

Offender Management Update

Introduction

During the Summer the Home Office have produced three documents which relate to the Prolific and Other Priority Offender Schemes. This paper highlights some of the key issues and recommendations from those reports which need to be acknowledged by the Safer Stockton partnership and their stakeholders.

It is fair to reflect that the guidance issued within these documents has been embedded into the current practice and the partnership is continually exploring new working practices to ensure we reduce re-offending.

Paper1. Prolific and Other priority Offender Programme

Five years On: Maximising the Impact

The Prolific and other Priority Offender (PPO) programme was introduced in 2004, and an evaluation in 2007 showed the significant successes of local schemes in tackling the offending behaviour of the most difficult and damaging offenders.

Recent evidence and data continue to confirm the positive outcomes that the programme is achieving, but also suggest that there is scope to increase the impact on crime and re-offending.

Through this guidance, local areas are being asked to review their PPO schemes, particularly in the light of the introduction of Integrated Offender Management (IOM) arrangements.

The guidance recommends a more dynamic approach to selection and de-selection to ensure that the programme remains squarely focused on those offenders who commit most crime and cause most damage to their local communities. Partnerships are encouraged to undertake an early assessment of their scheme to ensure it is tackling the most prolific and damaging offenders;

- ensure that the scheme is tackling the right number of offenders;
- ensure that the scheme has an appropriate balance between PPOs in the community and those in custody.

Local areas are also encouraged to update their selection/de-selection arrangements to ensure that the intensive management of offenders delivered through the PPO approach is provided for those who need it, while they need it, with a preparedness to move offenders onto a less intensive management regime once they begin to respond positively to the programme

Finally, local areas are also encouraged to review their Prevent and Deter schemes in the light of recent guidance on Deter Young Offenders, working with partners to ensure the engagement of children's trusts and children's services in meeting the needs of this group of young offenders.

4.1 In looking to refresh the local scheme, in order to maximise the impact on reducing crime and re-offending in the local area, we are asking areas to focus on the following priorities.

4.2 Ensure that the scheme is tackling the most actively prolific and damaging offenders:

- areas are urged to review their current PPO list against other known offenders in the area (including offenders in custody whose release is imminent) to ensure that the intensive approach offered by the PPO programme is being targeted on the most active and damaging offenders;
- a similar review should be conducted in advance of agreeing the 2010/11 National Indicator/LAA cohort in April 2010;
- it is recommended that such a review then be carried out at least on a quarterly basis.

4.3 Ensure that the scheme is tackling the right number of offenders:

- areas are invited to consider whether they are tackling sufficient numbers of offenders in the community through the PPO scheme. The original 2004 guidance suggested 15 to 20 PPOs in smaller CDRP/CSP areas; but 60 to 100 in larger areas;
- it is recommended that all areas review numbers currently being managed as PPOs to ensure that, at the very least, they are meeting the ambition set out in the original guidance.

4.4 Ensure that the scheme has achieved the right community/custody balance:

- areas are invited to review the balance in the local scheme between numbers in the community and numbers in custody (and particularly the number serving custodial sentences of over 12 months): — the original 2004 guidance suggested that the majority of those selected as PPOs should be in the community, or being released imminently from custody; — evidence from PPO performance management data suggests that the picture has changed over time, with a significant proportion of current PPOs in custody: the June 2008 PPO performance data showed that 33% of all PPOs were serving a custodial sentence, 18% of them were

sentenced to under 12 months, and 82% were sentenced to over 12 months (27% of all PPOs).

- schemes are invited to consider how to redress the balance, particularly to focus on:
- currently active prolific offenders in the community, particularly those not currently selected as PPOs but who may be more criminally active than the current local PPO cohort;
- persistent offenders being released from custody, not currently selected as PPOs, who may be at high risk of returning to prolific or damaging offending on release, without the intensive offender management offered by the PPO approach.

Priority areas for review: implications

4.5 Working through the above priority areas for review is likely to generate a pool of potential “new” PPOs – which could place unmanageable pressure on numbers and scheme capacity. To cope with this:

- it is recommended that schemes run their selection matrix against this potential pool of new PPOs along with the current cohort, selecting the pressing cases as PPOs, using consistent selection criteria;
- where this creates capacity issues, it is recommended that schemes review their de-selection arrangements (refer to section 6 of this guidance), with a view to de-selecting less prolific PPOs where the immediate risk of serious re-offending has been reduced;
- it is recommended that schemes give particular priority to those being released from custody who were sentenced to less than 12 months in prison, who will not be subject to statutory probation supervision on release and who are at high risk of re-offending.

4.6 All areas are being invited to consider introducing local IOM arrangements. IOM potentially offers a “cushion” for de-selected PPOs: the guidance in section 6 encourages areas to consider de-selecting reformed or reforming PPOs earlier than at present. Local IOM arrangements should be used to provide a less intensive management regime than the local PPO scheme for those offenders who are responding positively to the programme, but in respect of whom some degree of continuing support may well be beneficial. Freeing up space on the local PPO scheme in this way will allow for more currently active and damaging offenders to be taken onto the local scheme.

PPO selection

5.1 It is intended that this guidance should act as a supplement to existing guidance on the selection of PPOs, which was part of the initial 2004 Catch and Convict guidance. It is recommended that:

- local areas review (and update as appropriate) their selection arrangements – including locally developed selection matrices where these exist – in the light of this guidance document. Selection criteria should continue to be developed and agreed locally, to ensure that the scheme remains sensitive to local issues and changing crime patterns;
- wherever possible, partners should meet monthly to review their list of PPOs and to discuss the inclusion of new PPOs/de-selection, taking account of local capacity. **COMMENT – monthly is too frequent to be sustainable – quarterly is adequate, as at paragraph 4.2 above.**

PPO de-selection

5.2 Specific de-selection guidance was issued in June 2005 and set out six criteria for de-selecting an offender as a PPO. In the light of this guidance, the following adjustments to the 2005 criteria are now suggested:

1. The PPO has stopped offending

A PPO should be de-selected if he or she has not been arrested or been the subject of an intelligence report for a continuous period of 6 months (the earlier guidance suggested a 12-month period). The offender should continue to be managed only if there are other indications of continued offending, such as continued problematic drug misuse. **COMMENT – the reduction from 12 months to 6 months is helpful and sensible.**

2. The PPO has moved to another area

In line with the existing guidance, a PPO should be de-selected in these circumstances. The PPO scheme in the receiving area should be informed wherever possible. The receiving area should consider whether or not to select the PPO in accordance with their prevailing selection policy.

3. The PPO is given a significant custodial sentence (including to a secure hospital)

The existing guidance suggests that PPOs sentenced to custody should not be de-selected unless sentence to over 10 years in custody. This is to

ensure that these offenders benefit from the most suitable interventions and treatment while in custody.

Experience suggests that many areas have reviewed this criterion and operate more flexible arrangements. This has the advantage of ensuring that the interventions and treatment received by PPOs while in custody are afforded to them on the basis of their assessed needs, rather than as a consequence of their PPO status. Planning at the start of the sentence, with regular reviews, should facilitate the required interventions to reduce their offending on release

We are asking all areas to review the balance between PPOs in the community and in custody on each local scheme, working on the principle that those sentenced and likely to be in custody for longer than two years be considered for de-selection. De-selection should only be considered where a full assessment of risk has been undertaken by partner agencies, the overriding principle being that those who pose the greatest risk to their communities should not be de-selected.

Where those given lengthy prison sentences are de-selected, local areas should retain contact with prison establishments with a view to considering these offenders for re-selection three months prior to release. **COMMENT – this may not be readily available.** At that point, they should be considered against the local selection criteria, as the basis for deciding on re-selection, taking account of the impact of rehabilitative programmes received while in custody. Where a PPO is de-selected for this reason, the local area should consider selecting an additional PPO in the community

4. Local PPO list to be reviewed regularly

The PPO list should be reviewed regularly – monthly if possible, or at least quarterly – against all known offenders in the area, including those offenders whose release from custody is imminent. This is to ensure that the intensive approach offered by the PPO scheme remains targeted on the most prolific/damaging offenders. **COMMENT – the phrase ‘all known offenders’ is far too broad – needs to be qualified by threshold of gravity and frequency.**

5. All PPOs should be reviewed after two years

The criteria set out above should ensure regular reviews of the PPO caseload, with a view to the de-selection of offenders who no longer fit the local definition of a PPO. As a fallback, it is recommended that all local areas should review the continued presence of offenders on the PPO list, if they have been PPOs for two years. Where this is the case, it may suggest that the approach is not working for that individual in terms of its rehabilitative focus. While continuing enforcement action will be appropriate in these circumstances, de-selection as a PPO may well free up resources in the local scheme to target other offenders.

6. The PPO represents a high risk of harm

There is no change to this de-selection criterion. Where the continued offending of a PPO includes an offence or offences that represent a high risk of harm they should, as at present, become subject to Multi-Agency Public Protection Arrangements.

Paper 2. Prolific and Priority Offenders

A joint inspection of the PPO Programme July 2009

Recommendations

The Home Office and the Office for Criminal Justice Reform should ensure that:

□ the National Premium Service is reviewed in light of the findings of this inspection and the implementation of both the Delivering Simple, Speedy, Summary Justice Initiative and the Offender Management Model. Any requirements of the reviewed service should be consistent with agency policies, add value and be measurable.

The Home Office should ensure that:

- the demand for performance information from schemes is reduced, focusing on the desired outcome of a reduction in re-offending
- performance monitoring arrangements support effective practice and cease to operate as a disincentive to the appropriate de-registration of Prolific and other Priority Offender cases
- JTrack should be subject to a full independent cost-benefit analysis, its use reconsidered, and if it is to be continued, reviewed to ensure that it meets both the operational requirements of Prolific and other Priority Offender schemes and supports effective practice as well as informing strategic developments.

The Ministry of Justice and the Home Office should ensure that:

- the effective exchange of information between all criminal justice agencies is improved so that Prolific and other Priority Offenders are identifiable on arrival in prison custody and their needs effectively assessed, prioritised and addressed.

The National Offender Management Service should:

- increase the knowledge and awareness of its staff about the requirements of the Prolific and other Priority Offender programme by updating the Prison Service Order 4615 and guidance on Prolific and other Priority Offenders to ensure they are consistent with the Offender Manager Model and other developments in the management of offenders issuing the

revised orders and guidance to probation teams and prison staff, supported by training.

- clarify the roles of prisons and Prolific and other Priority Offender schemes in relation to those offenders serving less than 12 months imprisonment
- ensure that within 24 hours of arrival in prison custody a protective factor assessment of needs is carried out and a sentence plan is subsequently developed in a structured timely manner focusing on how these needs can be met
- ensure that Prolific and other Priority Offenders access to the interventions identified in the sentence plan is given priority and facilitated
- □ identify performance indicators for Prolific and other Priority Offender schemes that relate to the quality of interventions rather than the speed of assessment.

Crime and Disorder Reduction Partnerships should:

- review the structures of their Prolific and other Priority Offender scheme, exploring any opportunities to work collaboratively with neighbouring schemes **COMMENT – the PPO scheme is now part of an Integrated Offender Management approach, as reported previously to the Partnership, under which 40 PPOs continue to be managed at a high level of intervention by an experienced staff team, alongside 80 other habitual offenders on Drug Rehabilitation Requirements or who are identified as ‘high crime causers’.** □
- ensure that schemes systematically assess and review Prolific and other Priority Offenders at the point of selection onto the scheme and no less than annually thereafter, and that cases demonstrating prolonged and sustained improvement are de-selected as appropriate □ **COMMENT – this will be part of the role of the PPO / High Crime Causer Team Manager**
- undertake an audit of the services needed locally to increase the likelihood of offenders successfully engaging with the Prolific and other Priority Offender scheme and put in place a plan to increase provision. **COMMENT – our Reducing Re-offending Action Plan will be helpful in this respect. The most obvious implications are in relation to employment, addressed via the Communities Fund, and Housing, addressed via the Stonham Intensive Tenancy Support Service part funded by the Partnership, by the Carr-Gomm arrangement at 155 Norton Road, and by reserved flats in Elm House.**

Probation Areas should:

- support the work of the Prolific and other Priority Offender schemes by ensuring that they work together to provide effective interventions, intense contact levels and speedy enforcement for Prolific and other Priority Offenders.

Youth Offending Teams/Services should:

- address repeat offending by children and young people by implementing the requirements of the Management Framework: Deter Young Offender Scheme, focusing in particular on the effectiveness of interventions, intensity of contact and enforcement. **COMMENT – the YOT Manager has this in hand.**

HM Courts Service should:

- collaborate with the Home Office in the recommended review of the National Premium Service and provide appropriate guidance for court staff.

The Crown Prosecution Service should:

- collaborate with the Home Office in the recommended review of the National Premium Service and provide appropriate guidance for prosecutors.

Chief Constables should:

- encourage the continued investment of police resources in Prolific and other Priority Offender schemes
- ensure that Neighbourhood Policing Teams understand the importance supporting the work of Prolific and other Priority Offender teams and communicate effectively with them.

Paper3.Taking IOM forward in your area

Early lessons from IOM pioneer areas

- The core agencies at the heart of IOM are the police and the National Offender Management Service (NOMS). However, IOM cannot solely be a partnership between the two agencies but also depends on local authority and local health provider support, together with assistance from a range of other partners.
- Ensure that all partners involved in taking forward IOM in their area are involved at the appropriate stage, recognising that some will be key to operations and others will offer support at a more strategic level. The relationship between CDRPs/CSPs and LCJBs in particular is crucial.
- Decide the scope of the IOM project with your local partners. Most pioneers have tested out their approach in one or more test sites before rolling it out/force/area wide.
- Secure local agreement across agencies, including using community engagement. We suggest that:

- All partners taking forward IOM should establish clear governance arrangements with the support of the relevant Government Office (Home Office Regional Deputy Director) and the Director of Offender Management, the relevant LCJB and the relevant CDRPs/CSPs around the more coordinated management of offenders. **COMMENT – our local governance arrangements are via the DAAT Integrated Offender Management Group, which has the multi-agency arrangements for PPO / High Crime Causers and Drugs Intervention programme. Fitness for purpose is demonstrated by**
 - (a) continuing reductions in crime levels
 - (b) positive impact of PPO and DIP schemes locally
 - (c) good local performance against NI18 and NI38
- CDRPs, given their new responsibilities to reduce re-offending, should:
 - ensure that their PPO schemes are reviewed and refreshed, as appropriate, in the light of updated government guidance on delivering the programme, to ensure that the right offenders are subject to the intensity of this programme, to maximise its outcomes for the community; **COMMENT - covered above.**
 - bring together all partners, including, where appropriate, voluntary and private providers, to target a locally agreed cohort of offenders alongside the PPO scheme, drawing on existing resources to hold offenders in compliance and working with them to stop their offending, with a particular focus on reducing serious acquisitive crime in the local area and providing management of those who pose a risk to their communities. **COMMENT – we are doing this.**

This cohort can include both adult and youth communities who are currently unsupervised, noting in particular that: CDRPs/CSPs may choose to work together with neighbouring CDRPs/CSPs where appropriate and, for those CDRPs/CSPs that are already knife crime, burglary and serious acquisitive crime areas, bringing together these projects could help constitute their priority groups;

- ensure that the systems and processes are in place to ensure that CDRP/CSP partners have a consistent oversight of all offender management programmes in their area;
- establish a clear process to move offenders out of the targeted cohorts once they have desisted in their offending.
- LCJBs should:
 - identify how courts and the Crown Prosecution Service can contribute to IOM. In particular if the area is an engaging communities Pathfinder Area, working with community justice teams and Community.

Prosecutors to channel IOM cases through the Community Justice court, and link this to feeding back on homes to the local community;

- ensure that all partners are performing their role in ensuring that where offenders fail to comply with their sentence, swift action is taken to bring them to justice;
- communicate with the public to increase public confidence in the arrangements for identifying/tackling priority offenders, including through local case studies that demonstrate positive outcomes for the community as well as offenders.
- Directors of Offender Management should work with regional Home Office and National Treatment Agency and offender health leads in the Government Offices to:
 - map existing offender management provision across the criminal justice area and identify and agree the main gaps. This will help to define the criteria for targeting offenders, including those young people who have recently transferred from YOT to adult supervision who may benefit from the continuation of an IOM approach;
 - ensure that ongoing work in probation to deliver intensive unpaid work, intensive alternatives to custody and other innovative community sentencing options is adequately reflected in local plans and monitored for impact;
 - work to ensure that the police are informed when identified priority offenders, including PPOs and high risk of harm offenders, are released from custody.
- YOT managers should:
 - review YOT inter-agency partnership structures in the light of IOM to ensure that they deliver the IOM approach locally;
 - review YOT processes in the light of IOM to determine whether IOM principles can add value to work to prevent offending and re-offending by children and young people;
 - review Deter Young Offender processes and structures to ensure that they are delivering the IOM approach and, specifically, that information and intelligence sharing processes between the YOT and the Police inform the effective management of young people who offend.

Of course, we are already aware that many of the bodies listed above are already performing some or all of these functions – and in some places are exceeding them – in taking forward IOM in different areas. The important point is

that the functions need to be performed even if local circumstances may dictate different arrangements.

Main report prepared by Jeff Evans.

Comments added by Mike Batty.