



Her Majesty's
Inspectorate of
Probation



CareQuality
Commission

**Presentation to the Westminster Legal Policy forum on
tackling drug and alcohol fuelled crime.
06 February 2023**

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Inspection methodology



Case inspections of 60 cases

HMI Probation inspection with Care Quality Commission / Healthcare Inspectorate Wales inspection of drug casework; including interviews with responsible officer / drugs worker

6 fieldwork sites – visited Jan to March 2021. Middlesbrough, Manchester, Lambeth, Blackpool, Swansea, East Sussex

Meetings with commissioners, community safety partnerships, PCCs, adult safeguarding boards, judges, prison drug and resettlement staff and drug services

National survey data – 450 magistrates; drug service providers commissioners. NDTMS data analysis by PHE, interviews with people on probation

Not enough people are getting assessed for treatment in court

- Very few specialist assessments were being undertaken at court, leading to few recommendations for treatment. DRR numbers were down 75% since 2008. Although 75,000 people on probation have a drug problem, NDTMS data showed the probation service made less than 3,000 referrals to specialist treatment in 2020

Drug rehabilitation requirements (DRRs)

- Sentencers were positive about DRRs and saw the benefits of drug testing and formal court review, but pre-sentence reports were sought in only half of the cases we inspected. Some sentencers included DRRs in their sentences without any sort of pre-sentence assessment report
- Of the 450 magistrates responding to our survey, 42% were unsure of the availability of local drugs services or drug testing and almost 60% were not confident in the ability of CRCs to deliver drugs interventions



The standard of assessment and planning in relation to drugs was not good enough in around half of the cases we reviewed.

The case notes reviewed did not have a clearly devised treatment/recovery plan nor include a clear record of what engagement with drug treatment services was required

Overall, there was little work directed towards recovery and too few probation practitioners were skilled in this work

Drugs agencies and probation shared information to bring about effective assessment in only half of the 23 DRRs we inspected.

Treatment plans were only shared between probation and the drugs agencies in five cases. Nine out of ten DRRs in our sample had no proper court oversight.

Only 10 cases out of the 60 we reviewed received any recorded drug testing.

Only half of DRRs which started in Jan to March 2020 were successfully completed.



Of 25,255 people released from prison in the 12 months to March 2020 who had been receiving treatment in prison, only 8,708 were picked up by treatment after release. And only 2,931 of these were still in treatment 12 weeks later

Some people had no prescription for opiate-substitution medication arranged on their release from custody

Health and justice services tend to work in isolation and the agencies do not share enough information to ensure continuity of care. In South Wales, the same treatment provider serves both prisons and those released into the community, significantly improving join up.

More could also be done to build on recovery work in prisons - eg by linking people to peer-led, mutual aid such as Alcoholics or Narcotics Anonymous after release

Licence conditions to manage people after their release were not applied consistently. We found some cases where licence conditions should have been applied and others where the requirement for treatment was not proportionate or appropriate.



KEY FINDINGS: REDUCING HARMS

Harm reduction and overdose prevention

- Well-being issues not considered enough within the cases we reviewed.
- Brief interventions to reduce overdose risks have been impacted by the pandemic. Probation practitioners did not see this work as part of their role.
- Naloxone roll-out for approved premises had reached 60:101 sites by July 2021.

Drug-related deaths

- Too many people are dying as a result, or partly because, of drug misuse.
- Learning from when people die of drug-related deaths is not maximised between and within agencies.

Adult safeguarding

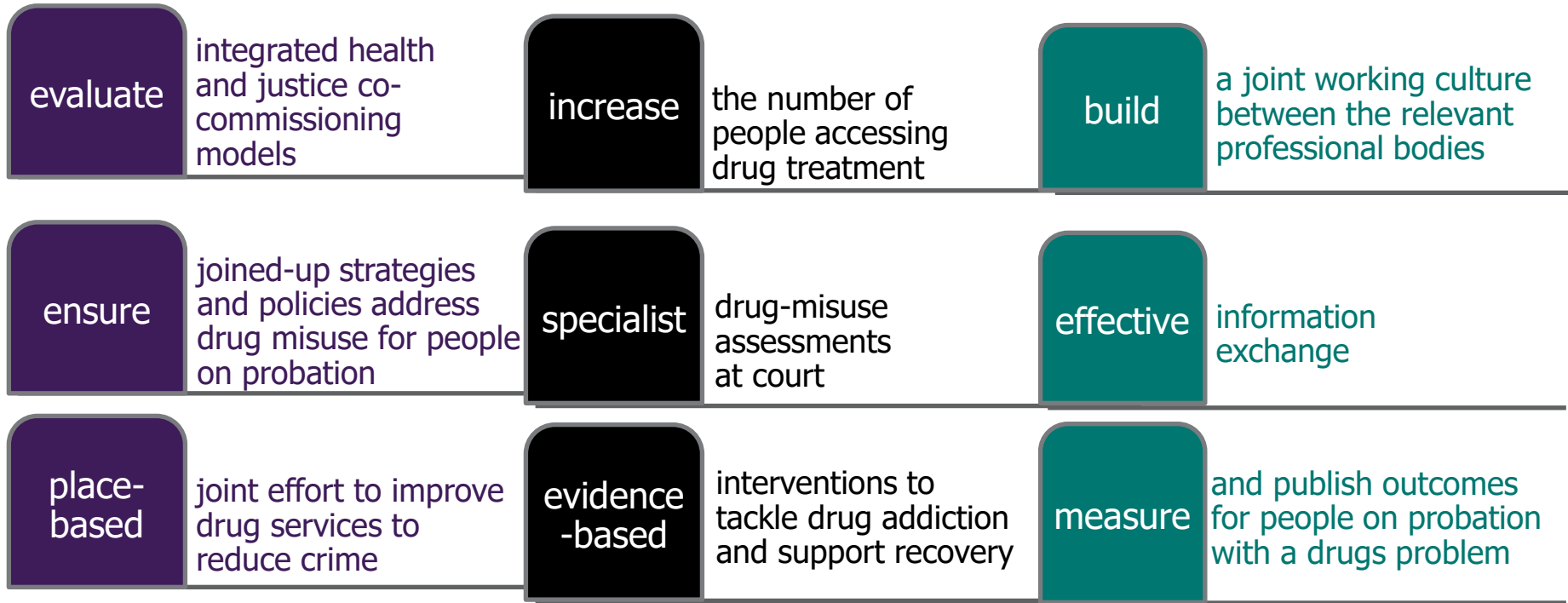
- Adult safeguarding was not done consistently well.
- We saw high levels of vulnerability, and organised crime influences.



Recommendations



The **Ministry of Justice**; the **Department of Health and Social Care**; **Welsh Government**; **Her Majesty's Prison and Probation Service** and **Local Criminal Justice Boards**, working with **drug services** to:



Implement a Probation Drugs Strategy – with better data, information and training

Improve the safety of people on probation – reduce drug related deaths, improve staff skills

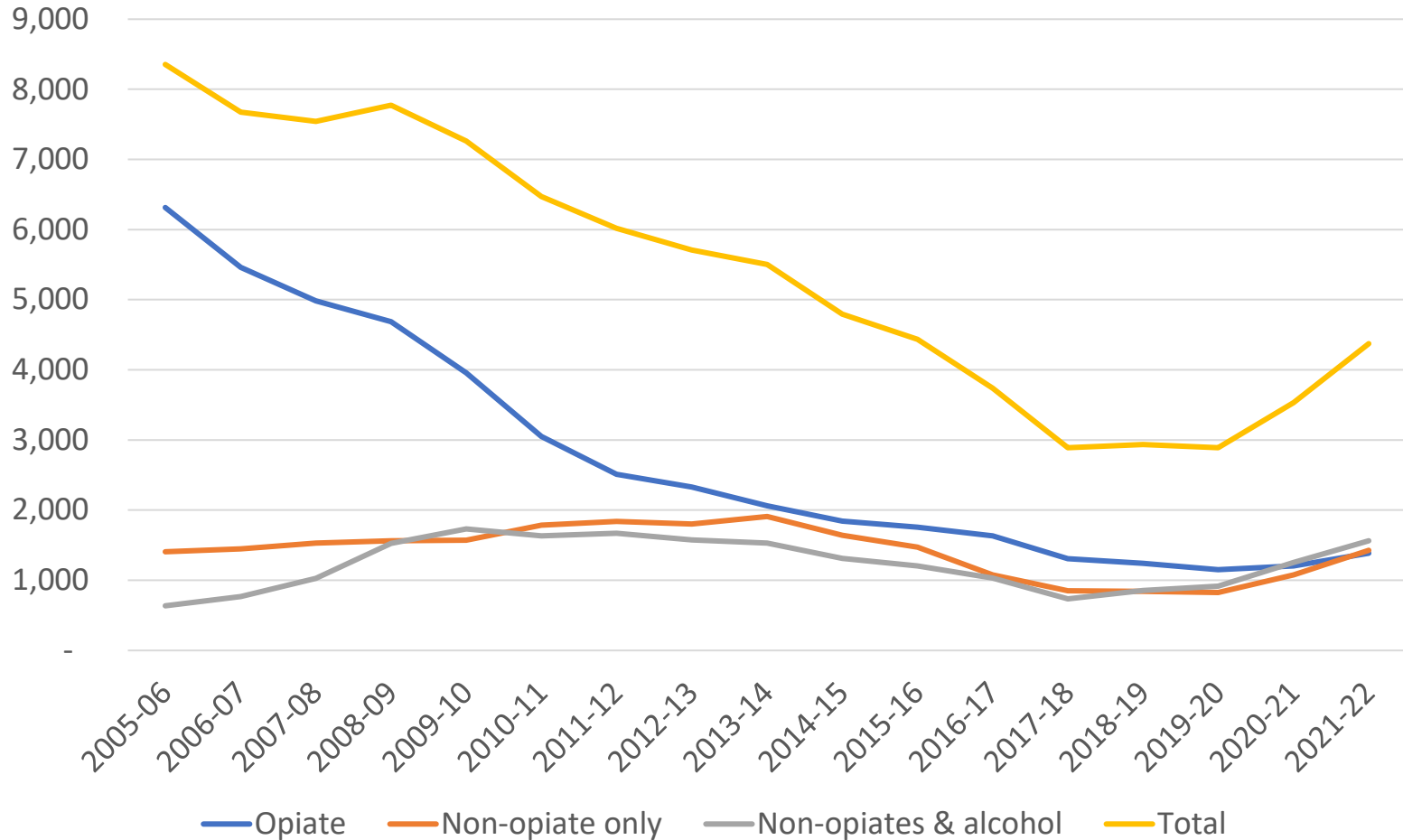


- HMPPS Action Plan response to thematic published October 2021 and updated in November 2022
- 10 year government drugs strategy – Dec 2021 – including £120m over 3 years for MoJ “to ensure people on probation engage in treatment”
- Stretch targets to increase use of DRRs and a new drug testing contract for probation staff to use
- Random and reception testing in approved premises
- HMPPS Health and Justice Co-ordinators being rolled out
- Dependency and recovery CRS contracts let for probation regions
- Naloxone in place across all Approved Premises
- New training package on drugs misuse for probation staff commissioned



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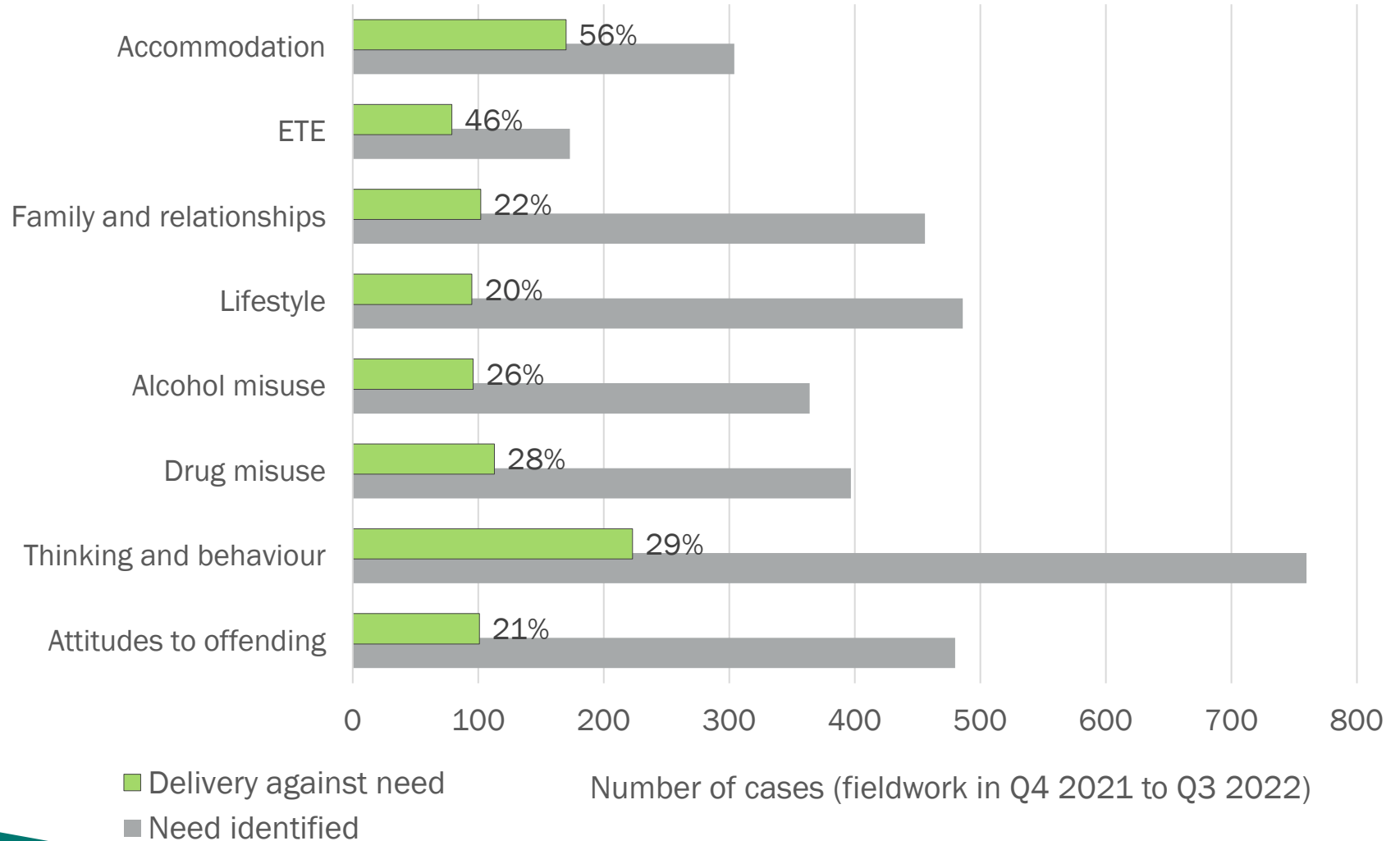
Probation referrals to treatment increased in 2020-21 after long term decline (OHID data)





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But HMI Probation local inspections continue to show high levels of unmet need in the cases we inspect





And if we get this right? (Quotes from people on probation interviews – HMI Probation drugs thematic inspection)

“They are working for me. They have stopped me from wanting to throw myself off the pier and killing myself. My life was in such a mess because of the heroin and it finally took me to prison and this. But since getting my probation worker who has worked so hard in building me up again and helping me find myself. I couldn’t have asked for anything more really. She’s the only person who has taken the time to really get to know me and it’s been a pleasure to work with her.”

“It’s got me off the heroin for the first time in 20 years and my life is a lot better in some ways so I’m definitely grateful for that. I have had a lot of help and support by multiple agencies who have all worked well together to help with my wellbeing, but it’s still a work in progress really.”