

A WHOLE-SYSTEM APPROACH TO OFFENDER MANAGEMENT

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60-SECOND SUMMARY

The system for offender management in England and Wales is in need of serious reform. In their current configuration, offender management services – that is, prisons and probation – are overly centralised, complex, and disjointed. Adult reoffending rates remain stubbornly high. Local areas have few incentives to invest in efforts to reduce reoffending. And there is little continuity between provision in custody and provision in the community. The recent ‘Transforming Rehabilitation’ agenda has exacerbated these problems by introducing a new layer of complexity – in the form of community rehabilitation companies (CRCs) – onto an already fragmented system.

In order to address these challenges, this report sets out a vision of a whole-system approach to offender management, where powers, resources, and decisions are transferred to the local level. In the long term, we argue that city region mayors – or outside of city regions police and crime commissioners (PCCs) – should have responsibility over probation services and custody budgets for short-sentence, young, and women offenders. In this parliament, given that CRC contracts are now ‘locked in’ until beyond 2020, there is less scope for radical reform. Where there is appetite, however, local areas should be able to bid for controls over custody budgets (for certain cohorts), commissioning of ‘secure schools’, and further co-commissioning powers.

This programme of reform would create incentives for local areas to invest in preventative services and alternatives to custody, facilitate closer partnership working between agencies, and provide greater scope for innovative ways of reducing reoffending.

KEY FINDINGS

- Recent years have seen limited progress in offender outcomes. Adult offending rates remain high, particularly for those on short sentences. Magistrates have little confidence in alternatives to custody and the proportion of sentences served in custody (for indictable offences) has risen. Many prisons are over-capacity. In the short term, further cuts to the Ministry of Justice (MoJ) budget are set to place greater pressure on the system.
- The evidence suggests that a range of factors contribute to reductions in reoffending. First, it is important to have practical support designed to help ex-offenders find employment, support family life, secure accommodation and deal with specific issues – such as substance misuse and mental health problems. Second, the evidence suggests that practical support for ex-offenders needs to be combined with a personal relationship that instils hope and a motivation to change.
- Context and environment are also important factors that can contribute to reducing reoffending. Inventive policies can ‘design out’ the risk of offences taking place by changing the environment in which crimes are committed.
- Police activity itself can reduce reoffending through diversionary programmes – such as the introduction of ‘neighbourhood justice panels’, a form of Restorative Justice where low-level offenders meet face-to-face with victims and other members of the community to address problem behaviour.
- Many of the policy levers for reducing reoffending lie at the local level – including housing and homelessness support, substance misuse and mental health provision, and the Troubled Families programmes.
- The current system of offender management is highly fragmented, involving a range of structures with overlapping geographical jurisdictions. This makes it harder for the system to work as a cohesive whole and creates a number of ‘handover’ points, where service users are passed between different agencies.

- The system is also highly centralised. While local areas control many of the policy levers, there is little incentive for them to invest in services to reduce reoffending, because they do not control their own custody budgets and therefore do not gain financially from fewer people going to prison. There are limited opportunities for local areas to innovate and tailor services to their own needs.
- Finally, offender management provision is currently disjointed, with different organisations working in siloes. The ideal of ‘through-the-gate’ provision for offenders as they leave custody and enter the community is still not realised in practice.
- The government’s ‘Transforming Rehabilitation’ reforms have compounded some of these problems. The reforms create a two-stream probation system which comprises the National Probation Service (NPS), responsible for high-risk offenders, and 21 community rehabilitation companies (CRCs), responsible for low- and medium-risk offenders. This has added a further level of complexity onto the probation system, with additional handover points between the NPS and CRCs. The introduction of CRCs – which are nationally commissioned and mostly run by large private firms – has also impeded local partnership work and innovation.

Outside of city regions, responsibility for probation would fall to the PCC. City region mayors or PCCs would commission probation services in their region and would thereby be able to coordinate probation with other key services in the local area.

- At the same time, **responsibility for the budget for prison places for young, female, and short-sentence offenders would also be devolved to the local level.** This would incentivise city region mayors and PCCs to invest in efforts to reduce reoffending.
- Finally, **responsibility for the commissioning of youth custody would also fall to city region mayors and PCCs.** YOIs would be broken up into smaller custodial units that prioritise education and operate as ‘secure schools’. City region mayors or PCCs would then be free to directly commission custodial places at ‘secure schools’.
- In the short term, reform is constrained by the agreement of CRC contracts, which last for seven years. However, some policy changes are still possible. Custody budgets for young, female and short-sentence offenders can be devolved now, depending on local buy-in. Where CRC contracts are failing, they can be renegotiated to encourage greater innovation; and, if they have to be terminated, there is scope to pilot the devolution of probation responsibilities to local areas. As part of future devolution deals, we argue for the introduction of local justice and rehabilitation boards, involving CRCs and local representatives, in order to jointly commission services.
- Where there is appetite, further responsibilities for youth custody and women offenders could be devolved. In particular, the Mayor of London is well-placed to deliver the Taylor review’s vision by commissioning places at a new selection of ‘secure schools’ in the Greater London area. Finally, some of the savings from the closure of HMP Holloway should be transferred to the Mayor of London in order to set up a North London women’s centre and pilot a whole-system approach to women offenders in London, based on the model used in Manchester.

KEY RECOMMENDATIONS

- In order to address these challenges, central and local government need to pursue a whole-system approach to offender management. This requires a holistic understanding of the offender management and wider criminal justice system, involving prevention and early intervention services; programmes aimed at diverting low-level offenders away from the criminal justice system; credible alternatives to custody; sentencing reform to reduce time spent in prison and encourage alternative sentences; ‘through-the-gate’ provision from within custody and into the community; and bespoke rehabilitation services for ex-offenders.
- In the long term, this vision should be delivered by **granting city region mayors (including the Mayor of London) responsibility for probation services for low-, medium- and high-risk offenders in their regions.**

For the full report, including all references, data sources and notes on methodology, see: www.ippr.org/publications/a-whole-system-approach-to-offender-management

Citation: Morris M (2016) *A whole-system approach to offender management*, IPPR. <http://www.ippr.org/publications/a-whole-system-approach-to-offender-management>

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