



HM Prison & Probation Service

Phil Cople
Director General of Prisons
HM Prison and Probation Service
8th Floor Ministry of Justice
102 Petty France
London SW1H 9AJ

Email: DirectorGeneralPrisons@justice.gov.uk

Amy Rees
Director General of Probation and Wales
HM Prison and Probation Service
3rd Floor Churchill House
Churchill Way
Cardiff CF10 2HH

Email: DirectorGeneralProbation@justice.gov.uk

Helen Davies HM Assistant Chief Inspector of Probation

1st Floor
Manchester Civil Justice Centre
1 Bridge Street West
Manchester
M3 3FX

18 December 2020

Dear Helen,

THEMATIC INSPECTION OF THE MANAGEMENT AND SUPERVISION OF MEN CONVICTED OF SEXUAL OFFENCES

Introduction

We take our responsibility to protect the public from the increased risk posed by those convicted of sexual offences extremely seriously and have taken steps to respond to the gaps identified in your thematic inspection report. In 2019, we published an action plan explaining how we will strengthen and improve management of those convicted of sexual offences, and we updated you on progress we had made on delivery of the action plan in October 2019 and April 2020. In line with your subsequent request, this letter provides a further update on the outstanding actions, as well as outlining some of the effects that the current pandemic has had on the delivery of the action plan.

A. Consultation and launch of position paper

Working across Her Majesty's Prison and Probation Service (HMPPS) a 'position paper' with regards to rehabilitation of individuals convicted of sexual offences has been developed, setting out and clarifying our approach to this work, and describing what should be done in probation and prisons. The paper does not contain any new requirements, rather it brings together existing ones to advise prisons and probation of what is in place to support the management of this group, as well as clarifying the HMPPS approach to rehabilitation.

The Reducing Reoffending, Partnerships & Accommodation Directorate have consulted with external stakeholders (including HM Inspectorate of Probation) and across HMPPS on the paper and are currently producing the final version. The HMPPS Strategic Lead for Sexual Offending will co-ordinate the approach to introducing the paper and ensure that measures are in place to assure that all relevant staff are aware of it and are using it to inform their work. The position paper will be published internally and made available to all staff and managers as appropriate.

B. Staff Training

In April 2020, we outlined progress in developing a range of new training materials, to better equip staff, to work effectively with those convicted of sexual offences. Since April, we have progressed with these plans and commenced a programme of work to roll out this training material, to ensure relevant staff are properly trained across the organisation;

- On the 1st June 2020, interactive e-learning for National Probation Service (NPS) staff was released, to ensure that there is a robust baseline level of knowledge in this area of work. The e-learning has received high praise from probation officers. A goal has been set for all probation officers to complete this training by the end of 2020. In support of this ambitious goal, regional senior leads have been identified. These staff are provided with data on interactive heat maps, breaking down completion rates to regional Local Delivery Units. It is projected that the majority of Probation Officers will have completed the e-learning by the target date. Whilst this projection falls short of the end of year target, we anticipate that all eligible staff will have completed the e-learning soon afterwards. Furthermore, the number of completions is commensurate with available places for the revised next stage of the training.
- Following completion of this e-learning, experienced probation officers will attend skills practice training that was originally due to be delivered face to face. With the restrictions placed on the business by the COVID-19 pandemic this training package has been adapted and updated to be delivered online over four separate sessions. After a successful pilot in August 2020 this has been launched to all NPS regions in October 2020 with the aim of training all probation officers within two years.
- Pre-qualifying training for probation officers is being updated, including to ensure it is consistent with the approach taken elsewhere.
- A version of the e-learning for NPS Approved Premises staff is being developed. Similarly, a version has also been developed specifically for prison staff and is currently being piloted at six sites. Outcomes from these pilots will be used to inform wider roll out.

C. Prison Reconfiguration, Probation Reform and Through the Gate

The **reconfiguration project** work continues to support the adult male prison estate, as it works towards aligning capacity with future demand, addressing the imbalance of reception, training and resettlement places.

Recovery planning from COVID-19, has presented a unique opportunity to implement the new offender flows in a whole system approach. Following successful adoption by prisons in the South West, Wales and Tees & Wear in February 2020, the Prisons Operational Management Committee have endorsed the new offender flows as a key strand of the recovery plan. The new offender flows map out an individual's route from sentencing, to onward allocation into a training and/or resettlement place, based on the time they have left to serve. The resettlement experience of those convicted of sexual offences is expected to improve as the new flows support them to move into resettlement places, once prison capacity has increased, in late 2023. The flows are supported by the new Offender Management in Custody (OMiC) Model, ensuring prisoners are held in the right location, at the right time, to receive the appropriate case-management support.

As previously reported, HMPPS has implemented an enhanced '**Through the Gate' (TTG) service** for prisoners, to aid the provision of resettlement in all resettlement prisons. This new specification includes the requirement that all Community Rehabilitation Companies (CRCs) complete specific, tailored tasks to help prisoners to gain employment, as well as secure and maintain settled accommodation and manage debt and their financial affairs. To support this, HMPPS have invested an additional £22m per annum over the remaining life of the CRC contracts and this provides approximately 500 additional CRC staff to deliver Through the Gate in resettlement prisons. The National Probation Service have also improved commissioning rates and set minimum levels of funding for their commissioning of TTG services from CRCs, for those people leaving non-resettlement prisons including all prisons holding those convicted of sexual offences.

At the present time we have put in place an Exceptional Delivery Model (EDM) for TTG to take into account reduced access to prisons and prisoners and revised safe systems of work during the COVID-19 pandemic. Efforts are being made to ensure services are delivered to people convicted of sexual offences where safe to do so.

The **probation reform programme** continues work towards the implementation of a new resettlement model, in June 2021, although much of the full ambition will be realised subsequently. The new model aims to improve the resettlement offer. The planned investment to increase the service for all, will be delivered in conjunction with the OMiC model, where resettlement planning will start sooner, providing more time to plan for someone leaving prison. There also remains a firm commitment to ensure that all individuals convicted of sexual offences continue to receive an effective resettlement service, when being released from non-resettlement prisons, with wider support services coming from the list of externally available interventions which will replace the CRC Rate Card. These will include, accommodation support, mentoring and *Social Inclusion* services.

D. Use of data to inform practice

As part of work to ensure regular and comprehensive national analyses of offending-related risks and needs, HMPPS continue to explore new digital solutions to support the future delivery of accredited programmes. In the interim a standardised prison database is under development, to track programme activity in prisons, including details on waiting/referral lists. In addition, an NPS performance measure has been developed, providing an overview of the use of interventions for this group. This provides HMPPS with an improved picture about how risk and needs are being addressed whilst people are supervised in the community. This data and information will help to support future planning, helping inform resourcing decisions, demand for interventions and future commissioning decisions.

In relation to the wider criminogenic needs of the cohort, HMPPS priorities centre around further segmentation of caseload data, in a way that will inform strategic planning across the business. An improved understanding of the cohort's offence types will inform the strategic approach to the management of this group.

E. Integration of Assessment tools

HMPPS have made progress with plans to improve the quality of assessments, by integrating assessment tools. We aim to create one holistic risk assessment for this cohort, and have incorporated the assessment of risk and protective factors from the Active Risk Management System (ARMS) into the Offender Assessment System (OASys), the core HMPPS risk assessment tool. This means that we have been able to remove the requirement for probation staff to complete a separate ARMS assessment.

Additionally, the structure of the risk management plan has been amended, improving its functionality so that it reminds practitioners of the areas of risk identified in the assessment that need to be factored into the

plan. We are confident that this will mean that ARMS assessments are better used to support risk management, which will be tested by the Operational and System Assurance Group (OSAG) (see Section F).

We are now planning the implementation of the OASys (proven) Sexual reoffending Predictor (OSP) tool. This will replace Risk Matrix 2000, (which was scored and stored outside OASys), as the actuarial risk assessment tool for adult males convicted of sexual/sexually motivated offences. The Risk of Serious Recidivism tool has been integrated into OASys and it is now anticipated that phased implementation of OSP will begin in Spring 2021. OSP will be calculated and displayed in OASys. Once it is implemented, all core sexual offending risk assessment processes will be completed within OASys, so that they are most effectively used to inform the overall risk assessment and feed into the risk management plan. Practice will also be supported by the updated Risk of Serious Harm Guidance 2020 which guides staff through the full process, starting with an actuarial score followed by consideration of dynamic factors to identify an overall risk level.

F. Operational Assurance

HMPPS has previously set out that internal assurance of progress against the Management and Supervision of Men Convicted of Sexual Offences (MCoSO) HMIP Action Plan had been delayed. Resources from the group were redeployed to support critical front-line operations during the early months of the pandemic, creating a further delay in this assurance work. OSAG is however now in a position to provide internal assurance against HMPPS' provision of evidence informed interventions for service users whose needs are not met by Accredited Programmes. This work will be undertaken in the context of the EDM under which the National Probation Service (NPS) has been operating since the start of the pandemic. OSAG will provide assurance on progress by assessing the extent of offending related needs work undertaken by the NPS, alongside a view of the overall risk management activity for MCoSOs during the period of the EDM. This approach has been agreed by the Sexual Offending Management Board (SOMB) and assurance work is planned to be delivered by the end of 2020. Options for any additional assurance against other recommendations, as originally detailed in the action plan, will need to be considered in the context of the prioritisation of existing resources and set out for consideration by the SOMB. In addition, the early impact of ARMs informed OASys will be assessed as part of OSAG's ongoing EDM Assurance.

G. Impact of COVID-19 on other key areas

- **NPS blended supervision**

Throughout the pandemic, NPS have maintained socially distanced '*door step*' appointments for people convicted of sexual offences, where face to face meetings were not possible, in recognition of the priority that should be given for their supervision. This will in most cases have been supplemented by telephone contact. Staff and service user experience of supervision during this period has been evaluated by the HMPPS Insights Group with support from the MoJ Implementation Unit, leading to promising findings in relation to remote supervision options. A blended model of supervision, that takes account of the risk, needs, and diversity considerations of service users, is included amongst recommendations to inform current practice, contingency planning and future reform. This will be taken forward by the Probation Business Recovery Programme and Probation Reform Programme.

- **Use of the Desistance Toolkit in prisons**

HMPPS have produced a 'toolkit' of desistance focused materials for staff working in prisons with low risk MCoSOs, who will not usually access accredited programmes. However, plans to pilot the toolkit have been delayed due to the impact COVID-19 restrictions, and it has not been possible to proceed with the project at the time of writing. HMPPS intend to continue with this work as soon as the situation allows.

- **Accredited Programmes**

COVID-19 has had a significant impact on the delivery of Accredited Programmes, which was paused across prisons and probation. However, recovery is now underway, albeit with limited numbers at present. In probation, Divisional Sexual Offending Units worked with Offender Managers to deliver one-to-one work for those men who were nearing the end of programme completion, in accordance with guidance issued by Interventions Services in April 2020. A Prioritisation Framework for programmes has been developed and approved by the Lord Chancellor. As a result, programmes are being targeted to those who pose the highest risk of serious harm and re-offending. Programmes related to sexual offending are prioritised for delivery. In order to support effective supervision, risk management and the delivery of desistance-based work, Maps for Change is being used for men who are unable to access programmes due to the length of time left on the Order/Licence or who are outside of the Prioritisation Framework cohorts. Guidance as to the recording for Maps for Change was issued prior to the pandemic and is already embedded within operations.

In prisons the need for a recovery has given HMPPS the opportunity to consider the implementation of a national needs analysis, as part of a “*build back better*” ethos and to establish a national system of Accredited Programme referrals for all sentenced prisoners, rather than a standalone database for MCoSOs.

For both prisons and probation, alternative delivery formats, approved by the Correctional Services Accreditation and Advice Panel (CSAAP), have been developed to ensure delivery is continued, even where it is not possible to deliver in primary format (which is between 4 and 12 participants).

- **Accommodation**

The HMPPS Action Plan, shared with you in August 2020, in response to HMIP’s *thematic inspection of accommodation and support for adult offenders in the community and on release from prison* sets out detailed plans in relation to accommodation. The Ministry of Justice have since confirmed in the *Smarter Approach to Sentencing White Paper* (September 2020) that accommodation has been identified as one of the three key areas of focus to reduce re-offending. Seven Regional Homelessness Prevention Taskforces (HPTs) have been set up to coordinate the sourcing of accommodation for those released from custody, in order to try and ensure no-one is released without accommodation in place. The HPTs have been able to successfully access temporary accommodation and have developed excellent working relationships with a range of strategic partners, including Local Authorities, Housing Providers, Police, Health and the Voluntary and Community Sector. Temporary hotels are only used for this cohort when all other options have been exhausted and when fully risk assessed. During the pandemic, approval for the use of temporary hotels has been delegated to Regional Probation Directors, with oversight from the Chief Probation Officer. In recognition of the importance of settled accommodation to reduce reoffending and partnership with local housing authorities and housing providers, HMPPS have agreed that HPTs will remain in place beyond the COVID-19 crisis. Work is ongoing as to how they will become a more permanent part of probation structures.

In light of the introduction of national restrictions across England for four-weeks from early November and the Welsh Government’s introduction of a two-week ‘firebreak’ commencing in late October, the Government has reinstated this accommodation support. This started in October 2020 and will be subject to monthly reviews. There will be an increased focus on securing settled accommodation during this extended period. HMPPS will continue to assess the accommodation needs of higher risk offenders and where relevant, under Multi Agency Public Protection Arrangements, work with other partners to ensure accommodation is available. HMPPS are in the process of expanding Approved Premises capacity by 200 places, to be delivered by 2023.

Concluding comments

We have continued to make progress in key areas of our 2019 action plan, although delivery has inevitably been disrupted by the COVID-19 pandemic. Where possible we have tried to use the restrictions imposed as an opportunity to learn and 'build back better'. We intend to continue to develop and improve our work with those convicted of sexual offences, and whilst we remain committed to delivery of the action plan, we are now also looking beyond, to focus on our future strategic priorities for our work with this group.

Yours sincerely



PHIL COPPLE

Director General - Prisons



AMY REES

Director General- Probation and Wales