January 2019, includes a commitment by NHS England to build on these pilots. Decisions on how the use of the protocol could be extended will be made in due course by the Community Sentence Treatment Requirement (CSTR) Programme Board, based on the six-month evaluation of the test bed sites.</li> <li>MoJ has successfully piloted the use of satellite enabled (GPS) location monitoring (as an addition to the Radio Frequency technology used to monitor curfews). <a href="#">An independent evaluation was published on 16 February 2019</a>, and lessons learned, particularly around staff training and awareness and supporting subjects to successfully comply with their monitoring, are informing how to use the GPS capability which continues to be rolled out.</li> </ul>	<p>Deputy Director, Probation Policy</p> <p>Deputy Director, VOT</p> <p>Director, Policy, Communications and Analysis Group</p>	<p>March 2020</p> <p>July 2019</p> <p>Commenced November 2019</p>

		<ul style="list-style-type: none"> <li>MoJ has supported two Alcohol Abstinence Monitoring Requirement (AAMR) pilots where compliance with abstaining from alcohol was electronically monitored, and the independent evaluations of these pilots will inform the recommendations that the MoJ makes regarding next steps.</li> </ul>	Director, Policy, Communications and Analysis Group	March 2020
		<p><b><u>Update (May 2020)</u></b></p> <ul style="list-style-type: none"> <li>We continue to consider how to strengthen community sentences so they provide an effective alternative to custody. In the Queen’s Speech in December 2019 the Government announced that it would be bringing forward new sentencing legislation. Although we have no plans to end short term prison sentences, we are looking at, tougher community sentences which offer the right level of punishment, while tackling the underlying drivers of offending including alcohol or drug misuse, or mental health issues.</li> <li>The Community Sentence Treatment Requirement (CSTR) Programme is currently operating in courts across eleven areas in England – these are Milton Keynes, Northampton, Birmingham, Plymouth, Sefton, Bedford, Manchester, Peterborough, London, Essex and the Black Country. Further sites are expecting to go live later in 2020. The rollout of this programme is ongoing, as per NHS England and Improvement’s Long-Term Plan (Jan 2019) which included a commitment to expand the Programme, particularly to include more female and short-term offenders, and those with a learning disability, or mental health and additional requirements.</li> </ul> <p>A process evaluation for the CSTR Programme (June 2019) showed that:</p>	<p>Deputy Director Sentencing Policy Lead</p> <p>Deputy Director, VOT</p>	<p>Ongoing</p> <p>Ongoing</p>

			<ol style="list-style-type: none"> <li>1. the testbed sites resulted in a significant 250% increase in the number of offenders being diverted towards mental health treatment programmes in the community, over an 18-month period.</li> <li>2. 80% of CSTRs were sentenced on the day, offering offenders treatment without adjournments or delays.</li> <li>3. just 8% of offenders who received a CSTR through the Programme failed to comply with their requirements - five per cent lower than the national average of 13%.</li> <li>4. the Programme provided a clearer pathway for the use of mental health treatment requirements.</li> </ol> <ul style="list-style-type: none"> <li>• Roll out of satellite enabled location monitoring for adults was completed in England and Wales in September 2019, and in March 2020 it was also rolled out for Young People. Location monitoring augments the curfew monitoring capability providing additional assurance with community sentence requirements.</li> <li>• Independent evaluations from the two Alcohol Abstinence Monitoring Requirement (AAMR) pilots have informed the recommendations that the MoJ has made regarding next steps. Legislation, is required for the roll out of AAMR to courts in England and Wales, this will come into force in 19<sup>th</sup> May 2020. The roll out of this new community sentence requirement will begin in October – December 2020 and take around 12 months. The requirement may be imposed where the offence or associated offence is alcohol related. AAMR bans alcohol for up to 120 days and compliance is electronically monitored. It may not be imposed where the offender is alcohol dependent or alongside an Alcohol Treatment Requirement (ATR).</li> </ul>	<p>Director, Policy, Communications and Analysis Group</p> <p>Director, Policy, Communications and Analysis Group</p>	<p>Completed</p> <p>*December 2021</p>
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5	Consider developing a clear and accountable mechanism, informed by professional judgement, that could allow reporting on PSS to be suspended where services are not required.	Agreed	<u>Original Action Plan (May 2019)</u> Building on the existing Professional Judgement Toolkit available to the NPS, and the systems in place for suspension of supervision for individuals subject to Life sentences, the feasibility, risks and impacts of developing a mechanism for suspension of Post Sentence Supervision (PSS) reporting will be evaluated by the end of Quarter 2 2019/2020. This work will be undertaken by the Effective Probation Practice Group in collaboration with colleagues from across MoJ.	Effective Probation Practice Group	September 2019
			<u>Update (May 2020)</u> The Probation Reform Programme undertook this piece of work, and have included guidance within <a href="#">The Target Operating Model</a> , which was published in March 2020 (pg77 attends to the work area of suspending supervision for suitable people on PSS). Both Life licence revocation FAQs and suspending supervision on PSS are covered on the NPS process management system (EQUIP) - professional judgement and amendment of orders, licences or post sentence supervision. Lifer panels will be addressing any suspension of reporting for this group of people.	Effective Probation Practice Group	Completed
6	Review the suitability of the sanctions available for breaches of PSS and consider alternatives that enhance the	Agreed	<u>Original Action Plan (May 2019)</u> The Justice Secretary has set out the case to abolish sentences of six months or less, with some exceptions. The MoJ is exploring options to restrict the use of short custodial sentences, but has not at this stage reached any conclusions. The question of post-release and post-sentence supervision necessarily forms part of any reform of the use of short sentence and the MoJ will consider the case for changes to	Head of Custodial Sentencing Policy	March 2020

	purpose of rehabilitation.		post-sentence supervision in light of the wider work surrounding short sentences.		
			<p><b><u>Update (May 2020)</u></b></p> <p>As part of work within the Probation Reform Programme to design the operating model for the new system, we are looking at ways in which the existing regime can be made more proportionate and effective within the existing legal framework. Where, for example, an offender is low risk and is making good progress with their rehabilitation and they do not require intensive supervision, we are looking to implement a process whereby face-to-face contact can be suspended and oversight undertaken by telephone. This would make supervision more proportionate and targeted at those with the greatest need. Other changes we are considering include strengthening sentence planning by the Responsible Officer pre-release for both license and PSS, with the focus for PSS solely on rehabilitation.</p>	Deputy Director, HMPPS Probation Reform Programme	Ongoing

	<b>HMPPS to work with HM Courts &amp; Tribunals Service (HMCTS) to:</b>				
7	Ensure that comprehensive pre-sentence reports are prepared where imprisonment is being considered.	Partly agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>This recommendation can only be partly accepted as there are policy and operational reasons which render some aspects beyond the control of either Her Majesty's Prison &amp; Probation Service (HMPPS) or Her Majesty's Court &amp; Tribunals Service (HMCTS). Whilst both agencies can seek to influence the judiciary and their decision making about sentencing, ultimately the independence of sentencers is a</p>		



		<p>basic principle within the criminal justice system. Should they wish to proceed to sentence people who appear before the courts without a pre-sentence report (PSR) it is their right to so do. However, the ambition for HMPPS is to work with HMCTS to improve the quality of advice to courts and to do this it intends to;</p> <ul style="list-style-type: none"> <li>• Continue to work with the Sentencing Council to update the Guidance for sentencers on circumstances where a pre-sentence report is “unnecessary”, to reduce sentences being passed without reports especially where a short custodial sentence is being considered.</li> <li>• HMPPS will work with the Senior Judiciary to review the requests for pre-sentence reports with a view to issuing a Practice Direction specifying more clearly when it is appropriate to request a report.</li> <li>• HMPPS to work with HMCTS who are considering communications/guidance around timeliness targets with a view to ensuring that court staff understand that in certain cases adjournment may be desirable to enable high-quality PSRs to be provided which address likely complex needs.</li> <li>• HMPPS will work with the NPS to consider the potential to re-balance resources to ensure that court presence and high-quality advice will be available for complex cases especially where there is a risk of short term imprisonment.</li> <li>• HMPPS will work with the NPS to pilot the provision of fuller reports on complex cases especially where there is a risk of short term custody and to implement further if this proves to positively impact on sentencing outcomes.</li> </ul>	<p>Deputy Director, Effective Probation Practice (EPP)</p> <p>Deputy Director, EPP</p> <p>Chief Probation Officer</p> <p>Chief Probation Officer</p> <p>Chief Probation Officer</p>	<p>December 2019</p> <p>December 2019</p> <p>March 2020</p> <p>March 2020</p> <p>March 2020</p>
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		<ul style="list-style-type: none"> <li>HMPPS are reviewing sentence training and liaison arrangement to drive improvements in the provision of timely information on services available in local areas and the effectiveness of interventions in the community to increase sentencer confidence.</li> </ul>	Executive Director (Wales)	March 2020
		<p><b><u>Update May 2020</u></b></p> <p>This recommendation has been addressed as part of a wider policy review commissioned by the Lord Chancellor, who requested a review into the decline in volumes of PSRs requested and adjournments for advice to courts. This review concluded in the Autumn 2019.</p> <p>Following the review, the MoJ will be publishing a statement of purpose for pre-sentence reports as part of the department's Sentencing White Paper. In addition, further work is underway by MoJ and HMPPS to scope options for piloting alternative delivery models of PSRs to improve outcomes for offenders and maintain the efficient administration of justice, by striking the right balance between targeting the delivery of PSRs for offenders that need them and not unnecessarily delaying the court process.</p> <p>The decision as to whether a PSR is requested in court lies with the Judiciary. NPS will take a systematic approach to improving sentence confidence and use of the PSR in court. We are raising the profile of the value of PSR via increased communication with the judiciary, increased liaison with HMCTS, provision of training via the judicial college and plans for additional training for court staff on increasing confidence and profile in the court room.</p> <p>Work was undertaken in partnership with the Judicial Office to explore the need for further guidance on when it is necessary to request a PSR. The proposal was drafted and submitted to the Senior Presiding</p>	Deputy Director Probation Courts	<p>Completed</p> <p>Ongoing</p> <p>Ongoing</p> <p>Completed and Ongoing</p>

		<p>Judges (SPJ's) office, but declined following due consideration and concluded that a further practice direction was not required.</p> <p>This work was drafted but has been paused following the Implementation unit ministerial Commission to undertake a Deep Dive into the decline in PSR's. As part of the Implementation Unit (IU) Deep Dive recommendations, the Purpose of the PSR has been captured and drafted for ministerial approval. MoJ Probation Policy are working with HMCTS to agree the actions required to achieve the purpose.</p> <p>The Probation Reform Programme has increased its ambition of the future design and resourcing of court delivery to better resource the use of complex reports. This work is underway with the Target Operating Model scheduled for September 2020.</p> <p>A Judicial Charter has been produced to improve liaison and engagement between HMPPS and the judiciary. Effective Probation Practice (EPP) are delivering training to all 400 circuit Judges and recorders across England and Wales in 2020 (140 have already received this training). We are also working with HMCTS to refresh and revise the magistrates training package.</p> <p>Probation Deputy Directors attending Regional Leadership Magistrates Group (RLMG) meetings at least bi-annually to provide updates on performance and local news and respond to any local concerns. Additionally, there is attendance at other regional meetings which will increase visibility and confidence.</p> <p>Probation Deputy Directors send personalised quarterly updates to Judges and Magistrates within their divisions, updating them on key local issues on behalf of HMPPS, to align with quarterly RLMG meetings.</p> <p>There is support training and shadowing opportunities in NPS Divisions and future regions for all appropriate judicial office holders,</p>		<p>*September 2020</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>
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			in both community and custodial settings, which will also be introduced?		
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8	Collect data to analyse and assess outcomes for post-sentence supervision for all, and for those subject to short sentences.	Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>Proven Adult Reoffending is published for Offenders sentenced to (&lt;12mths) and (≥12mths to &lt;24mths). While Offenders subject to Post Sentence Supervision (PSS) are not explicitly reported in this dataset, it is reasonable to expect that the majority of short-sentenced offenders in the 2017 data were sentenced under the Offender Rehabilitation Act (ORA) and therefore subject to Post Sentence Supervision. There is no current measure of reoffending that considers only offences committed in the period that an offender is subject to a specific type of supervision.</p> <p>Sentences with Post Sentence Supervision are recorded distinctly and can be analysed separately in all MoJ standard datasets. Data on PSS periods in isolation from the associated Licence Period and specific outcomes in a PSS period are recorded in the case management system. In cases where a PSS period is running concurrently to a Licence period, current recording considers only the Licence – failure to comply with Licence and/or PSS conditions in these cases would typically result in recall to custody rather than breach action for the PSS period, so a PSS failure would not occur.</p> <p>As outlined above data is recorded by providers to enable analysis and reporting on the completion of PSS periods and PSS breaches. Data is held on whether an offender had a Supervision Default Order (SDO) imposed and whether or not this was breached, resulted to committal to custody or was successfully completed. Equalities data is recorded well at offender level. Data is also held on accommodation and employment outcomes for offenders completing PSS. Providers can</p>		
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		<p>utilise Management Information reports to undertake local level analysis.</p> <p><u>Key Actions:</u></p> <ul style="list-style-type: none"> <li>• Outcomes in respect to offender accommodation and accommodation circumstances on release from custody 2018/19 will be published in July 2019, including by sentence length – as for reoffending data, the majority of custodial sentences under 24mths will be offenders with PSS supervision. Data was also published for 2017/18 accommodation outcomes in July 2018. MoJ will provide breakdowns for those on sentences of under 24 months where the data meets quality standards on an annual basis.</li> <li>• Performance measures are also published on offenders who successfully complete their Licence and PSS period, but due to the construction of the current performance frameworks it is not possible to separate out data for those on short sentences. A review of the utility of separate measures for PSS Compliance will be considered and report to the Probation Performance Committee.</li> <li>• Additional resources would be required to write reports, develop new measures, analyse the data and monitor outcomes for all the other data held (as above). Following the afore mentioned review Probation Performance Committee will assess the conclusions reached and agree whether to submit a business case to secure additional resource.</li> </ul>	<p>Head of Performance Analytics and Contract Management, Prison &amp; Probation Analytical Services (PPAS)</p> <p>Head of Performance Analytics and Contract Management, PPAS</p> <p>Deputy Director, EPP</p>	<p>July 2019</p> <p>December 2019</p> <p>March 2020</p>
		<p><u>Update May 2020</u></p> <p>Data on accommodation and employment circumstances for offenders for the period up to 2018/19 was published on 25 July 2019, and can</p>	<p>Head of Performance Analytics and</p>	<p>Completed</p>

		<p>be located at: <a href="http://www.gov.uk/government/statistics/community-performance-quarterly-update-to-march-2019">www.gov.uk/government/statistics/community-performance-quarterly-update-to-march-2019</a>.</p> <p>This data shows accommodation status for offenders on the first night of release from custody and at the start of community sentences and employment status for offenders six weeks post-release with breakdowns available by sentence length (under 12-month, 12-24 month and 24+ months).</p> <p>Focus has shifted to developing the future performance framework for the Unified Model transitioning during 2021. This aims to create a balance both in terms of holding probation to account against a manageable number of measures, and introducing an increased focus on service quality. As such, separate performance measures for specific service user cohorts have not been considered, however the future performance framework will be complimented with additional management information underpinning key measures:</p> <ul style="list-style-type: none"> <li>• Pre-Sentence Report(PSR) completion for short custodial sentences</li> <li>• Timely sentence plan completion for short custodial sentences</li> <li>• Contact levels for service user cohorts (Inc. Post sentence Supervision periods)</li> <li>• Services delivered for service user cohorts (Inc. Post sentence Supervision periods) under future Probation Delivery Partner and Dynamic Framework contracts</li> </ul> <p>In addition, new enforcement and sentence delivery audits will monitor compliance activity and outcomes. While these will not be reported separately for Post Sentence Supervision cases, over time these audits will build a sufficient volume of results to enable analysis to be conducted across a variety of service user cohorts.</p> <p>Management information has already been implemented tracking the rate of short-term custody for female service users, and a wider piece of analysis has been commissioned to examine the effectiveness of</p>	<p>Contract Management, PPAS</p>	
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			<p>the PSR process which will also focus on short custody sentences and outcomes.</p> <p>The Unified Model and associated performance assessment for those on post sentence supervision will be managed within existing resources.</p>	Deputy Director, EPP	Completed
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	The CRCs to:				
9	Make sure that arrangements are in place so that responsible officers receive and exchange information, in individual cases, from local drug and alcohol services.	Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>Information Sharing Agreements with local substance misuse providers are in place in all CRCs but it is recognised that these are not consistently applied and that communication is often dependent upon local working relationships. The HMPPS CRC Contract Management team (CMT) will:</p> <ul style="list-style-type: none"> <li>• Ensure CRCs are aware of the recently issued guidance from Public Health England (2018) to improve arrangements for exchanging information.</li> <li>• Require CRCs to review their current arrangements with local strategic partners to check they comply with the new guidance.</li> <li>• Brief CRCs on the soon to be issued template to support the development of a Service Level Agreement between providers of probation and treatment services. Where required, CRCs will be encouraged to put a similar SLAs in place and Senior Contract Managers will monitor this through existing contract management mechanisms.</li> </ul>	<p>HMPPS Contract Management Team (CMT)</p> <p>HMPPS CMT</p> <p>HMPPS CMT</p>	<p>July 2019</p> <p>September 2019</p> <p>September 2019</p>

		<ul style="list-style-type: none"> <li>• With the support of the HMPPS Health, Social Care and Substance Misuse Services Group, develop a compliance tool to check that information sharing in CRCs meets the requirements outlined above.</li> </ul>	HMPPS CMT	December 2019
		<p><b><u>Update May 2020</u></b></p> <p>Information Sharing Agreements (SLA's) with local substance misuse providers is still a work in progress which will be completed by November 2020, ensuring that all CRCs consistently apply SLA's utilising an agreed template. The HMPPS CRC Central Contract Management team (CCMT) will:</p> <ul style="list-style-type: none"> <li>• Ensure CRCs are aware of the recently issued guidance from Public Health England (2018) to improve arrangements for exchanging information.</li> <li>• Require CRCs to review their current arrangements with local strategic partners to check they comply with the new guidance.</li> <li>• Conduct a review of information sharing and exchange arrangements as part of compliance and assurance work.</li> <li>• Work with CRCs to develop and initiate Service Level Agreements (SLA's) between probation and treatment services, utilising a standardised and agreed template and for these to be monitored by Senior Contract Managers through existing contract management mechanisms.</li> <li>• With the support of the HMPPS Health, Social Care and Substance Misuse Services Group, develop a compliance tool</li> </ul>	HMPPS CMT	*November 2020



			to check that information sharing in CRCs meets the requirements outlined above.		
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10	Ensure work is well targeted and sequenced, with continuity of responsible officer and relationships geared to each individual, so far as possible.	Agreed	<p><u>Original Action Plan (May 2019)</u></p> <ul style="list-style-type: none"> <li>The implementation of the Enhanced Through the Gate (ETTG) specification has allowed for significant investment in CRC resettlement services. CRCs will be expected to deliver a more individualised service both in custody and on release, with work appropriately sequenced and clear outcomes evidenced. The CMT will implement compliance reporting through existing contract management mechanisms.</li> <li>HMPPS Operational &amp; System Assurance Group (OSAG) will check compliance against the new ETTG specification including that work is targeted and sequenced appropriately, through the completion of community audits.</li> <li>Through existing contract management mechanisms CRCs are being encouraged by Contract Managers to minimise changes in Responsible Officers (RO) and to recognise that continuity in the RO/offender relationship is critical. This has been identified in a number of CRC HMIP Annual inspections and is being monitored by CRCs as part of the Action planning process.</li> </ul>	HMPPS CMT	July 2019
			<p><u>Update (May 2020)</u></p> <p>The enhanced TTG service has been successful in delivering a much improved and individualised service. Contract Management Teams have carried out monthly assurance looking at sequencing in addition to</p>	Operational & Systems Assurance Group (OSAG)	December 2019
				HMPPS CMT	July 2019
				HMPPS CMT	Completed

		<p>broader compliance activities, to report on the implementation of the strategy. This feeds into the overall evaluation.</p> <p>OSAG carried out five Through the Gate audits during the Autumn of 2019. The purpose of which was to establish if service users had received services that met their resettlement needs to ensure their successful resettlement following release from custody in line with the new Enhanced Through the Gate specification.</p> <p>OSAG Key Lines of Enquiry (KLOEs) encompassed whether resettlement needs were identified and addressed appropriately and, where appropriate, were immediate resettlement needs met? OSAG established whether pre-release planning and an enhanced service was delivered during the last 12 weeks of a custodial sentence and if there were effective links between the community and prison-based CRC staff. A summary report based on findings was published on the 27<sup>th</sup> April 2020, recommendations and subsequent actions will be subject to ongoing reviews.</p> <p>CMTs have worked with CRCs to focus on maintaining continuity of reporting officers. This has been challenging as staff attrition and restructuring have all impacted the availability of a consistent staff group. The importance of this recommendation remains a high priority and will be closely monitored by CMT.</p>	OSAG	Completed
			OSAG	Ongoing
			HMPPS CMT	Ongoing

	<b>NPS divisions to:</b>				
11	Work with HMCTS to avoid delays in	Agreed	<p><u>Original Action Plan (May 2019)</u></p> <p>Work is ongoing nationally and divisionally to reduce delays in listing breach applications. Listing times are monitored with most magistrate's</p>		

listing breach applications.	<p>courts listing within one to four weeks and crown courts within two to four weeks. South East &amp; Eastern Division (Magistrates) and London Division (Crown) have longer waiting times with cases taking up to eight weeks for a listing date.</p> <p><u>Key actions to reduce delays in listing breach applications:</u></p> <ul style="list-style-type: none"> <li>• Performance monitored monthly at National Enforcement Group – Sub group of the National Court Strategy Group.</li> <li>• Implementation of Libra (Court Information Management System) Protocol which streamlines the breach process through allocating Libra rights to NPS administrators</li> <li>• Escalation to National Heads of Crime Group.</li> <li>• Local liaison via NPS Divisional Court Leads and Heads of Crime.</li> <li>• A request will be made to place listing delays on the Better Case Management/Transforming Summary Justice National Implementation Team agenda for performance monitoring.</li> </ul>	Deputy Director, EPP	May 2019
	<p><u>Update (May 2020)</u></p> <p>NPS worked with HMCTS to test, pilot and roll out direct Libra listing at magistrate’s court to streamline the listing process. Delays still exist based on HMCTS local capacity, but have been reduced. Work is close to completion on a similar Digital Court Store (DCS) listing process for crown court breaches which is scheduled for roll out in Q3 2020/21.</p>	Deputy Director Probation Courts	*March 2021

		<p>Work between HMCTS and HMPPS was undertaken and on a national and divisional level to limit the delay in the listing of breach applications, this work is continuing, however it is subject to capacity within the Courts.</p> <p>Escalation work to the National Heads of Crime Group has been completed.</p> <p>Local liaison via NPS Divisional Court Leads and Heads of Crime has also been completed, and is ongoing.</p> <p>Due to work on the Libra listing and DCS pilot, HMPPS did not identify an ongoing need to monitor performance centrally.</p>		<p>Ongoing</p> <p>Completed</p> <p>Completed and Ongoing</p> <p>Completed</p>
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