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Dear Sir/Madam

### **Transforming Rehabilitation Consultation**

This is a response to the Consultation Paper 'Transforming Rehabilitation - A revolution in the way we manage offenders' submitted by the Safer Stockton Partnership. We are the statutory community safety partnership for the Borough of Stockton-on-Tees. Since our establishment in 1998 we have been awarded Beacon Status for Crime & Disorder Partnership working, we have outperformed national, regional and sub-regional averages for crime reduction, and we have contributed significantly to an improvement by 20 ranking places in our Borough's position in the Index of Multiple Deprivation 'league table' for local authority areas. A major part of this has been the performance of the Integrated Offender Management (IOM) team for Stockton, led by Durham Tees Valley Probation Trust and supported by the Partnership as a whole.

We support the Government's sustained aim of driving down the rate of reoffending and providing better value for the taxpayer, but we have serious concerns that the proposals set out in the Government paper will not deliver on the stated aims and in fact are likely to prove counter-productive. We believe that the proposals run the risk of replacing a system which is the envy of its equivalents in other developed nations with an untried and untested approach which involves taking major risks with public safety and is not based on robust evidence.

We agree that it is a shame that many offenders released from short-term sentences get little or no support on release and we note that successive Governments have stepped back from the short-term resource implications of extending support to all prisoners on release, despite the prospects of longer-term savings. Our IOM scheme, like many of its kind, provides continuity of support and interventions until and unless a significant change of behaviour is achieved. The IOM scheme has been progressively extended to cover larger numbers of offenders, and our current IOM cohort now stands at about 180 offenders. What prevents us extending the approach to most or all offenders is lack of resources. The IOM approach of continuity, as opposed to 'revolving doors', and lower caseloads entail higher short-term costs and we cannot cover these for the whole offending population at a time when all the partner agencies are experiencing major reductions in their resource bases.

Transforming Rehabilitation Consultation  
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Experience in other contexts on reliance on private sector finance and of Payment By Results (PBR) mechanisms gives us no confidence in these approaches. We believe that the Government's proposals involve taking major risks and that the Government is therefore morally obliged to publish its risk assessment for these proposals.

We are not averse in principle to working in partnership with the private sector, and to robust testing of efficiency and effectiveness, but our understanding of the Government's proposals is that they are based on the intention to debar Probation Trusts from the competition (although this is not made explicit in the Consultation Paper). Such an approach would eliminate the main safeguard against the uncontrolled operation of market forces, and appears to rest on an ideological conviction that 'private sector is best' regardless of the evidence base (including the failed experiment with a broadly similar approach in New Zealand).

We are not at all reassured by the claims that "our reforms will make use of local experience and will integrate with existing local structures" and that "we will not disrupt local multi-agency working arrangements, including MAPPA and IOM arrangements, as well as relationships with Youth Offending Teams"; because such detail as is provided appears to contradict these claims. A network of 16 national contract packages, including one which would cover the whole of the Northumberland, Durham and Cleveland Police areas, will not relate effectively to IOM and YOT arrangements which are organised on much smaller geographies, nor to arrangements by Police & Crime Commissioners, and we have even greater concerns about the interface with other important arrangements e.g. Local Safeguarding Children Boards, Supporting Vulnerable Adults arrangements and Multi Agency Risk Assessment Conferences (MARACs) for domestic violence, given that they do not even merit a mention in the Consultation Paper. The new contract packages will not be 'aligned' to PCC and local authority boundaries, but will aggregate them into much larger areas.

The experiences of the Government's contracts with A4E for return to work services and G4S for Olympic and Paralympic security are not reassuring. Our own local experience of the UKBA's recommissioning of support for asylum seekers in a similar pattern of contracts covering large parts of the country also fails to inspire confidence.

Our experiences suggest that private providers will make fulsome claims in advance of contract award about how they will engage with local partnerships and that it will prove difficult to get them to make good on these.

The statistics set out on page 7 of the Government Paper support our point of view, i.e. there is a 57.6% reoffending rate for prisoners sentenced to under 12 months, most of whom receive no support from Probation Trusts, but only a 35.9% rate for those sentenced to 12 months or more, who are supported by Probation: surely this is an argument for more of the successful factor i.e. Probation input, not less of it. Furthermore, there is no attempt at a serious comparative survey of how the performance of our current arrangements relate to those of other comparable nations.

The reference on page 9 to a prospective 37% reduction in the cost of Community Payback services in London is an untried remedy – judgements about value for money cannot be made until performance has been seen. A more responsible approach would be to test out the proposals via selective pilot schemes which could be properly evaluated, as opposed to a 'big bang' approach.

No timescale is given for the publication of the summary of responses to last year's consultation 'Punishment and Reform: Effective Probation Services'. It does not suggest that consultation is being taken seriously when new proposals are rushed out before the results

from the previous round have been fairly and properly considered in a transparent and accountable way.

We believe that the design of effective PBR mechanisms which avoid 'perverse incentives' and cannot be 'gamed' by providers is very difficult, and that the process should not proceed until such details have been drafted and subjected to the scrutiny of consultation. The comment on pages 17 and 18 about this being 'work in progress' underlines our point, as does the current crisis in the DWP's Work Programme arrangements.

We note the statement at page 17 that "Public Sector organisations – for example, the police – may be able to engage directly in and be rewarded for the delivery of additional services", but we need to see the definitive position and the supporting detail on this: frankly, 'may' is not good enough as a basis for consultation on such a serious issue, and suggests a rushed approach in which the proposal has not been previously considered. The £500k of support to prepare the VCS nationally is derisory.

The potential for 16 contract package areas will not optimise the links to key services which are planned and commissioned at local level, including housing, drug and alcohol services, the 'Troubled Families' programme, MARAC etc.

If the proposals go ahead as detailed, we would want to have the opportunity to feed in our views as a Partnership on the claims made by prospective providers about how they propose to "sustain and develop local networks and partnerships and in particular existing IOM arrangements", and we would want the Ministry of Justice to give a commitment to have due regard to the views of Community Safety Partnerships, YOT Management Boards, LSCBs etc on the issue, rather than simply taking into account the claims made by prospective providers.

We would also like to see a commitment to the continued publication of data on comparative performance at local authority level. This is a minimum requirement to help to secure the continued engagement of all local partners.

In relation to specific questions:

C1 No, 16 is not the right number. Contract package areas should be no less than current Probation Trusts and should include performance reporting at local authority level (as at present)

C2/C3 The Government should provide detailed proposals for consultation before proceeding.

C7 Lead providers should be obliged to provide their supply chain information, including all their delivery partners and detailing what they are responsible for providing and to what geographical areas and/or client groups, and what arrangements the lead providers have in place to ensure satisfactory performance.

C8 There should be financial penalties for supply chain mismanagement as for all other forms of mismanagement.

C9 By packaging contracts as outlined in response to C1 above.

C11 This may not be possible.

C12 The remaining public service probation services should be organised at the most local level viable, and certainly no less locally than the proposed 16 contract packages.

C13 Impose an obligation on the providers to attend all multi-agency arrangements currently attended by Probation Trusts whenever invited to do so.

C14 By taking account of response C1 above.

C15/16 The Government should publish detailed proposals for consultation before proceeding.

We trust that these comments will prove helpful, and please do not hesitate to contact us if you require any clarification.

Yours faithfully

Geoff Lee  
Chair