

2017 Annual Report

HM Inspectorate of Probation
for England and Wales



HM Inspectorate of Probation for England and Wales Annual Report 2017

Introduced by HM Chief Inspector of Probation Dame Glenys Stacey

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Introduction

This is my first annual report as HM Chief Inspector of Probation for England and Wales. It summarises our work inspecting probation services since my appointment in March 2016, and shows how the government’s *Transforming Rehabilitation* initiative is working on the ground. We also report on the quality of work of all Youth Offending Teams, having concluded two longstanding youth inspection series this year.

Youth offending and probation services can make a big difference to those receiving them and to wider society. More than a quarter of a million people are supervised by them each year. If all these services were delivered well, there would be less reoffending and fewer people being returned repeatedly to prison. The prison population would reduce, and there would also be fewer people living on the streets, and fewer confused and lonely children, with a smaller number taken into care. Men, women and children currently afraid of assault could lead happier, safer lives. These things matter to us all.

We find Youth Offending Teams across England and Wales are generally working well. We often find skilled youth justice workers working effectively with local partners, providing impressive support and the right level of challenge to children who have offended. Youth offending has reduced by 42% over the first four years

of our youth inspection series¹, and I am delighted to be able to show in this report the significant contribution Youth Offending Teams have made to that success.

In 2014 the government implemented its *Transforming Rehabilitation* plans for probation services. The change happened quickly and within timescales and costs set by ministers, but its implementation left some difficult issues to manage². The teething problems we identified in a series of early inspection reports³ have largely been resolved. More deep-rooted problems now prevail.

¹ Figures relate to proven offences for juveniles from March 2012 to March 2016. Source: Youth Justice statistics: 2015 to 2016, Youth Justice Board, January 2017, <https://www.gov.uk/government/statistics/youth-justice-statistics-2015-to-2016>

² National Audit Office (2016) ‘Ministry of Justice, *Transforming Rehabilitation*’, <https://www.nao.org.uk/report/transforming-rehabilitation/>

³ HM Inspectorate of Probation, *Transforming Rehabilitation* (2014 to 2016) inspection reports, <http://www.justiceinspectorates.gov.uk/hmiprobation/inspections/?probation-inspection-type=adult-transforming-rehabilitation-2014-2016&s>

Youth offending and probation services can make a big difference to those receiving them and to wider society.



We should all be concerned, given the rehabilitation opportunities missed, and the risks to the public if individuals are not supervised well.

Since *Transforming Rehabilitation*, we have inspected in each division of the National Probation Service (NPS) and each Community Rehabilitation Company (CRC), inspecting over 3,000 cases across our inspection programmes, and interviewing at least as many people. Although we have found CRCs delivering well in a small handful of areas, we see clearly that there is now a two-tier and fragmented service, with individuals being supervised by the NPS more effectively overall. Of course, the NPS is funded differently, and more generously.

Most CRCs are struggling. Those owners ambitious to remodel services have found probation difficult to reconfigure or re-engineer. Delivering probation services is more difficult than first appears, particularly in prisons and rural areas. There have been serious setbacks. Despite significant CRC investment, implementation of new IT systems so central to most CRCs' transformation plans is stalled, awaiting the essential connectivity with other justice systems, yet to be provided by the Ministry of Justice.

For all, unanticipated changes in sentencing and the nature of work coming to CRCs have seriously affected their income and indeed their commercial viability, causing them to curtail or change their transformation plans. Many have reduced

staff numbers more than once: in some, we find staff with exceptional workloads working long hours and still unable to deliver to the professional standards that they know are right. Having started with enthusiasm, many CRCs are now not commissioning the full range of specialist services that are needed to make a difference for people with particular problems.

Funding aside, I question whether the current model for probation can deliver sufficiently well. Above all, a close, forthcoming and productive relationship between an individual and their probation worker is key. This is where skilled probation staff add most value, by motivating offenders, working continuously with them to bring about change, and at the same time protecting the public from harm. Yet in some CRCs, individuals meet with their probation worker in places that lack privacy, when sensitive and difficult conversations must take place. Some do not meet with their probation worker face-to-face. Instead, they are supervised by telephone calls every six weeks or so from junior professional staff carrying 200 cases or more.

I find it inexplicable that, under the banner of innovation, these developments were allowed. And I regret that the current national delivery model does not have at its heart

the effective, joined-up local partnership work and other specialist services so much needed, for many who offend.

We should all be concerned, given the rehabilitation opportunities missed and the risks to the public if individuals are not supervised well. I have found government appreciative of our reports and evidence. The Secretary of State for Justice is considering future plans for probation services, and I hope that this annual report is of value in showing the strengths and weaknesses of the current delivery model.

Inspection can be challenging for those who are subject to it, in any sphere, and I am grateful for the support we have received from other inspectorates, and most especially from leaders and staff in Youth Offending Teams and probation services, as we inspect. We rely on trusting and professional relationships with those we inspect, and I would like to place on record my appreciation for the candid

and constructive discussions we have at all levels, and the support we receive on each inspection we do.



Dame Glenys Stacey
Chief Inspector of Probation





Overview

Overview

In June 2014, 35 self-governing probation trusts were replaced by a new public sector National Probation Service, and 21 Community Rehabilitation Companies⁴ owned by eight organisations, each different in constitution and outlook.

With *Transforming Rehabilitation* came new expectations: that the voluntary sector would play a key role in delivering probation services, and that providers would innovate, and find new ways to rehabilitate offenders⁵.

National probation standards were swept aside, to allow for innovation. Probation supervision was extended for the first time to offenders released from prison sentences of under 12 months (over 40,000 people each year⁶). And CRCs must now provide offenders

⁴ The NPS advises courts on sentencing all offenders, and manages those offenders who present a high or very high risk of serious harm or who are managed under Multi-Agency Public Protection Arrangements (MAPPA). CRCs supervise most other offenders presenting a low or medium risk of serious harm.

⁵ 2010 to 2015 government policy: reoffending and rehabilitation <https://www.gov.uk/government/publications/2010-to-2015-government-policy-reoffending-and-rehabilitation/2010-to-2015-government-policy-reoffending-and-rehabilitation>

⁶ Figures relate to releases from determinate sentences of fewer than 12 months during 2016 (excluding 15–17 year olds). Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

with resettlement services while they are in prison, in anticipation of their release. To incentivise CRCs, a portion of their income depends on whether those they supervise go on to reoffend.

A National Probation Service

Her Majesty's Prison and Probation Service (HMPPS) is responsible for the NPS, and agrees performance expectations and priorities for the service with government. The NPS has completed the first phase of a coherent programme of development, and is beginning to reap the benefits of being one national organisation.

The NPS has seven divisions, each with a dedicated court team, but otherwise the operating model has not changed radically. Most staff still work in former probation trust offices. However, the NPS relies heavily on dated, creaky IT systems that lack functionality and connectivity. Some are unreliable: divisions have not had accurate and timely workforce data since May 2017 because of IT system difficulties, for example. There have been some piecemeal system developments, but more strategic investment could enable NPS managers and staff to work more effectively

and stop individual cases slipping through the net.

Workloads have increased, and staff numbers. On inspection, we generally find NPS staff busy but not exceptionally pressed, and most tell us they can manage their caseloads. Divisional staff are at times exasperated by what they see as unresponsive central training and recruitment services, and indeed this year's staff survey shows staff engagement lagging behind the civil service average. Staff are discontent with their learning and development, and notably dissatisfied with pay and benefits. Some areas find it difficult to attract staff – especially those abutting London, where better incentives are needed.

Community Rehabilitation Companies

There are eight CRC owners, with eleven of the twenty-one CRCs owned by two organisations (Sodexo Justice Services and Purple Futures) and a further three by Working Links. CRCs in common ownership plan to implement common operating models, although the extent to which they have done this varies. These models have similar features: administrative centres, community hubs and systems to assess individuals and in turn prescribe the nature of supervision.

These models have laudable elements. Some aspire to deliver services in community hubs that also provide wider services to the local community, or to deliver them in other ways convenient to those under probation supervision. The Working Links model aims to scale probation, with the most intensive supervision for the most challenging individuals, when early critics assumed that CRCs would cherry pick, to maximise profitability. All seek to eradicate unnecessary overheads and reduce the cost of necessary ones, so as to provide best value. Most CRC operating models are not operating as the owners intended, however, in part because of delays in implementing IT systems, and because of serious financial pressures.

Most owners have invested in new IT systems to support offender management. They have then wrestled with government data protection and other system requirements and found themselves wrong-footed, as the essential IT connectivity long promised by the Ministry of Justice is still not in place, with no clear idea of when it will be. None of the new IT systems are fully implemented or working as planned.

In some CRCs, staff numbers have been pared down in repeated redundancy exercises, with those

Most CRC operating models are not operating as owners intended

remaining carrying exceptional caseloads. In most, probation officers have been replaced by more junior professional staff. We have found exceptions – in Durham and Kent, for example – but many CRC staff feel beleaguered. Staff absence levels are sometimes alarmingly high, as are agency staff numbers.

These staffing and workload issues, combined with remote offender monitoring, are undermining a central tenet of effective probation work – a consistent, professional, trusting relationship between the individual and their probation worker.

Transforming rehabilitation

Regrettably, none of government's stated aspirations for *Transforming Rehabilitation* have been met in any meaningful way.

The voluntary sector has always been involved in delivering specialist services locally. It continues to be, but not on the scale anticipated.

CRCs starting out with wide-ranging supply chains have curtailed provision of late, and so voluntary sector involvement appears to be diminishing, rather than flourishing. With no single body responsible for the stewardship of valued specialist services (such as bespoke services for women), these are likely to continue to wane. We have seen small innovations – a peer mentoring scheme in Kent for example, and three social action projects in Durham – and some aspects of CRC operating models can be described as innovative as well. But there are few signs of innovation in resettlement work, or in other casework. Instead, well-established evidence-based approaches are on the wane, worryingly so. Resettlement services provided to prisoners before and on release are generally poor, and are making little if any difference to the life chances of those receiving them.

Providing services in the community to those released

after serving custodial sentences of fewer than 12 months has not been straightforward. The needs of these individuals are complex, and meeting them is not always within the grasp of CRCs. Recall rates are high. In almost all cases we find that it was right to recall, but the high recall rate signals that a more intense, comprehensive and joined-up approach is needed. As it is, these recalls are putting significant pressure on the prison system. There is no clear evidence that payment by results linked to reoffending rates has made any difference to the life chances of these or others under probation supervision.

There is some comfort. We have found CRCs performing well overall in Kent and Cumbria, and (with extra resource after an exceptionally poor start) South Yorkshire. We have found some good work and practice in some CRCs, particularly Durham and North Yorkshire. We find most CRCs giving particular attention to the needs of women offenders. And in a current thematic inspection, we are finding both CRCs and the NPS much better at making wise recall decisions than many feared.

The early tensions between CRCs and the NPS on case allocation, case transfer and enforcement have been superseded by new tensions. The rate card arrangements detailing the specialist services

on offer from individual CRCs are cumbersome and ineffective. In any event, some NPS staff appear mistrusting of the private sector, and many are unsure about the quality of services on offer, leading to reluctance to buy from CRCs. That makes it yet more difficult for CRCs to maintain a reasonable spread of services for individuals under CRC or NPS supervision. And in some areas, the NPS and CRC compete for staff.

Probation services must protect the public from risky individuals, make sure people sentenced to a community sentence serve their sentences, and work with all those under probation supervision to reduce their reoffending. These are the enduring requirements of all probation services, their *raison d'être*. In this report, we show the extent to which, on inspection, we find both established and new expectations being met, and examine whether *Transforming Rehabilitation* is working well enough. We start by looking at the work done by the NPS to advise courts on the appropriate sentence for each individual.

Probation advice to courts

The NPS must provide advice and information about each individual appearing before a court (c140,000 cases each year). These pre-sentence

reports (PSRs) assist judges and magistrates in deciding the most appropriate sentence. For cases then referred to a CRC following sentence, the CRC relies on the report for initial information about the individual concerned.

With challenging targets for speedy delivery of probation advice to courts, advice is increasingly being given orally on the day rather than in the traditional way, in full written reports. After a shaky start, it is a credit to the NPS that it now has good processes for getting the information the court needs about the defendant's circumstances from others (such as the police) quickly, and competent and motivated staff in court daily, enabling sentences to be passed swiftly and safely.

Not all is well, however. When we inspected advice to courts earlier this year, we found that the NPS does not assess the risk of an individual going on to cause serious harm well enough overall, and yet this is core probation work. What is more, most cases go on to be managed by CRCs, and while NPS reports generally meet the courts' needs, they are less likely to be full enough for CRCs to be able to get straight on with things, after court.

There is a tension here, a fault line. CRCs cannot be sure that the NPS presents a full enough picture for them in each case. CRCs are then

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paid for producing timely sentence plans, rather than making sure each individual's plan is based on a sufficiently comprehensive assessment of the individual. And so, in some cases, plans do not take into account relevant matters, such as a history of domestic abuse, child protection issues, or anti-social attitudes and lifestyles.

Protecting the public

Probation service providers must assess each person they supervise (over 260,000 are under supervision each year⁷) to gauge whether others – perhaps immediate relatives, or the wider public – are at risk of harm from that person. They must manage those risks as effectively as possible.

Approved premises

A significant number of offenders who pose a high risk when they are released from prison are placed in probation hostels (approved premises) staffed by probation professionals. Many residents have been convicted of serious sexual or violent offences. Public protection is a priority, with hostels acting as a halfway house between prison and the community.

National responsibility for

⁷ Figures relate to offenders supervised by the probation service at the end of the period June 2016 to June 2017, England and Wales. Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

probation hostels now rests with the NPS. In our 2017 inspection of a sample of hostels, we found staff doing exceptionally good work to protect the public, and quick to act when necessary to protect people from harm. The majority were also doing some good work to reduce reoffending, most especially those in hostels for women and in hostels run for the NPS by independent providers. The national hostel estate (101 hostels) is full to capacity, however. More places are needed so that the public are best protected from the highest-risk individuals released at the moment without a hostel place, and so that more can be given the intense support they often need to change their lives and their offending.

With responsibility for all probation hostels now with one body, there is the opportunity to develop a national strategy for hostels in the right places, so that residents can keep family ties and integrate back into their own community, and to make sure all hostels are run as well as the best of them. Since we reported our findings, the NPS is implementing plans for an extra 230 beds, and new hostels for women in London and Wales (where there are none currently). Yet more hostels are needed, to increase capacity and the spread of hostels across England and Wales.

Individuals supervised by the NPS

The NPS is responsible for all individuals under probation supervision who are assessed as a high risk to the public or who are managed under Multi-Agency Public Protection Arrangements (MAPPA), with most released straight from prison into the community. Risk assessment is not an exact science, and in any event, risk changes as people's circumstances change. Individuals assessed originally as presenting a medium or low risk to the public can go on to commit very serious further offences. It is important that, in each case, probation service providers carefully monitor and review individuals under their supervision, and that their plans and actions are responsive to changes in the risk profile of each individual.

On inspection we find that, in a reasonable majority of cases, NPS staff are protecting the public well, although there is room for improvement to make sure all cases are reviewed well enough and that child safeguarding concerns are dealt with effectively. We find that experienced NPS staff usually keep public protection at the forefront of their minds, and staff are generally sensitive and responsive to changes in offenders' lives that might increase risk to others.

Individuals supervised by CRCs

Most people under probation supervision (the majority of those assessed as a medium or low risk to the public) are supervised by CRCs, and we have found a much more troubling picture in most CRCs we have inspected. We appreciate, of course, that government thought that most people to be supervised by CRCs would be assessed as lower risk, with less complex issues to resolve and manage. However, in practice we find that two in three are rightly assessed as medium risk, and so likely to require more resource and effort than government envisaged.

We have found good CRC work to protect the public in Cumbria and broadly acceptable work in South Yorkshire, but overall, not enough is being done, or done to an acceptable standard. In about half of all CRC cases we have inspected, not enough attention was given to the risk of harm right from the beginning, and we find that lack of focus continuing through the period of supervision in a similar proportion of cases.

Serious further offences

Since 2014, the number of individuals charged with a serious further offence committed while under

probation supervision has risen by 20%, from 429 to 517⁸. A significant proportion are convicted of murder, manslaughter or a serious sexual offence. In comparing numbers before and after *Transforming Rehabilitation*, we are not comparing like with like, however. Over 40,000 more individuals – those imprisoned for fewer than 12 months – are now under probation supervision on release. The proportion of individuals charged with a serious further offence has remained stable, at 0.2%.

The NPS and CRCs review all such cases, to see whether their own probation work was good enough. The review of any public service when things go wrong needs to have the confidence of those affected, those working in the field, and the wider public. This is always important, but especially so when poor services can lead to the death or serious injury of others. People can be most confident in review arrangements that are independent, accountable and transparent (to victims and others), and we await the Secretary of State's decision on whether to transfer responsibility for these reviews to HMI Probation.

⁸ Figures released by the Ministry of Justice in response to a Parliamentary Question, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-07-04/2737/>

Reducing reoffending

Of all the expectations of probation providers, the expectation that they will reduce reoffending receives most attention, in public and political discourse. Indeed, research shows unequivocally that good probation services reduce reoffending and are cost-effective as well⁹.

The quality and amount of meaningful work done to rehabilitate offenders in both the NPS and CRCs vary, and need to improve. We find sufficient progress in just over two in five (43%) CRC cases inspected, compared with one in two (49%) NPS cases. The NPS can improve by learning from its high-performing areas. For CRCs, bigger changes are needed, starting with staff numbers.

With a few exceptions (Cumbria, North Yorkshire and South Yorkshire), we find that CRCs are not doing enough. What is more, two large-scale initiatives introduced by government alongside *Transforming Rehabilitation* specifically to reduce

⁹ For example, Jolliffe and Hedderman (2015) found from carefully matched samples that those who had served short prison sentences were 7% more likely to reoffend than their peers who were supervised by probation: community sentences are cheaper and more effective. (Jolliffe, D. and Hedderman, C. (2015) 'Investigating the Impact of Custody on Reoffending Using Propensity Score Matching', Crime & Delinquency, vol. 61, Sage).

reoffending – Through the Gate provision and rehabilitation activity requirements – are not making the intended difference to reoffending.

Through the Gate

CRCs begin work in earnest with those about to be released from prison 12 weeks before release, in an initiative known as 'Through the Gate'. We have reported twice¹⁰ on these arrangements. In those cases we inspected, only a handful of individuals had received any real help with housing, jobs or an addiction, let alone managing debt or getting back into education or training. What is more, about one in ten people were released without a roof over their heads. These services are underfunded, and simply not operating as expected. Instead, CRCs are too often doing little more than signposting and form-filling. Apart from Wales and Durham CRCs, we find that CRCs we have inspected are making little material difference to the prospects of individuals upon release, and yet this work is so important in breaking the cycle of offending.

¹⁰ HM Inspectorate of Probation (2016) *An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners*, <http://www.justiceinspectorates.gov.uk/cjji/inspections/throughthegate2016/>;

HM Inspectorate of Probation (2017) *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More*, <http://www.justiceinspectorates.gov.uk/cjji/inspections/throughthegate2/>

Rehabilitation Activity Requirements

With *Transforming Rehabilitation*, the government introduced a new community sentencing provision known as a rehabilitation activity requirement (RAR), with the goal of ensuring flexible and efficient sentencing aimed at reducing reoffending, and encouraging innovation. After sentence in each case, the probation service decides the best ways in which to rehabilitate the individual, and so reduce offending. The bulk of these cases are managed by CRCs.

For these provisions to work as intended, probation services must assess people thoroughly after sentence, plan activities most likely to reduce a person's risk of reoffending and then deliver them. A good range of activity and services should be available, to cover diverse needs. When we inspected a representative sample of cases earlier this year, we found a lack of impetus or direction in a good proportion of them. In over one in ten, there had been no purposeful activity at all. And we found a limited range of services actually available.

RARs have rapidly become a common feature of community orders and suspended sentence orders, with over 75,000 such orders specifying the requirement each year. Another common

requirement is for the individual to do unpaid work in the community, with over 60,000 such requirements made each year¹¹. RARs and unpaid work could between them make such a difference to reoffending and the life chances of so many individuals, and to public and judicial confidence. But they are not being delivered

¹¹ Figures relate to requirements commenced under community and suspended sentence orders, April 2016 to March 2017, England and Wales. Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

anywhere near well enough nationally.

Unpaid Work

It is for CRCs to implement unpaid work orders in all cases. In early 2016, we reported that unpaid work was often disconnected from meaningful offender engagement, and its rehabilitative potential neglected. With West Mercia a notable exception, we still find that so. In addition, in some areas (Kent, London, Gloucestershire and South

Yorkshire), even the basic requirements of the order are sometimes not met. Individuals arriving for unpaid work are at times turned away, because it has not been organised properly.

Accredited Programmes

Tried and tested ways of reducing reoffending include accredited programmes¹² designed to help individuals with known problems (such as perpetrating domestic abuse, or poor thinking skills). Most are now delivered by CRCs, with the NPS continuing to deliver sex offender treatment programmes.

It was not the intention of government to reduce the use of accredited programmes, but regrettably few reports to court now propose one, and even fewer are ordered. The latest figures show around 14,000 started in 2016/2017¹³ – a significant reduction in

¹² Accredited programmes are made up of a series of activities aimed at working with offenders to reduce reoffending. The programmes vary in length, complexity and mode of delivery, but all are informed by evidence, meaning that their content and design are informed by the latest research about predictors of reoffending and what works to reduce reoffending. Accreditation is obtained via the Correctional Services Accreditation and Advisory Panel (CSAAP).

¹³ Figures relate to 'Number of requirements commenced under Community Orders and Suspended Sentence Orders by type, 2006 to 2016, England and Wales', Offender management statistics quarterly, Ministry of Justice, October to December 2016, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-october-to-december-2016>.

their use, from 17% of orders in 2006 to 7% in 2016. This is baffling: no one wishes to see a range of high-quality services with strong empirical support wither on the vine by simple neglect, but that is happening.

The change in sentencing (with fewer accredited programmes and more RARs) has profound, adverse financial implications for CRCs because of the way they are paid. What is more, the fewer accredited programmes ordered, the longer individuals wait for a group place on one, and the less CRCs are able to retain the competence to deliver them well.

The voluntary sector

Through *Transforming Rehabilitation*, government aimed to increase the involvement of the voluntary sector in rehabilitation work, and aimed for CRCs to develop extensive supply chains involving the sector, to provide timely access to services tailored to offenders' needs. Government expectations may have since shifted, with a recognition that most CRCs (or their owners) are not willing to invest while funding is so tight, but in any event these early aims were not followed through into firm contractual requirements.

CRCs are not obliged to develop supply chains. The NPS is not obliged to use



For a community sentence to be worthwhile, and a success in any usual meaning of the term, we expect some purposeful, meaningful and well-targeted rehabilitation activity to have taken place.

services on offer from CRC suppliers, although it cannot commission services readily from others to circumvent those on offer from the local CRC. The less sure the NPS is of the availability or quality of services provided through CRCs, the less likely it is to buy those services, and now a new tension has arisen: in 2017, NPS divisions were given additional funding (£900k in total) to spend as they wish on services, but most are not buying more services from CRCs.

On inspection, we increasingly find CRC arrangements and funding for suppliers (including those in the voluntary sector) to be short-term and insecure. CRCs are cutting back, and we are finding individuals waiting many months or not having access at all to specialist help. One or two CRCs have a purposeful strategy to develop skills in-house (Durham and Kent, for example), but most still rely on external providers, yet struggle to commit the necessary funding.

With the hand-to-mouth approach we see increasingly in most CRCs, and without any one body holding responsibility for stewardship of local or specialist services, we are likely to see some of those services retract or disappear altogether, another unintended consequence of *Transforming Rehabilitation*.

Sentence, enforcement and recall

It is important for victims, the public, judges and magistrates, and for offenders themselves, that offenders serve their sentence as the court intended. For those given community sentences and suspended sentences (about 120,000 each year¹⁴), we all want to be sure that they complete their sentence and that the experience is worthwhile, in that there is an element of reparation or at least an acceptance of the wrongdoing, and also some meaningful rehabilitation activity.

Sentence completion

The majority of those adults given community sentences and suspended sentences are supervised by CRCs. Published performance data¹⁵ shows an improving trend over time, with sentences successfully completed in 79% of CRCs cases and 73% of NPS cases. In reality, the situation is more complex.

¹⁴ Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

¹⁵ CRC Service Level 8 and NPS Service Level 18. Source: Community Performance Statistics April – June 2017, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/community-performance-quarterly-mi-update-to-june-2017>

For a community sentence to be worthwhile, and a success in any usual meaning of the term, we expect some purposeful, meaningful and well-targeted rehabilitation activity to have taken place. The two things – successful sentence completion and work to reduce reoffending – are closely related in the minds of all those steeped in probation work.

We have found exceptions (in Cumbria, North Yorkshire and South Yorkshire), but I am not confident that, in the majority of CRC cases, sentences are successfully completed in this more meaningful sense, despite the high percentage of ‘successful completions’ shown in published performance reports. In too many cases, individuals are not seen often enough and there is too little purposeful activity, and so the purpose of the sentence and the more enduring aims of sentencing and probation are not met.

Enforcement and recall

Probation workers must weigh up what is best for society and the individual when someone under probation supervision does not comply with probation requirements, and refer individuals back to court or recall them to prison when appropriate. On inspection, we generally find the NPS doing this well.

We reported initial teething problems in CRC cases after *Transforming Rehabilitation*, with enforcement cases moving to and fro between the NPS and CRCs unnecessarily. Local leaders and staff have since worked hard to iron out difficulties, and it is a credit to them that these arrangements now work well.

At the start of my tenure, magistrates and others were expressing concerns about an apparent reluctance of CRCs to consider enforcement for individuals failing to comply with their court orders. More recently, commentators have expressed concerns at the other end of the spectrum, that individuals are being recalled to prison inappropriately.

I hope these more recent concerns about recall are abated by our latest inspection findings. In our regular inspections, we find little evidence of excessively enthusiastic recall. And in our thematic inspection of enforcement and recall, now underway, we are finding that almost all NPS and CRC recall decisions are sound decisions, with the NPS good at considering alternatives to recall beforehand. Often, the level of disengagement or deterioration in the person’s behaviour was such that they could not be safely managed in the community. Recall was appropriate, even when the individual had not reoffended, or had committed a relatively

We have found very little evidence of inappropriate or excessively enthusiastic enforcement.

We all want to be confident that probation service providers are doing meaningful work with offenders and that they will act when necessary to protect the public.

minor further offence.

We have found very little evidence of inappropriate or excessively enthusiastic enforcement. Rather, we alerted the Ministry of Justice last year to our inspection evidence showing that enforcement was not always happening when it should. CRCs were paid less if too many cases were cut short by enforcement, and so there was an incentive not to act, an unintended consequence of CRC performance measures. The Ministry of Justice acted promptly, we understand, to limit the financial consequences for CRCs referring individuals for enforcement.

In more recent inspections we have found that, when a CRC recognises enforcement is necessary, it is more likely to act, although we find some CRCs still accepting what seem to us to be thin explanations from those missing a series of probation appointments. But those CRCs not seeing the people they are supervising often enough, or not engaging meaningfully with them, are inevitably behind the curve on enforcement. Put plainly, the CRC may not know when enforcement is called for.

I suspect this is the biggest issue undermining effective enforcement today: that in many CRCs, case management itself is insufficient to support good enforcement decisions. Of

all our inspections, we found this most prevalent in North London (2016). We have found it often enough (but to a lesser extent) elsewhere as well, for example, more recently, in Gloucestershire (2017).

We all want to be confident that probation service providers are doing meaningful work with offenders and that they will act when necessary to protect the public. Striking the right balance is most difficult in those cases where the individual is being supervised on release from prison. Through *Transforming Rehabilitation*, government intended to make a difference to reoffending and the life chances of this particularly challenging group of people. Government's intentions are frustrated because traditional enforcement tools are too blunt to support active risk management or effective rehabilitation, and because the work is under-resourced.

Delivering probation services

Good-quality probation services are most likely when those that deliver the services are well led and managed, and when the way services are delivered engages those under supervision, encouraging them to change their lives for the better and stop offending. We conclude our review of probation services with a view

of those matters in the NPS divisions and CRCs we have inspected.

We have found CRCs ambitious to re-engineer probation services, and willing to invest early on in new systems and ways of delivering in the community, but I regret to report that, in almost every respect, the quality of probation work is noticeably better across the NPS than in the body of CRCs where we have inspected. I hope that the information we are able to provide in this report shows why that is inevitably so.

Youth Offending Services

Good-quality Youth Offending Services can make a big difference to children and young people, to the community at large, and to the criminal justice system. If children turn away from offending, then the demands on the criminal justice system are reduced, of course. But what is more, those children improve their life chances, and are more likely to be able to contribute usefully to society.

The overall number of young people in the youth justice system is continuing to fall, alongside the total number of reoffenders and reoffences¹⁶. The number of cautions has

¹⁶ Source: Youth Justice statistics: 2015 to 2016, Youth Justice Board, January 2017, <https://www.gov.uk/government/statistics/youth-justice-statistics-2015-to-2016>

also reduced, with a 17% reduction seen between the years ending March 2015 and March 2016 and an 85% reduction in the ten years to March 2016. Conversely, the percentage of the caseload from a Black, Asian and minority ethnic (BAME) background has risen from 16% in the 2012-2013 data to 22% in the 2015-2016 data.

Our recently completed inspection programme, Inspection of Youth Offending Work (IYOW), consisted of two types of inspection: the Full Joint Inspection (FJI), which predominantly – but not exclusively – focused on those Youth Offending Teams (YOTs) performing less well, and Short Quality Screening (SQS) inspections. Each YOT could expect either at least one FJI or SQS, and could be included in a thematic inspection.

We generally find that Youth Offending Services perform to a good level, although there are inconsistencies and areas for improvement. We found the quality of work improved over the course of our inspection programme, and we judged governance, leadership, management and partnership to be more influential than ever in delivering a quality service.

Over the past year, we have focused our efforts on thematic youth inspections, while developing our new inspection methodology for routine inspections in future.

In our inspection of cases in which the child had committed a serious violent offence, we were pleased to identify and promulgate good practice, and trauma-informed practice. A startling majority of these children had suffered some sort of trauma in their lives and many had been taken into care.

We found exceptional work for this particularly troubled and troubling group of young people. We also found that many were prolific users of social media, and that in one in four cases, social media was integral to the serious offence they had committed. It seems to us that YOT workers need to know how far they can go in monitoring the use of social media so as to help stop reoffending and keep the public safe.

In our inspection of referral orders, we found a mixed picture. These orders enable the public to participate in determining reparation or rehabilitation activity for children subject to a community sentence, but we found that these orders were not working as intended. Instead, YOT workers were often limiting the extent to which referral order panel members could be meaningfully involved. We hope that YOT leaders will reflect on the aims of government policy here, and the clear intent that the public will play a full part.

We also found a worrying picture in our joint inspection (with Ofsted) of accommodation for 16- and 17-year-olds distanced from their parents. Of course, accommodation is notoriously difficult to find, but not enough was being done. Instead, some children were placed in wholly unsuitable accommodation, and put at risk unnecessarily and sometimes unthinkingly.

But, overall, YOTs can be rightly proud of the work they do.

Future inspection

We formerly inspected probation trusts, with their boundaries usually coterminous with police force areas. We have continued to inspect probation services by police force area, so as to provide some continuity, and demonstrate to residents the quality of probation services delivered by both the CRC and the NPS in their area. But inspecting in this way has drawbacks. On any one inspection, we cannot be wholly confident that what we find and report is fully representative of the entire CRC or NPS division.

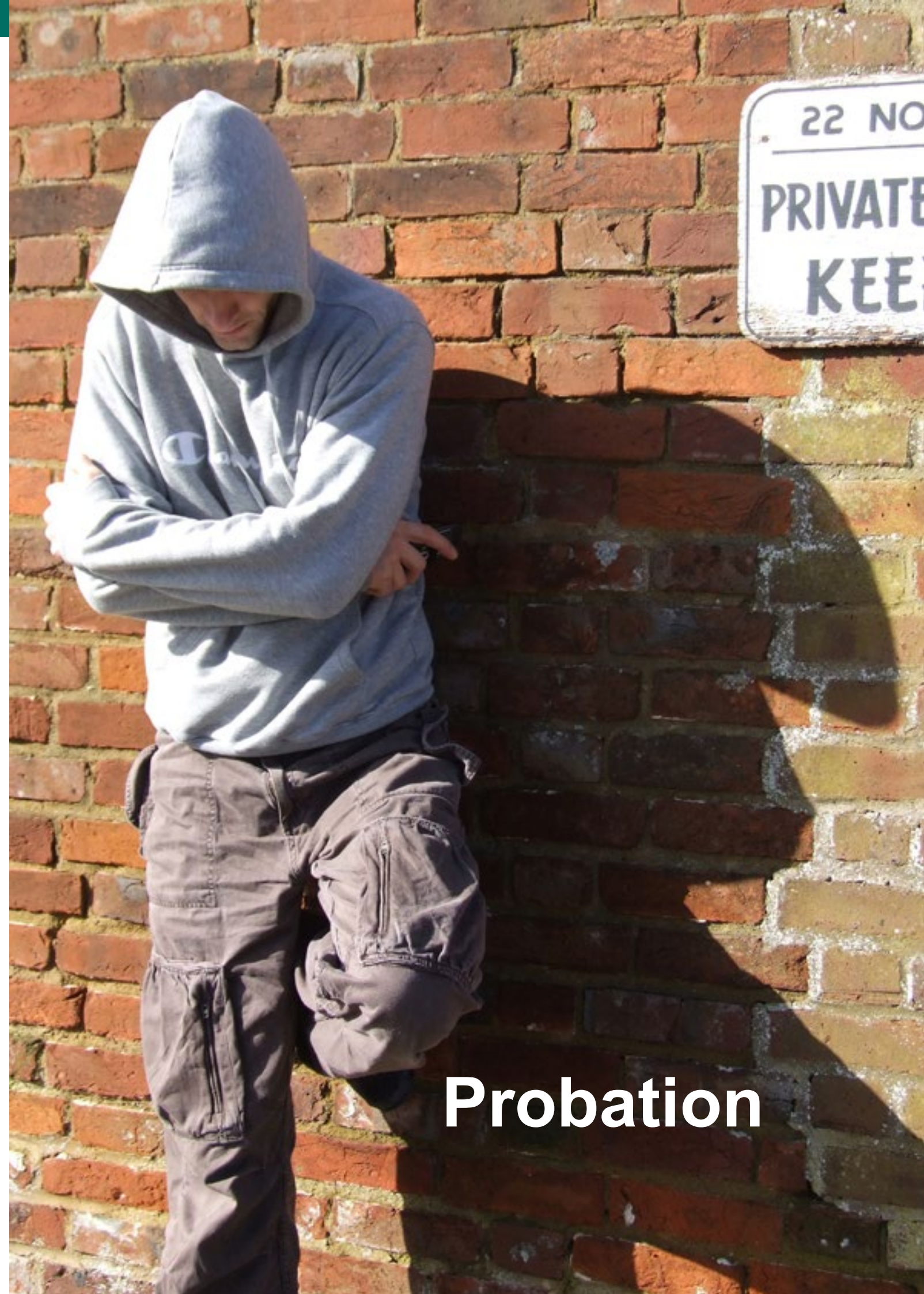
In spring 2018 we will begin inspecting whole NPS divisions, and individual (whole) CRCs. We will inspect a larger proportion of cases each time, and inspect more regularly – annually.

Our inspections will be underpinned by published standards¹⁷, and we will rate each division and CRC as we inspect, using a four-point scale from 'inadequate' to 'outstanding'. We will follow up our recommendations on subsequent inspections. To incentivise CRCs, HMPPS contract monitoring requirements are likely to be reduced for those achieving ratings of 'good' or 'outstanding'. Over time, these changes will enable us to make direct, valid comparisons between NPS divisions and between individual CRCs, and to report on those comparisons each year.

We are developing the way we inspect Youth Offending Services in similar ways, albeit we will not inspect YOTs annually, given their size, number and general standard of performance. We will inspect work done by YOTs with children who have been dealt with without going to court, having come to the attention of the police because of their offending behaviour, as well as cases that reached court.

In these ways, we plan to play our full part in driving improvement where it is needed.

¹⁷ HM Inspectorate of Probation, Consultations on standards and ratings for inspecting probation and youth offending services, <http://www.justiceinspectorates.gov.uk/hmiprobation/about-hmi-probation/consultations/>



Probation

Probation Services

Context

<p>262,347</p> <p>Number of offenders supervised, 30 June 2017</p>	<p>21</p> <p>Number of CRCs</p>	<p>8</p> <p>Number of CRC owners</p>
<p>7</p> <p>Number of NPS divisions</p>	<p>38.1%</p> <p>Proven 1-year reoffending rate (Oct 2015 – Dec 2015 cohort; adults released from custody or starting court order)</p>	<p>4.3</p> <p>Average number of reoffences per reoffender</p>

Our inspections

<p>28</p> <p>Number of inspections covered in this report</p>	<p>2,718</p> <p>Number of cases examined</p>	<p>16</p> <p>Number of 'Quality & Impact' inspections</p>
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Our 'Quality & Impact' findings

<p>72%</p> <p>Sufficient planning to manage the risk of harm to the public</p>	<p>52%</p> <p>Appropriate responses to changes in risk of harms</p>	<p>46%</p> <p>Sufficient progress in delivering rehabilitative interventions</p>
<p>58%</p> <p>Offender meaningfully involved in planning the work</p>	<p>73%</p> <p>Sufficient responses to non-compliance</p>	<p>62%</p> <p>Negative impact of workload on ability to assist offenders</p>

How probation services are configured

Probation services are configured in line with the Ministry of Justice's 2013 Target Operating Model for rehabilitation¹⁸. A public sector National Probation Service and 21 privately owned Community Rehabilitation Companies deliver probation services across England and Wales. The NPS has seven divisions, coterminous with groups of CRCs.

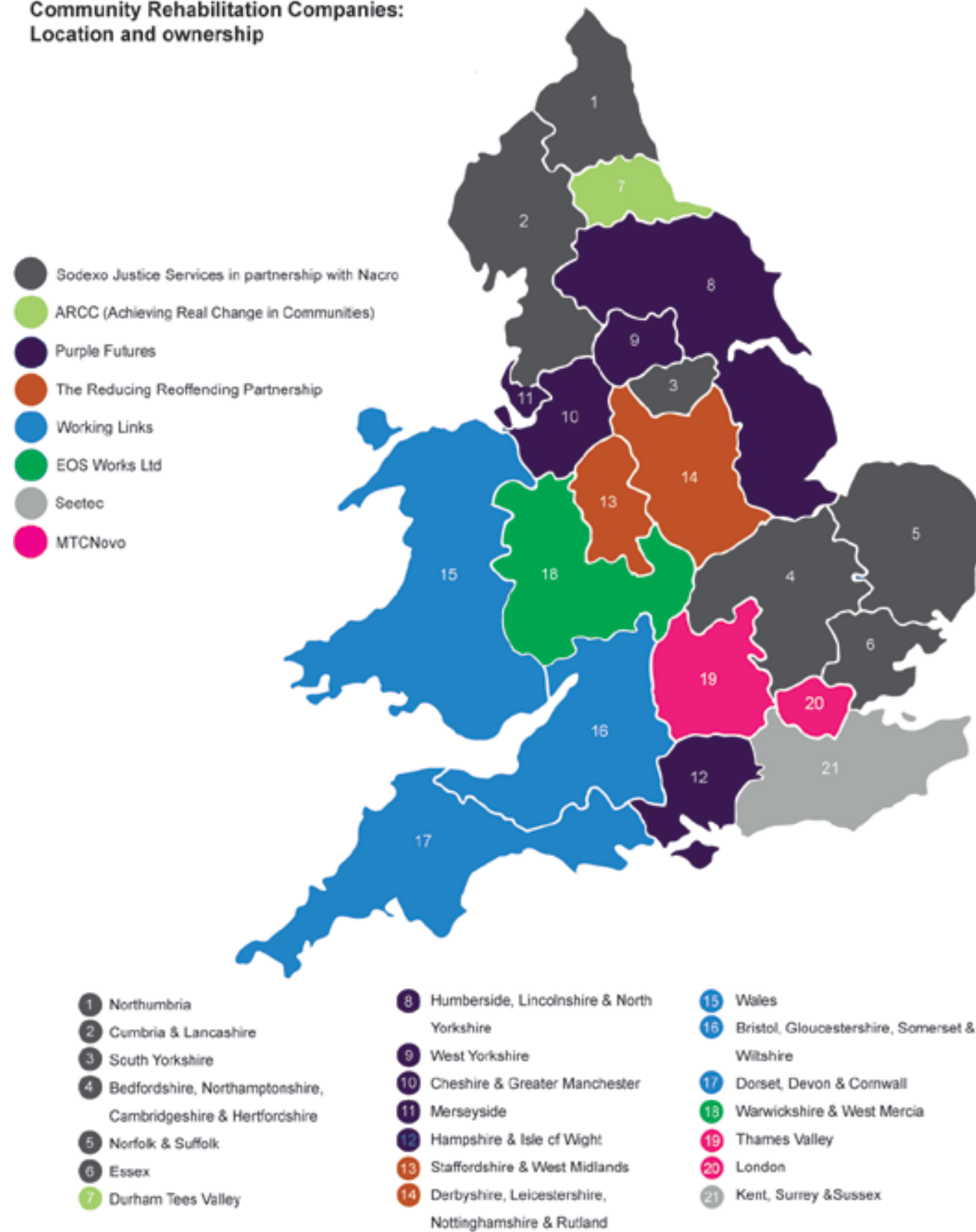
¹⁸ Ministry of Justice (2013) Target Operating Model, Rehabilitation Programme, <https://www.justice.gov.uk/downloads/rehab-prog/competition/target-operating-model.pdf>

Figure 1:
National Probation Service:
Geographic areas of Divisions



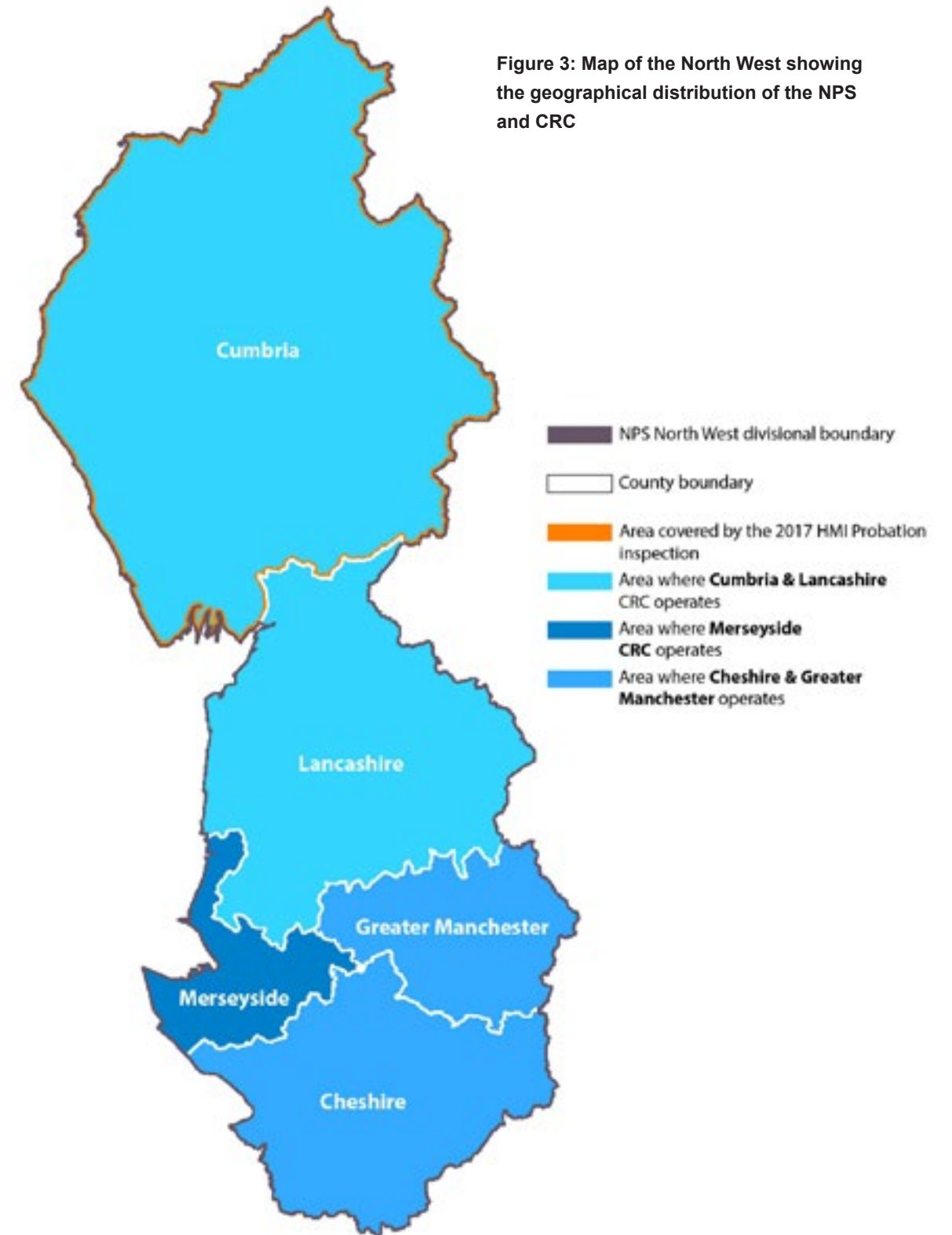
Figure 2:

**Community Rehabilitation Companies:
Location and ownership**



With the exception of Wales and London, NPS divisions are inevitably working alongside several CRCs in their divisional area. Those CRCs are generally owned by different owners, as we see (by way of example) in the arrangements for the North West of England:

Figure 3: Map of the North West showing the geographical distribution of the NPS and CRC



The way probation services are now delivered is not straightforward.

Roles and responsibilities

The way probation services are now delivered is not straightforward. The NPS and CRCs have inter-related responsibilities. Cases must pass to and fro between the NPS and CRCs when they leave court after sentence, if risks change noticeably during probation supervision, or if enforcement is needed in a CRC case. CRCs in turn deliver unpaid work ordered by the court in NPS and CRC cases. CRCs may provide a range of specialist services suitable for all those under supervision, with an assumption that, in NPS cases, the NPS will purchase services locally from CRCs.

NPS responsibilities

Staff in NPS divisions advise all criminal courts in their area on sentencing all offenders. They go on to allocate community sentence and suspended sentence cases to themselves or to the local CRC, depending on their assessment of the offender: the NPS manages those offenders assessed as presenting a high or very high risk of serious harm, or who are managed under MAPPA. It is also responsible for those foreign nationals who offend and are eligible for deportation, and cases of particular public interest.

In most types of cases where a specific type of intervention

is required (for example, help with thinking skills), the NPS is expected to look to the CRC for its provision, at a stated cost. Costs vary depending on the CRC and the nature of the intervention. There is an exception: the NPS is responsible for accredited programmes for sex offenders. The NPS is responsible for prosecuting enforcement and initiating recall in its own cases, while CRCs must refer court enforcement cases to the NPS, and prison recall cases to HMPPS' Public Protection Unit for action. The NPS is responsible for approved premises in England and Wales. It also has statutory duties to victims of serious violent and sexual crime.

CRC responsibilities

CRCs supervise the majority of offenders – most of those presenting a low or medium risk of harm. They are also responsible for providing rehabilitation services to those in prisons in their area, ahead of their release, in an initiative known as Through the Gate. Individuals released may return to a home area where community services are provided by another CRC.

CRCs deliver accredited programmes (specialist, evidence-informed interventions) in any NPS or CRC case, whether ordered by the court or otherwise, but not sex offender accredited

programmes. CRCs may also offer a range of other interventions that the NPS division in their area can purchase from them, and that they can also access for those offenders they supervise themselves. They are not obliged to offer specified services. Instead, it is up to the CRC to decide the range of services it has available.

CRCs organise and deliver all unpaid work ordered by the

court, for both NPS and CRC cases.

Structure and accountabilities

The NPS is part of an executive agency of government, Her Majesty's Prison and Probation Service (HMPPS). HMPPS is responsible for the NPS, for commissioning probation services from CRCs under contract, and for monitoring and reporting on NPS

performance and CRC's contractual compliance and performance. HMPPS is accountable to the Secretary of State for Justice (Fig 4 below).

CRCs are free to structure and organise themselves as they wish. Those in common ownership tend to have similar governance arrangements and structures, and aspire to similar operating models.

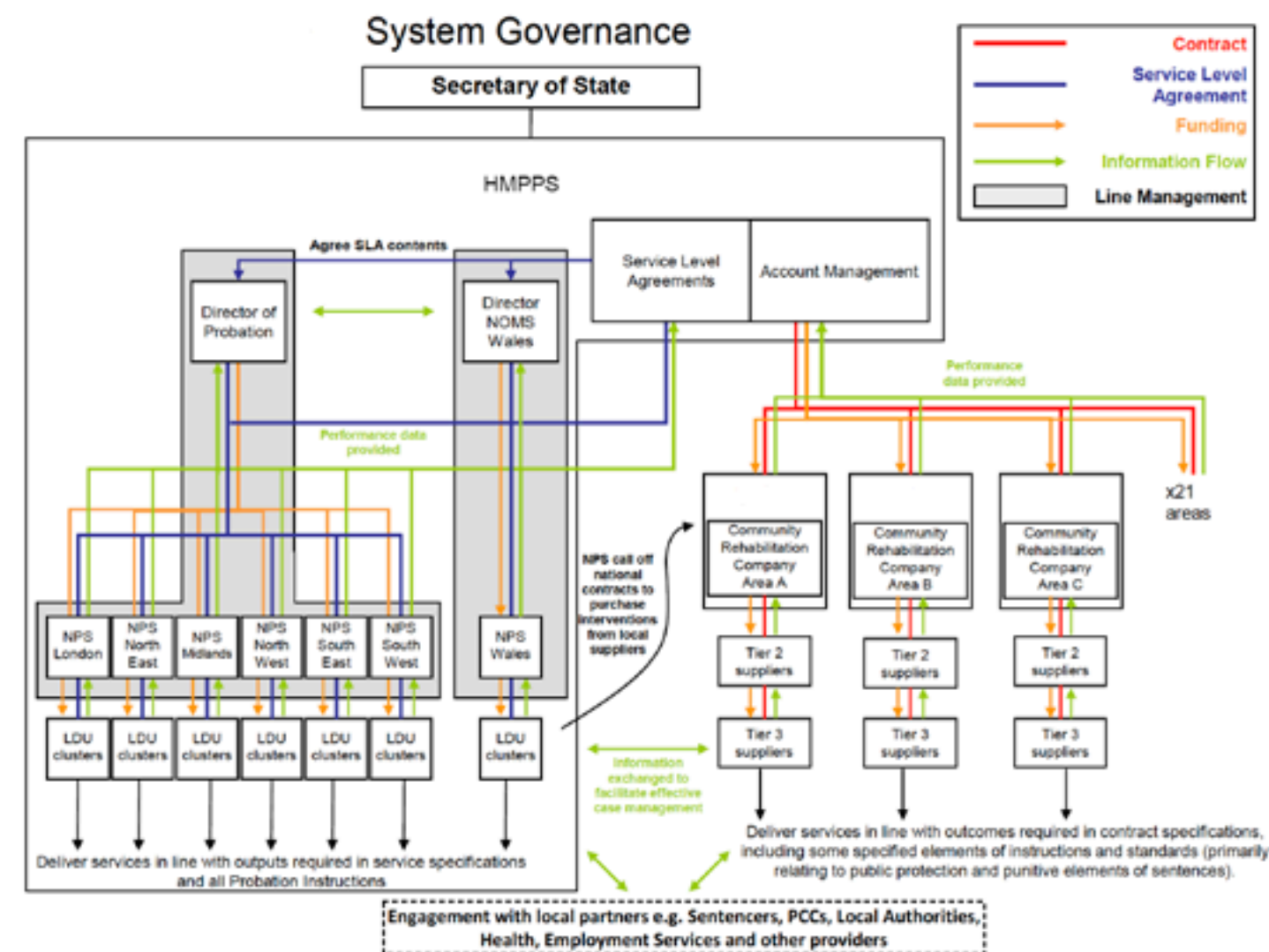


Figure 4: System governance diagram extracted from Target Operating Model Rehabilitation programme MOJ September 2013

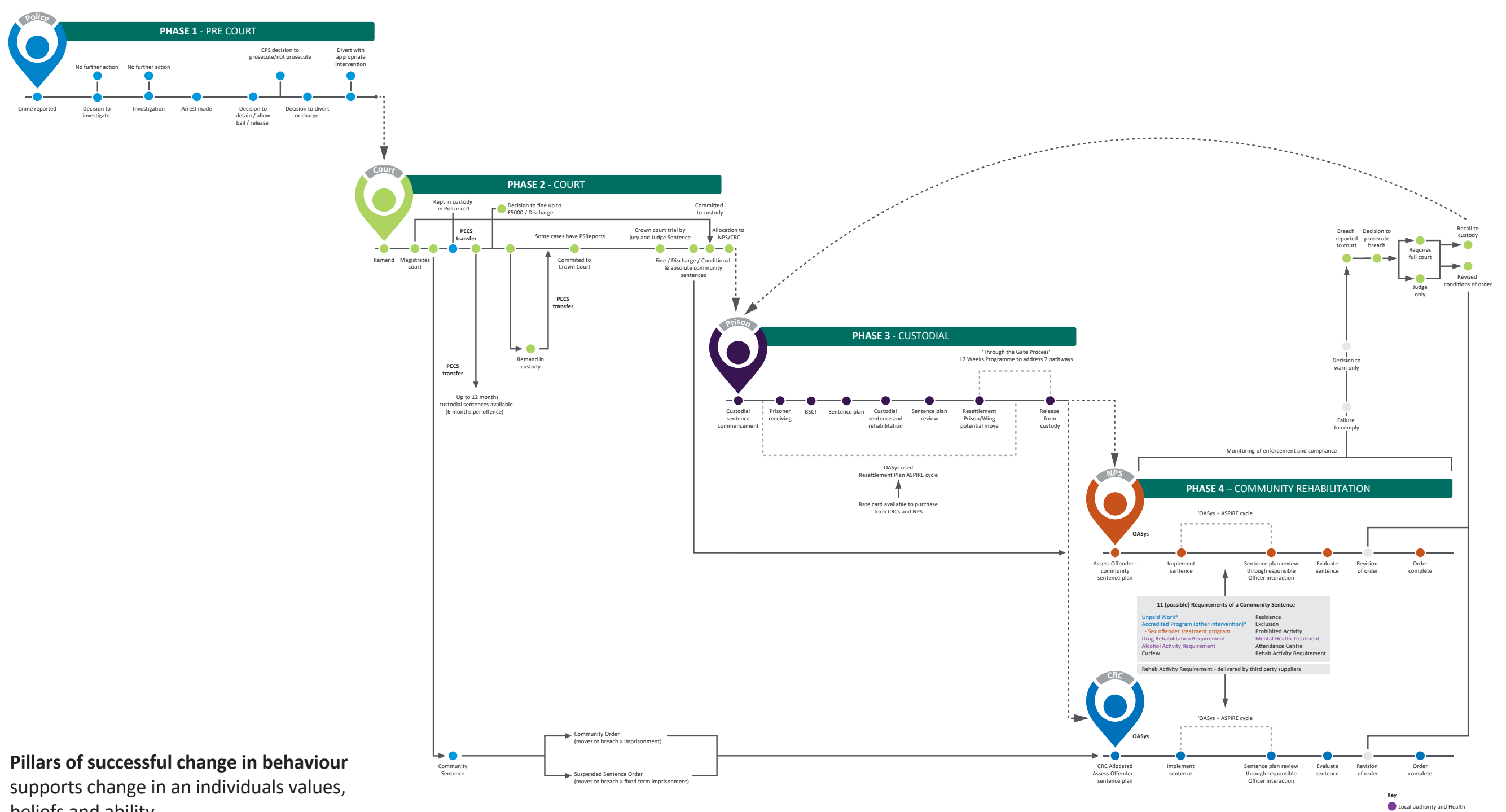
The offender journey

Individuals subject to probation supervision have different experiences, depending on the prison or area they are in and whether they are supervised by the NPS or a CRC. If supervised by a CRC, then the experience also depends on how the CRC organises itself and provides its services.



Figure 5: Systems map of an offender journey (available to download at www.justiceinspectorates.gov.uk/hmiprobation)

Value creation through probation achieved by: Driving change in individuals behaviour. Control of an individuals behaviour.
Delivery through: Engagement with Probation Officer. Specialist services from partner organisations and other providers.



Pillars of successful change in behaviour supports change in an individuals values, beliefs and ability.

Awareness
 Aware of the need to change and that there are alternatives

Motivation
 Wants to make the change, desires a new way of living

Understanding
 Knows what it would mean, look like, feel like to do something differently

Capability
 Has the knowledge, skills and confidence to try

Backup
 Drivers and incentives exist to counter negative pressures, overcome hurdles and setbacks

Desired outcomes: Reduced risk of reoffending. Reduced risk of harm to others.

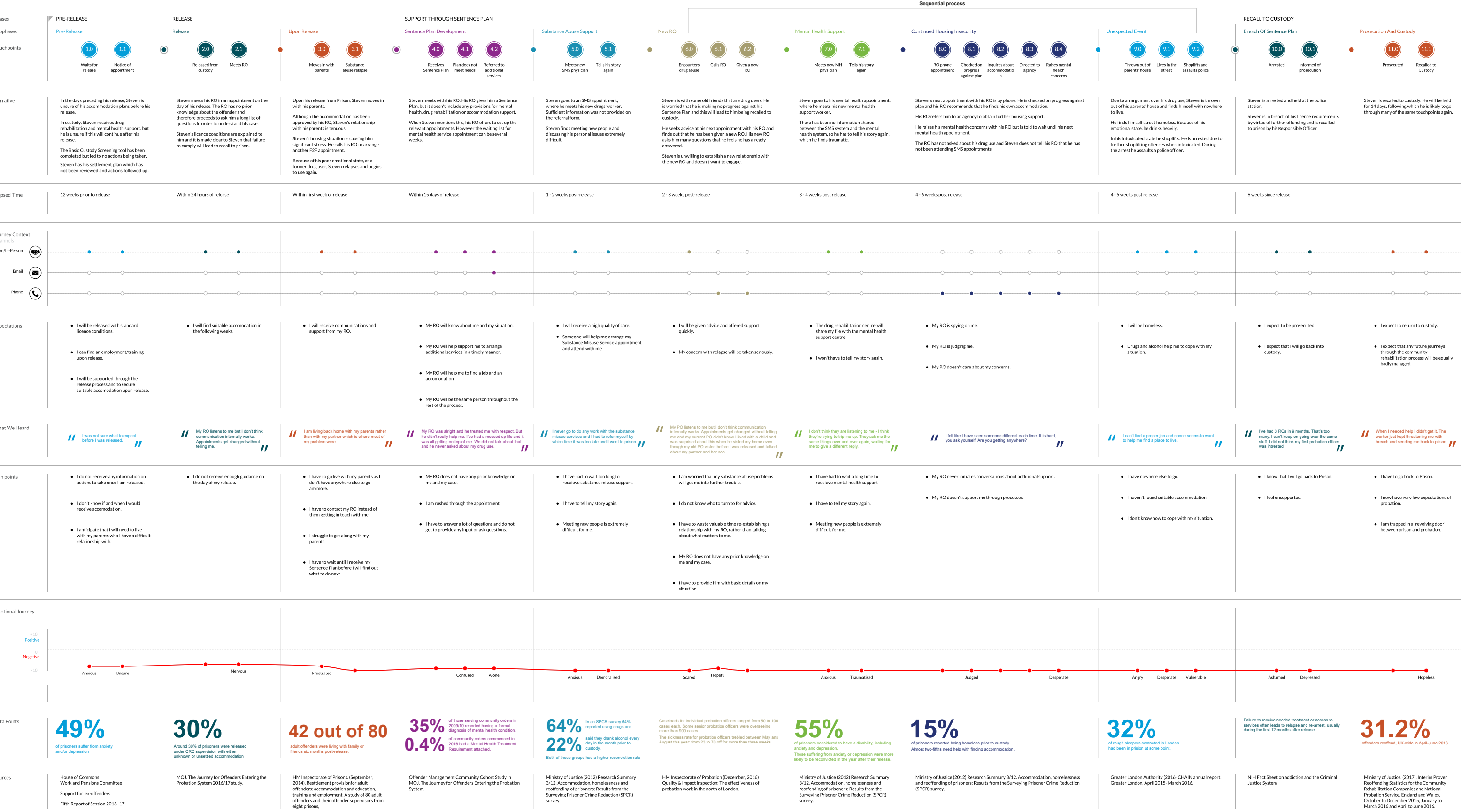
The offender journey towards those outcomes is currently fragmented and extremely complex. The entire process has been simplified, in particular the court process and the diagram does not display the current licence process.

Figure 6: A poorly managed offender journey (available to download at www.justiceinspectors.gov.uk/hmiprobation)

OFFENDER PROBATION MANAGEMENT

An Offender's poorly managed journey Through The Gate

STEVEN
DRUG USER - MENTAL HEALTH ISSUES - DRUG DEBT - SERVED LESS THAN 12 MONTHS IN PRISON



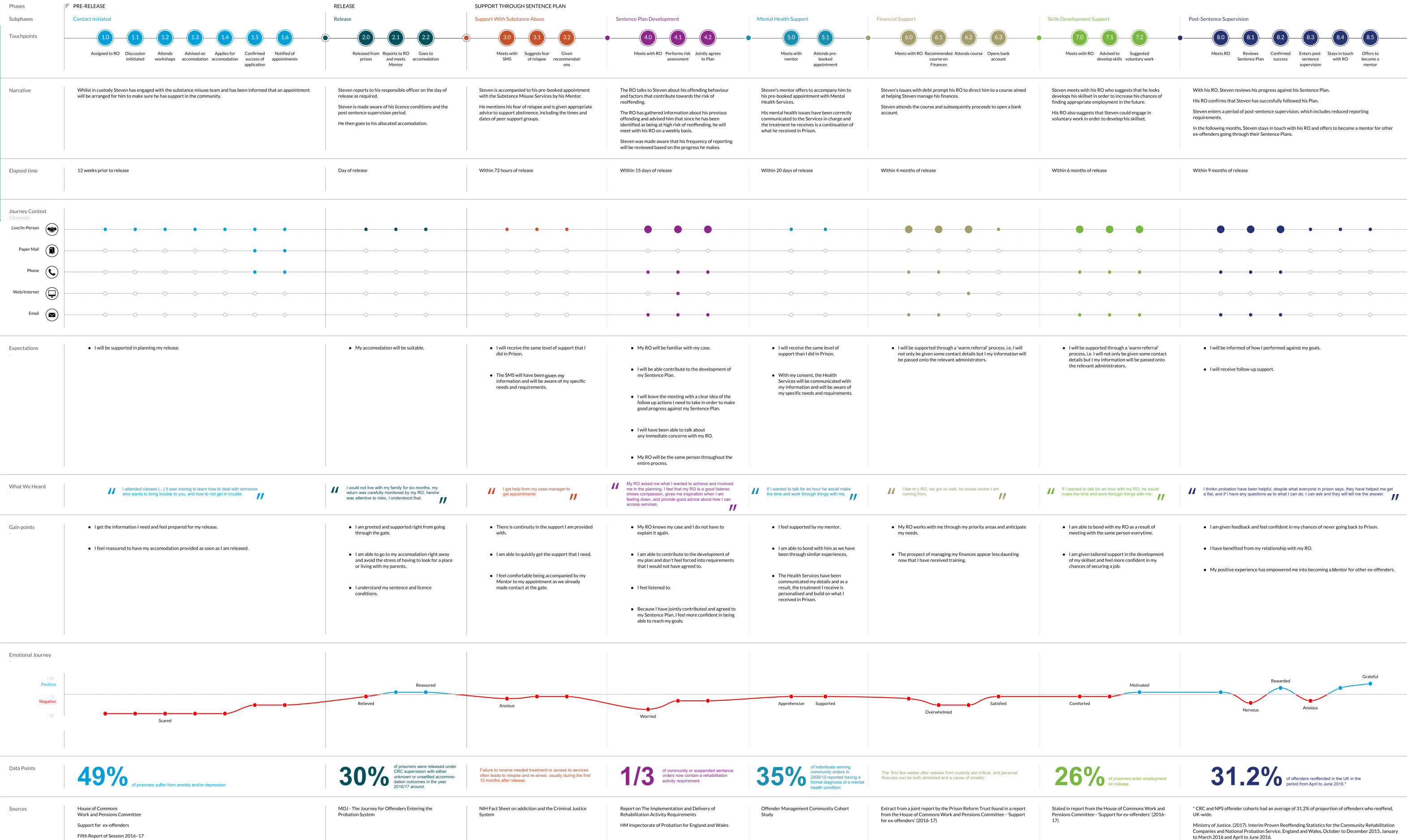
Note: 'What we heard' - taken from 'Quality and Impact Inspection Programme - aggregated case assessment data'
'Expectations' - taken from insights from the HMI Probation Inspectors and other stakeholders

Figure 7: A well managed offender journey (available to download at www.justiceinspectors.gov.uk/hmiprobation)

OFFENDER PROBATION MANAGEMENT

An Offender's well managed journey Through The Gate

STEVEN
DRUG USER - MENTAL HEALTH ISSUES - DRUG DEBT - SERVED LESS THAN 12 MONTHS IN PRISON



Note: 'What we heard' - taken from 'Quality and Impact Inspection Programme - aggregated case assessment data'
'Expectations' - taken from insights from the HMI Probation Inspectors and other stakeholders

How performance is evaluated

HMPPS performance monitoring

HMPPS publishes performance data and information for the NPS and CRCs quarterly, in arrears. The latest published quarterly figures (April to June 2017¹⁹; see consolidated performance tables below) and annual figures show CRCs and NPS divisions meeting or almost meeting the majority of their performance targets. These performance measures tend to focus on the completion of important tasks, for example preparing a plan for work with an offender during the period of his or her supervision.

Figure 8

CRC service level measure and assurance metrics	Rating	Target
SCH9 AA – Percentage of offender surveys that demonstrate a positive experience over the last 6 months	79.1%	75%
SCH9 AB – Percentage of acceptable serious further offence action plans completed within 3 months of an offender being charged with a serious further offence	68.9% *	100%
SCH9 AC – Percentage of offenders released from custody that have settled accommodation	67.2%	90%
SCH9 AD – Percentage of accredited programmes that meet required quality assurance on accreditation standards	80.6%	90%
SCH9 AE – Percentage of alleged breaches of a community sentence referred to the court within 8 days of the CRC becoming aware of the alleged breach occurring	86.6%	95%
SCH9 AF – Percentage of recommendations to recall made by the CRC within 24 hours of the CRC becoming aware of the alleged breach occurring	89.5%	95%
SCH9 SL001 – Percentage of offenders with a community sentence seen within 5 days of allocation to the CRC	95.6%	97%
SCH9 SL002 – Percentage of offenders released from custody seen within 1 day of release	97.9%	97%
SCH9 SL003 – Percentage of offenders with a community sentence who have had a plan completed within 10 days of first contact with the CRC	96.6%	97%
SCH9 SL004 – Percentage of offenders released from custody who have had a plan completed within 10 days of first contact with the CRC	95.7%	97%
SCH9 SL005 – Percentage of offenders with an unpaid work requirement who have unpaid work arranged within 28 days of allocation	99.0%	97%

¹⁹ Source: Community Performance Statistics April – June 2017, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/community-performance-quarterly-mi-update-to-june-2017>

SCH9 SL006 – Percentage of offenders with an unpaid work requirement who have unpaid work arranged within 7 days of allocation	82.4%	75%
SCH9 SL007 – Percentage of offenders whose completion of the sentence of the court is recorded, regardless of the outcome	89.2%	99%
SCH9 SL008 – Percentage of offenders with a community sentence whose completion of the sentence of the court is recorded as positive	78.5%	75%
SCH9 SL009a – Percentage of offenders with a licence or post sentence supervision whose completion of the sentence of the court is recorded as positive	77.2%	65%
SCH9 SL010 – Percentage of offenders with an unpaid work requirement that have completed that requirement and it has been recorded as positive	89.5%	90%
SCH9 SL011 – Percentage of positive completions of a programme requirement for those with a community order	82.8%	90%
SCH9 SL013 – Percentage of appropriate prisoners for whom the CRC has completed a resettlement plan within 5 days of the basic custody screening	96.6%	95%
SCH9 SL015 – Percentage of appropriate prisoners released on home detention or temporary licence where the CRC has contributed to the decision-making process	90.9%	97%
SCH9 SL016 – Percentage of breach information packs from the CRC that the Authority is able to use for a breach presentation without the need for additional information	89.1%	90%
SCH9 SL017 – Percentage of recalls that the court is able to make without having to request further information from the CRC	94.8%	90%

* This data is from the most recent quarter for data was available which was 16/17 Q4 (Jan-Mar 17)

Figure 9

NPS Service level measure and assurance metrics	Rating	Target
NPS SL001 – Percentage of pre-sentence reports completed within the timescale set by the court	99.6%	95%
NPS SL002 – Percentage of offenders allocated by the end of the second full business day after sentence	96.0%	95%
NPS SL003R – Percentage of offenders with a community sentence who have their first appointment within 5 days of allocation	93.4%	97%
NPS SL004R – Percentage of offenders released from custody who have their first appointment within 1 day of release	98.4%	97%
NPS SL005R – Percentage of offenders with a community sentence who have had a plan completed within 10 days of first contact with the NPS	96.0%	97%
NPS SL006R – Percentage of offenders released from custody who have had a plan completed within 10 days of first contact with the NPS	96.4%	97%

NPS SL007 – Percentage of unpaid work requirements transferred to the CRC within 5 days of allocation to the NPS	93.6%	97%
NPS SL009 – The percentage of positive completions of a sex offender treatment programme delivered by the NPS	93.8%	90%
NPS SL010 – Percentage of accredited programmes meeting quality assurance for adherence to accreditation standards	75.9%	90%
NPS SL012 – Percentage of standard and fixed term recall referrals made within 24 hours of the NPS becoming aware of the alleged breach occurring	98.8%	95%
NPS SL014 – Percentage of alleged breaches presented to court within 10 days of the NPS becoming aware of the alleged breach occurring	94.0%	95%
NPS SL015 – Percentage of breach referral requests presented to court within 2 days of receiving acceptable referral request from a CRC	93.1%	95%
NPS SL016 – MAPPA attendance, creating required records on ViSOR, attendance at SMB and level 2 and level 3 MAPPA meetings	97.3%	90%
NPS SL017 – Percentage of acceptable serious further offence reviews conducted within 3 months of notification of the serious further offence being submitted.	75.5% *	100%
NPS SL018 – Percentage of completions of community sentences that were positive	73.1%	75%
NPS SL019 – Percentage of completions of licence or post-sentence supervision periods that were positive	59.7%	65%
NPS SL021 – Percentage of OASys assessments assessed as satisfactory or good by OASys quality assurance	91% *	90%
NPS SL022 – Percentage of parole assessment reports sent within the timescale set by the offender management and public protection group	96.2%	90%
NPS SL023 – Percentage of offenders with an overall positive experience of engagement	82.4% **	75%
NPS SL024 – Percentage of recall documents supplied by the NPS within 10 days of an offender's return to custody	88.9%	90%
NPS SL025 – Percentage of victims who are satisfied or very satisfied with the service they received	98.2%	90%

* This data is from the most recent quarter for data was available which was 16/17 Q4 (Jan-Mar 17)

** This data is from the most recent quarter for data was available which was 16/17 Q3 (Oct-Dec 16)

Reductions in reoffending

Both the NPS and CRCs are expected to reduce reoffending overall, as well as the rate of reoffending for any individual under their supervision. The first set of reoffending figures for a cohort of offenders being managed by CRCs and the NPS following the *Transforming Rehabilitation* reforms have now been published²⁰. For CRCs, it is these one-year proven reoffending figures that form the payment by results element of the reforms.

For the October to December 2015 cohort, the overall proven reoffending rate for adults released from custody or starting court orders was 38.1%, with figures of 37.5% for the NPS and 43.9% for CRCs. The average number of reoffences per reoffender was 3.97 for the NPS and 4.64 for the CRCs. As the NPS and CRC offender cohorts are very different in nature, these figures are not directly comparable.

For all adult offenders starting a court order (community order or suspended sentence order), the proven reoffending rate was 33.9%.

For the payment by results calculations, the performance of each CRC in reducing

²⁰ Proven Reoffending Statistics, October 2015 to December 2015, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/proven-reoffending-statistics-october-2015-to-december-2015>

reoffending, on both the binary and frequency measures, are assessed against a baseline year of 2011. Furthermore, the binary rate for each CRC is subject to adjustment for changes in the case mix of offenders being supervised, using the Offender Group Reconviction Scale (OGRS) to allow performance to be assessed against the baseline.

For the October to December 2015 offender cohort, 13 of the 21 CRCs had made statistically significant reductions in the binary reoffending rate when compared to the 2011 baseline reoffending rates. These figures can of course be affected by changes elsewhere, e.g. policing activity, and it will be interesting to see whether reductions are maintained for more recent cohorts.

Independent inspection

During the period covered by this report, we published seven thematic inspections of probation services, sometimes working with other criminal justice inspectorates. In doing so, we sampled a total of 714 cases, drawn from all NPS divisions and most CRCs.

In the period to May 2016, we undertook a series of 'Transforming Rehabilitation –Early Implementation' inspections, sampling 877 cases in all.

We have since inspected probation services in 14 different police force areas, covering all NPS divisions and all CRC owners (but not all CRCs), with follow-up inspections in London – both for the NPS and the CRC. In doing so, we have inspected a sample of 712 CRC cases and 415 NPS cases – 1,127 cases in all. We selected areas for inspection on a risk basis, reviewing caseload and performance information, inspection findings and other intelligence. We publish all our inspection reports.

During our inspections, we do not routinely inspect the work of partners (such as local health services) or the work of specialist organisations providing services to CRCs or the NPS under contractual or other arrangements. We do, however, observe specific activities and interventions, and speak with key staff, managers, partners and offenders, in focus groups, meetings, or on a one-to-one basis.

We have not yet conducted a routine performance inspection in 7 of the 21 CRCs: Dorset, Devon & Cornwall; Essex; Hampshire & the Isle of Wight; Merseyside; Northumbria; Thames Valley; and West Yorkshire. We will have inspected all CRCs by April 2019.

Figure 10: HMI Probation 'Quality and Impact' inspections, March 2016 – December 2017

NPS division	CRC owner	Contract package area	PCC area inspected	Date of inspection report
North East	Sodexo	Northumbria	X	June 2017
		South Yorkshire	South Yorkshire	
	Purple Futures	Durham Tees Valley	Durham	August 2016
		Humber, Lincolnshire and North Yorkshire	North Yorkshire	August 2016
North West	Sodexo Justice Services/Nacro	West Yorkshire	X	October 2017
		Cumbria & Lancashire	Cumbria	
	Purple Futures	Cheshire and Greater Manchester Merseyside	Greater Manchester	February 2017
Midlands	The Reducing Reoffending Partnership	Staffordshire and West Midlands	Staffordshire	January 2017
		Derbyshire, Leicestershire, Nottinghamshire and Rutland	Derbyshire	September 2016
	EOS Works Ltd	Warwickshire and West Mercia	West Mercia	November 2017
Wales	Working Links	Wales	Gwent	April 2017
South West & South Central	Working Links	Bristol, Gloucestershire, Somerset and Wiltshire	Gloucestershire	August 2017
		Dorset, Devon and Cornwall	X	
	Purple Futures	Hampshire and Isle of Wight	X	
	MTCNovo	Thames Valley	X	
South East & Eastern	Sodexo Justice Services/Nacro	Bedfordshire, Cambridgeshire, Hertfordshire & Northamptonshire	Northamptonshire	April 2017
		Norfolk and Suffolk	Suffolk	June 2017
	Seetec	Essex	X	
London	MTCNovo	Kent, Surrey and Sussex	Kent	October 2016
		London	London	London north – December 2016 London NPS, London CRC - TBC

The quality of probation services

Government has recently set out its expectations of probation services: to provide advice to courts; protect the public from reoffending and serious harm; rehabilitate and resettle offenders in order to reduce reoffending; deliver and enforce the order of the court; engage with victims; respect and promote diversity, equality and inclusion; and to work in partnership with others to improve public protection and the prospects of rehabilitation for individuals²¹.

In this section, we report on the extent to which these expectations are being met, starting (at the beginning) with the quality of advice and information given by the probation service to judges and magistrates, to aid sentencing.

Unless otherwise stated, case sample data is drawn from our 'Quality and Impact' inspections across the 14 different police force areas, covering all NPS divisions

and all CRC owners²². For the one police force area that was re-inspected, the most recent data is used, ensuring that we are presenting the most up-to-date picture. This left 1,066 cases, broken down as follows:

- 394 (37%) NPS cases
- 156 (15%) cases involving female offenders
- 500 (47%) post-release custody cases
- 177 (17%) high or very high risk of serious harm cases
- 271 (26%) cases eligible for MAPPA.

In this section, we report on the extent to which expectations are being met

²¹ These high-level expectations are summarised in Annex B of our consultation paper on standards and ratings: http://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2016/05/HMI-Probation-consultation-on-probation-standards-and-ratings_November-2017_.pdf

²² The data may not be representative of all areas across England and Wales, particularly as we selected areas for inspection on a risk basis. But this does not impact on the NPS vs. CRC comparisons within those areas inspected.

We found satisfactory (or better) arrangements to secure relevant information from others regarding Child Protection and domestic abuse

Providing advice to the courts

Courts are receiving consistently good and timely advice in cases, to enable them to sentence well. However, NPS reports prepared for the court do not necessarily provide enough information for CRCs about individuals then allocated to the CRC for supervision. What is more, requirements for speedy sentencing may be inadvertently reducing sentencing options.

The NPS provides advice and information to courts in about 140,000 PSRs each year²³. PSRs are produced swiftly: barring the odd exception, all reports are completed to tight timeliness targets.

The probation service historically requested that the court adjourn, often for three weeks or more, in order that pre-sentence advice and information could be assembled and provided. The new expectations are that most advice to court can be given on the day in cases where a defendant pleads guilty, to avoid adjournment and allow for an immediate sentencing decision. In response, the NPS has developed

²³ Figures relate to court reports prepared, April 2016 to March 2017. Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

and implemented specific nationwide arrangements, creating new court services teams and processes, and setting performance requirements for a speedier service.

In our June 2017 inspection²⁴ of these arrangements, we found that they were working well. Oral reports are now the most common form of report, and we found that they were well regarded by judges and magistrates. No doubt the strong, purposeful working relationships and arrangements we found between HMPPS, NPS and the court help daily. We found that oral reports and full written reports (submitted after an adjournment) were generally sufficient for sentencing purposes, but shorter format reports (written reports prepared over a few days) were not always of the right quality: the assessment of risk of harm was not always sufficiently thorough.

We found satisfactory (or better) arrangements to secure relevant information from others regarding child protection and domestic abuse, as part of the information-gathering process for the provision of advice to court, although we are concerned that this is not happening well enough in London. Where this information was not

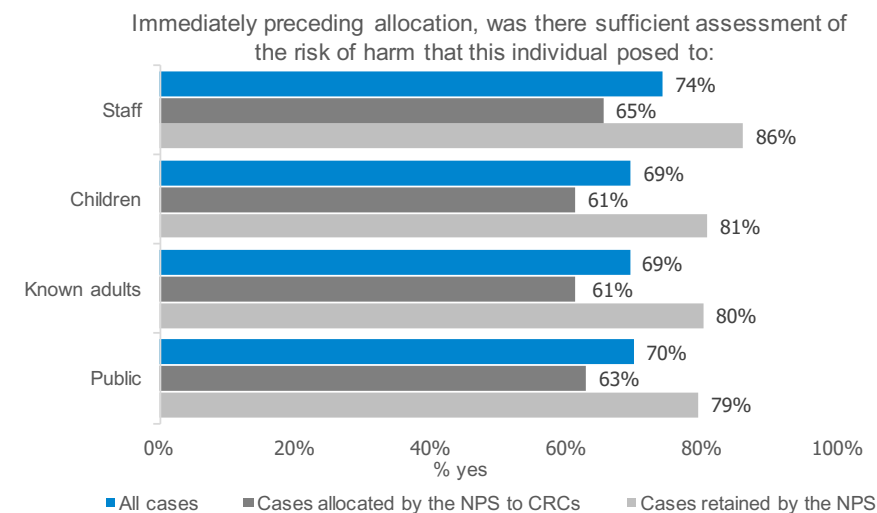
²⁴ 'The work of probation services in courts', HMI Probation (June 2017) <http://www.justiceinspectorates.gov.uk/hmiprobation/inspections/courtwork/>

readily available and had a bearing on the advisability of a particular sentence, this was routinely made known to the court. In most cases, relevant information was secured and in almost all cases nothing impeded sentencing or subsequent allocation of the case to a CRC or the NPS.

However, although the Risk of Serious Harm assessment in PSRs is important for the purpose of sentencing, those we sampled were too

frequently of poor quality. The assessment undertaken at court was not always adequate. We look at the quality of those assessments routinely as we inspect in individual areas, and we have found the assessment of risks to the public, known adults or children insufficient in three in ten cases. Notably, this is most commonly a problem in those cases thought to be medium or low risk, and so allocated by the NPS to CRCs.

Figure 11



One District Judge observed:

“My concern is that neither the NPS staff nor I have enough information about what the CRC are doing with offenders when they have been sentenced. I am not confident that the right work or intervention is being delivered or that it is being done swiftly after sentence”.

Advice and sentencing

We found that judges and magistrates are generally well advised and informed in PSRs, with almost all the 134 we interviewed confident in the reports they received. But some remained concerned about whether the right work was then done in community sentences and cases where they ordered RARs.

RARs provide for the offender to undertake up to a maximum number of days of rehabilitation activity, with the maximum determined by the court. The bulk of these orders are delivered by CRCs. We found that judges and magistrates are generally uncertain about what sort of activity will follow, or how much will actually take place. Despite these judicial concerns, RAR is the most proposed and utilised element of a community sentence, with RARs ordered in almost two in every five community sentence cases during the last financial year²⁵.

RARs are flexible provisions, and relatively easy for the NPS to propose, as there are no constraints over eligibility or suitability. More information is required to support proposing to the court that the offender

²⁵ Figures relate to requirements commenced under community and suspended sentence orders, April 2016 to March 2017, England and Wales. Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

undertakes an accredited programme. Of course, time is often tight, most especially in those cases where advice is given on the day. We found a very low proposal rate for accredited programmes, despite the strong empirical evidence base for many of them. In our sample of 162 reports, an accredited programme was proposed in a community order or suspended sentence order in 21 cases, and was actually ordered in 15 cases.

CRCs can decide that an individual subject to a RAR provision should attend an accredited programme even if the court did not require it. They may judge it in the individual’s interest to attend, and that it may reduce offending. This option is explicitly included in the *Offender Rehabilitation Act 2014*, yet the structure of the CRC delivery contract and payment mechanism means that attendance would not be specifically funded. Contractual arrangements would therefore need to be adjusted in order for these programmes to be provided in this way.

Pre-sentence reports and CRCs

Court processes increasingly require the speedy delivery of sentences, reducing the prospect that assessment undertaken at court will also be adequate for the purposes of

managing risk and addressing need through the supervision of a community sentence. While we found in our June 2017 inspection that reports generally met the court’s needs, they were less likely to be detailed enough to fully inform CRC assessment and sentence planning. As a consequence, CRCs are less likely to develop sufficiently comprehensive or well-targeted sentence plans.

Work undertaken at pace to advise the court for the purposes of sentencing is unlikely to cover the background, motivation and complex needs of an individual engaged in community supervision. When it does not, the receiving probation service – in most cases a CRC – picks up responsibility for the comprehensive assessment of newly allocated cases, in order to develop a meaningful sentence plan. Yet CRC performance is currently measured on the completion of an initial sentence plan, not on the quality of any initial assessment.

In our ‘Quality and Impact’ inspections, we consider the sufficiency of the NPS pre-allocation assessment in relation to reducing reoffending. We judged the assessment to be insufficient in three in ten cases, with the proportion higher in those cases then allocated to CRCs.

Figure 12: Oral reports: proposed order requirements

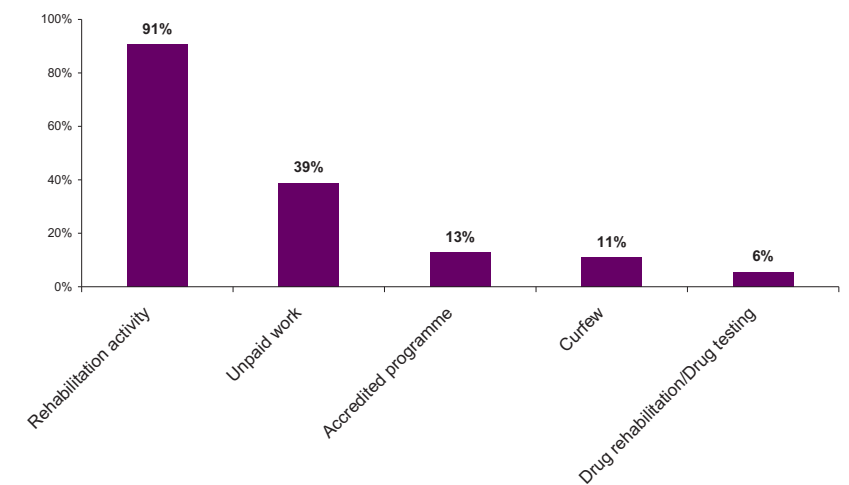
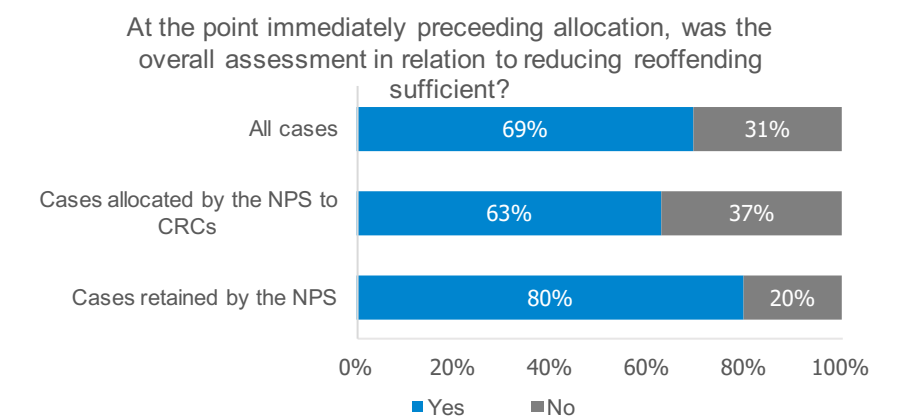


Figure 13: Assessment before allocation



Example 1 - good practice

We observed two experienced NPS staff in Barrow-in-Furness magistrates' court making pre-hearing enquiries, providing comprehensive information to the 'guilty anticipated plea' court, completing a standard delivery report and undertaking a post-sentence interview that included completing an equality form.

There was evidence that a considerable amount had been done in the week before this court hearing. This included work to obtain progress reports on CRC individuals who were appearing, to acquire domestic abuse call-out information, to liaise with children's social care services on a new neglect case, and to receive information from the liaison and diversion service about a current individual who was seen in police custody and had substance misuse issues.

This effective preparatory work and good liaison with solicitors, CPS and the court helped to deliver speedy justice.

Example 2 - good practice

Roger was convicted of assault by battery. He was sentenced to a 12-month community order with a 30-day accredited programme requirement and 4-week curfew. The offence involved punching a night-club bouncer following an evening of heavy drinking. Poor emotional management and lack of victim awareness and anger management were appropriately identified as key factors contributing to the offence.

An immediate request for domestic abuse call-out information was made, as Roger lived at home with younger siblings and had an estranged son. Checks were completed and results returned within two hours. This enabled the court to verify that the proposed curfew requirement was appropriate.



Protecting the public from harm

While we find the NPS good overall at assessing and managing the risk of harm, there is clear room for improvement. The NPS is protecting the public from harm from serious offenders housed in probation hostels, but it can do more to protect the public from individuals supervised in the community. We find the quality of CRC work to protect the public is generally poor and needs to improve in many respects. Both the NPS and CRCs need to produce good plans to manage the risk of harm to children, people known to the offender and the wider public.

Those who commit offences often pose a risk to others, most especially those convicted of sexual offences or domestic abuse or other violent offences. Probation staff must balance the work they do to rehabilitate offenders with an ongoing requirement to protect the public from harm so far as is possible. Striking the right balance is at the heart of good-quality probation work, and it starts with an assessment of the offender and the risks they pose to others.

We find the NPS good at assessing those risks overall. We would expect this, given

the nature of the individuals they supervise, yet there is still room for improvement. Those CRCs we have inspected are not assessing these risks sufficiently in enough cases.

Example 3 - poor practice

Peter was 40-years-old and had a long history of offending.

At the time of the inspection, there had been no risk assessment since two years previously, when a risk screening had failed to identify previous convictions for possession of weapons, and he was assessed as posing a low risk of serious harm to others. He had since received one community sentence and three custodial sentences without a risk assessment being completed.

While on licence, in June 2016, an allegation of domestic abuse was made by a woman with whom he was living, and he was recalled to prison.

He had since been re-released at the end of his sentence and was subject to post-sentence supervision. There was no assessment in place of the risk of future domestic abuse and no 'flag' on the database identifying him as a domestic abuse perpetrator. It was not clear where he was currently living and whether or not he was living with a partner. In these circumstances, we had no confidence that potential victims were protected from this offender.

Figure 14

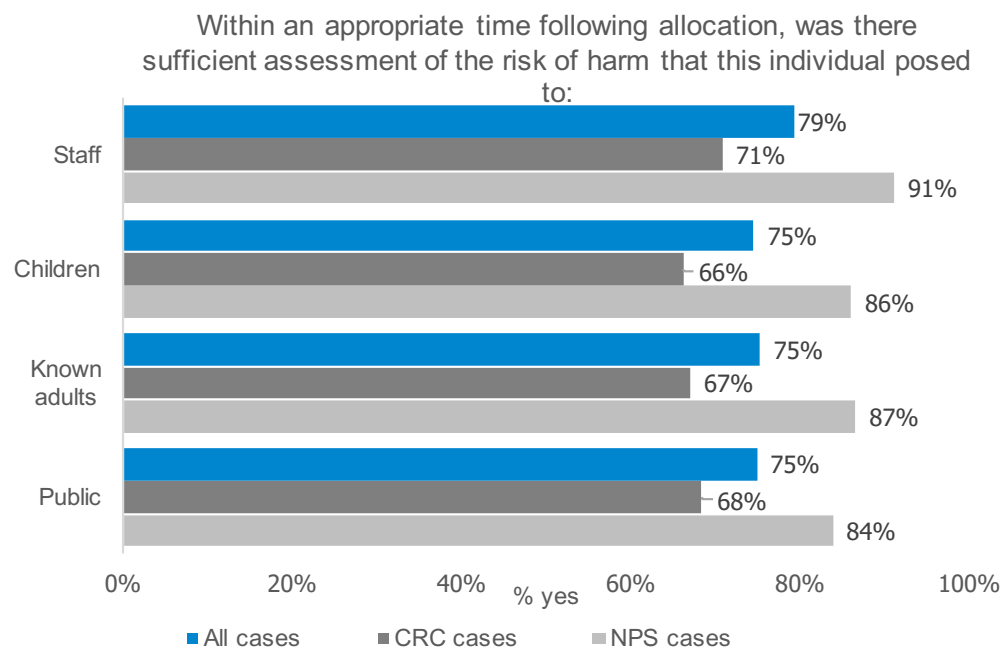
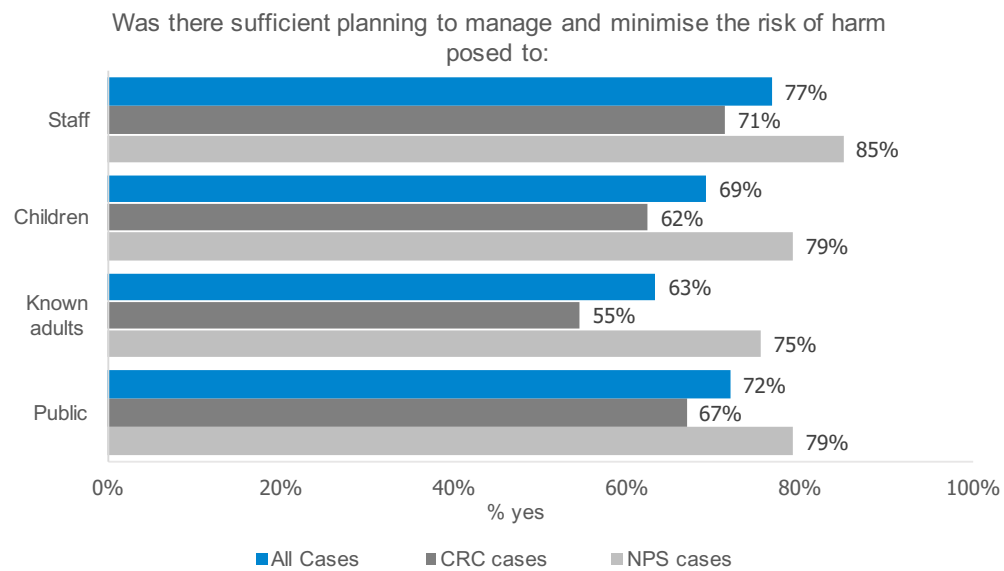


Figure 15



The risk of harm is managed by tight probation supervision arrangements, for example involving specific licence conditions, and by working closely with other local partners such as the police. The level and nature of contact between the probation worker and the individual should be sufficient to manage and minimise the identified risks.

Protection from harm is clearly important in the high-risk cases that are now the responsibility of the NPS, but it can be equally necessary in cases managed by CRCs – for example, domestic abuse cases. This is an area where, in our view, both the NPS and CRCs must improve. We find some inconsistency across the NPS, and as a national organisation it has the opportunity to improve in the poorer-performing areas.

We have found CRCs unduly slow to recognise when an individual's changing circumstances should lead to a review and possible changes in the way the individual is being supervised to manage risk of harm, and the NPS slower than expected as well. Indeed, in our inspection in the Gloucestershire police force area, we informed NPS leaders that the review of cases in that area had been de-prioritised.²⁶

²⁶ The responsible officer is the probation worker/practitioner to whom the case is assigned.

Example 4 - good practice

Devon is a 27-year-old who has a serious and long-standing mental health condition. He had breached a restraining order five times and there had been over 100 police call-outs to his victim's address. This led to re-sentencing on several occasions over a short period of time.

Despite the complex issues inherent in this case, several agencies had worked well together, undertaking joint assessments and plans to deliver coordinated interventions. The agencies also collectively instigated practical steps to protect the victim and enabled the Mental Health Recovery Team to assess Devon's needs more fully.

This work significantly reduced Devon's risk of reoffending and of harming a vulnerable victim.

Figure 16

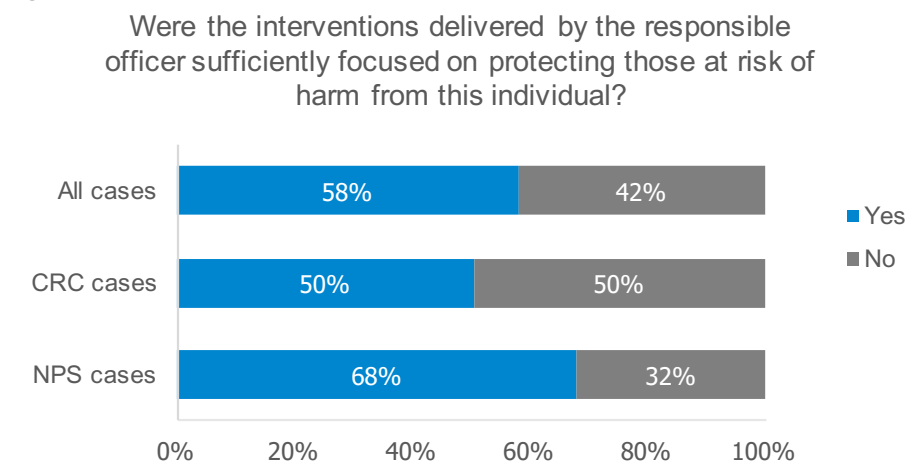
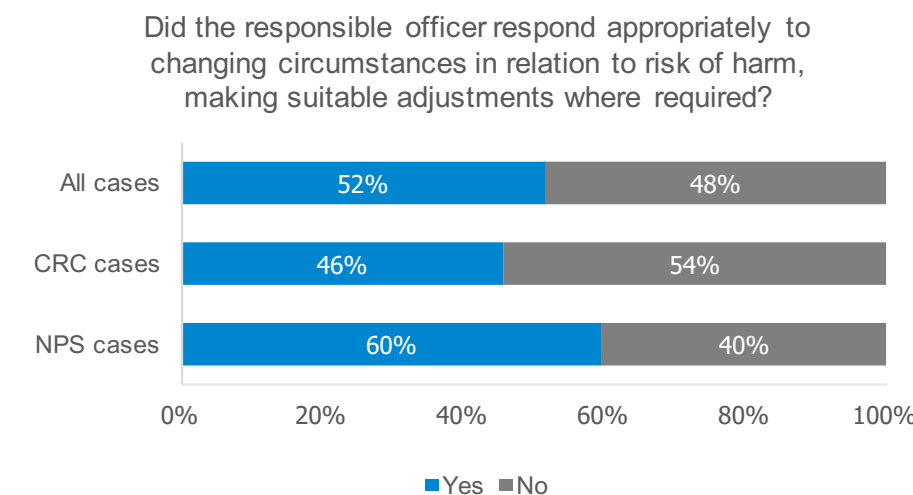


Figure 17: The responsible officer²⁴ responded appropriately to changing circumstances in relation to risk of harm and made suitable adjustments where required



Public protection when people leave prison

We expect that, whatever the difficulties, probation providers will always consider and plan effectively for the protection of the public. Regrettably, we did not find that this was so for the majority of offenders about to leave prison. Some of the probation workers we spoke to did not see it as a priority, or part of the job while delivering Through the Gate services. We return to Through the Gate services later in this report.

Figure 18: Extracted from *An Inspection of Through the Gate Resettlement Services for short-term prisoners, HMI Probation 2016*. 'Did the CRC (including any supply chain organisations) identify, and respond to any public protection issues in the case.'

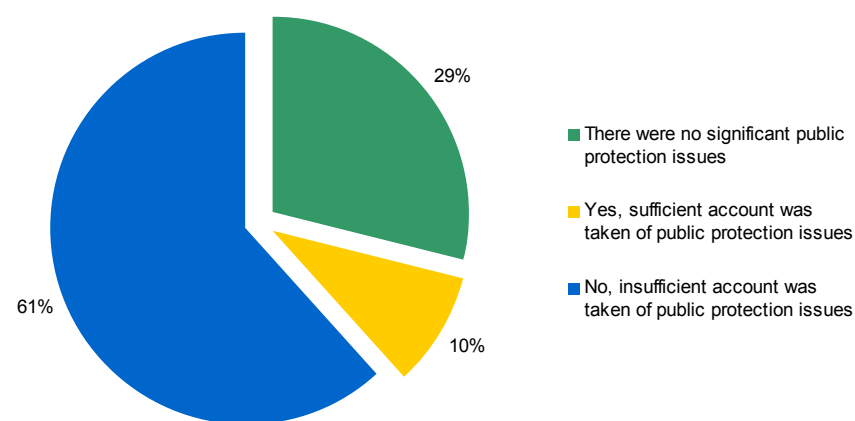


Figure 19: Extracted from *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More, HMI Probation 2017*. 'Was public protection done well enough for CRC prisoners'.

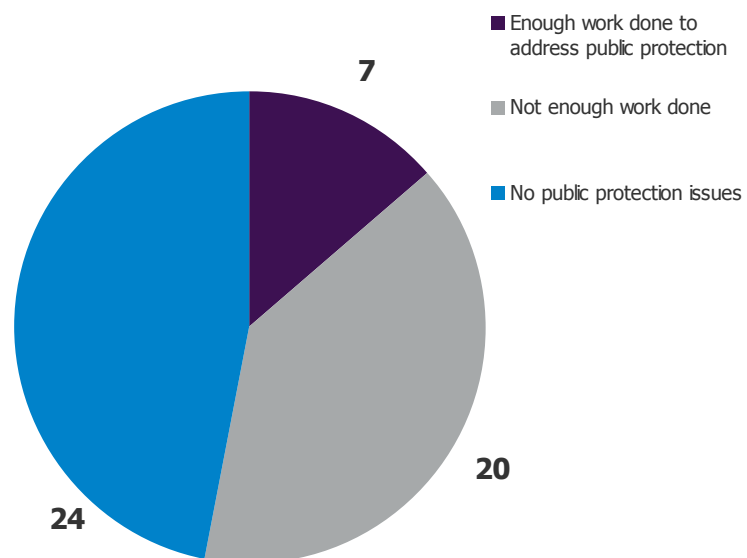
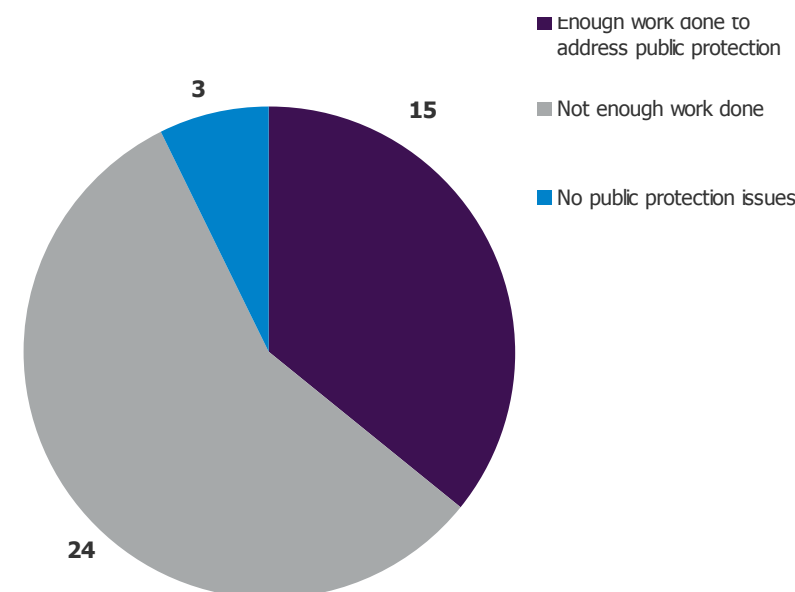


Figure 20: Extracted from *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More, HMI Probation 2017*. 'Was public protection done well enough for NPS prisoners'.



Probation hostels

There are just over 100 hostels ('approved premises') in England and Wales, and almost 2,300 beds. Eleven hostels are run by independent providers and six house women only. With *Transforming Rehabilitation*, responsibility for hostels passed from probation trusts to the NPS. We have found hostel staff exceptionally good at public protection work.

Hostels act as a halfway house between prison and the community. Many of the most serious offenders are placed in them on release from prison, with nine in ten residents assessed as posing a high or very high of serious harm. Hostels are extremely well used. Most are full, most of the time.

As with prisons, hostels are increasingly receiving

offenders with physical disabilities, or who are elderly and infirm, or who have mental health or care issues that the hostel is ill-equipped for. What is more, in our inspection of hostels in July 2017, we found them oversubscribed: an extra 400–500 beds are needed to meet demand. As it is, we found the duration of an individual's hostel residency too short to support reducing the risk of harm or reoffending in one in eight cases.

Pre-release work done in prisons was patchy, but we found planning in hostels to manage risk of harm to be exceptionally good: we judged that all reasonable action had been taken to minimise the residents' risk of harm to others in 96% of the cases we inspected. Again, however, we found that not enough attention was given to reviewing cases.

Staff had not sufficiently reviewed progress against risk of harm priorities in almost one in five cases.

Recall rates for hostel residents are high. This is not surprising given their characteristics, but more work is needed to be fully confident that proportionate licence conditions are imposed initially. In our sample of previous residents, just over one in three had been recalled, in the main because of increased concerns about the risk of harm²⁷.

²⁷ Offender Management Statistics Quarterly show there were 22,412 recalls during the financial year 2015/2016. There were 2,962 recalls from hostels during the same period, so over one in ten of all recalls nationally were from hostels. (Offender Management Statistics Quarterly: January to March 2016, Ministry of Justice, July 2016 and Probation Hostels' (Approved Premises) Contribution to Public Protection, Rehabilitation and Resettlement).

We find the NPS's performance better than CRCs' on average but there is still much room for improvement.

Rehabilitation and resettlement, to reduce reoffending

Offenders in prison are not receiving anywhere near the level of support they need from probation services, largely because CRC contracts do not embed government intentions specifically enough and do not reward CRCs well enough, and because these services are not integrated effectively in prisons.

The freedoms introduced with RARs are not being used to full effect. Rather than working innovatively to reduce reoffending, we find that most CRCs are undertaking too little purposeful activity.

Unpaid work is sometimes poorly administered, causing offenders to disengage or miss the chance to learn from the unpaid work experience.

We find the NPS's performance better than CRCs' on average but there is still much room for improvement.

Reducing reoffending is difficult. Almost two in three prisoners sentenced to fewer than 12 months and one in three longer-serving prisoners

go on to reoffend. Turning individuals away from crime is by no means guaranteed even when everything possible is done. Some issues are intractable: accommodation for former offenders is hard to find, and mental illness and addiction can be enduring. Nevertheless, the prospects are better if those involved are determined to do the best possible job for offenders, and if systems are designed to support them fully in their endeavours.

Most individuals receiving probation services are being supervised in the community. Many are serving a community or suspended sentence with a RAR and/or an unpaid work requirement. Others are subject to probation supervision on release from prison.

Rehabilitation while in prison: Through the Gate

Through the Gate is a flagship policy that government introduced in 2015. It was intended to bring about a step change in rehabilitation, and so reduce reoffending. New probation services have been rolled out in prisons to prepare prisoners for release and resettlement and increase their prospects of leading a better life. CRCs are responsible for Through the Gate services.

We consider the minimum requirements for resettlement are:

- a safe place to sleep, from the day of release
- access to enough money to meet basic needs, including food, clothing and transport a sense of hope for the future
- active links to services that can assist individuals with other needs, for example substance misuse and mental health services.

In our fourth *Transforming Rehabilitation* report (January 2016), we signalled our concern that Through the Gate expectations were not being given priority on the ground. With HM Inspectorate of Prisons, we have since reviewed 195 cases in two thematic Through the Gate inspections²⁸, with the first focused on offenders sentenced to fewer than 12 months' imprisonment and the second focused on those serving longer sentences. With few exceptions, we found Through the Gate services

²⁸ HM Inspectorate of Probation (2016) An Inspection of Through the Gate Resettlement Services for Short-Term Prisoners, <http://www.justiceinspectorates.gov.uk/cjji/inspections/throughthegate2016/>;

HM Inspectorate of Probation (2017) An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More, <http://www.justiceinspectorates.gov.uk/cjji/inspections/throughthegate2/>

extremely poor in both of these inspections.

It is most unusual for inspection not to drive improvement. CRCs are not paid enough to deliver a full and effective service, however, and are not required by their contracts to provide the intensive help government anticipated. Instead, the minimum requirement is to complete and review resettlement plans for each prisoner, ahead of release. We find that plans are prepared but most are woefully inadequate; most reviews are cursory at best, and very few plans are followed through, to make any real difference.

Alone, CRCs cannot reduce reoffending to any worthwhile extent. There is more that prisons should do to support resettlement, including properly screening for prisoners' needs, assessing risks of harm, and planning and delivering rehabilitative work where needed. Wider problems within the prison system mean prisoners rarely receive effective rehabilitation while detained. Many have enduring problems, including mental illness and addiction, and yet links between treatment in custody and in the community are not always well-coordinated. Indeed the whole transition is often fraught.

For example, the initial screenings carried out by prison staff are too rudimentary

to support resettlement planning by CRCs. CRC resettlement plans do not then address well enough the most urgent resettlement needs. They often consist of no more than referrals to other agencies, recorded as completed once an email has been sent. We found six in ten plans inadequate, and less than one in three reviewed well enough subsequently. Few prisoners had copies of their plans or knew what was to happen to them upon release.

Prospects on release

Clearly there is more time for resettlement work with longer-serving prisoners, but we found that the CRCs we inspected were making little difference to their prospects on release. They were no better served than their more transient fellow prisoners. All have similar needs on release, although

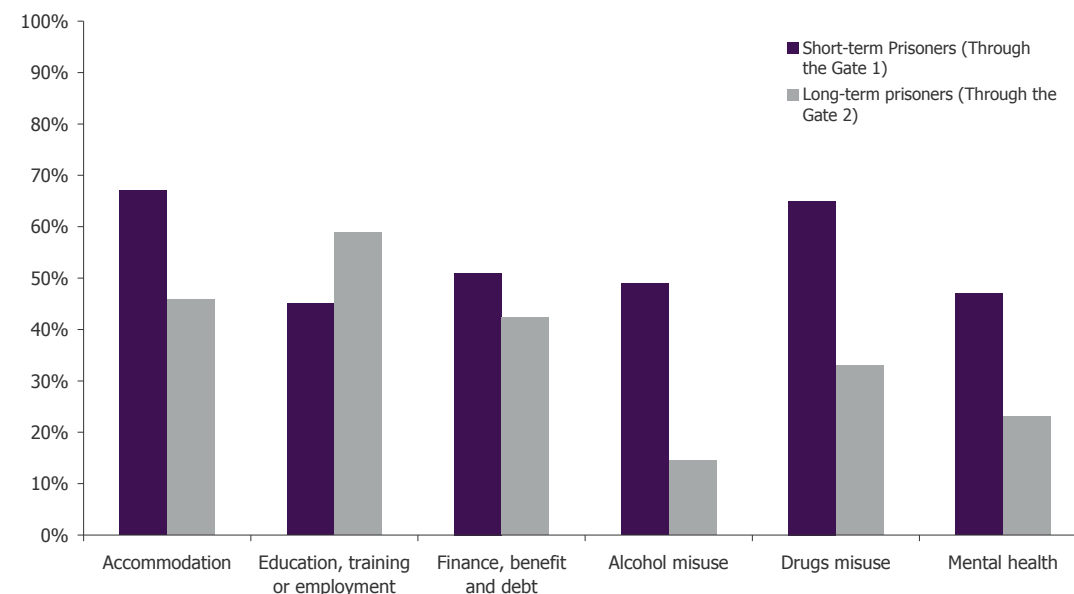
a much greater proportion of those serving short sentences need help with alcohol or drug abuse.

Accommodation

Example 5 - poor practice – accommodation only found after release

Gareth had been referred to the CRC housing service while in prison as he was due to be released to no fixed abode. Someone did come to speak to him, but there was no follow up from the Through the Gate team as to what had happened with this referral. This meant that Gareth was released with nowhere to sleep. His community based CRC officer had to make referrals after release to find him suitable supported accommodation.

Figure 21: Extracted from *An Inspection of Through the Gate Resettlement Services for Prisoners Serving 12 Months or More*, HMI Probation 2017 - Needs of prisoners (short and longer-term)



Of the prisoners we spoke to, many told us that finding somewhere to live on release was their greatest worry. We saw some good work in Durham, but otherwise, individuals had little support beyond an email to the local authority prior to release. About one in seven short-term prisoners and one in ten longer-term prisoners walked out of the prison gate not knowing where they were going to sleep that night, and only a small number found suitable accommodation on the day of release.

Employment

Not one prisoner in our samples was found employment upon release as a result of help from Through the Gate services. Those we met serving short sentences were a long way from being ready to enter employment. Other problems needed to be dealt with first, such as substance misuse, behaviour or mental health problems. Many had been receiving Employment and Support Allowance before they came into prison, and so were not working beforehand.

We hoped that prisoners serving longer sentences had been able to access appropriate training or employment in prison. In HMP Hatfield, an open prison, we found many prisoners already working in the community (the norm for open prisons). In the

other prisons, we met many long-serving prisoners who were not yet ready to enter employment. Almost half of those who were ready to work upon release, however, did not receive enough help, in large part because of wider prison issues, such as the lack of training (e.g. to gain the much sought-after Construction Skills Certification Scheme card).

Finance, benefit and debt

Many prisoners arrive in prison with financial problems that should be straightforward to identify and resolve at the very beginning of the sentence. In practice this rarely happens.

As CRCs are contracted for services at the beginning and end of sentences, longer-serving prisoners have a long period without help with debts or fines. Then by the time pre-release involvement starts, there is no time left to contact creditors or courts. We saw too many cases where it was clear from the start that there were outstanding fines, rent or mobile telephone contracts, but no action was taken.

In some prisons, we found that booklets were given to prisoners to help them resolve debts themselves, but in most cases we thought this was too little too late, even when the prisoner had enough motivation and ability to write letters without help. This compounded the problems

Not one prisoner in our samples was found employment upon release as a result of help from Through the Gate services.

prisoners faced in the early days after release.

Prisoners without bank accounts can face lengthy delays in claiming benefits. We expected that all prisons we visited would be able to arrange bank accounts where needed. We saw some cases where assistance was given, but in others this need was recognised too late, or else overlooked completely.

The majority of prisoners would be making claims for benefits upon release. Jobcentre Plus staff are available in prisons to start this process, and to make sure that prisoners who will be unemployed on release are able to enter the 'Work Programme' immediately on release.

Benefit claims cannot be started in custody, however. Potential claimants faced the dispiriting prospect of waiting a lengthy time for payment after release. Some will depend on charity or family, while others will return quickly to acquisitive crime.

Mental health, and drug and alcohol dependency

To enable individuals to conquer dependency or manage their mental health, information needs to flow between prisons and community workers about an individual's habit and any treatment while in prison. Community workers, health

workers and others need to pick up the baton in the period before release. A supportive family member can be pivotal.

Example 6 - poor practice:

Victor had recently been interviewed by his responsible officer via video-link. She had not been told he was on the drug resettlement unit, and that he was doing well there. He had seen a resettlement worker once. He thought they were referring him to mental health and arranging for his fines to be lodged, but he had heard nothing back from them, and was due for release imminently.

Example 7 - good practice

Jay was a 29-year-old white male sentenced to 30 months in custody for offences of stalking and actual bodily harm.

While in custody, he was diagnosed with schizophrenia. Prior to his release, the probation worker went to his home to meet Jay's mother. Jay was released to his mother's address, with a plan for him to receive his medication there. Communication was joined up, with the probation worker attending mental health service planning meetings.

The mother had day-to-day contact Jay and could notice any changes. The probation worker continued to visit and, with Jay's mother's help, could identify when risk was escalating and when Jay's mother herself became at risk from his erratic and potentially dangerous behaviour.

Jay stopped taking his medication. He became ill, and was sectioned under

the Mental Health Act. At the time of our inspection, Jay was remanded to a secure hospital. He had reoffended. Nevertheless, the probation worker's relationship with his mother had helped to keep her safe.

Short sentence prisoners more commonly need help with their mental health or a dependency, but we found that very few men received

help with drug or alcohol dependency while in prison. A bigger proportion of women did, but both men and women received very little help to improve their mental health:

We found that, for most prisoners, Through the Gate services added little value to other services available in the prison or community, and were failing to make useful connections at the point of release.

Figure 22: Extracted from *An Inspection of Through the Gate Resettlement Services for short-term prisoners*, HMI Probation 2016. 'Work to address male prisoners' needs in custody'.

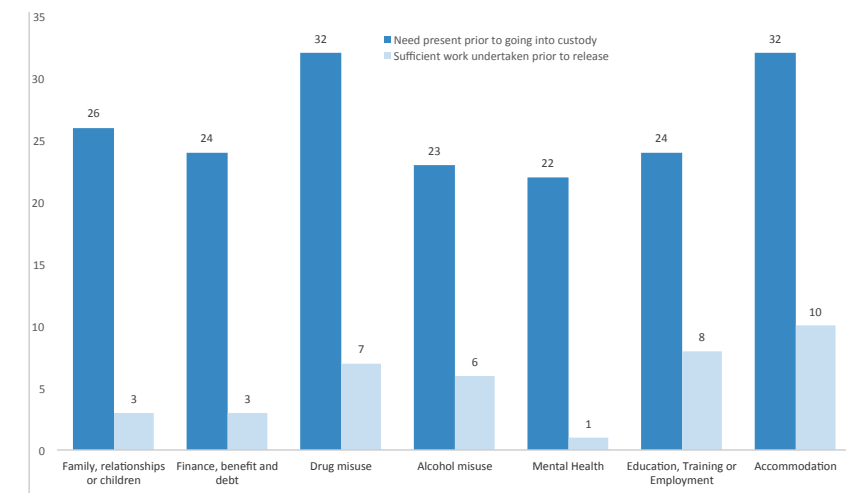
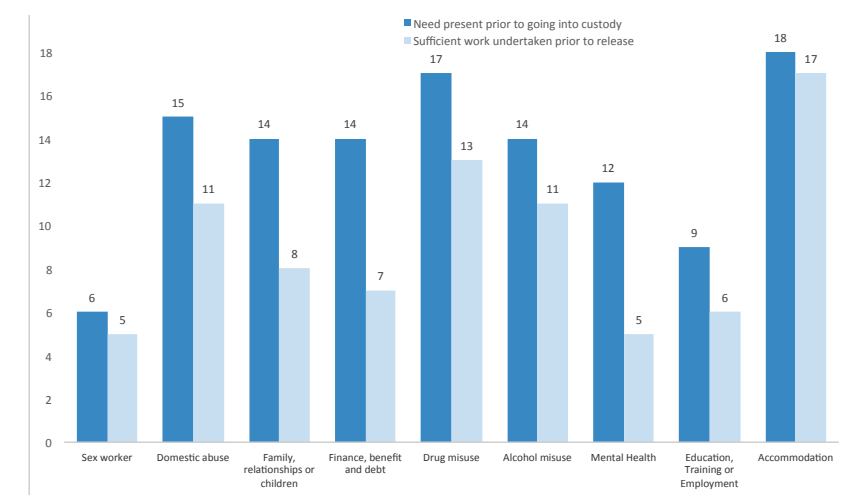


Figure 23: Extracted from *An Inspection of Through the Gate Resettlement Services for short-term prisoners*, HMI Probation 2016. 'Work to address female prisoners' needs in custody'.



Rehabilitation in the community: rehabilitation activity requirements (RARs)

Those serving community or suspended sentences are most commonly subject to a RAR provision in the court order, requiring them to undertake up to a number of days' work to reduce the prospect of reoffending, with the maximum number of days prescribed by the court. We inspected RAR implementation and delivery in early 2017²⁹ as, since their introduction in 2015, these provisions have taken centre stage in community sentencing for rehabilitation:

Figure 24: The proportion of community and suspended sentence orders made in 2015/2016 with specific requirements included.

Rehabilitation Activity	29%
Accredited Programme	8%
Alcohol/Drug/Mental Health Treatment	8%

It is not clear whether this is as government intended. A RAR requirement can often be a

²⁹ HM Inspectorate of Probation (2017) The implementation and delivery of Rehabilitation Activity Requirements <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/rar/>

less effective intervention for those requiring alcohol, drug or mental health treatment and those who would benefit from an accredited programme. However, those types of intervention require a more detailed assessment of the offender's suitability and may also require specific information from other agencies, in order for the NPS to make the recommendation to the court.

A probation worker at court told us:

"...there are more RAR proposals at the expense of accredited programmes as we haven't got the time to do the specific assessments [for] accredited programmes requirements. If someone is suitable for an accredited programme then we should add this requirement; however, we don't have the time to do all this assessment at the beginning".

RAR days

The legislation and relevant guidelines³⁰ require that the restrictive effect of a sentence is in line with the seriousness

³⁰ Sentencing Council (2008) Magistrates' Court Sentencing Guidelines (updated 2015 & 2016).

of the offence, but how the number of RAR days should reflect or correlate with seriousness is not made clear. In routine performance inspections, we have found RARs with up to 365 days, but 10–60 days is the usual range. Courts tend to order slightly more days than proposed by the NPS, but in our judgement the maximum number of days ordered is reasonable in most cases.

We found magistrates broadly content with the introduction of RARs, but concerned about what happens in practice following an order, and concerned about whether orders were enforced when they should be. Many individuals undertake notably fewer RAR days than suggested by the maximum specified for them, and another feature of RARs no doubt fuels concern: any amount of time (however short) spent with the offender counts as a day, for RAR purposes.

Plans in RAR cases

The bulk of RAR cases are supervised by CRCs. We found that CRCs assess the individual much as they do in other cases, with about one in three assessments insufficient. One in four assessments in NPS RAR cases were insufficient, compared with one in five in other NPS cases.

Plans should cover both

immediate and deeper issues. For understandable reasons, plans tended to focus on pressing issues such as accommodation, drug use, and education, training and employment, rather than on traits that influence offending, such as thinking and behaviour and emotional well-being (including mental health and behavioural issues).

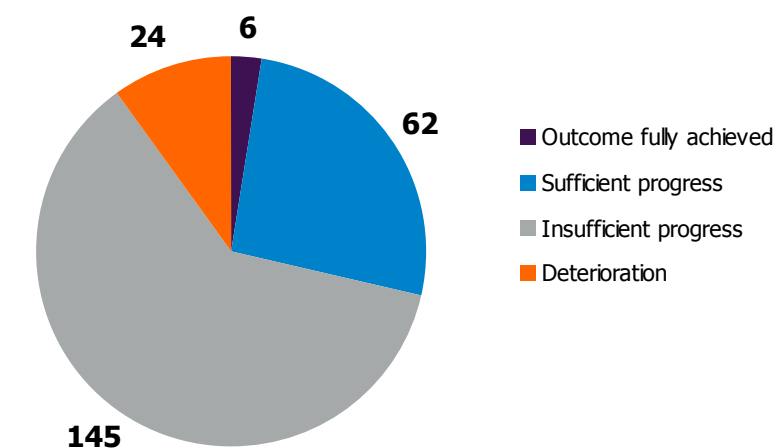
Making a difference

Regrettably, we found sufficient progress in delivering plans in just one in three cases, and sufficient progress in dealing with the traits that influenced

the individual's offending in yet fewer cases – one in four. In short, there is not enough purposeful activity taking place. Again, we found considerable variation: in Newcastle, sufficient progress had not been made in any of the 12 CRC and NPS cases we saw, while sufficient progress had been made in half the CRC cases we saw in Huddersfield and Newham. All of the NPS cases we saw in Carmarthen and Leicester had made sufficient progress.

We found RAR activity made no discernible difference to the individual's prospect of reoffending in most cases:

Figure 25: Extracted from The Implementation and Delivery of Rehabilitation Activity Requirements (HMI Probation 2017), 'Impact of work to make the service user less likely to offend (for all factors)



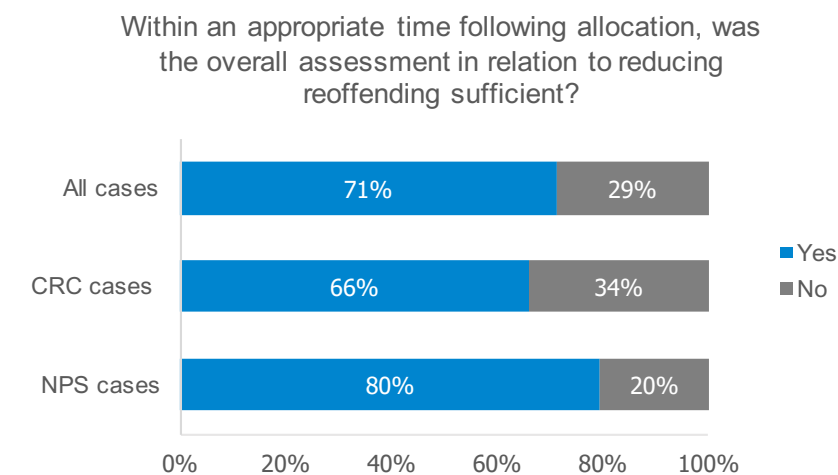
Rehabilitation in the community: all supervision cases

In our routine performance inspections, we gauge the quality of work in cases by reference to the well-established and recognised ASPIRE model for case supervision (Assessment, Sentence Planning, Implementation, Review and Evaluation).

Assessment and planning

At the commencement of supervision, a comprehensive assessment is required to inform and tailor the services, activities and interventions that are subsequently delivered. The assessment should identify and analyse desistance and offending-related factors, and also strengths and protective factors³¹. We find assessment wanting in one in five NPS cases and in about one in three CRC cases we inspect.

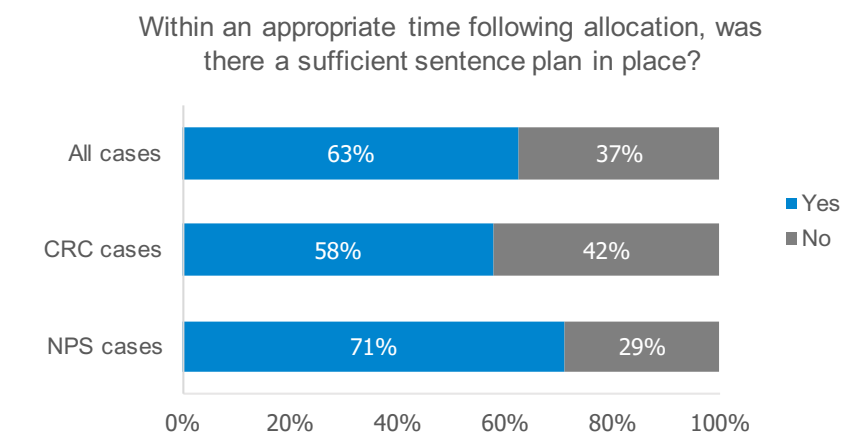
Figure 26:



A comprehensive plan in each case should then shape the work with each individual, with the aim of reducing reoffending. We find sentence planning sufficient in just over three in five cases, with planning better in the NPS than in CRCs, on average. In our view, planning to reduce reoffending should be better in a higher proportion of cases.

³¹ Protective factors are those circumstances, lifestyle and personal factors that can impact positively on the individual's behaviour and aid their desistance.

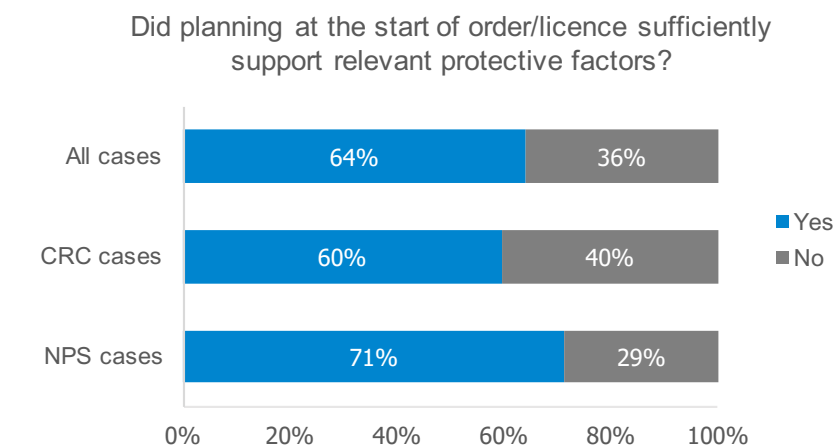
Figure 27:



Planning should not only reflect the assessment of desistance and offending-related factors, but seek to build on the individual's strengths and protective factors. We find the latter covered in almost two in three (64%) cases, and more often in NPS cases.

To turn people away from crime, probation services should

Figure 28:



provide tailored services, activities and interventions (involving other organisations where appropriate), building on the strengths of the individual whenever possible. A meaningful, trusting relationship with the offender can make such a difference, as explained by someone under probation supervision:

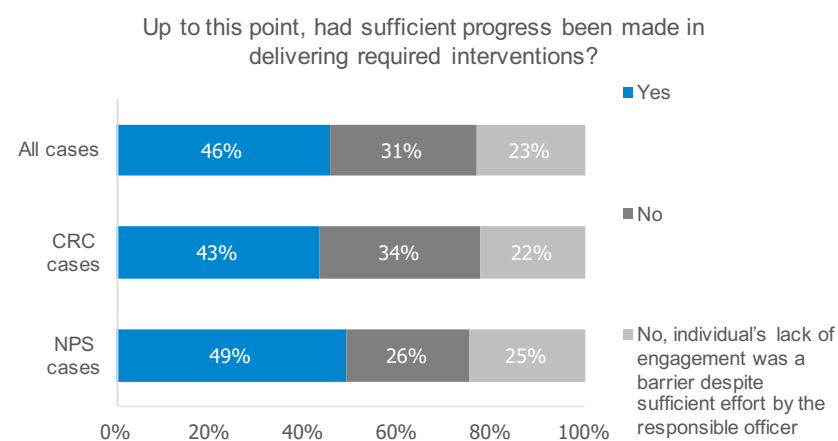
“From the start, both the NPS and CRC staff were receptive to me and asked me what I thought would help me stop offending. My responsible officer is brilliant. She is easy to talk to and always makes time for me. I do not think she realises how big an impact she has had on me; she has changed my life a lot.”

It is more than a job for her. She always gets me to see the positive, using CBT techniques on me, giving me the tools I need to sort out my life. I recently was holding a blade to my arm, wanting to cut myself, but, remembering what my responsible officer had said to me, stopped me harming myself. She probably saved my life. The Freedom programme has been useful too. It has made me understand that what I went through with my ex was abuse, though I didn't realise that at the time; now I can recognise the signs".

In our routine performance inspections, we find that sufficient progress has been made in delivering required interventions in just under one in two cases. In around one in four of the cases, the individual was not engaging well, despite sufficient efforts being made by the probation worker.

We find that the NPS and CRCs do not review plans often

Figure 29:



enough, either on a regular basis, or when an individual's circumstances change. In some cases, this will be because review is not systematised enough in the organisation. In those CRC cases where individuals are supervised by telephone, review is necessarily limited.

Example 8 - poor practice

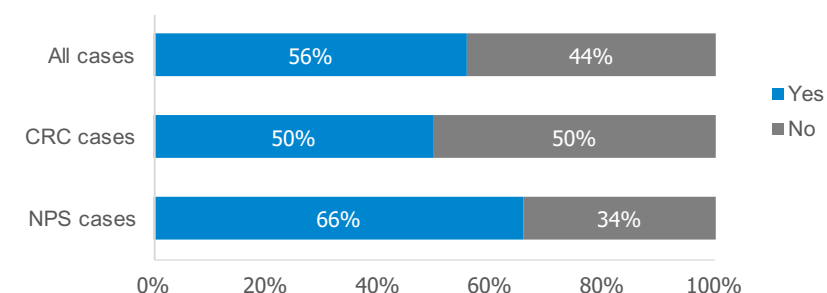
Martin was on a community order for theft, with a requirement to complete an accredited programme, the Thinking Skills Programme.

He had eventually dropped out of contact, and the programmes team decided he was unsuitable for the Thinking Skills Programme. No alternative plan to improve his thinking skills was put in place, and there was no plan to deal with the outstanding accredited programme requirement.

Contact log entries relating to other interventions contained little or no detail of what he was doing, or even what the intervention was and who was delivering it. The responsible officer was unclear about precisely what had been achieved.

Figure 30:

Did the responsible officer sufficiently review progress against the outcome priorities designed to reduce reoffending?



Rehabilitation in the community: unpaid work

The rehabilitative opportunities inherent in unpaid work are given little attention, as unpaid work is often distanced from CRCs' core rehabilitative work. It is sometimes administered poorly, with individuals stood down or unable to complete the requirement over the course of the sentence.

Until recently, unpaid work was the most frequently imposed requirement of a community sentence. It remains a popular provision – second only to RARs – with over 60,000 such requirements made annually³². All unpaid work is delivered by CRCs, but it is not included in their payment by results arrangements.

Views differ, but we see the rehabilitative potential of unpaid work. However, we found in our 2016 thematic inspection of the quality of delivery of unpaid work that in most cases it was simply viewed as a punishment, administered by a separate group of probation staff. In general, the approach to

³² Figures relate to requirements commenced under community and suspended sentence orders, April 2016 to March 2017, England and Wales. Source: Offender Management Statistics, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-april-to-june-2017>

delivery was both pragmatic and perfunctory, with only one in five placements tailored to suit the individual circumstances of the offender. Planning for the individual appeared to be largely an administrative process rather than to help achieve the broader objectives of the sentence.

Supervisors of unpaid work have a real opportunity to engage positively with the offender, often spending much more time with him/her than their probation worker. We found very little integration of unpaid work with other probation work, or consideration by the individual's probation worker of how unpaid work could contribute to the broader aims of probation intervention, especially desistance. Yet most offenders told us they had good relationships with their supervisors and that they thought the work they were doing was worthwhile.

Most areas were able to meet the requirement to offer all offenders seven hours of unpaid work per week, although where they were eligible for intensive unpaid work, this was rarely fully available. Half of the areas inspected offered some offenders the opportunity to use an appropriate proportion of their hours to achieve relevant employment-related education or training through valuable partnerships with

further education providers. Despite this, we saw few offenders who were actually using any of their hours in this way.

We found that quality varied significantly, area by area. We saw work of a very high standard being done on some sites in most areas. Where high-quality tools and equipment were used, offenders were more likely to say that they had learned new skills and to take pride in the work they were required to do. Overall, the types of work being undertaken seemed appropriate, and offenders were correctly credited with the hours that they were under supervision.

In too many cases, however, enforcement was lax, with insufficient evidence to justify the decision that an absence was acceptable. In other cases, a judgement had simply not been made, the judgement was incorrect or no action had been taken. Too often, the managers responsible for unpaid work appeared to have too little influence over the offender management of those subject to the requirement. We also thought that, in many areas, too little attention was paid to the detail of service delivery by the managers responsible for unpaid work.

In routine inspections since, we have found much the same. With the notable exception of West Mercia, the

delivery of unpaid work still varies in quality, and in some areas (as we found in Kent and more recently in London, for example) individuals are too often stood down or left at muster points for long periods of time. The rehabilitative potential of unpaid work appears no more recognised than it was almost two years ago.



"I was scared at first turning up; I have anxiety. My probation officer has helped me a lot. It's helped me with the offence. It's quite hard to speak about the past, but in doing so he has helped me get rid of the past and move forward to the future. I'm due to go on a course. I have been preparing, but I'm still a bit nervous of a group course".

Delivering and enforcing the order of the court

Sentence plans are routinely prepared to meet timeliness targets, but may not be good-quality plans. We are finding the NPS and CRCs recalling people to prison when it is right to do so, but CRCs are not enforcing orders well enough or in enough cases.

Offenders should be seen very quickly after sentence, as the court intended and because that improves the prospects of success. Planning should begin promptly after sentence and be completed as soon as possible. For many, plans to manage the risk of harm can and should be developed straightaway. All NPS divisions and CRCs are meeting timeliness targets (completion within timescale in 97% of cases) or are close to meeting them³³. For CRCs, it is particularly important to do so, as payment depends on it.

However, performance against these targets tells us little about the quality of delivery. For example, wherever

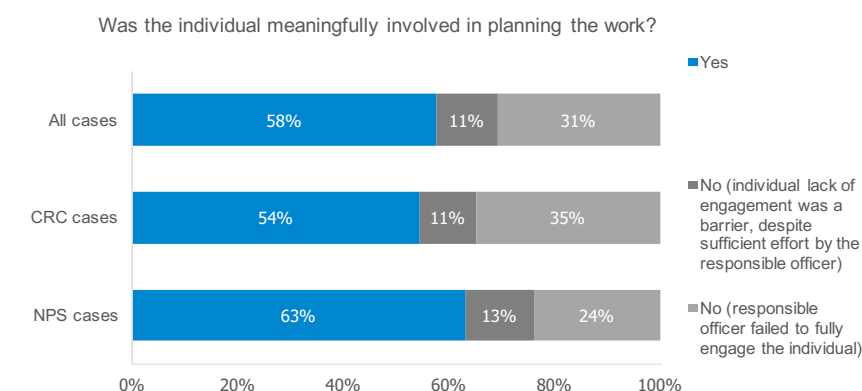
³³ CRC service level measures 3 and 4, and NPS service level measures 5 and 6. The target was initially five days, but then revised to ten days. Source: Community Performance Statistics April - June 2017, Ministry of Justice, October 2017, <https://www.gov.uk/government/statistics/community-performance-quarterly-mi-update-to-june-2017>. However, we understand this has recently been revised to fifteen days.

possible, individuals should be meaningfully engaged and involved in their supervision and what is happening. They should have a clear understanding, identifying issues themselves, working out who they want to be and what can be done to support them to change their lives and turn away from crime.

Individuals are not always involved in their sentence planning, and fewer still are involved in reviewing their progress periodically. In some cases, this will be because the individual does not wish to engage, but even taking that into account the figures are disappointing. One person reported that, after court, he heard nothing from the CRC for several weeks. When he eventually went to the office he found that they had moved premises. He told us that, as he needed to undertake a course to get access to his son,

"I had to keep chasing them".

Figure 31:



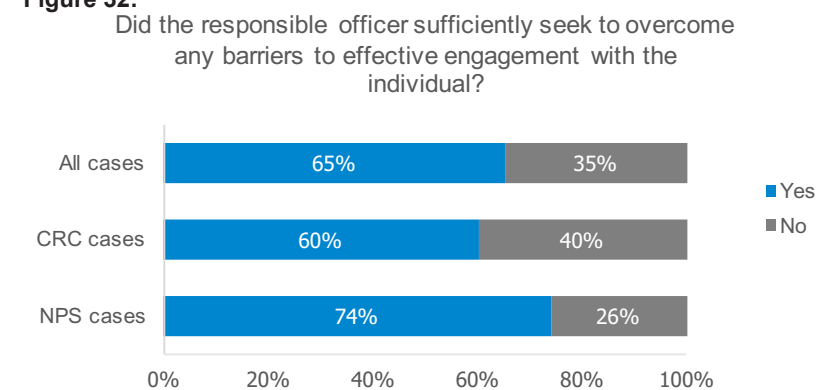
Probation providers need to motivate each individual to comply and engage positively with the requirements of their sentence or licence. Across our inspections, we see differences. In Northamptonshire (BeNCH³⁴ CRC), some staff had an excellent rapport with those they were supervising, taking account of their individual needs and striving to remove barriers to engagement. However, in the same inspection, we found that others had no relationship at all with those they were supervising.

In some CRCs, individuals are simply not seen often enough to ensure that they are meaningfully engaged. In some, supervision can be by telephone rather than face-to-face. In some, using open booths, individuals complain about a lack of privacy and feeling unsafe. One female offender commented:

"I could hear a lad abusing staff. You don't need that to feel safe, and I've had enough of that in my life".

Sufficient emphasis needs to be placed on helping people to overcome any barriers to their engagement. In our routine performance inspections, we find sufficient attention was given to overcoming barriers in about two in three cases, and more often in NPS cases (almost three in four).

Figure 32:

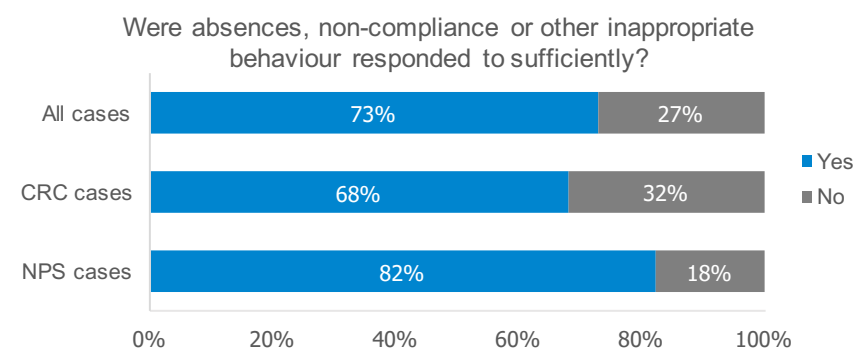


³⁴ Bedfordshire, Northamptonshire, Cambridgeshire and Hertfordshire.

Enforcement and recall

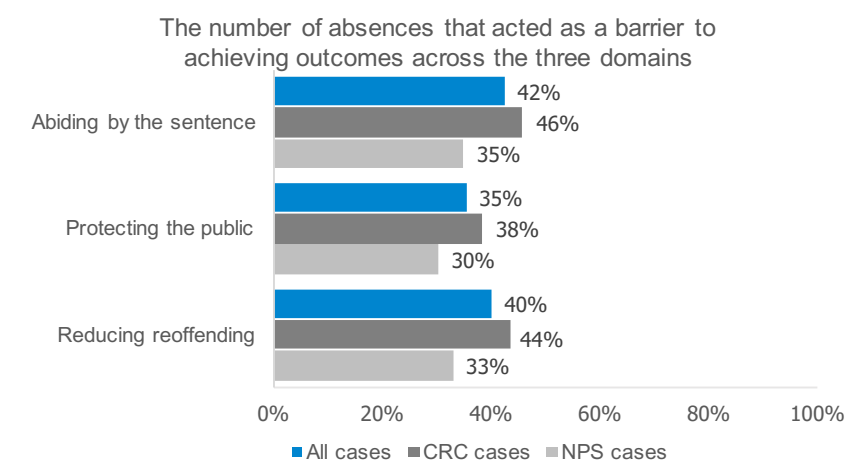
Instances of non-compliance and relapse should be dealt with in a proportionate, fair and transparent manner. Across our routine performance inspections, we judged that the responses to absences, non-compliance and other inappropriate behaviour were more likely to be sufficient in NPS cases than CRC cases.

Figure 33:



In a high proportion of cases, we found that the number of absences had reduced the prospects of success, and again this was more notable for CRC cases.

Figure 34:



To see more detail, we have recently undertaken a thematic inspection of enforcement and recall in the NPS and a selection of CRCs.

We know already that residents of probation hostels pose a high risk of harm. In inspecting hostels, we found that all reasonable action had been taken by staff to keep to a minimum the individual's risk of harm in almost nine out of ten cases. That is exceptional, when compared to cases of probation supervision in the community. When risk became unmanageable, offenders

were promptly recalled. Recall rates for hostel residents are high – about one in three – but this is not surprising given the characteristics of the group. We found that most recalls were based on increased concerns about risk of harm. This is a necessary part of managing risk of harm. Prompt recalls when required are a crucial element of this work. Recall numbers for all have increased year on year, most especially for those who served fewer than 12 months, but in our regular inspections we find little evidence of excessively enthusiastic recall. And in our current thematic inspection, we are finding that almost all NPS and CRC recall decisions are good decisions, with the NPS particularly good at considering alternatives to recall beforehand.

Often, the level of disengagement or deterioration in the person's behaviour is such that they cannot be safely managed in the community. Recall was appropriate, even when the individual had committed a relatively minor further offence or no further offence.

There is still every reason to be anxious about CRC enforcement, however. We found that NPS cases were sufficiently well-managed, whereas too many CRC cases were not. We found CRCs notably better at recall than enforcement, and we think we know why

that is. Recall procedures are generally clear and well understood on the ground, and people on licence are more likely to be supervised by higher-grade staff who are experienced at making the necessary judgements, whereas community sentence and post-sentence supervision cases are often allocated to junior staff with notably high caseloads.

What is more, good enforcement relies on good-quality probation supervision, but in a large proportion of cases we are finding that case management itself is not sufficient to enable good enforcement decisions. Instead, poor supervision is more likely to lead to reoffending, and for some, another round of imprisonment. Once again, in this inspection we are finding CRCs stretched beyond their capacity.

Serious further offences

Each year, a number of individuals are charged with a serious further offence committed while under probation supervision. The number rose by 21% between 2013/2014 and the most recent financial year, from 429 to 517³⁵. The majority are convicted of murder,

³⁵ Figures released by the Ministry of Justice in response to a Parliamentary Question, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-07-04/2737/>

manslaughter or a serious sexual offence, leaving family members and surviving victims damaged and distraught.

The number of serious further offence charges or convictions has never been a valid indicator of the quality of probation supervision. As we have noted elsewhere³⁶, when an offender is being supervised in the community, it is simply not possible to eliminate risk altogether, but the public is entitled to expect that the authorities will do their job properly, that is, to take all reasonable action to keep risk to a minimum.

When comparing conviction numbers before and after *Transforming Rehabilitation*, we are not comparing like with like. Over 40,000 more individuals – those imprisoned for fewer than 12 months – are now under probation supervision on release. The proportion of individuals charged of serious further offences has remained relatively low and stable.

Figure 35: Serious further offence reviews, England and Wales

	England and Wales	Serious further offence reviews	Caseload (end of financial year)	Serious further offence reviews as a % of caseload
Probation trusts	2011/2012	441	234,510	0.19%
	2012/2013	409	222,306	0.18%
	2013/2014	429	218,671	0.20%
Post-Transforming Rehabilitation	2015/2016	507	251,170	0.20%
	2016/2017	517	268,062	0.19%

Serious further offence reviews follow a common format originally designed to promote internal learning. Victims in some cases are given a summary of the key points. Some find this approach unsatisfactory, leaving questions unanswered by the summary, yet finding the full report inaccessible. As probation services are configured, there is little opportunity for lessons from these cases to be shared nationally.

³⁶ HM Inspectorate of Probation (2006) Serious Further Offence review: Damien Hanson & Elliot White, <http://www.justiceinspectorates.gov.uk/probation/wp-content/uploads/sites/5/2014/03/hansonandwhitereview-rps.pdf>

Engaging with victims

CRCs' engagement with victims varies. The NPS is generally better than CRCs at recognising and planning in relation to the risk of harm to victims – in part because the risk is more predictable in some NPS cases. We will be introducing new inspection standards next year to enable us to assess and report on work with victims more fully.

The NPS has specific statutory duties to victims of serious violent and sexual crime. Those victims must be offered contact, assigned a liaison officer, offered the right to make representations about licence conditions and to be informed of licence conditions that relate to them. They must also be informed of any other key information about the offender's sentence, as appropriate, and offered the opportunity to make a Victim Personal Statement to the Parole Board, if applicable³⁷.

We do not currently inspect the NPS's statutory work with victims. However, we have very recently completed consultation on the inspection standards³⁸ we intend to use from spring 2018 onwards to assess the quality of each NPS

division's work with victims. We intend to report what we find in our next annual report.

CRCs have no statutory responsibilities to victims, but we will continue to inspect the extent to which any specific concerns and risks related to identifiable victims, both actual and potential, are addressed across the key stages of assessing, planning, implementing and reviewing.

At present, we tend to find CRCs less attentive than the NPS to planning for risk of harm to victims, and to children. Performance varies. In Greater Manchester, CRC policies and procedures for victims were robust but were not being applied properly, whereas the NPS assessed and planned for risk of harm work well in the vast majority of cases in our sample: most victims in NPS cases were protected. In West Mercia, poor work by the CRC to protect against the risk of harm left victims vulnerable, whereas in Cumbria we found the CRC protecting victims well. In Northamptonshire and South Yorkshire, we found NPS victims' teams working well and working closely with the police and other agencies, whereas in Suffolk we found that NPS work to protect those at risk of harm was not effective enough and left some victims more vulnerable than necessary.

³⁷ Probation Instruction 48/2104; Probation Instruction 03/2017.

³⁸ <https://www.justiceinspectorates.gov.uk/hmiprobation/about-hmi-probation/consultations/>

Equality, diversity and inclusion

Probation services have a strong track record of providing services to meet the needs of all, but there is little published national information to evaluate the current position. Services provided to women are of mixed quality, but we have found some exceptional work.

The NPS and CRCs are not obliged to publish data and information relating to the protected characteristics of those under probation supervision. There are no CRC contractual provisions relating to diversity (other than two operational requirements relating to women offenders) and no published NPS performance requirements either, leaving us unable to collate and produce the relevant management information here.

Probation providers are not obliged to make available to those supervised any specialist local services focused on BAME issues, a matter highlighted in this year's Lammy Review³⁹. At the end of 2016, just under one in five offenders supervised under community orders or

³⁹ *The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System*, September 2017, <https://www.gov.uk/government/publications/lammy-review-final-report>

suspended sentence orders declared their ethnicity as BAME (excluding those cases where ethnicity was not recorded)⁴⁰. We do not routinely check the provision of BAME-focused services in our inspections of the NPS and CRCs, but we do check in each case we sample whether probation services are taking into account the individual offender's diversity. We find CRCs do so in around two out of three cases, with the NPS doing so more often, in eight out of ten cases. Now that we have collated data from across our routine performance inspections, we will be able to look at the quality of probation services for different sub-groups.

No one under probation supervision has suggested to us that they have received a poorer service in any respect because of a protected characteristic. The Prison and Probation Ombudsman tells us she receives very few complaints of that nature. Nevertheless, we have occasionally found probation premises not readily accessible to the disabled, and specific interventions (including those commonly used in cases of domestic abuse) not available at times outside standard

⁴⁰ Figures relate to offenders supervised by the probation service at end of December 2016, England and Wales. Source: Offender Management Statistics, Ministry of Justice, July 2017, <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-january-to-march-2017>

working hours, to suit those who are in employment and due to receive them (for example, in South Yorkshire CRC).

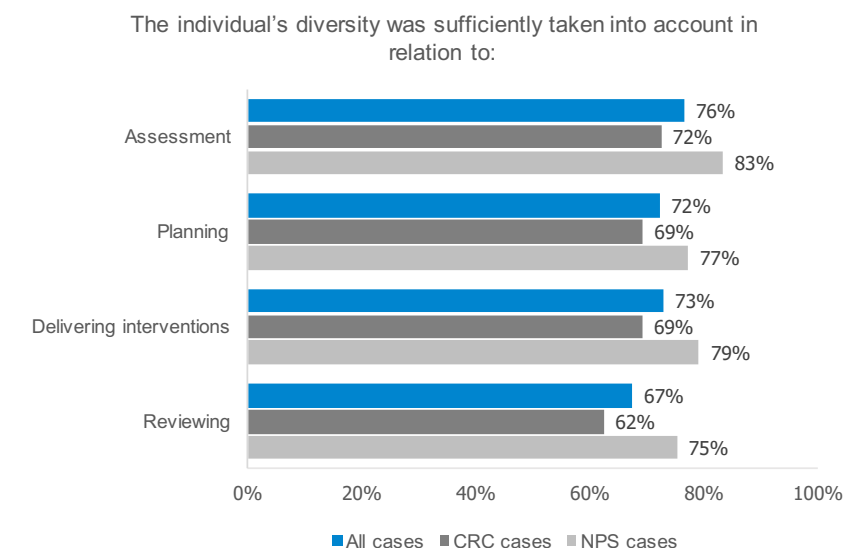
The position appears to be more concerning for prisoners with additional needs and about to be released. We would expect Through the Gate services to make reasonable adjustments for them, but in the relevant cases we looked at, we could not assure ourselves that all of those needs had been identified by resettlement staff or probation workers. Even when they were, services were not adjusted to meet individual needs. It does not help that access to telephone interpreting services for those without a good understanding of English is very limited in prisons.

Women

One in ten offenders supervised by probation services are women. They differ from male offenders in that they tend to offend for different reasons, commit less serious offences and reoffend less. They are motivated to stop reoffending by support and challenge that recognises their own life experiences and provides mutual support.

Where practicable, CRCs must offer women the opportunity to have a female responsible officer and attend meetings

Figure 36:



or appointments in a female-only environment. The NPS is expected to do the same, although we are not aware of published requirements. There are no NPS or CRC outcome measures specific to women, and HMPPS does not as yet publish performance information relating to the two operational requirements. On inspection, we find that women are generally offered the opportunity to have a female probation worker, but not all are given the chance to progress in a female-only environment.

We inspected the provision and quality of probation services for women in the community just over a year ago⁴¹.

⁴¹ HM Inspectorate of Probation (2016) A thematic inspection of the provision and quality of services in the community for women who offend, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/women2016/>

Leadership, management and partnership work for women

Progress and outcomes for women are not measured systematically, and there is no clear statement of the government's policy aims or strategy for women, although a national strategy is under development and anticipated for the beginning of 2018. Strategic leadership on the ground is dispersed. The Director of the NPS is the HMPPS Board lead on women, responsible for sentence liaison and community interventions for women in prison, but each CRC has its own approach.

Some CRCs (South Yorkshire and Staffordshire & West Midlands, for example) demonstrate a real commitment to providing good-quality bespoke services for women. Services in

Staffordshire included a range of non-accredited programmes (such as Healthy Emotions, Healthy Relationships, and Positive Parenting) and other activities delivered in women-only environments. The picture varies nationally, but most CRCs we have inspected give particular attention to service provision for women. In Greater Manchester, the CRC works closely with the mayor's office to deliver joined-up services for women.

We found the knowledge and skills of voluntary sector organisations working with women, and their commitment to wider outcomes beyond reoffending, were impressive. But funding was uncertain for some, and payment sometimes retrospective, and this hindered planning for services in future. Nevertheless, we found that statutory and non-statutory organisations such as domestic abuse, drug and alcohol services helped women materially in almost all cases where help was required.

We found that less than one in four probation workers had received training and guidance in relation to female-specific case management.

Women's centres

We found some excellent and inspirational work being undertaken in women's centres. Services were gender-specific and sensitive to the

needs and diversity of women. Where this worked best, women had access to a range of specialist services through a 'one-stop-shop' approach. Interventions were aimed at addressing the women's needs as a whole, rather than offending behaviour in isolation. Partner agencies worked together to provide individualised plans and support for women.

In some cases, women continued to attend in a voluntary capacity after their court orders had finished, and many women valued this continuity of support. Some of them trained to work with and assist other women, for example, and gained skills and qualifications to assist them in the future. But often, women offenders chose not to attend a women's centre at all, sometimes because they had caring commitments that made it difficult or else because the centre was not nearby and it was not easy to get to it on public transport.

"I was referred to [the women's centre] which is excellent. I was a bit worried at first because everyone knew who I was and what I had done, but I was treated normally and not judged, I felt so safe and comfortable. I was able to do courses so

I could find employment and get help with my CV. It also has a crèche so I could leave my child and go and do what I had to do. There is a real sense of community amongst us, we help and support each other".⁴²

The leaders of most women's centres were anxious about funding. Centres do not receive national public funds, but rely for funding on CRC and other local sources, in the main. CRCs are not obliged to fund centres. No one is. Some centres were subject to 'roll-forward' contracts (mostly three to six months) and some were paid retrospectively (often quarterly in arrears) for services provided.

Effective work with women

In our thematic inspection, we found the risk of harm that individual women pose to others was assessed well enough in almost all cases, a big improvement since we last inspected women's services in 2011. Plans were good enough in two in three cases, and delivery better still, with the right focus in three in four cases. But planning for the vulnerability of the women

⁴² HM Inspectorate of Probation (2016) A thematic inspection of the provision and quality of services in the community for women who offend, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/women2016/>

themselves was relatively poor, with only a minority tackling domestic abuse, sexual exploitation, and other types of exploitation (such as obtaining drugs or alcohol for others) when needed.

We found good work to rehabilitate women, with two in three making progress in relation to their emotional well-being. But only half of the women in our sample made progress in the more difficult areas of accommodation, education, training and employment, financial management, relationships (including domestic abuse), and substance misuse. As with all offenders, accommodation was a significant problem for women. This has been confirmed by our more recent 'Quality and Impact' inspections, which have found that many of the deficiencies in provision apply to both women and men.

Unpaid work for women was generally tailored to their needs. More than that, and as we have come to expect, we found probation workers often going the extra mile for women, being flexible and doing all that they could to get women to engage and attend their appointments and programmes of work.

Probation staff

No data is published on CRC staffing levels and their

protected characteristics.

Quarterly data is published for the NPS. On 30 September 2017⁴³, about three in four NPS staff in post were female. Race, disability, sexual orientation and religion/belief are self-declared optional fields for NPS staff. For all fields, the declaration rate was below 60%, which the Ministry of Justice deems to be the minimum threshold for the protected characteristic proportions to have any validity.

Partnership working

Local partnership working is central to effective probation practice. We find partnerships well-established in some but not all CRCs, and established well across the NPS.

In dealing with high-risk offenders and MAPPA cases, the NPS must work closely with a range of statutory and other partners, and does so. CRCs have found it harder to gain a place at the table. In part, this is because of the different cases they manage, and the different constitution of CRCs, but it is also because local partners have had to adjust to working with two probation providers in each area, rather than one.

⁴³ <https://www.gov.uk/government/statistics/her-majestys-prison-and-probation-service-workforce-quarterly-september-2017>

We do not currently formally inspect strategic partnership arrangements in our routine inspections, but we will do from spring 2018. In the meantime, in each case we inspect, we consider whether the contribution of contracted providers and partners to delivering outcomes focused sufficiently on offending-related needs. As shown below, the picture is disappointing overall.

Figure 37

Have contracted providers contributed sufficiently to achieving the desired outcomes?	% yes		
	All cases	CRC cases	NPS cases
Accommodation	58%	57%	58%
Employment, training and education	56%	44%	80%
Financial management	24%	24%	-
Relationships (including domestic abuse)	45%	42%	50%
Lifestyle & associates	41%	44%	35%
Gang membership	0%	-	0%
Drug misuse	45%	43%	50%
Alcohol misuse	43%	39%	50%
Emotional well-being (including mental health and behavioural issues)	35%	33%	39%
Thinking & behaviour	49%	55%	39%
Attitudes to offending	46%	52%	39%
Discriminatory attitudes	0%	0%	0%

Figure 38

Have partners contributed sufficiently to achieving the desired outcomes?	% yes		
	All cases	CRC cases	NPS cases
Accommodation	65%	63%	67%
Employment, training and education	56%	42%	75%
Financial management	50%	42%	100%
Relationships (including domestic abuse)	55%	50%	62%
Lifestyle & associates	53%	46%	60%
Gang membership	50%	0%	60%
Drug misuse	48%	48%	48%
Alcohol misuse	47%	45%	49%
Emotional well-being (including mental health and behavioural issues)	54%	54%	54%
Thinking & behaviour	59%	55%	63%
Attitudes to offending	49%	37%	58%
Discriminatory attitudes	50%	67%	0%

With services provided by others (contracted providers and other local partners) on behalf of or alongside CRCs and the NPS, it is important that those providers are aware of the risk of harm and that they keep it to a minimum. One might expect that contractual providers would be less aware than the NPS or CRCs, as they will be focused on the work commissioned from them, but we find them sufficiently focused on the risk of harm in most cases, and at least as much as CRCs are. Partners (such as local authorities and the police) are more likely to be involved in the more serious cases, and reassuringly we find them yet more focused on the risk of harm.

Figure 39: Were the interventions delivered by providers under contract sufficiently focused on protecting those at risk of harm from this individual?

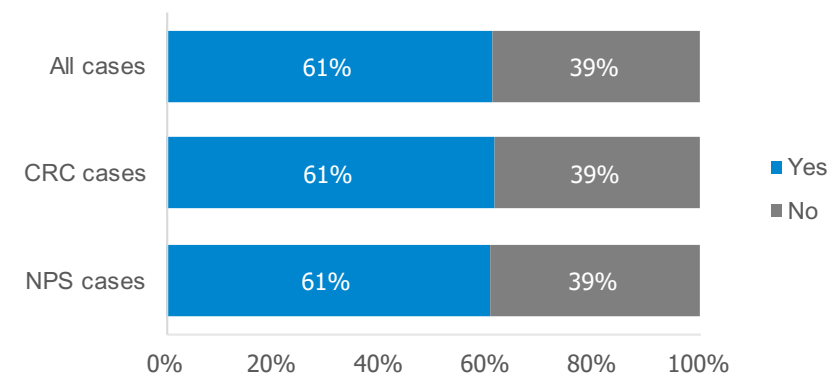
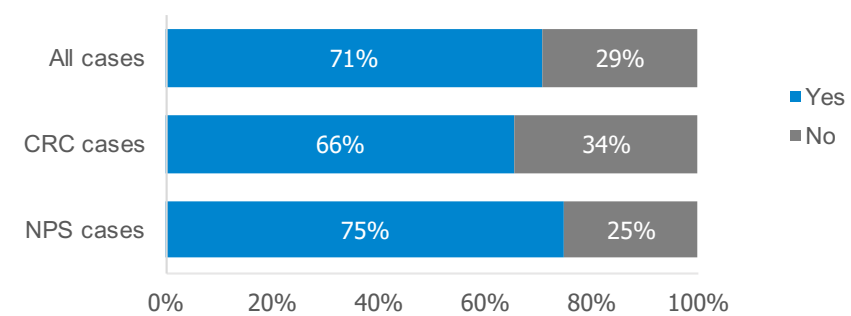


Figure 40: Were the interventions delivered by partners sufficiently focused on protecting those at risk of harm from this individual?



HMPPS contracts with CRCs are not specific about the quality of services expected. CRC arrangements differ, but in both the NPS and CRCs we find very little evidence of any direct checks on the quality of work provided by external providers, for example work to support and deliver RARs⁴⁴. Instead, the NPS and CRCs tend to rely on self-reported quality assurance. Offender feedback arrangements are often in place, but these will not necessarily reveal important deficiencies such as a failure to challenge pro-criminal attitudes or programme sessions deviating from the set content.

⁴⁴ HM Inspectorate of Probation (2017) *The implementation and delivery of Rehabilitation Activity Requirements*, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/rar/>

Organisational delivery

We have identified four key considerations that we have found from our inspections to be associated with high-quality service delivery:

- leadership (including operating models)
- staff (including workloads, management oversight, learning and development and staff engagement)
- services (provided in-house or by other agencies)
- information and facilities (including IT and premises).

We plan to introduce new inspection standards relating to these matters in spring 2018.

Leadership

Operating models: NPS

HMPPS is an executive agency of government, responsible for prisons and the youth custody estate as well as the NPS. Each of its seven geographical divisions is headed up by a director. Directors also carry some cross-cutting responsibilities, for example for approved premises nationally.

The operating model is traditional, with staff working from offices, although some undertake home visits regularly

– the picture varies. Staff are able to buy interventions from CRCs but do not always do so, either because they choose not to, or because the intervention they need is not on offer. We find staff generally supervised to an acceptable level.

NPS local leaders and staff work closely with local partners in MAPPA and other complex cases. They also work alongside judges and magistrates in court, and are able to build good working relationships.

Operating models: CRCs

CRCs in single ownership each have their own model, whereas owners of several CRCs seek to apply one model to all CRCs they own. We have conducted routine performance inspections in three CRCs in single ownership: Kent, Durham and West Mercia.

In Kent, probation staff are still mainly co-located with NPS staff, in premises formerly occupied by the probation trust. Except in Through the Gate work, staff tend to deliver interventions themselves. The model has some innovative features, for example a peer mentoring scheme. The CRC has built on volunteer mentoring arrangements first started by the probation trust, to good effect.

As we inspected in Durham Tees Valley (spring 2016), the CRC was in the process of moving away from traditional office premises to a large extent.

Probation workers met with some individuals in community hubs – for example in church halls – and they were equipped to work remotely. We liked the concept, but some hubs fell short of expectations and were little more than reporting centres.

At the time we inspected, the CRC had a good supply of specialist services. It aimed to provide some in community hubs, but in practice they were not often available in one place, or on days or times suited to those under supervision. However, some hubs were open in the evening.

In West Mercia, we found the CRC crippled by low, and lower than anticipated, work volumes. This is a rural area where the old probation trust delivered services from strategically-placed offices. The new CRC aimed to adopt a more decentralised model, to better engage those under supervision, but it quickly proved unaffordable. It then reconfigured, to work from fewer offices that were to provide wider benefits – for example, cafes for individuals under supervision to learn new skills. However, those wider benefits were not on offer when we inspected.

Instead, services were being delivered from cavernous but sparsely-occupied offices. Unpaid work was well-delivered, and we found good services for women. Individual workloads

were reasonable, but well-regarded specialist services were being cut back for financial reasons.

Operating models: CRCs in common ownership

Sodexo Justice Services, Purple Futures and Working Links CRCs each plan for operating models with common features, often aspiring to fully engage people who have committed crimes and address their readiness to change. Offenders are categorised broadly according to risk, or risk and readiness, and services are to be tailored accordingly. Many intended to provide a wide range of specialist services through extensive supply chains, and all seek to deliver services in local community hubs that should also provide access to other services.

All seek to improve efficiency with an affordable estate strategy and by centralising administrative work. Each has invested in the development of new IT, to enable them to implement their operating models, but all have suffered from unconscionable delays in the provision (by the Ministry of Justice) of the necessary connectivity to wider criminal justice systems.

These models provide for up to four in ten individuals to be supervised remotely, for example by six-weekly telephone contact. And in

Sodexo Justice Services' CRCs, those individuals who are seen are often seen in open booths, where conversations are easily overheard. We know of no evidence base to suggest that remote supervision works on its own to reduce reoffending or manage the risk of harm effectively, although research conducted to examine substance misuse treatment and recovery resources found that the use of online resources could work well when supplemented with offline face-to-face contact⁴⁵.

Having inspected three Sodexo Justice Services' CRCs, we were surprised and delighted at what we found in a fourth covering Cumbria. Although offices had open booths, we found exceptional and long-established professional staff working hard and going the extra mile in so many cases. The enduring values of probation shone through, in case after case, and staff achieved good outcomes for many offenders even though services from partner agencies in Cumbria were often thin on the ground. Caseloads appeared just about manageable in that CRC.

We find that CRCs tend to have good services for women, when compared to those for men, and that many set out with extensive supply chains to provide the

45 Dugdale, S., Elison, S., Davies, G., Ward, J. & Jones, M. (2016) 'The use of digital technology in substance misuse recovery', *Cyberpsychology: Journal of Psychosocial Research on Cyberspace*, 10(4), article 5.

necessary range of specialist services. But CRCs are cutting their supply chains back, to reduce costs.

No CRC has managed to fully implement the model prevalent for the CRCs in common ownership, or fully enable staff with new IT systems, as they set out to do. The combination of delays in providing the IT gateway and severe financial pressures has inhibited implementation unavoidably. These CRCs have had to compromise their operating models and change tack, sometimes more than once. CRCs are working less efficiently and effectively than planned.

Meanwhile, probation workers are carrying very heavy workloads in most of these CRCs and most CRCs are struggling to provide the necessary management oversight for staff.

MTCNovo

In late 2016, we inspected North London, part of the London CRC owned by MTCNovo, an organisation that also owns Thames Valley CRC. Like other owners with more than one CRC, this owner provides central (corporate) management in one structure spanning its CRCs. Its operating model at the time was cohort-based, with individuals categorised according to age or other factors. This was proving

problematic for a number of reasons.

Professional managers were overseeing as many as 900 cases, with probation workers carrying 50–100 cases. We found staff morale low, and sickness absence high. London CRC has since moved to a different operating model. We are currently inspecting across the whole of London, and we can see already that the quality of work has improved since our last inspection.

Continuity

There is a strong evidence base to show that where there is continuity of contact between an individual under supervision and his/her probation worker it is more likely that a trusting relationship will develop. That can in turn make it more likely that individuals will change their lives for the better, and turn away from crime.

We do not yet have a strong enough dataset to comment definitively on continuity of contact in practice, because we have focused on it specifically only in our more recent routine performance inspections. We will look at it regularly from now on. So far, our data shows that only one in two individuals are supervised by the same officer throughout their case. In 5% of cases there had been three or more officers. Our data also shows the position to be broadly the same for the NPS

and CRCs, although it does vary between areas for both. We must look at more cases over a period of time, to be sure of the position. We will do that, and report again next year.

Staff

Workloads

HMPPS publishes NPS staffing figures, broken down by division, local delivery unit and grade, but information on CRC staffing is not in the public domain. NPS staff numbers have increased steadily since NPS inception⁴⁶, and the organisation uses a workload management tool to estimate the extent to which each probation worker is under or overworked. Save in Kent and Suffolk, we have found NPS staffing levels broadly acceptable. NPS probation workers commonly carry about 25–40 cases each.

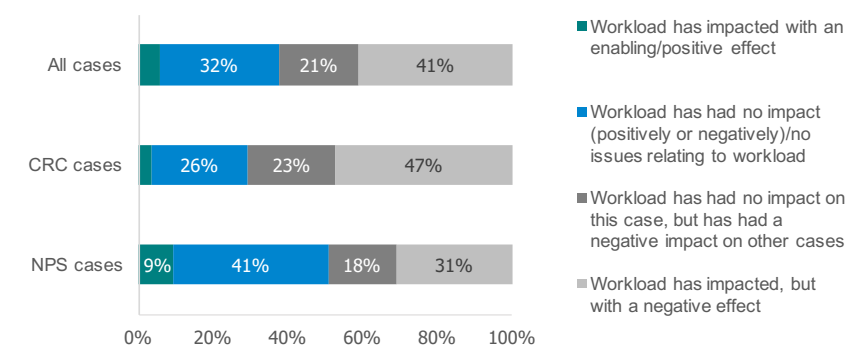
CRC staffing levels tend to

46 Key grades in the NPS include band 3 probation services officers, band 4 probation officers (collectively known as probation practitioners), and band 5 senior probation officers. At 30 September 2017, there were 1,871 full-time equivalent (FTE) band 3 probation services officers in post, an increase of 15 (0.8%) on the quarter and 357 (23.6%) over the last year; 3,434 FTE band 4 probation officers, representing decreases of 89 (2.5%) over the quarter and 116 (3.3%) compared to the previous year; and 632 FTE band 5 senior probation officers, showing increases of 17 (2.7%) since the last quarter and 73 (13.0%) over the last year. Source: HMPPS Workforce Statistics Bulletin, Ministry of Justice, November 2017, <https://www.gov.uk/government/statistics/her-majestys-prison-and-probation-service-workforce-quarterly-september-2017>

be more volatile and variable, for organisational reasons (including redundancy). All CRCs are tightly staffed at best, and although many aim for sensible caseloads for professional probation staff, we find some CRC leaders accepting of our view that the CRC is very clearly understaffed. CRC probation workers commonly carry 50–90 cases each, and sometimes more. By way of example, Suffolk CRC aimed for caseloads of between 55 and 70, but we found much higher caseloads in practice: staff held up to 106 cases. There is no set formula, but we do not believe probation workers can actively manage more than 50 or 60 cases effectively and safely at any one time.

Junior probation staff providing telephone-only supervision commonly carry 160–200 cases, and sometimes notably more.

Figure 41 : Has your workload impacted upon your ability to assist this individual to achieve outcomes?



In Gloucestershire CRC⁴⁷, for example, we found junior staff were expected to be responsible for about 160 cases each, but were actually carrying 190-200 cases each, due to temporary staffing problems. There is no set number of cases that any one individual can manage (as cases vary so), but such high numbers are simply untenable in our view.

A key question is whether workloads affect the probation worker's ability to do a good job, taking into account the profile of the cases and the range of work required.

On inspection, about one in two NPS staff told us that their workload was so high that it hampered their ability to provide a high-quality service either in the current case or in other cases, while this rose to seven in ten for CRC staff.

⁴⁷ HM Inspectorate of Probation (2017) Quality and Impact inspection: The effectiveness of probation work in Gloucestershire, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/gloucestershireqi/>

Management oversight

The NPS implemented organisation-wide quality assurance arrangements from the outset, and a new central directorate has been established to support improvement. Nevertheless, we have found that the NPS in some areas was slow to give quality management the necessary attention. The position was better in Wales, where in Gwent (NPS Wales division) we found that performance and quality support managers and business managers were forging strong links with performance managers across Wales to share learning and good practice.

CRC quality control and assurance activity is usually and understandably focused on contract compliance and performance against targets. We frequently find this is at a cost to checking the quality of practice (see, for example, our inspections in Gwent and Northamptonshire). In some CRCs (for example in West Mercia), we found that rigorous and regular audits made it difficult for staff to use the results to make any sustainable changes to practice and improve individual performance⁴⁸.

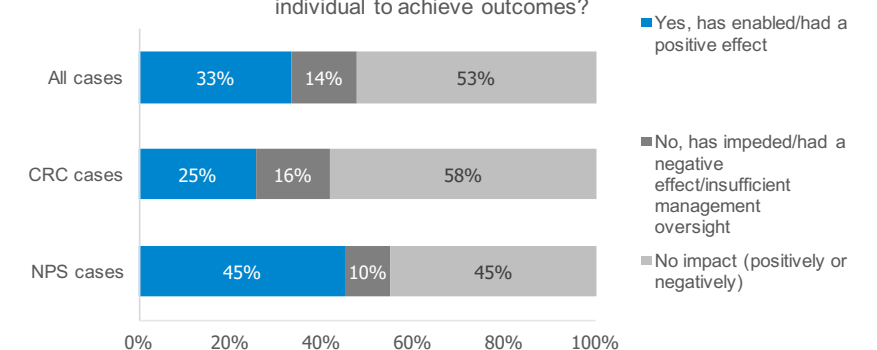
Our new inspection standards provide the opportunity to align NPS and CRC quality

⁴⁸ HM Inspectorate of Probation (2017) Quality and Impact inspection: The effectiveness of probation work in West Mercia, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/westmerciaqi/>

management systems to those standards, and we were pleased to find MTCNovo recently recognising that possibility, in our inspection of London CRC.

We do not yet formally evaluate the likely effectiveness of the management oversight arrangements in each NPS division and each CRC we inspect. Instead, in each case we asked probation workers for their views about management oversight in that case. Staff in CRCs have been noticeably less positive about the management oversight of their cases when compared with colleagues in the NPS:

Figure 42 : Has management oversight of the work supported you to assist this individual to achieve outcomes?



Learning and development

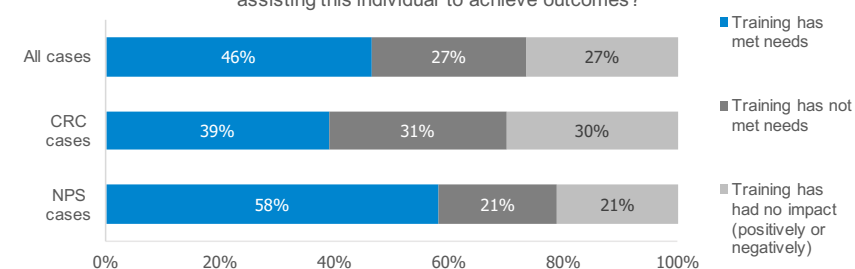
The arrangements in place for training, development and oversight inevitably differ between the NPS and CRCs, and from one CRC to another, although those CRCs in common ownership tend to have similar approaches.

Staff training and development can improve practice and increase the prospects of success for those under

probation supervision, but these are notoriously difficult to evaluate. CRCs are not obliged to survey their staff for views and, as far as we are aware, few do. NPS staff, on the other hand, are able to participate in the annual civil service staff engagement survey. In the 2017 survey, NPS staff participating rated learning and development provision poorly when compared with other civil servants⁴⁹, much as they did the previous year.

In each case we inspect, we ask the probation worker about training relevant to that case. In just under three in ten cases, they tell us that training has not met their needs in the case, but once again CRC staff are less satisfied than their NPS counterparts.

Figure 43 : Has your training and support acted as an enabler or a barrier to you assisting this individual to achieve outcomes?



In our thematic inspections, we found examples of situations where training had significantly improved performance, and others where more training was needed.

We were pleased to report NPS progress in training staff for court work in the 12 months preceding our thematic inspection of court work in early summer this year. We found that the bulk of staff were more confident, having attended a two-day report writing course. Some remained concerned, however, about whether they were sufficiently trained to take on the tasks associated with delivering PSRs, and about taking on some of the assessment work with sex offenders and domestic abuse perpetrators.

Conversely, less than one in four probation workers⁵⁰ we interviewed in our 2016 thematic inspection of services for women had received training and specialist guidance in relation to female-specific case management. Training should include the risk and protective factors linked to women’s offending, and gender-specific considerations when report writing and determining the most appropriate interventions. This is a longstanding deficit: in our 2011 inspection of women’s services we found that many practitioners lacked the awareness and underpinning knowledge to work with women effectively. Management oversight was stronger in cases involving women, whereas training was not.

⁴⁹ 41% were satisfied with learning and development, compared to 53% in the civil service as a whole.

⁵⁰ Drawn from the NPS and CRCs.

Services

Probation providers need to ensure that a comprehensive range of high-quality services are in place in the right locations, to support a tailored and responsive service for those they supervise. These services can be provided either in-house or through other agencies, bearing in mind that a comprehensive range of services requires a diverse range of professional skills and expertise.

In the cases we have inspected, we found interventions most commonly available in relation to drug and alcohol misuse, thinking and behaviour and attitudes to reoffending, and least commonly available in relation to gang membership, financial management, discriminatory attitudes and the pressing issue of accommodation. We have found CRCs generally less able than NPS divisions to provide specialist interventions across the range of services we expect to see. This was most notable in Cumbria.

Figure 44

Availability of interventions for offenders	CRC cases	NPS cases
Accommodation	70%	78%
Employment, training and education	83%	82%
Financial management	77%	84%
Relationships (including domestic abuse)	81%	89%
Lifestyle & associates	86%	88%
Gang membership	50%	80%
Drug misuse	85%	88%
Alcohol misuse	91%	89%
Emotional well-being (including mental health and behavioural issues)	81%	83%
Thinking & behaviour	86%	88%
Attitudes to offending	83%	89%
Discriminatory attitudes	76%	90%

The picture varies across CRCs. In South Yorkshire, for example, almost two-thirds were not getting the drug misuse services they needed and more than three-quarters were missing out on the alcohol misuse services they needed. We are currently inspecting CRC and NPS supply chains, and finding a troubling picture, with some specialist providers uncertain of the future.

Services may be available, but whether they are used is another matter. In recent inspections, we have been concerned to find some NPS staff seemingly unwilling to purchase services available from CRCs. We think that this happens for a combination of reasons. The rate card that sets out the services available is a cumbersome and ineffective tool, and not always up to date. Some public sector staff baulk at buying services provided through the private sector. Many are not confident about the quality of those services. NPS leaders are not consistent about the organisation's commissioning policy, and the situation has recently been exacerbated by an injection of cash to NPS divisions without a requirement to buy from the local CRCs.

Information and facilities

We have commented on information and facilities throughout this report. In summary, the NPS is generally working from offices established at the time of the probation trusts, and using IT from a past era as well. There has been a chronic lack of investment in systems to support and enable NPS staff in their day-to-day work. As a result, the organisation is not as efficient or effective as it could be, and some cases will slip through the net.

CRCs have been adventurous in their accommodation plans, and forward-thinking in IT developments. Most have invested in bespoke or tailored case management systems, and tools to aid assessment, planning, prioritisation and engagement. However, these systems are not anywhere near fully implemented, largely because of delays by the Ministry of Justice in the provision of the essential strategic IT gateway. Many continue to rely on the legacy systems used by the NPS.



Youth Offending Services

Youth Offending Services

Context

32,848

Number of young people managed by YOTs, year ending 31 March 2016

151

Number of YOTs

37.8%

Proven 1-year reoffending rate (Oct 2014 – Sept 2015 cohort)

3.4

Average number of reoffences per reoffender

Our inspections

30

Number of FJI inspections

134

Number of SQS inspections

4,138

Total number of cases examined

Our SQS findings

83%

Good quality PSR provided to the court

71%

Sufficient planning to manage the risk of harm to the public

68%

Sufficient planning to manage vulnerability and safeguarding

76%

Sufficient planning to reduce reoffending

80%

Child/young person and parent/carer sufficiently involved in planning

91%

Sufficient responses to non-compliance

How Youth Offending Services are configured

The provision of services to children and young people who have offended in England and Wales is provided through a network of organisations managed by local authorities. Most commonly, these are Youth Offending Teams (YOTs) covering the same boundary as their local authority, but other arrangements (such as YOTs that cover multiple authorities) also exist.

YOTs

YOTs work to provide supervision, deliver rehabilitative interventions and protect victims, the public and the vulnerable children and young people under their care. They work with the youth custody estate, which now falls within the remit of HMPPS, as well as with partners from police, health and education. They are overseen by, and receive some of their funding from, the Youth Justice Board (YJB) for England and Wales, although Welsh YOTs also have oversight by YJB Cymru. In Wales, the Welsh government has devolved responsibility for youth justice.

YOTs are operating at a time of great change in youth justice. Post-court and caution caseloads have fallen dramatically (from 147,791 in 2006/2007 to 32,949 in

2015/2016: a reduction of 78%⁵¹). First-time entrants⁵² to the youth justice system have fallen (from 110,801 in 2007/2008 to 18,263 in 2015/2016: a reduction of 84%), as has the number of young people in custody (an average monthly population of 2,915 in 2007/2008 down to 959 in 2015/2016; a reduction of 67%).

These reductions are linked to the efforts which have been made to ensure that young people are diverted from court for less serious offences, often through out of court disposals (OOCs). The police now have more discretion about whether to prosecute children, allowed by a change to police targets in 2008 and by the removal of the automatic escalator in OOCs prior to the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012. YOTs have no statutory duty to engage with community resolutions or first youth cautions. Nevertheless, OOCs form the bulk of YOT work in some areas, often as part of formalised programmes developed jointly with police.

As a consequence of the recent changes, those

⁵¹ Source: Youth Justice statistics: 2015 to 2016, Youth Justice Board, January 2017, <https://www.gov.uk/government/statistics/youth-justice-statistics-2015-to-2016>

⁵² Number convicted or cautioned for the first time.

young people left within the youth justice system tend to be the more troubled, and they often have multiple and serious needs. In our thematic inspection of public protection⁵³, we looked at cases assessed as a high risk of harm or high risk of vulnerability, or convicted of serious violent or sexual crimes, and found that around four in five had suffered trauma in their lives.

Example 9 - trauma summaries

- There was historical alcohol abuse and domestic abuse between mother and stepfather; the young person came into care as a result.
- His father served custodial sentences when he was young and still has pro-criminal associates.
- There is significant trauma in his history. Both parents were significant substance users and this young person may have foetal alcohol syndrome. There was also domestic abuse growing up. He had previously lived with both parents at different times; however, they both rejected him, resulting in him coming into care. There were also indications that he may have been sexually abused at one time.

⁵³ *The Work of Youth Offending Teams to Protect the Public*, October 2017, <http://www.justiceinspectorates.gov.uk/hmiprobation/inspections/pp/>

Reviews of the system

In 2016, the government commissioned Charlie Taylor to lead a review into youth justice. This review produced recommendations across all aspects of the youth justice system⁵⁴. Following the Taylor review, we retained responsibility for inspecting youth offending work in the community.

The Lammy review⁵⁵ into the disproportionate number of BAME offenders in the justice system highlighted that, while the number of young people in the criminal justice system had fallen, the proportion of those remaining that were from a BAME background had increased. The review also noted that, although there was sometimes good local work in YOTs to address these disparities, there was no serious or comprehensive move to tackle it at a national level.

⁵⁴ Review of the Youth Justice System in England and Wales, Ministry of Justice, December 2016, <https://www.gov.uk/government/publications/review-of-the-youth-justice-system>

⁵⁵ *The Lammy Review: An independent review into the treatment of, and outcomes for, Black, Asian and Minority Ethnic individuals in the Criminal Justice System*, September 2017, <https://www.gov.uk/government/publications/lammy-review-final-report>

How performance is evaluated

Performance management for YOTs is complex. Locally, YOTs are responsible to their YOT management board and ultimately to the chief executive of the local authority. The YJB produces statistics on three indicators: first-time entrants; reoffending; and use of custody. These statistics are, however, only indirectly linked to the performance of the YOT and can be influenced by other events and changes in the policies and practices of other organisations.

Independent inspection

Our Inspection of Youth Offending Work (IYOW) programme began at the end of 2012 and we completed it this year. It was designed to inspect the quality of work with children and young people who have offended. The unit of inspection was the YOT, which in most cases fell within the boundaries of a single local authority. Where two or more local authorities had merged their YOTs, we inspected the shared YOT as a single organisation. IYOW included Short Quality Screenings (SQS) and Full Joint Inspections (FJI).

Our SQS inspections were

relatively short, and focused on the early months of work with children and young people who had offended. We looked particularly at assessment and planning, as previous inspection programmes had shown them as key to quality work. We inspected every YOT in England and Wales, with the exception of some of those targeted for an FJI.

Our FJI inspections examined in depth the quality of work with young people, covering aspects of work that fell outside the scope of the SQS, such as interventions and outcomes. FJIs were targeted at YOTs where particular concerns had been raised, sometimes through previous SQS, but also through intelligence from partners or from performance reports. A small handful of FJIs were targeted at YOTs that were believed to be very highly performing. This was to allow us to promulgate to others the lessons from good work. Although SQS were undertaken by us alone, the FJIs involved collaboration with partner inspectorates.

In total, we completed 4,138 case assessments: 3,050 in SQS and 1,088 in FJI.

The quality of Youth Offending Services

YOTs are expected to provide advice to courts, protect the public, protect the children and young people themselves, and support their desistance from offending. In the following sections, we report on the extent to which these expectations were being met.

Unless otherwise stated, case sample data is drawn from our SQS inspections. Due to the way that FJIs were targeted, it is often not appropriate to aggregate the findings from those inspections. For those YOTs that were re-inspected, usually due to poor performance, only the SQS re-inspection data has been included, leaving 2,929 cases across 129 inspections. This ensures that the findings reflect the most current and accurate picture of the work being done.

The 2,929 cases are broken down as follows:

- 475 (16%) cases involving girls
- 660 (23%) post-release custody cases
- 614 (26%) high or very high risk of serious harm cases
- 829 (36%) high or very high vulnerability cases.

Alongside the IYOW data, we also report findings from the four youth thematic reports we have published since

March 2016. We reviewed a further 271 cases across these thematic inspections.

Providing advice to the courts

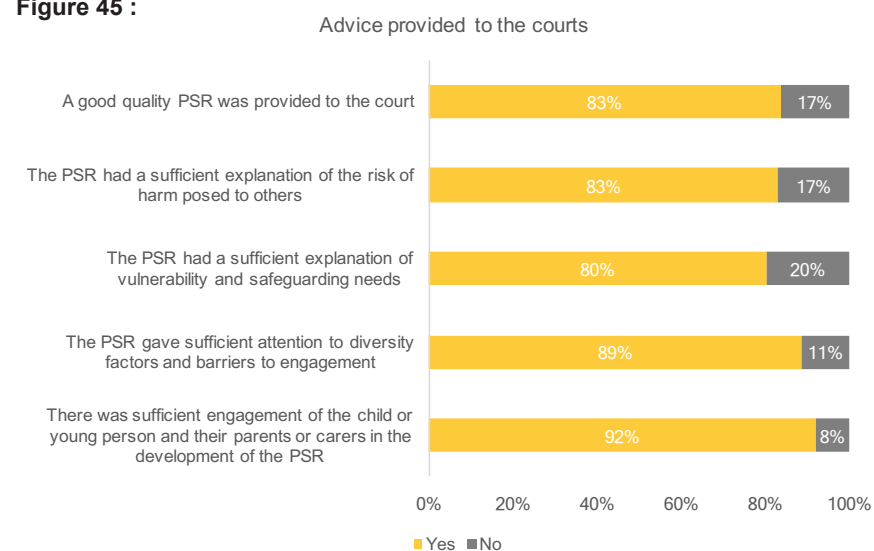
Overall, YOTs were producing good-quality PSRs that were sufficiently well-informed, analytical and personalised to the child or young person, in order to support the court's decision-making.

YOTs provide PSRs to judges and magistrates to better inform the sentence that a child or young person will receive.

Across all our SQS inspection cases, we judged the PSR to be sufficient in at least four cases out of five. We found a clear and sufficient explanation of the risk of harm to others, and the vulnerability and safeguarding needs of the child or young person. Where PSRs did not reach a standard of sufficient quality, it was in these areas that they fell short.

Research has highlighted the importance of engagement, not passive involvement, with the child or young person. Giving the child or young person a voice and treating them with respect help to build the one-to-one trusting personal relationships which can be a powerful vehicle for change. We found sufficient engagement with the child or young person and their parents or carers in more than nine in ten cases at the PSR stage.

Figure 45 :



Example 10 - good practice

A 16-year-old boy was facing an expected custodial sentence following his guilty plea to a charge of burglary of a non-dwelling. The case manager was present in court and had provided a comprehensive PSR, which clearly outlined the factors contributing to his continued offending but also explained the positive steps towards change that he had taken since he had committed the offence. These included reducing his substance misuse and securing a place on a local training course. The report also conveyed a detailed proposal for sentence to a youth rehabilitation order (YRO) with Intensive Supervision and Surveillance (ISS). The proposal clearly outlined the rigorous requirements of this order, how the proposed activities would specifically reduce the likelihood of his reoffending and how closely he would be monitored throughout the order. As a result, the court was positively influenced to give the young person a chance and imposed the YRO and ISS. The work of the YOT was influential in helping to make sure that the young person had the opportunity to continue his change in the community.

Protecting the public

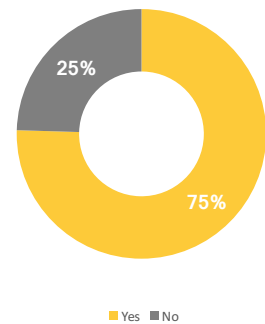
In our SQS inspections, we found that work to protect the public was generally of good quality across YOTs, although there was some room for improvement, particularly in the reviewing of plans.

Victims and potential victims have the right to expect that everything reasonable will be done to manage the risk of harm posed by children and young people who have offended. We expect to see good-quality assessment and planning, with the delivery of appropriate interventions.

Assessments should clearly identify and analyse any risk of harm to others posed by the child or young person, including identifying who is at risk and the nature of that risk. In our SQS inspections, the assessment of the risk of harm was judged to be sufficient in three in four cases. There was no dominant reason for assessments to be judged insufficient; instead, there was a range of issues, including relevant behaviour being ignored and insufficient account being taken of victims.

Planning at the start of sentence for work to manage risk of harm to others was judged to be sufficient in around seven in ten cases.

Figure 46 :
Protecting the public - Was there sufficient assessment of risk of harm to others?



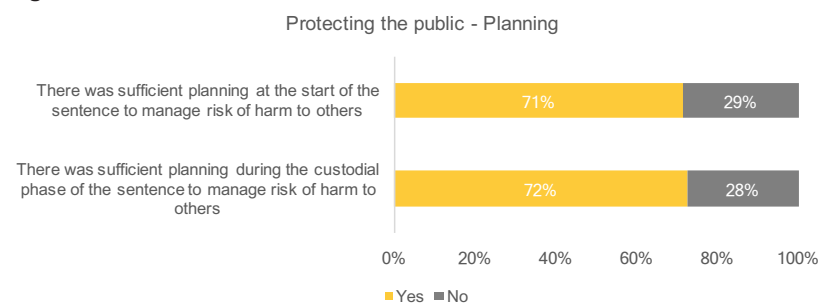
Where judged insufficient, the most common reason was that a risk management plan had not been completed. Other issues were lack of attention to victim issues, insufficient planned responses and insufficient contingency plans.

During the custodial phase, planning to manage risk of harm work was done sufficiently well in a similar proportion of cases. Where judged insufficient, this was most often because a risk management plan had not been completed for the child or young person.

Example 11 - good practice

Anthony was serving a seven-year sentence for a violent offence. At his initial planning meeting in custody, it was identified that he needed to address both this offence and his thinking skills. Unfortunately, the two most appropriate programmes were not available. Anthony's case manager pushed both at the planning board and with the psychology unit for Anthony to receive the required interventions. As a result of her persistence, it was agreed that the Young Offender Institution psychologists would deliver these programmes on a one-to-one basis, making sure that Anthony's offending and risk of harm were addressed.

Figure 47 :



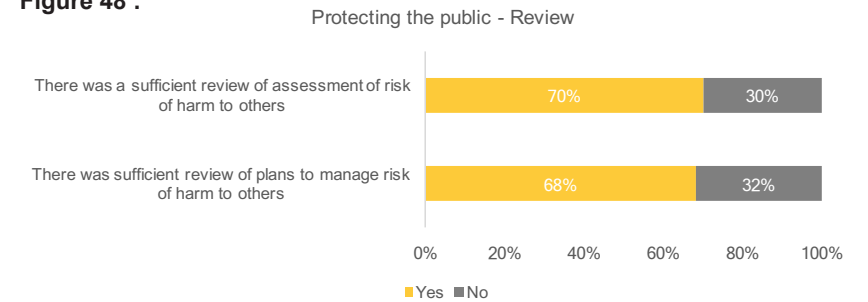
Where cases had an identifiable victim or potential victim, the risk of harm to them was managed effectively in around seven in ten cases. Where it was not effectively managed, this was most often linked to insufficient planning or assessment.

We looked more closely at the work of YOTs to protect the public in a thematic inspection⁵⁶ (published in October 2017). Overall, we found that YOTs protected the public well and were also doing a good job to change young people's lives for the better. Across the six YOTs we inspected, they had used their powers to keep victims safe in 87% of the cases. While around two in five of our sample failed to comply with the court order, in all of these cases, the YOTs took appropriate action.

Reviews are required to identify and respond to changes in factors related to risk of harm, and to make the necessary adjustments in the ongoing plan of work. In our SQS inspections, we found that there had been a sufficient review of the assessment in 70% of cases and a sufficient review of the plans to manage risk of harm in 68% of cases. Of those cases with an insufficient review of the plans, four out of ten had no review undertaken at all.

⁵⁶ HM Inspectorate of Probation (2017) *The work of Youth Offending Teams to protect the public*, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/pp/>

Figure 48 :



Protecting children and young people

We found the assessment of vulnerability to be sufficient in the majority of SQS cases. There was room for improvement in the review of assessments, with more needing to be done to examine significant changes in the young persons' lives.

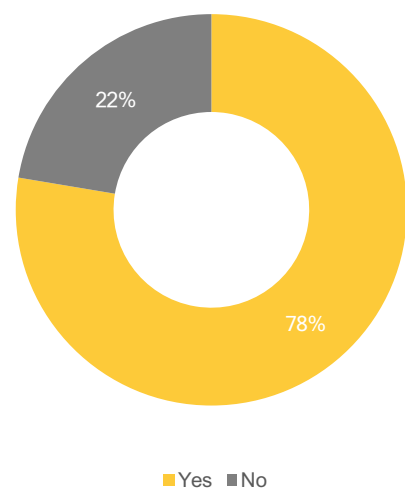
Many of the children and young people under YOT supervision are highly vulnerable, and we expect to see good-quality assessment and planning, with the delivery of appropriate interventions. Offending behaviour often goes hand in hand with risks to the safety and well-being of the child and young person. For example, in our thematic inspection of the work of YOTs

in protecting the public, four in five of the children and young people in our sample had experienced trauma, and three in ten (had been brought up in households where there was a record of domestic abuse. We also found that social media had been a factor in the build up to the offence in almost one in four cases.

An essential part of YOT work is thus aimed at keeping children and young people safe and reducing their vulnerability. In our SQS inspections, we found that the assessment of vulnerability and safeguarding needs was sufficient in around four in five cases. Where it was judged insufficient, this was most often due to an inaccurate vulnerability classification or through ignoring relevant behaviour.

Figure 49 :

Protecting the child or young person - Was there sufficient assessment of safeguarding and vulnerability needs?



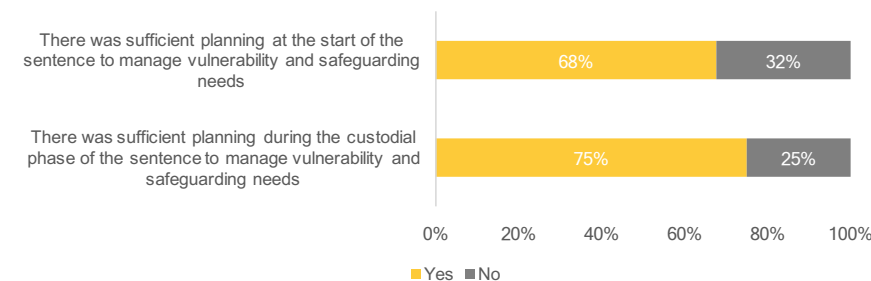
Planning to address safeguarding and vulnerability issues at the start of the sentence was sufficient in around two in three cases. Where it was judged insufficient, this was most often because a vulnerability plan was not completed. Planning to address vulnerability and safeguarding during the custodial phase of the sentence was sufficient in three in four cases. Once again, where judged insufficient, this was most often because no plan was produced.

Example 12 - good practice

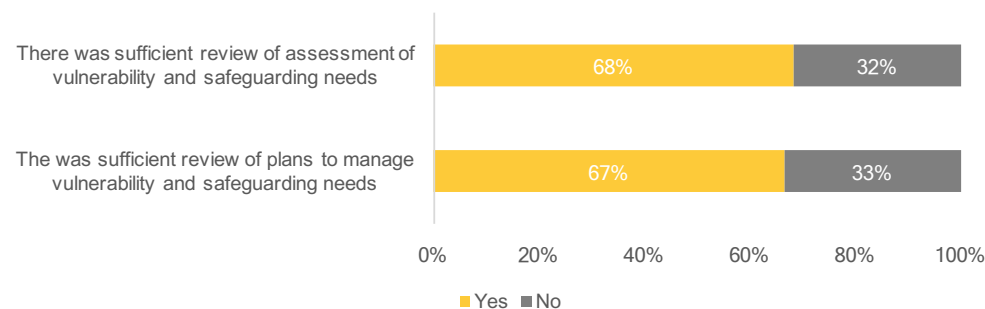
Carly was on a referral order. She was working with a YOS clinical psychologist to explore and manage her emotional difficulties following a violent assault in the family home. She was not in school and was deemed a difficult young person, but she wanted to be back at school. The psychologist recognised that Carly was at greater risk of child sexual exploitation if she remained out of school. She liaised with the school to help them understand about trauma and how a person experiencing this can present. She also worked with teachers to give them strategies about how to manage Carly's behaviour. As a result, Carly had returned to education.

Figure 50 :

Protecting the child or young person - Planning



Reviews are required to identify and respond to changes in factors related to safety and well-being, and to make the necessary adjustments in the ongoing plan of work. In our SQS inspections, we found that there had been a sufficient review of the assessment in just over two in three cases and a sufficient review of the plans to address vulnerability and safeguarding in a similar proportion of cases. Where judged insufficient, this was often because reviews had not been undertaken when required.

Figure 51 : Protecting the child or young person - Review

We looked closely at vulnerability in our joint inspection (with Ofsted (Social Care) and the Care and Social Services Inspectorate Wales) on the accommodation of homeless 16- and 17-year-olds working with YOTs⁵⁷. One in three of the 16- and 17-year-olds in our sample were housed in accommodation which we considered unsuitable or unsafe. We were particularly concerned about the risks to which those sharing hostel or bed and breakfast accommodation with adult strangers were exposed.

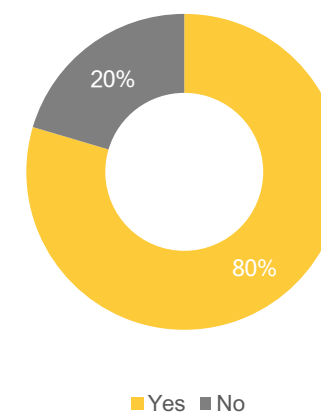
At the time of this inspection, no local authority suggested to us that these shortcomings were because of a lack of funding. They appeared to come from poor or incomplete assessment, a lack of joined-up working or recognition of children's wider needs, and a tendency to place children as though they were adults. We also found that the range of suitable accommodation was limited and this resulted in some children being placed in accommodation that did not meet their needs. The children in our sample had all suffered some sort of trauma in their lives. Most had previously been known to children's social care services and some were subject to care orders. They often exhibited difficult behaviour. They were not yet capable of independence and still needed some form of parenting or support.

⁵⁷ HM Inspectorate of Probation (2016) Accommodation of homeless 16- and 17-year-old children working with Youth Offending Teams, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/youthaccommodationthematic/>

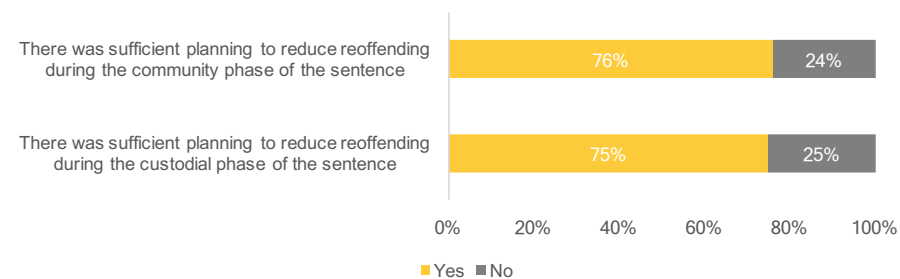
Reducing reoffending and supporting desistance

Work to reduce reoffending was generally done well across the YOTs inspected. We found that sufficient assessment and planning had taken place in the majority of cases but assessment and plans should be reviewed more often.

Assessments should analyse how to support the child or young person's desistance, considering their attitudes towards and motivations for offending, their strengths and protective factors, and the wider familial and social context. In our SQS inspections, we judged the assessment to be sufficient in four in five cases. In those cases where we deemed that assessment was insufficient, the most common deficiencies were a lack of timeliness, a lack of or unclear evidence, and a failure to identify factors linked to offending.

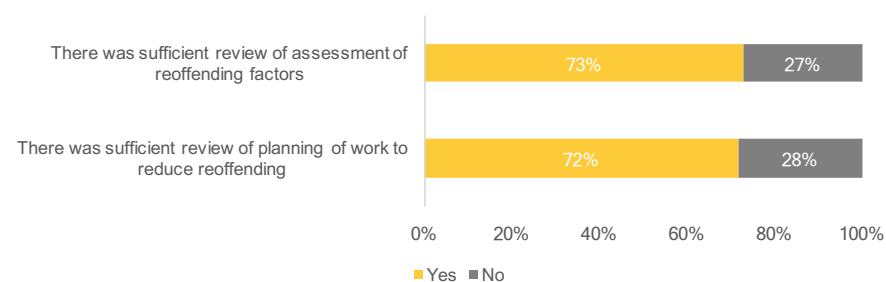
Figure 52 : Reducing Reoffending - Was there sufficient assessment of reoffending factors?

There must be a strong and natural connection between assessment and planning, with the planning process specifying what is to be done about the needs and risks identified, and seeking to reinforce or develop strengths and protective factors. We judged that there was sufficient planning in three in four of the cases we inspected (both during the community and custodial phases). Where plans were insufficient in the custodial phase, it was most often because the plan had not been produced, did not reflect the whole sentence or did not reflect the YOT assessment of the child or young person's needs.

Figure 53 : Reducing Reoffending - Planning**Example 13 - good practice**

In one case, as a result of good advocacy by the YOT, an educational place was maintained while the young person served his custodial sentence. On release, he rejoined a familiar environment and his tutor regularly updated his case manager on attendance and progress at school. On completing year 11, the young person successfully began a course at a local college.

Reviewing progress is another integral part of service delivery, recognising that a child or young person's risks, needs, protective factors and circumstances can change over time. Reviews of both the assessment and plan are important to ensure that they remain sufficiently personalised. We found that there had been a sufficient review of the assessment in about seven in ten cases and a sufficient review of the work to reduce reoffending in a similar proportion of cases. In nearly half the cases where reviews were insufficient, this was because the reviews had not been undertaken at all.

Figure 54 : Reducing Reoffending - Review

We focused specifically upon desistance in a thematic inspection⁵⁸, seeking the views of children and young people currently and formerly working with the YOT on what supported them to move away from offending. The factors identified included having a trusting and consistent working relationship with at least one worker, emotional support, and belief in the young person's capacity to desist from offending.

Quotes from the thematic inspection of desistance:

"The case manager encourages me, supports me and would do anything for me. I know I can call on her and she'll be there for me – I trust her completely. She has helped me find a course, sorted out a worker to help me with my drug taking and got me to think about my crimes".

"My worker is someone I trust totally, I can tell her anything and I know that she will listen, she has done so much for me".

"We talk about every single thing. I can talk to my case manager about anything. The best thing about her though is that she makes me feel sort of comfortable. Like, it wasn't like I had to be there. I actually enjoy learning with her".

⁵⁸ HM Inspectorate of Probation (2016) Desistance and young people thematic inspection, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/desistance-and-young-people/>

Example 14 - good practice

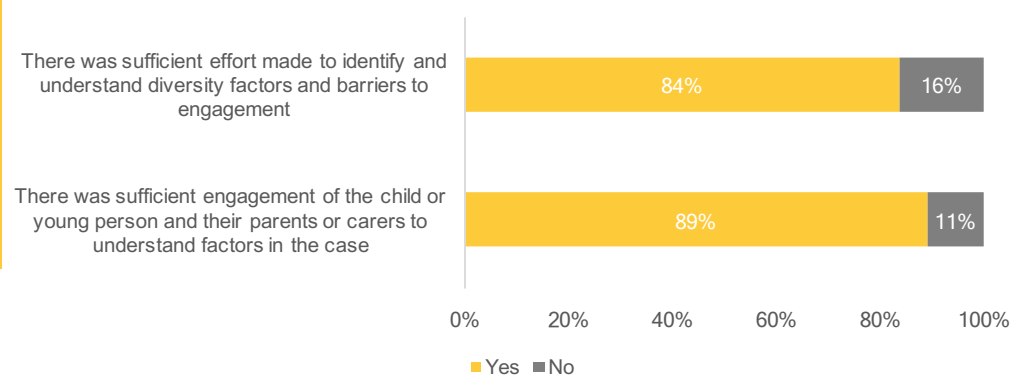
Leigh had a history of failure to comply with her sentences. The case manager assessed that this was, at least in part, due to Leigh not understanding what was expected of her. The case manager undertook a series of appointments designed to develop objectives that Leigh understood. Once agreed, these were written in words and language that were meaningful to Leigh. The simplicity of the language used helped to increase Leigh's level of engagement and her compliance continued to improve. Leigh has not reoffended since being on the current order.

Making sure the sentence is served

Effective enforcement was evident in most cases. Research has highlighted the importance of engagement with the child or young person, as well as their parent or carer. We found the majority of children and young people meaningfully involved in all stages of their cases, reducing the risk that enforcement would be necessary. While we usually found sufficient assessment of diversity factors and barriers to engagement, there were cases where factors such as learning styles and speech, language and communication needs were not fully understood.

Engaging the child or young person's parents, carers and other highly significant people in their life can help to produce an assessment and plan that is more relevant to their needs. In our SQS inspections, we found that there had been sufficient engagement of the child or young person and their parents and carers to help understand the relevant factors in nine out of ten cases.

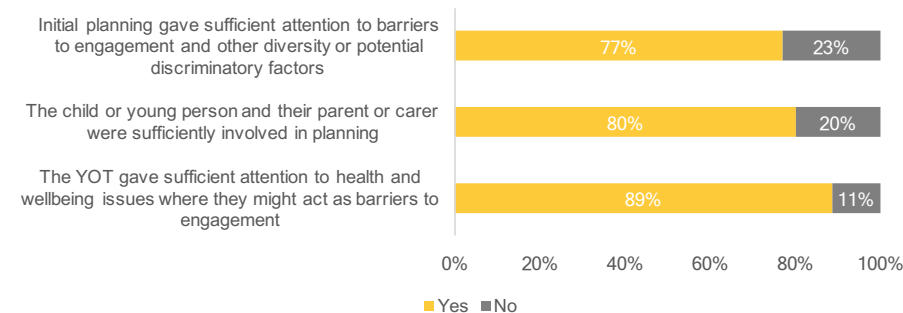
Figure 55 : Making sure the sentence is served - Assessment



Initial planning gave sufficient attention to diversity issues and barriers to engagement in just over three in four cases. Where it was judged insufficient, this was most commonly due to identified barriers not being addressed. The child or young person and their parents or carers were sufficiently involved in the planning in four out of five cases.

Health and well-being can significantly affect a child or young person's ability to comply with the sentence of the court, and sufficient attention was given to such barriers in nine out of ten cases. Where judged insufficient, this was often due to issues of inter-agency working leading to referrals not being made, insufficient support from staff, and agencies not coordinating their work well.

Figure 56 : Making sure the sentence is served - Planning

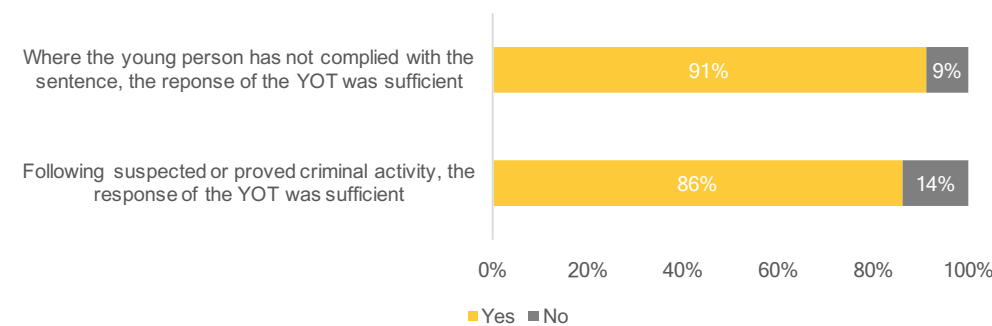


In March 2016, we published our thematic inspection⁵⁹ on desistance and young people. We visited six YOTs, looking in depth at 37 current cases and meeting 16 young people who had previously worked with a YOT, 21 parents/carers and 2 key workers from children's homes. Overall, we found some good work being conducted to support and promote desistance, alongside the work building and sustaining effective working relationships. However, there were clear areas for improvement in the cases examined. The views of the children and young people were only reflected in one in four plans. Barriers to engagement had only been assessed clearly in a minority of cases, and there was no evidence that the children and young people had signed their intervention plans in almost one in four cases. We also found that a number of the children and young people found the interventions no longer age-appropriate, or disengaging, repetitive or demotivating.

Attention must be given to promoting compliance, including helping the child or young person to recognise the positive changes and benefits from a non-offending lifestyle. But not all children or young people will comply and the YOT's response in these situations is important for judicial and public confidence. Instances of non-compliance should be dealt with in a proportionate, fair and transparent manner. In nine out of ten SQS cases, we found that there had been a sufficient response to a lack of compliance. In over half of these cases, the response of the YOT had secured ongoing compliance.

In those instances where there had been further actual or suspected criminal behaviour, the response of the YOT was judged sufficient in 86% of cases.

Figure 575 : Making sure the sentence is served - Responses to non-compliance



59 HM Inspectorate of Probation (2016) *Desistance and young people* thematic inspection, <https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/desistance-and-young-people/>

Equality, diversity and inclusion

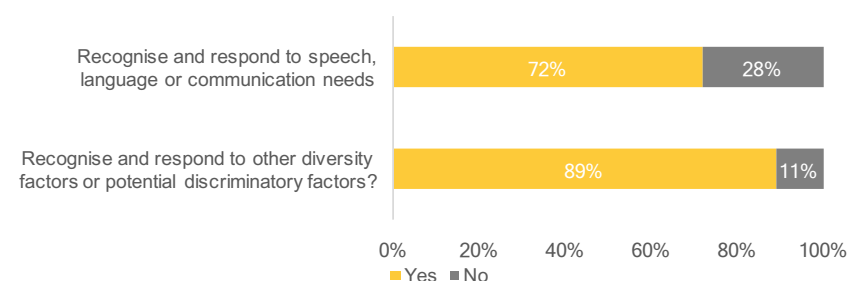
YOTs need to provide services to a range of young people with very divergent diversity needs. The young people who attend the YOT range in age from 10-years-old to 17, which necessitates considerable differences in interventions and engagement.

The YJB publishes annual caseload data⁶⁰, broken down at YOT level, relating to the protected characteristics of age, gender and ethnicity. Girls and young women make up 18% of the national caseload, similar to the 16% in our SQS sample. The prevalence of children and young people from a BAME background is 22% – both in the national caseload and in our SQS sample.

One-third of the young people in our sample had a disability, with nearly half of those in relation to attention deficit hyperactivity disorder. Just over one-third of those reporting a disability had a statement of special educational needs, while one-quarter had a learning disability.

Staff training and development can improve the quality of the service provided to all children and young people, and the majority (89%) of case managers responded that they had received sufficient training in relation to diversity factors or potentially discriminatory factors. Training to recognise and respond to speech, language and communication needs was less thorough, with seven in ten case managers saying it was sufficient.

Figure 58 : Does the case manager consider that they have received sufficient training to:



Now that we have collated data from across our SQS inspections, we will be able to look at the quality of delivery for differing sub-groups.

⁶⁰ Youth Justice annual statistics: 2015 to 2016, Ministry of Justice and Youth Justice Board (2017), <https://www.gov.uk/government/statistics/youth-justice-statistics-2015-to-2016>

Organisational delivery

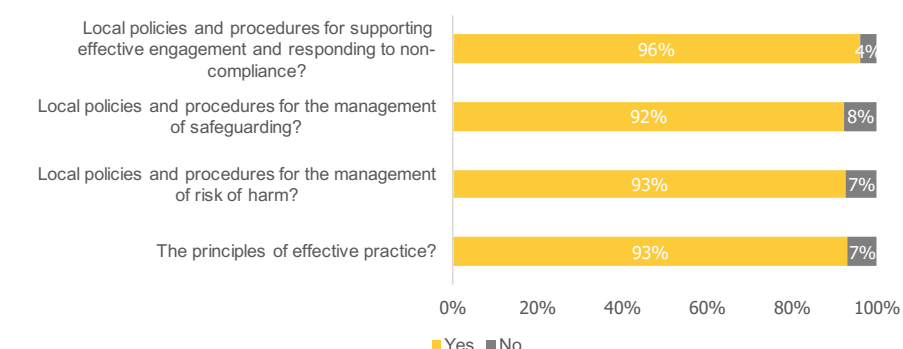
Staff

Staff working within YOTs should be empowered to deliver a high-quality, personalised and responsive service for all children and young people. The highest-performing organisations ensure that its people are engaged and have the necessary resources, competencies and support to do their jobs well and deliver a quality service. We found the majority of YOT case managers to be knowledgeable and positive about their own managers, but improvements could be made in the managerial oversight of work aimed at protecting young people and managing risk of harm.

Staff skills

In the majority of cases across our SQS inspections, we judged that the case manager had sufficient understanding of a wide range of issues, covering the key areas of protecting the public, protecting the children and young people themselves, and supporting their desistance from offending. The majority of case managers sufficiently understood the priorities of their organisation, and in particular how those priorities affected their role (80%).

Figure 59 : In the opinion of the inspector, does the case manager have a sufficient understanding of:

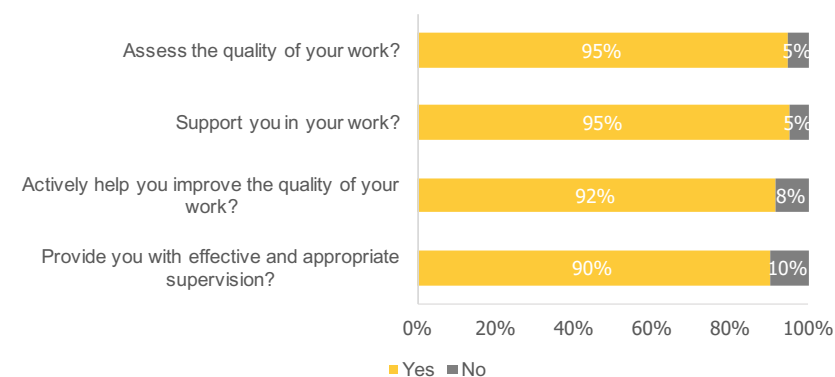


Management oversight

Staff can only perform to the expected standards when appropriately supported. Within our SQS inspections, we found that the vast majority of case managers felt that their managers supported them in their work (95%), that their managers actively helped them to improve the quality of their work (92%) and that

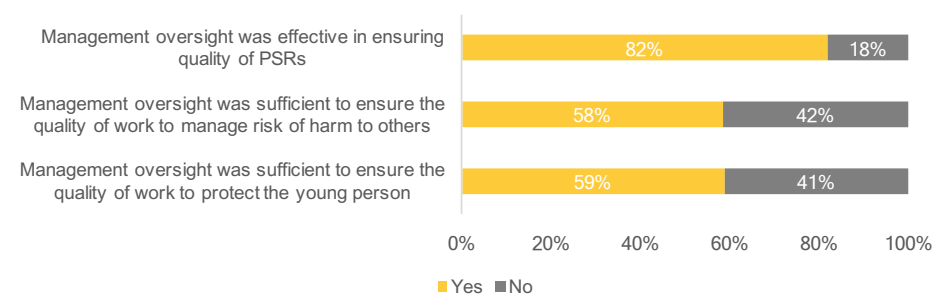
they felt that they were provided with effective and appropriate supervision (90%).

Figure 60 : In the opinion of the case manager, does their own manager have the skills and knowledge to:



We also made judgements about management oversight in relation to key areas of work. While this was deemed to be effective in ensuring the quality of PSRs in around four in five cases, it was less often judged as sufficient in then ensuring the quality of the work to manage risk of harm (58%) and protect the young person (59%). This was most commonly due to a failure to address inadequacies in assessment or planning.

Figure 61 : Management oversight of practice



Other aspects of organisational delivery

Within our FJI inspections, we examined whether there was sufficient access to resources and whether there were any gaps in the availability of interventions to help reduce reoffending, manage risk of harm to others and address safeguarding needs. This information is not currently collected through our SQS inspections, and we have not aggregated FJI findings in this report due to the non-random targeting of these inspections.

Our recently completed youth standards consultation⁶¹ proposes that all key areas of organisational delivery will be examined in more detail in all inspections from next year. We will thus report further on organisational delivery in our next annual report.

⁶¹ HM Inspectorate of Probation, Consultations on standards and ratings for inspecting probation and youth offending services, <https://www.justiceinspectors.gov.uk/hmiprobation/about-hmi-probation/consultations/>

Appendices

Appendix A: The inspectorate

Statement of purpose

We are an independent inspectorate, funded by the Ministry of Justice, and report directly to the Secretary of State. Our purpose is to report on the effectiveness of work with adults and children and young people who have offended. This is aimed at reducing reoffending, protecting the public, and improving the well-being of children and young people at risk of reoffending, whoever undertakes this work. We inspect the quality and impact of services provided, and make recommendations designed to assist providers to continually improve the effectiveness of their services.

In working to our statement of purpose, we:

- seek to contribute to the development of effective practice of the organisations whose work we inspect
- will identify and disseminate best practice, based on inspection findings
- will challenge poor and ineffective practice, based on inspection findings
- will contribute to the development of sound

policy that enables and facilitates effective practice and avoids unnecessary duplication and bureaucracy

- will contribute to the overall effectiveness of the criminal justice system, particularly through joint work with other inspectorates
- will actively promote diversity, both within our own organisation and in the organisations whose work we inspect.

Values

Integrity

We work in an independent, honest, open, professional, fair and polite way.

Accountability

We are reliable and stand by the evidenced conclusions we reach. We will always fully account for our actions.

Effectiveness

We report and publish inspection findings and recommendations for improvement, focused on the quality and impact of services, in good time and to a high standard. We check the impact of our inspections. We disseminate our findings widely

to enable improvement across England and Wales.

Inclusion

We promote attention to diversity in all aspects of our work, including within our own employment practices and organisational processes and are committed to pursuing equality of outcomes for all.

Our mandate

HM Chief Inspector of Probation's responsibilities are set out in Section 7 of the Criminal Justice and Court Services Act 2000, as amended by the Offender Management Act 2007, section 12(3)(a). This requires the Chief Inspector to inspect (section 1) and report to the Secretary of State (section 3) on the arrangements for the provision of probation services.

Under Section 7(6) of the Criminal Justice and Court Services Act 2000, HM Chief Inspector of Probation is also conferred to inspect and report on Youth Offending Teams, established under section 39 of the Crime and Disorder Act 1998, and bodies acting on their behalf.

We are the independent source of fair comment for ministers and the public on the effectiveness of the work of probation and youth justice providers.

Based on our independence, expertise and experience, we are able to uniquely focus on the identification of best and effective practice. We identify if success has been achieved, and how it has been achieved, but also why it has not.

We test the effectiveness of the provision and provide assurance. Critically, we make recommendations designed to identify and disseminate best practice, challenge poor performance and encourage improvement. We provide evidence-based intelligence for commissioners and providers, designed to play a key part in facilitating and encouraging improvement in effective service delivery.

