



Speech

Dame Glenys Stacey, HM Chief Inspector of Probation

Westminster Legal Policy Forum Keynote Seminar:

Probation services in England and Wales - the future of the Transforming Rehabilitation framework and priorities for Through the Gate resettlement

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Next steps in probation reform in England and Wales

Thank you. Thank you for the opportunity to speak with you today about a subject so dear to my heart and so pertinent: *can probation services deliver what we all want and expect?* The short answer is yes, given the right conditions, but they cannot do it alone, or without sufficient funding.

Many people aren't sure about probation, and what it actually does, what to want or expect from probation services, yet 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, and numbers are rising. If all these services were delivered well, then the prison population would reduce. There would be less reoffending and fewer people being returned repeatedly to prison. Yes – but 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.

We are not talking about small beer here. Instead, these things matter to us all. They are the things we should want and expect from probation services, in my view.

To meet those expectations, 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 things are inextricably linked in the minds of probation professionals. They are the enduring requirements of all probation services, their *raison d'être*.

And 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 offenders. National probation standards had increasingly given way to the use of professional judgement, a trend that allowed for the innovation government wished to promote. Probation supervision was extended for the first time to offenders released from prison sentences of under twelve months (over 40,000 people each year). And CRCs must now provide offenders with resettlement services while they are in prison, in anticipation of their release.

You have heard already, from earlier guests that probation is not working as well as it should; that we, the public cannot be sure that good quality probation services are consistently well delivered at the moment. I do not want to dwell on the shortcomings in the short time I have with you, but let me sum up what we in HMI Probation see. The National Probation Service ('NPS') is off to a good start overall, whereas most Community Rehabilitation Companies ('CRCs') are struggling. There have been serious setbacks. The new IT systems so central to most CRCs' transformation plans are still not fully in place and for all, unanticipated changes in sentencing and the nature of work coming to CRCs have seriously affected profitability and the bottom line. All CRCs have reduced staff numbers, some to a worrying extent, and many CRCs are not providing the range of specialist services necessary to make a difference for people with particular problems. When staff are so hard pressed, and have limited access to specialist services, we find there is too little purposeful activity in too many CRC cases. That is the nub of it: too little meaningful work, overall.

We should all be concerned, given the rehabilitation opportunities missed, and the risks to the public if individuals are not supervised well. So what is to be done about it? What are the next steps?

I have found government appreciative of our inspection reports, findings and evidence. We heard from Jim earlier that the Secretary of State for Justice is considering future strategy and plans for probation services, and I hope that our reports continue to be of value to him and others involved as they consider probation service provision not just now, but for the next decade. I hope what I say now will be of value as well – six top tips for ministers to consider as they develop probation services for the future, before I end by speaking about the contribution HMI Probation can make:

1. Firstly, operating models matter. The way an individual organisation sets itself up to deliver probation services makes a difference to how effective probation services are likely to be. Some have laudable features. Some aspire to deliver services in community hubs that also provide wider services to the local community, for example, and all seek to eradicate unnecessary overheads and reduce the cost of necessary ones, so as to provide best value.

But those owners of CRCs most ambitious to remodel services have found probation difficult to reconfigure, or re-engineer. As it is, I question whether some CRC operating models can deliver sufficiently effective probation services. So for example in some CRCs, individuals meet with their probation officer in open booths that do not provide enough privacy, when sensitive and difficult conversations must take place. Operating models should provide for and build on those features of probation services that we know, from evidence, and more likely to engender reflection and change in those individuals subject to probation.

2. The quality of the relationships is key. There is a strong evidence base to show the quality of the relationship between an individual and his probation officer is paramount. Yet in some CRCs, cases are transferred between probation workers routinely. And some people now under probation supervision do not meet with their probation officer face-to-face. Instead they are supervised by telephone calls every six weeks or so, with some CRCs planning for biometric monitoring systems.

3. IT systems and IT connectivity matter. They deserve attention. Probation is a caring service, with so much resting on relationships with local partners as well as with those under probation supervision, but it needs good enough *systems* to deliver effectively.

I have been delighted to see CRC owners investing in new IT to support offender management. I have then seen them wrestle with government data protection and other system requirements and find themselves wrong footed, as the essential IT connectivity to other criminal justice systems is still not available. Things are no better in the NPS. It still

relies heavily on dated, creaky IT systems that lack functionality and are in some cases unreliable. There have been some piecemeal system developments, but more strategic investment could enable NPS managers and staff to work more efficiently and effectively, and stop some individual cases slipping through the net.

4. Skilled, professional staff matter. All too often we are seeing CRC staff overburdened with work, and unable to deliver well. Of course the world responds to incentives, the world over, and we would see more professional staff more able to do a good job if providers were incentivised differently.

5. Commissioning in this field is difficult. Difficult, because you are in effect commissioning the resolution of complex social problems that are best solved locally and in partnership with others. Difficult, because delivering probation services is more challenging than it appears, particularly in prisons and in rural areas.

Difficult, because the enduring aims of probation – to 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 - are so inextricably linked. They are not readily divisible into discrete work packages and measures. Difficult because sentencing does not stand still.

And difficult because 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.

Reducing all this to a set of contractual requirements and performance measures in a meaningful way most likely to deliver quality services is just plain difficult.

6. A guiding coalition is needed, at the top. Probation providers cannot magic up accommodation for former offenders, or instant universal benefit payments, or ensure that women's centres thrive, or that local authorities approve planning applications for much needed new Approved Premises, for example. Probation services cannot do it alone.

Instead, effective probation services require the combined efforts of providers, professionals and staff, commissioners and funders, local partners and inspectors, informed by listening to those receiving the service and inspired by one single view, championed across government – a single vision of what we want and expect to do for a quarter of a million people each year, some of the most troubled and troubling people in society today.

Inspection can help. Inspection of any public service should focus on its conformity to standards; the quality of service it delivers and the quality of its management arrangements. By shining a light on these things, inspection provides those carrying political or executive responsibility, as well as the general public with an independent way of holding agencies to account and testing whether the services they offer are being delivered appropriately. What's more, inspection can drive up quality in the criminal justice system. Done well, it shines a light, holds people to account and – critically - it should improve services, over time.

I mention standards, but of course, standards in probation have waxed and waned in recent years. With *Transforming Rehabilitation*, probation providers were freed up to a large extent from established standards, and encouraged to innovate and find new ways of rehabilitating offenders.

Where there are no clear, agreed, published standards to show what good quality work looks like, then inspecting is less effective than it can be. Those inspected are not always

sure what is expected of them, how their service might be judged, and how and where to focus so as to improve. That is a hole we at HMI Probation want to fill.

We can produce inspection standards, to show what we are looking for when we inspect. But for standards to do more - to drive *improvement* in services – then they should be built by consensus. Inspection alone cannot improve quality. Instead it requires the commitment of providers and others, all working towards a single vision of high-quality probation services. It is that single view, single vision that is so important for us all.

It is essential then that those who will be inspected against standards are involved in their development. We have been working with the NPS, CRCs and others in workshops across England and Wales to develop and refine a new set of standards for probation services delivered by the NPS and CRCs. We think we have a good set of draft standards as a result, and now we want to see if others agree. We will launch a formal consultation on them tomorrow, and I hope you will all participate – please.

You will see incidentally that our proposed standards cover the management arrangements of the organisations we inspect, in line with good inspection practice and the approach of inspectors in other spheres.

We are proposing to use these standards as from April next year. As we do so, we intend to make another significant change, designed to drive improvement in services where it is needed. We intend to rate each NPS division and CRC that we inspect, using a four point scale: Outstanding, Good, Requires Improvement, Inadequate. We have seen that approach work and drive improvements in other services, and expect it to do the same here, over time.

Of course, CRCs are measured on contract compliance, and indeed all the organisations we inspect are measured in various ways. But we think HMI Probation ratings will provide a prime measure of the quality of probation services, when this is very much needed.

Probation services are not yet stable. To provide the accountability and visibility necessary and to drive improvement where it is needed, we will inspect every NPS division and every CRC annually, starting in spring 2018.

Let me end now with a few closing remarks, or reminders:

1. Probation services should be designed in ways that are most likely to engage those under probation supervision.
2. Looking at things from the point of view of those under probation supervision, informed by the research and evidence base of good probation practice, is a sensible thing to do.
3. Probation arrangements, the way it is delivered should promote and encourage partnership at the local level. Probation cannot do it alone. Instead, not just local partnership but a national coalition is needed.
4. IT matters. We are not in a good place, and yet so much could be achieved with better systems.
5. And last but not least, the way probation providers are overseen and regulated should be proportionate and coherent, and likely to drive improvement where needed. Independent inspection has a key role to play.

Thank you for listening.

ENDS