

The need to Transform Rehabilitation

The offender management system exists to serve a number of purposes: to punish criminals and support them to reform, to protect the public from further harm caused by offenders, and to support victims and witnesses of crime.

Whilst there is much that the system does well, there is no masking the fact that it is failing in one of its primary purposes. Too many offenders go through the justice system, serve their sentence and simply pick up where they left off. The statistics bear this out. For adult offenders convicted or released from custody in the year to December 2010, the percentage that reoffended within just 12 months was:²

- 57.6% for prisoners sentenced to under 12 months, with 17,560 re-offenders committing 83,107 further offences;
- 35.9% for prisoners sentenced to 12 months or more (excluding Imprisonment for Public Protection and life sentences), with 9,170 re-offenders committing 28,244 further offences; and
- 34.1% for those starting a court order³ – 49,636 re-offenders committed 157,796 further offences.

The evidence⁴ suggests that even those ex-prisoners who do not reoffend within the first year will often go on to commit further offences. For adult offenders released from custody in 2000, 45.8% reoffended within a year and this had risen to 66.1% within three years and 72.5% within five years.

The implications of this failure are startling. The National Audit Office has estimated the cost of reoffending by recent ex-prisoners as being somewhere between £9.5 billion and £13 billion.⁵

It is clear that a fresh approach to rehabilitation is needed. We need a revolution in how we work to prevent offenders from reoffending.

We need to go straight to the heart of the issue and encourage the development of services designed to support offenders to overcome the barriers that prevent them turning their lives around.

There is a raft of reasons why offenders commit crimes and each individual has a different story. However, many share a similar history and elements such as homelessness, drug and alcohol dependency, mental illness and

² Proven re-reoffending statistics quarterly publication, Ministry of Justice.

³ Court Orders include pre-Criminal Justice Act 2003 community sentences, new community orders and suspended sentence orders.

⁴ Compendium of reoffending statistics and analysis 2012.

⁵ Managing offenders on short custodial sentences, National Audit Office, March 2010.

unemployment are all too common. A study in 2005/06 showed that only about one third of prisoners reported being in paid employment in the four weeks before custody and 13% of prisoners reported never having had a job. 15% percent of these prisoners reported being homeless before custody and 25% were estimated to be suffering from anxiety and depression.⁶

We need to do more to get prisoners back onto the right track, with only 10% in employment at any point during the 13 weeks following their release and 48% claiming out-of-work benefits in the same period.⁷ We need a system where one provider has overall responsibility for getting to grips with an offender's life management skills, co-ordinating a package of support to deliver better results. In addition, some of the most prolific re-offenders receive little or no support on release from prison and this needs to change. We need to achieve this in a way that is affordable within the context of the Ministry of Justice's commitment to deliver annual savings of over £2 billion by 2014/15 and looks forward to the next Spending Review.

Our proposals aim to achieve a number of outcomes which we think will help us to address high reoffending rates and increase efficiency and value for money:

1. **Greater flexibility in delivery:** It is for the courts to decide on a sentence for an individual offender. After sentencing, however, the delivery of offender services has historically focused too closely on process rather than the impact on offender rehabilitation. We want to incentivise providers to innovate and to make best use of approaches and services that have demonstrated they can work to reduce reoffending. We will remove unnecessary bureaucracy and increase the scope for professionals in our proposed new structure to use their discretion to focus on delivering the support and services needed to turn an individual away from crime. Providers will be freed to do what works to rehabilitate offenders, and incentivised to deliver real results with part of their contract payment dependent on reducing reoffending.
2. **Extending the scope of rehabilitation:** We need to reach as many offenders as possible with our rehabilitative services, and especially those most likely to reoffend. Nearly 58% of offenders sentenced to less than a year in custody reoffend within a year of release, yet the system currently provides few opportunities to make them address their reoffending. We want to extend rehabilitation services to make those who go in for short

⁶ Results from the Surveying Prisoner Crime Reduction (SPCR) survey, Ministry of Justice, 2012 – figures apply to adults serving between one month and four years.

⁷ Offending, employment and benefits – emerging findings from the data linkage project, Ministry of Justice, 2011. Employment data is from HMRC's P45 data. P45 employment spells often have estimated start or end dates. In addition, P45 employment spells do not usually record employment paid at levels below tax thresholds, self-employment or cash-in-hand informal economy work. Therefore care must be taken in interpreting findings relating to employment outcomes. Figures apply to prisoners released in 2008.

sentences but reoffend time and again part of our approach, and to provide a statutory basis to require them to engage.

3. **More efficient services:** We need to free up funding to provide rehabilitation for those who need it most, and at a time when the Ministry of Justice (MoJ) is committed to playing its part in supporting deficit reduction. We propose to introduce a widespread programme of competition, and invite providers from the private and voluntary sectors to bid to deliver the majority of current probation services. We will award contracts to those providers who demonstrate that they can deliver efficient, high-quality services and improve value for money. The recent competition to run Community Payback services in London demonstrated this potential, with the final contract due to return estimated savings of £25m over the four-year life of the contract, representing a 37% reduction in the cost of the service.⁸ We will also explore how we can drive down unit costs further across the system.
4. **Greater diversity of providers:** Probation staff make a fundamental contribution to protecting the public, including from the most dangerous offenders in the community, and we want to retain the wealth of experience that currently resides within the Probation Service. We will put in place a system which benefits from the innovation and versatility of private and voluntary sector providers, local expertise and the skills and experience of probation professionals to support the rehabilitation of offenders as envisaged by the Offender Management Act 2007.
5. **Collaboration with partners:** We need to build on and preserve the good work already done by agencies who work together to manage offenders in the most effective way (e.g. under Multi-Agency Public Protection Arrangements (MAPPA) or Integrated Offender Management (IOM)) and to encourage strong partnership working at a local level. Our system will enable co-commissioning for a range of offender services.

The proposals that follow in this document describe how we intend to deliver a revolution in the way rehabilitation services are delivered.

⁸ http://www.parliament.uk/documents/commons-vote-office/July_2012/13-07-12/17-Justice-CommunityPayback.pdf

