



Her Majesty's
Inspectorate of
Probation

PROBATION – IN CRISIS OR ON THE ROAD TO RECOVERY?

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Themes for today's talk

Impact of Covid on probation and the CJS

Early results from HMIP's probation second round of inspections against new standards

Management of the risk of harm – lessons from Serious Further Offences



The Covid crisis and probation

Impacts on every part of the criminal justice system and the ecosystem of support services it works with

Exceptional Delivery Model since 23 March:

- Unpaid work and accredited programmes suspended

- Big reduction in new community sentences and court reports

- Doorstep checks for highest risk

- Home based working and phone supervision as the new norm

- Lockdown and strict social distancing for approved premises residents



Does face to face matter?

Probation work all about building and sustaining positive relationships – strong link to desistance

Assumption that these happen face to face – 1 to 1 appointments and group delivery of programmes and unpaid work. Built into contracts

No robust research on effectiveness of remote supervision

Might service users prefer remote, 1 to 1 delivery of some programmes?

Essential to capture the learning from this Covid period



Challenges of recovery planning

Coming out of lockdown more difficult than going in – may be many months before service as normal resumed

Ongoing impacts on staff availability

Ongoing impact of public health rules on volumes of staff and service users that can be seen face to face in probation offices

How to adapt unpaid work and programmes to social distancing rules – shift away from group placements?

Backlogs of breaches, community payback hours and trials to deal with



Core principles of good practice remain

- Operating model may have changed radically in response to Covid but core responsibilities of probation and principles of good practice remain
- Good assessment, planning, delivery and review will remain critical
- Must not forget the lessons from HMIP's local inspections – including the 9 re-inspections conducted since September and before lockdown



HMIP probation inspections

- We inspected all 28 probation services in England and Wales in 2018-19 (and also 26 Youth Offending Teams).
- First time we have inspected all probation services in one year – separate inspection teams for CRCs and NPS
- Almost 6000 cases analysed in detail; over 1900 probation officers and PSOs interviewed

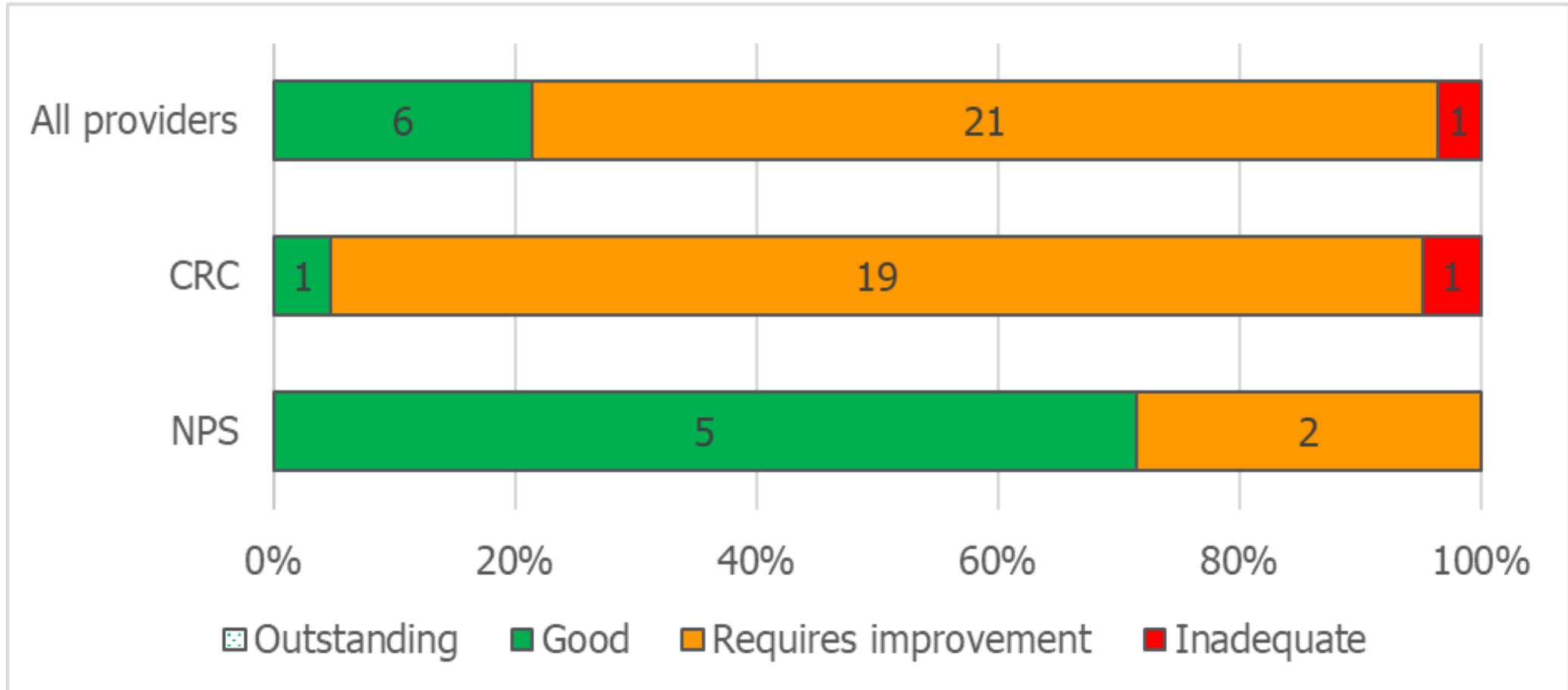


Our methodology

- In each service, we rate 10 aspects of work and overall performance and assign an overall rating. We look at:
 - Overall leadership, staffing, facilities and service delivery (domain 1)
 - Quality of offender management – 'ASPIRE' model - assessment, planning, implementation, reviewing (domain 2)
 - Looking in each case at engagement, desistance, risk of harm
 - Unpaid work, Through the Gate services, court reports, victim liaison work (domain 3)

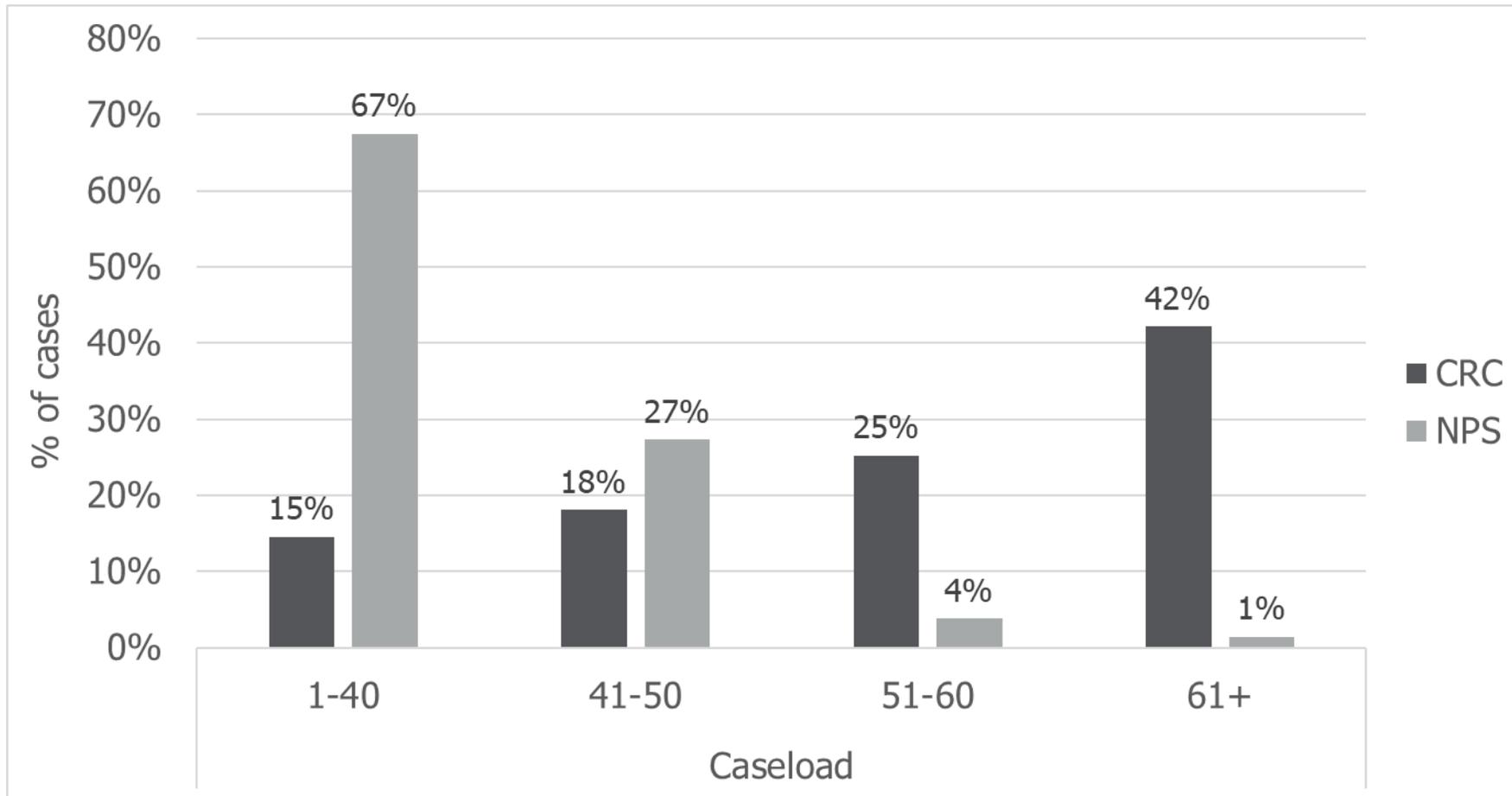


Overall ratings from first round of probation inspections against new standards - 2018-19





CRC vs NPS caseloads





Impact of high caseloads

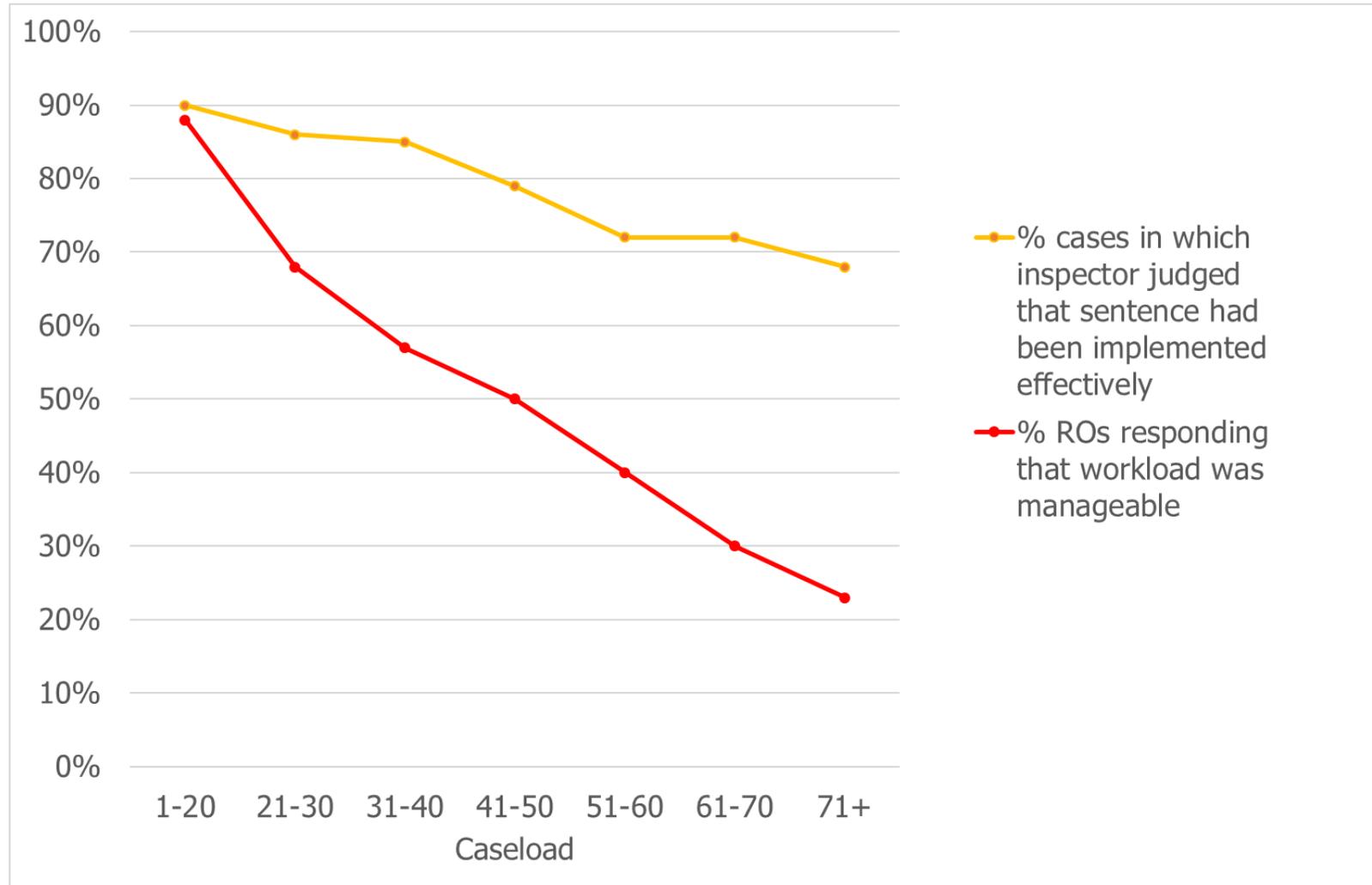
“The responsible officer was close to tears in the interview describing his situation as unmanageable. He reported that he is currently managing 79 cases but will be receiving an additional nine in the next couple of weeks. Due to the levels of stress he is experiencing, he doesn't feel totally clear in his decision making, feeling as though he flies by the seat of his pants on a daily basis.”

“The workload is only manageable because the responsible officer works evenings and weekends for their own peace of mind. In previous months he reported having a mini-breakdown as the stress was so immense.”

“I am playing catch up continually and am extremely stressed and completely burnt out...I am overworked, tired and deflated. I love probation and am committed to it but the changes have made me not want to do it anymore. A supportive great team keep me here”



Impact of caseload on effectiveness





Impact of Transforming Rehabilitation

- Fundamental flaws in out-sourcing model – fixed cost assumptions; volumes; payment by results failure
- CRCs starved of essential core funding - £822m less than expected income over 7 years

Plus

- Complexity of contracts leading to lack of flex as circumstances change – many months to renegotiate while performance slips
- Risks around market failure of larger parent companies – eg Working Links
- Impact of Covid



Has probation performance improved?

OVERALL RATING	YEAR 1	YEAR 2
Outstanding	0	0
Good	0	3
Requires improvement	9	6
Inadequate	0	0

Nine CRCs have been re-inspected since September 2019, they are:

Derbyshire, Leicestershire, Nottinghamshire and Rutland CRC (DLNR CRC)

Durham and Tees Valley CRC (DTV CRC)

Northumbria CRC

South Yorkshire CRC

Staffordshire and West Midlands CRC

South Yorkshire CRC

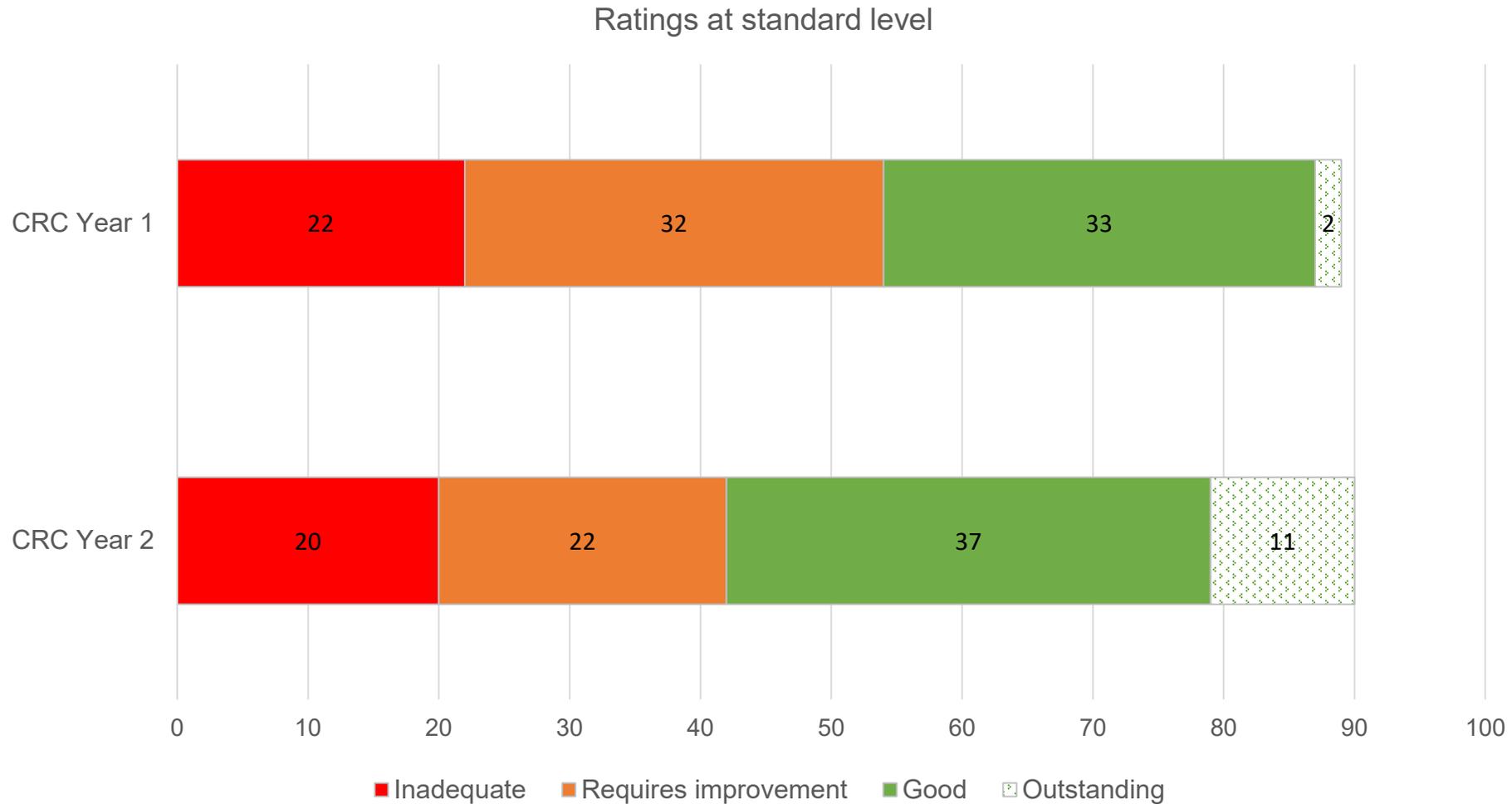
Thames Valley CRC

West Yorkshire CRC

Merseyside CRC

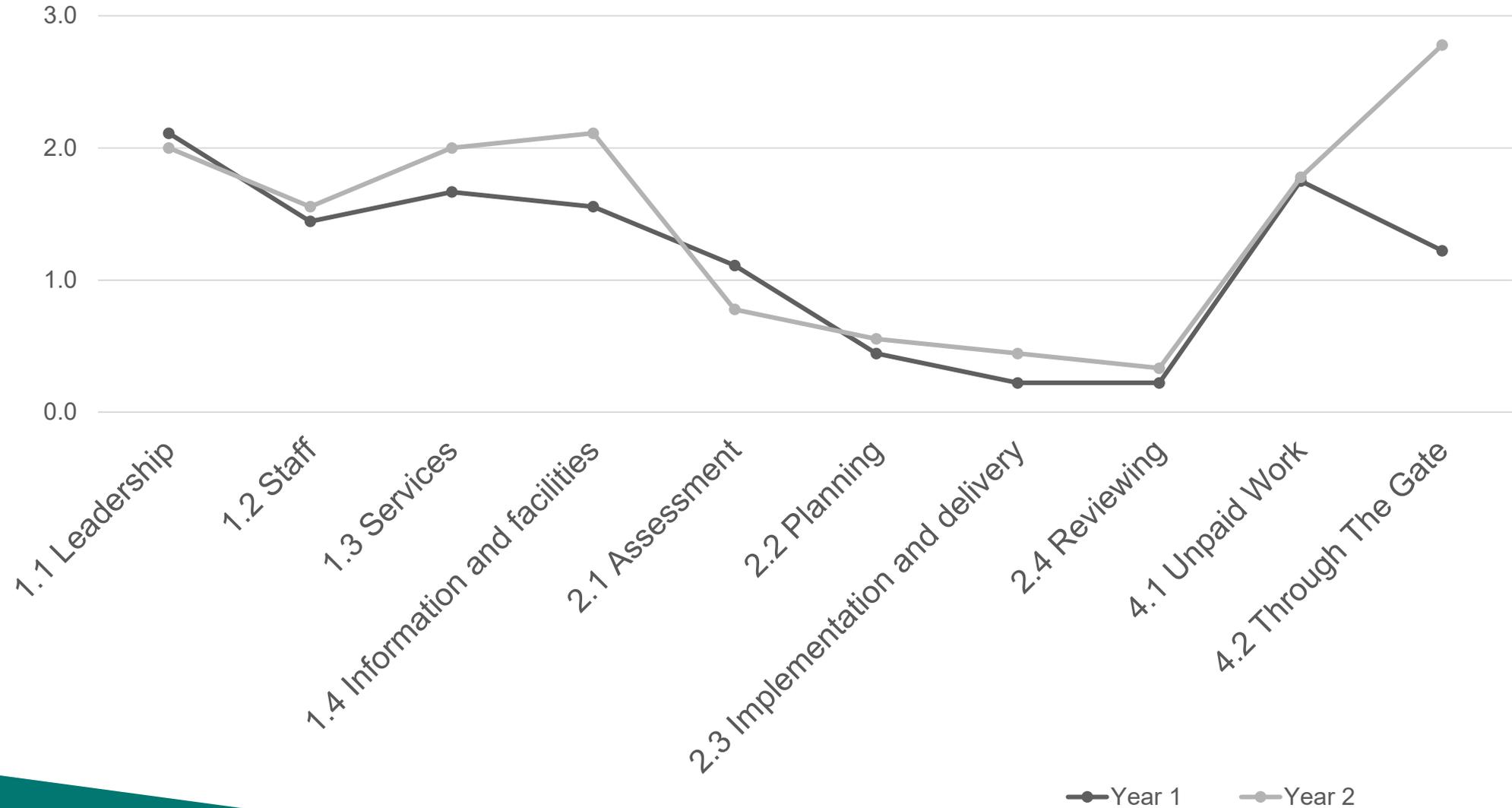


The proportion of good and outstanding ratings has increased





Leadership, facilities, unpaid work are 'good'; through the gate work has significantly improved, but day to day offender management often remains inadequate





Significant improvements in Through The Gate

“In the last inspection, the CRC was rated ‘Requires improvement’ for Through the Gate services. This time we found it to be ‘Outstanding’. Overall, there were relevant and appropriate resettlement plans in place. Relevant factors were identified, and services were either provided or referrals made to set up support in time for release from custody. The level of support provided post-release is impressive, ensuring individuals attend relevant appointments and undertake actions as necessary to support their resettlement into the community.”

(Durham and Tees Valley CRC)



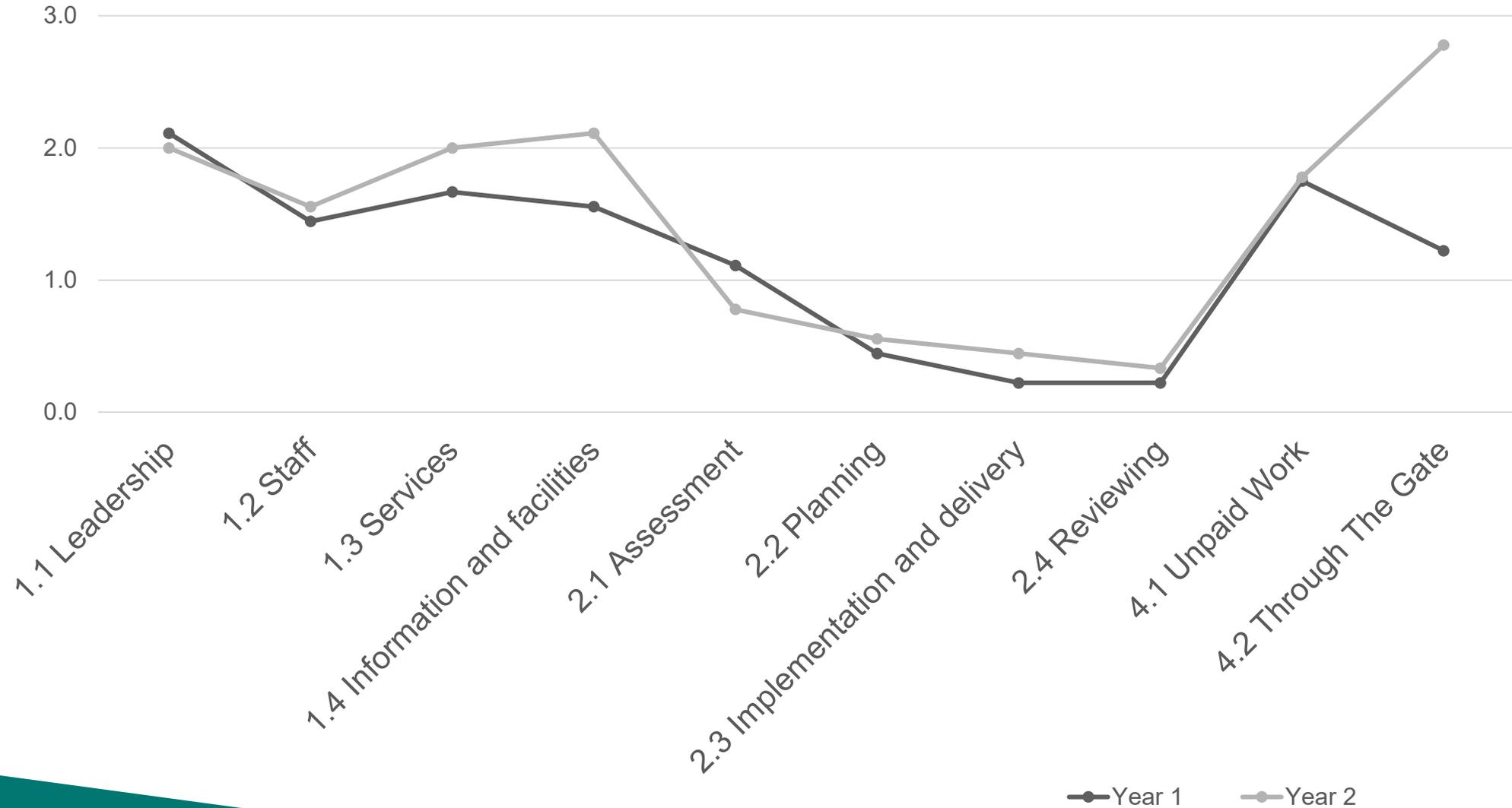
Significant improvements in Through The Gate

“Mary is serving a 16-week custodial sentence for shop theft. She has a long-standing heroin and crack cocaine/benzo addiction. She was homeless prior to custody, having fled an abusive relationship. She suffers anxiety and depression and had children removed from her care. The enhanced Through the Gate responsible officer made arrangements for temporary accommodation, an appointment for benefits and to attend the substance misuse services. On release, Mary had accommodation in place. She received an advance benefits payment and collected her methadone script. For the first time, Mary had not used on day of release, and was happy and stable”

(Durham and Tees Valley CRC)



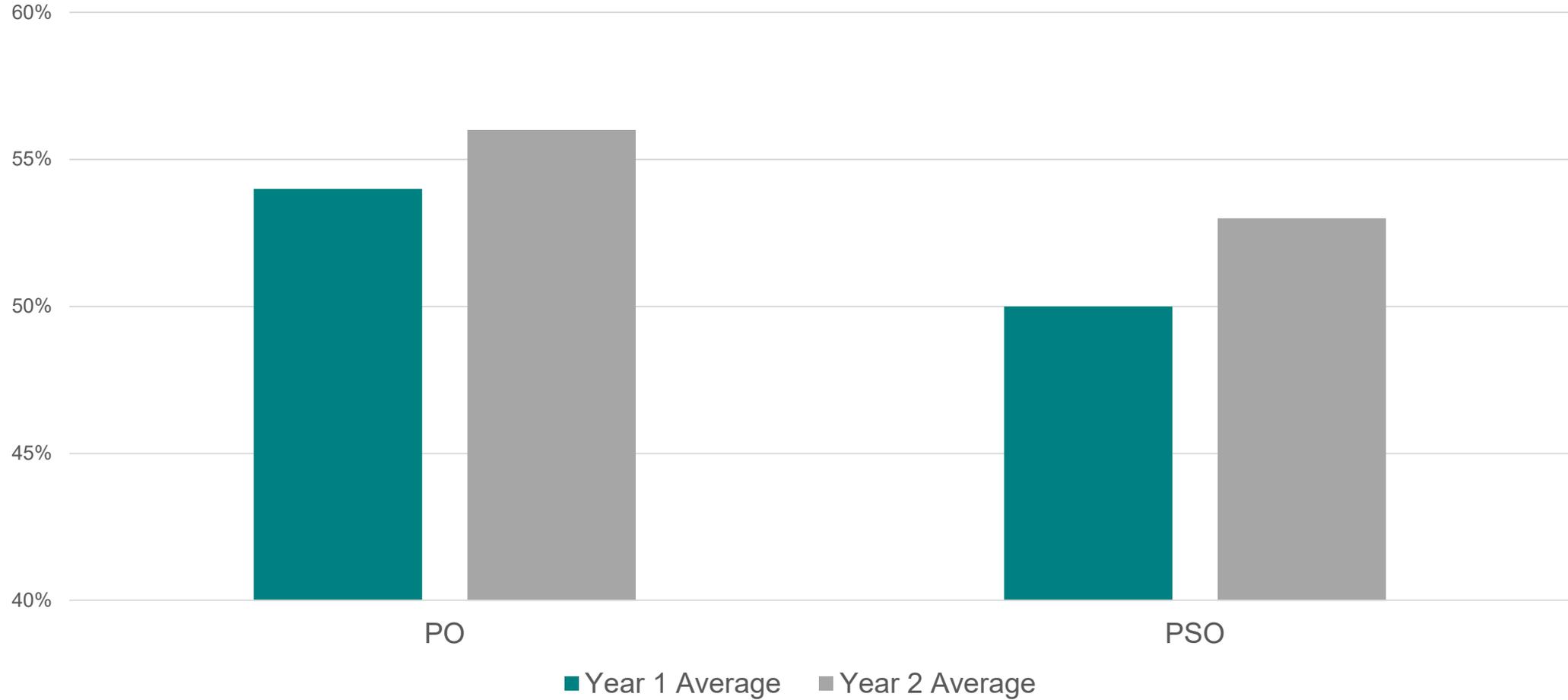
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Caseloads remain too high

Percentage of POs and PSO's with 'unmanageable' case loads





Continuing impact of high caseloads

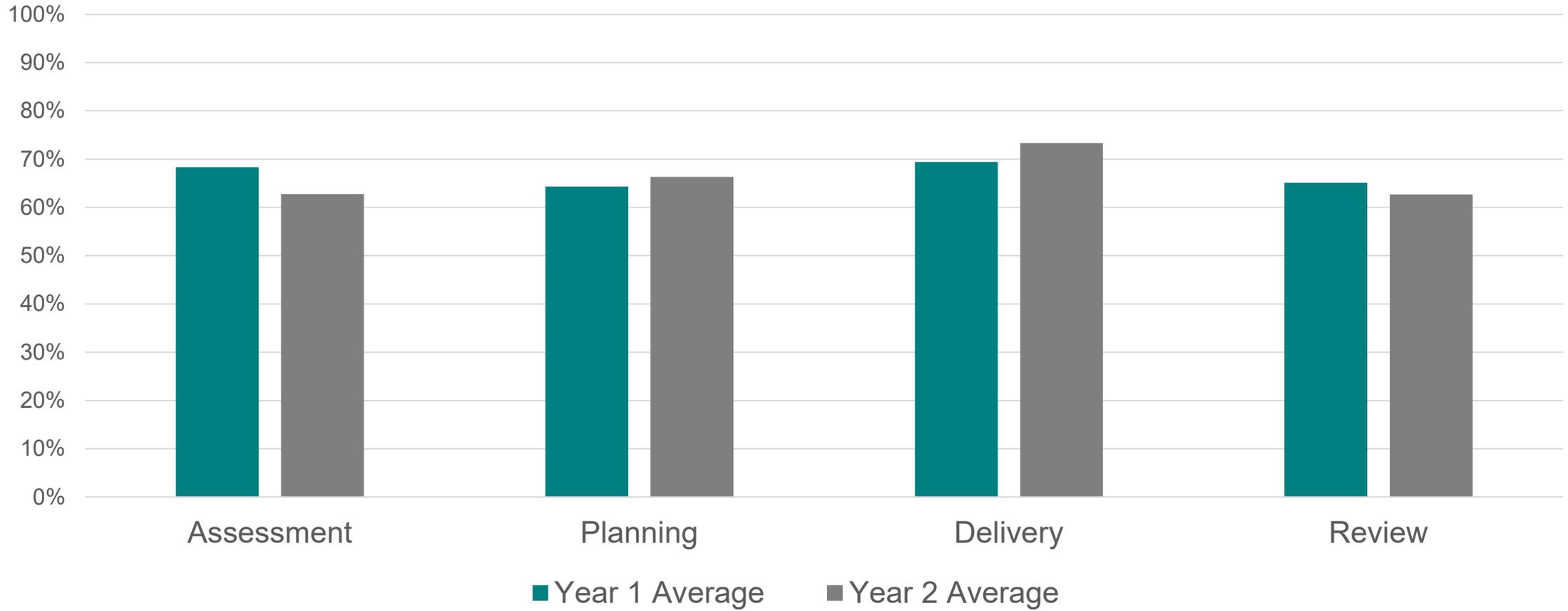
Poor practice example

Paul was referred to a housing charity prior to release and, after years of being street homeless, finally got a property. There was no liaison with the integrated offender management (IOM) team, despite him being an IOM case, and no referral to the drug team, despite him having a long-standing heroin habit. There was no referral to a specialist organisation which could help him with his immigration status, nor was any support provided for him to claim benefits. He was placed on fortnightly, then three-weekly, then monthly appointments, and then not seen for over two months because the responsible officer lost track of his case, with a caseload that is now in the high 70s but was in the high 90s. He needed to be seen much more regularly, given his very high risk of reoffending, substantial needs and high likelihood of non-compliance.



Service user engagement continues to be the strongest aspect of CRC supervision

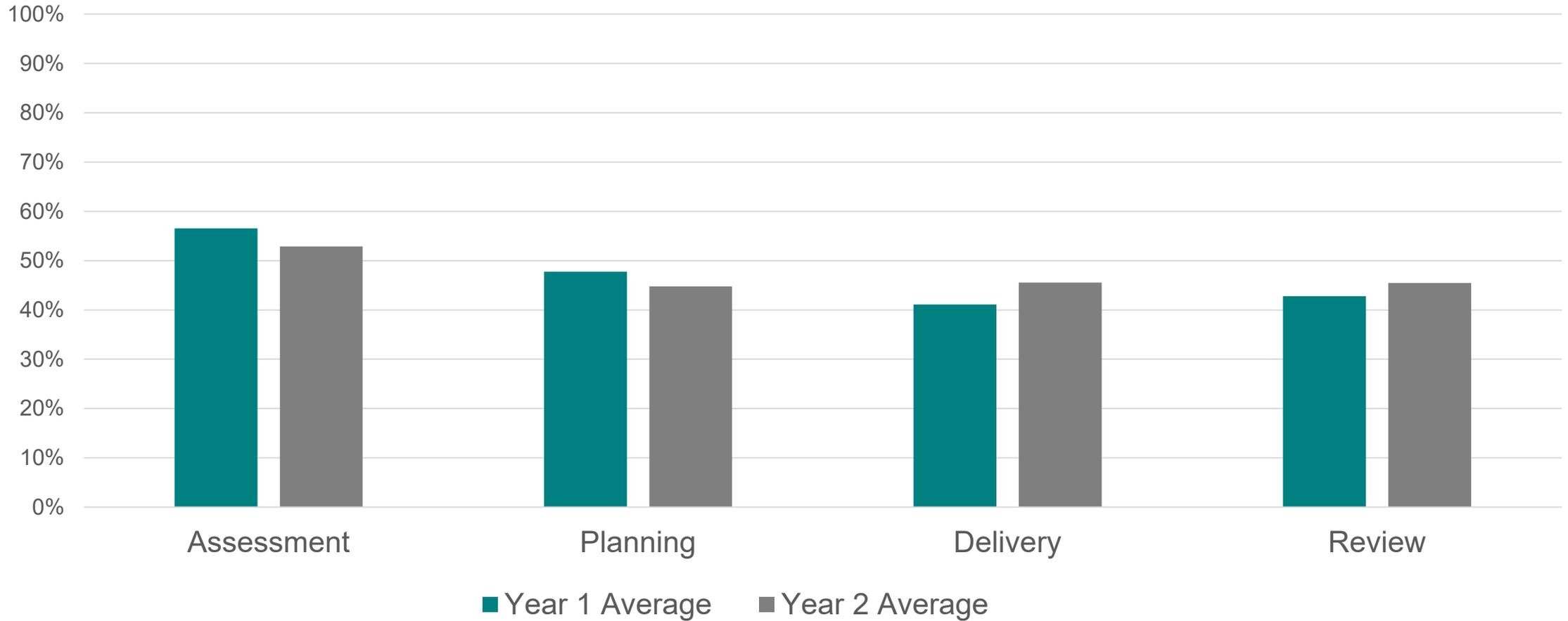
Average score for Service User engagement Key Questions
(Year 1 & 2 comparison)





But management of risk of harm remains the weakest area of performance

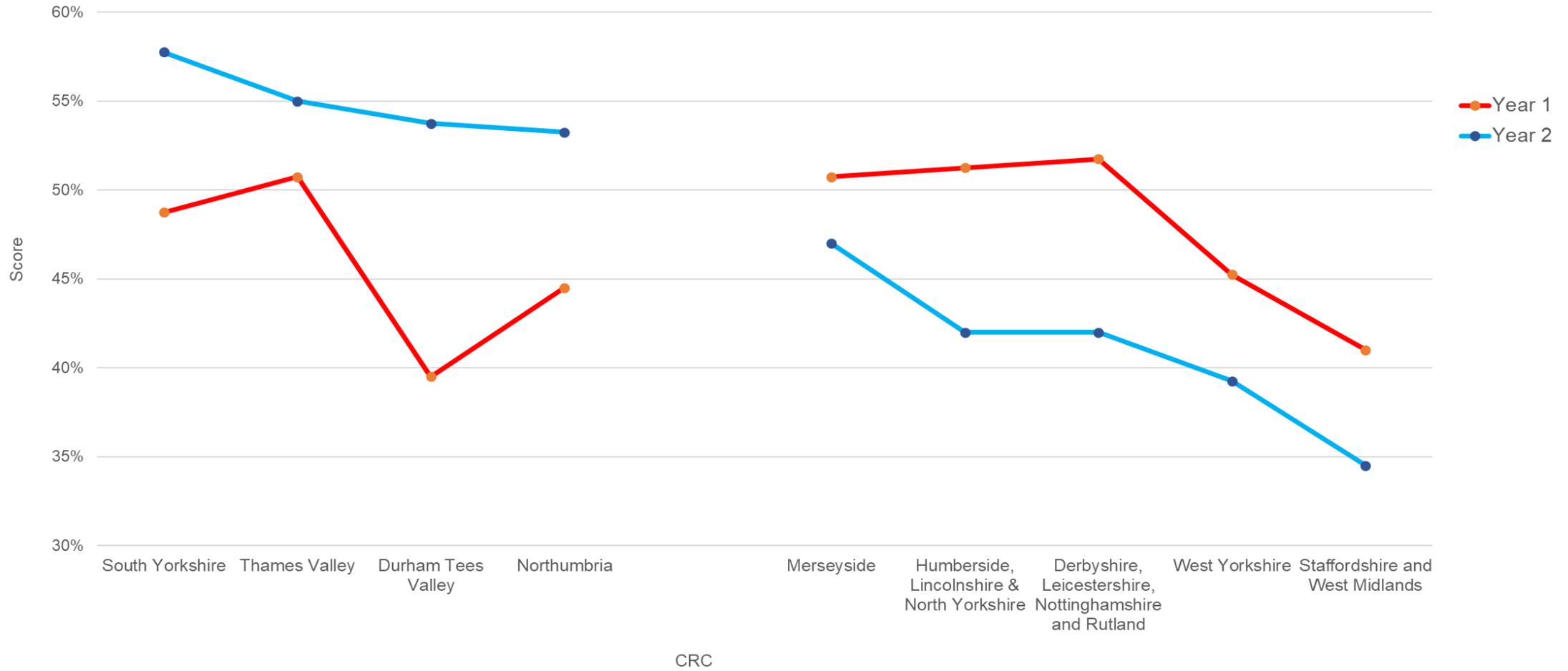
Average score for RoSH Key Questions
(Year 1 & 2 comparison)





Four CRCs have improved their management of risk of harm

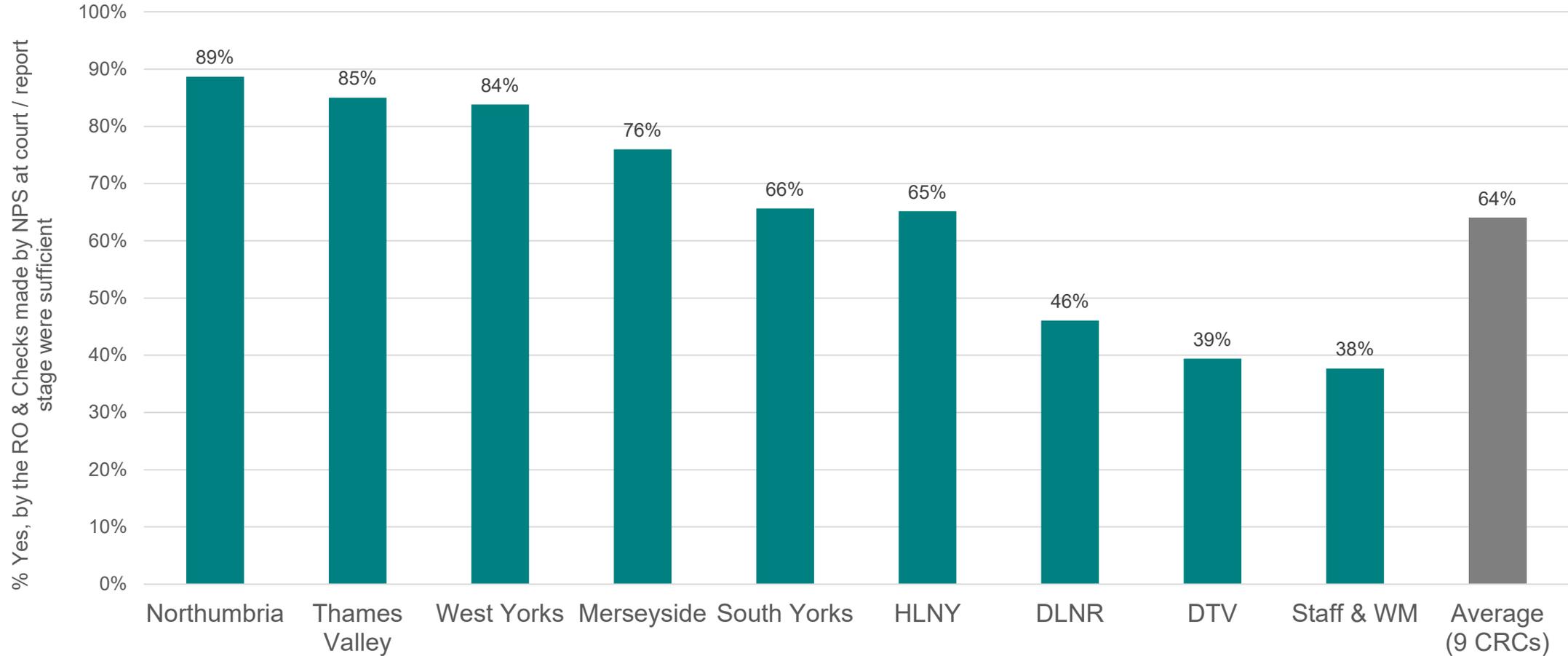
Average RoSH Ratings by CRC





Domestic abuse checks with the police are still not being done in over a third of cases

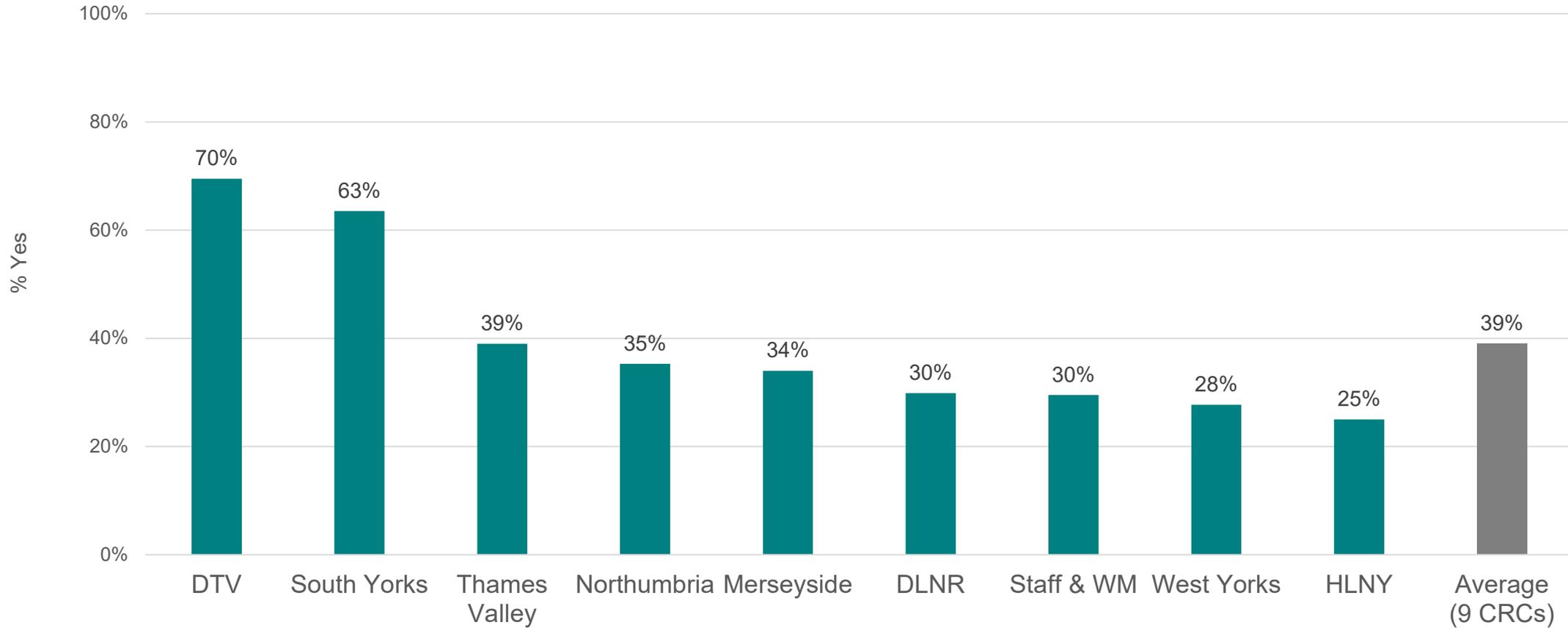
Were domestic abuse checks undertaken?





Home visits are not happening enough

In relevant cases, are home visits undertaken where necessary to support the effective management of risk of harm?





Serious Further Offence reviews

Probation provider	SFO offence	2015	2016	2017	2018
a) National Probation Service	(i) Murder	28	24	47	43
	(ii) Manslaughter	2	3	5	2
	(iii) Rape	124	113	124	76
	(iv) Violence against the person	95	105	149	137
	(v) Sexual assault	43	36	37	24
	Total offences		292	281	362
b) Community Rehabilitation Companies	(i) Murder	42	47	65	71
	(ii) Manslaughter	3	5	13	8
	(iii) Rape	101	141	132	73
	(iv) Violence against the person	44	40	49	55
	(v) Sexual assault	12	2	14	4
	Total offences		202	235	273
Total reviews received		494	516	635	493



Serious Further Offence reviews

Risk categorisation prior to SFO of offenders charged with murder (2018/10)

Highest Risk of Serious Harm categorisation	Number of SFO reviews	Proportion of SFO reviews
Low	20	14%
Medium	75	52%
High	38	27%
Very High	2	1%
Not Specified	8	6%
Total	143	100%



Common weaknesses in risk management

Wrong assessment of risk / MAPPA level

Poor information sharing with the police and prisons

Lack of professional curiosity – over-optimistic assessment of progress under supervision

Premature relaxation of controls

Failure to trigger recall



HMIP inspection of SFO review process

Published May 2020 – based on analysis of 46 SFO reviews and visits to 8 local services and interviews with central HMPPS SFO quality team

Half of the reviews we inspected 'required improvement'; long delays in central quality assurance

Focus on individual feedback not learning wider lessons. Probation staff found the process 'horrible' .

Full reports now made available to victims and their families – but very few taking this up

Very inward looking – only 3 out of 46 reviews involved other agencies – so opportunities for multi-agency learning missed.

Lack of transparency – we recommended there should be regular, independent quality assurance of a sample of SFO reviews with the results published



In conclusion

Probation service isn't in 'crisis' but it has been severely tested in places by the TR reforms and now by the even bigger impacts of COVID

Four of the 9 CRCs we have re-inspected since September 2019 have improved their scores – three now rated as 'good' rather than 'requires improvement'

Real progress on through the gate services – extra money has made a real difference. Six out of nine now rated 'outstanding' on this standard

But

Other half of the services we've inspected remain a concern. Reducing budgets and probation officer numbers. Continuing high caseloads and growing pressures on PSOs.

Management of risk of harm remains the area of weakest performance and lessons aren't being learnt from Serious Further Offences

Unified offender management model from June 2021 is the right way to go – but it must be adequately resourced. Not a magic bullet

Don't lose the innovation and creativity that the best CRCs have brought to the table