



Public Accounts

Committee

Oral evidence: Improving outcomes for women in the criminal justice system, HC 997

Wednesday 2 February 2022

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[Watch the meeting](#)

Members present: Dame Meg Hillier (Chair); Dan Carden; Sir Geoffrey CliftonBrown; Sarah Olney; Kate Osamor; Nick Smith.

Gareth Davies, Comptroller and Auditor General, Adrian Jenner, Director of Parliamentary Relations, National Audit Office, and Marius Gallaher, Alternate Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 26 - 83

Witnesses

[II](#): Antonia Romeo, Permanent Secretary, Ministry of Justice; Jo Farrar, Second Permanent Secretary, Ministry of Justice, and Chief Executive, Her Majesty's Prison and Probation Service; and Jerome Glass, Director General, Policy and Strategy Group, Ministry of Justice.

Report by the Comptroller and Auditor General

Improving outcomes for women in the criminal justice system
(HC 1012, Session 2021-22)

Examination of witnesses

Witnesses: Antonia Romeo, Jo Farrar and Jerome Glass.

Chair: Welcome back to the Public Accounts Committee, on Wednesday 2 February 2022, and to the second panel, the Government panel of officials from the Ministry of Justice, discussing the issue of women in the criminal justice system.

I am pleased to welcome Antonia Romeo, the permanent secretary at the Ministry of Justice. She has a lot on her plate, of which this is a small but very important part, as we have heard from our previous witnesses.

I am delighted to welcome back Jo Farrar, the second permanent secretary—congratulations on that—and also chief executive at Her Majesty's Prison and Probation Service, and Jerome Glass, who is director general of the policy and strategy group at the Ministry of Justice.



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A warm welcome. You heard from our previous witnesses some of the challenges. They broadly welcomed the strategy, but they are disappointed, in their words, that it is not being implemented. As the NAO Report highlights, there are certainly challenges there.

Before we go into the main session, Sarah Olney will ask a question.

Q26 Sarah Olney: Hello—good afternoon. I want to quickly ask about legal aid. I have a constituent who runs a small legal aid firm based in the community providing services often to people who find it difficult to access legal services in any other way. He has written to me on a number of occasions about the difficulty they are having in funding their legal aid practice because, typically, they do not get paid until the case is completed, which means that the cash is not available as the costs are occurring throughout the course of the trial.

During covid, they were able to access some of the support loans for business, but obviously that has now finished. It is always a struggle, but at the moment, with the backlog, they are being scheduled for trials that are not due to take place until some time in the middle of next year, which means they have real cash flow issues that seriously threaten their ability to offer the services that they offer, particularly to people in more marginalised communities who cannot access legal support in any other way.

To what extent are you aware of the issue of cash flow for legal aid services, and what is the Department doing to try to counteract that?

Antonia Romeo: Thank you very much, and thank you for the introduction, Chair. I will say something initially and then Jerome might want to comment in more detail. Yes, we are aware of the issue. As you have mentioned, we had a number of programmes during the pandemic to help smooth things while we were at the worst point of the building up of the outstanding case load. We have recently had the wide-ranging criminal legal aid independent review, which you will have seen and which has been looking at the whole picture, because of course we have to come up with some longer-term solutions to the issue that you have mentioned. The Government is going to be publishing its response to that by the end of March, so at that point we will have a wider picture. In terms of the actual programmes in place at the moment to help manage the problem, I think there are some in place, but Jerome—

Jerome Glass: Yes, that is the main point. This is exactly, precisely, the issue that was at the root of our commissioning Sir Christopher Bellamy to do his review—just the sustainability of the criminal legal aid sector in general. That's the first thing. He has published that report, and we are going to respond to it by the end of March.

Secondly—this was a subject of the hearing that we were at in December—one of the most important things we can do is keep the throughput going, keep the Crown court and the mags court operating as much as possible.



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Although the backlog is bigger than we would want it to be, the actual throughput of cases, certainly in the magistrates court, is at or near to pre-pandemic levels, and in the Crown court it's getting back there as well, so that should help as well. We are returning, a bit, to the status quo ante in that respect.

There was a whole set of measures we took during the pandemic, including hardship measures and those relating to the way the Legal Aid Agency managed the funds and so on. But the main structural point you are making is the one that we would want to address through the criminal legal aid review response quite shortly.

Q27 Sarah Olney: Will anything be available in the interim, while we are waiting for the Government response? The crucial issue is that right now legal aid firms have costs that they cannot cover, because they are not expecting to receive their payments for perhaps up to 18 months.

Antonia Romeo: Can I just ask for clarification? Is this a new issue, or are you describing a situation that existed pre pandemic as well? Does the nature of the way they are paid, the way the payments work, mean that it is lumpy, or are you saying there is a particular new issue that has arisen as a result of the pandemic and that you are seeking to have addressed?

Q28

Sarah Olney: I don't think it is a new issue; I think it is an existing issue, but the pandemic and the situation that that has created, both while it was occurring and the backlog that has arisen, mean that a problem that has always been a problem has become a lot more acute. Of course, that means that some legal aid firms are much closer to not being able to offer services at all. Given that that is a very real situation that they are now facing, is there anything more that can be done to alleviate the immediate problems?

Antonia Romeo: I suppose a solution would be to look at potentially extending some of the programmes that were in place during the pandemic. We are considering the review as swiftly as we can, and then the Government will make its determination on how we improve overall the problems that lead to the situation that you have described. We are seeking to do that as swiftly as we can, and as I say, we will be publishing the response by the end of March.

Sarah Olney: Thank you very much.



Q29 **Chair:** We look forward to seeing that at the end of March, and I am sure Ms Olney can pick the issue up elsewhere.

You have heard, as I said, from our other witnesses. We published the strategy on women in the justice system over three years ago, so what have been the problems—apart from covid—in actually delivering on it, Ms Romeo?

Antonia Romeo: I was obviously kept up to speed on what was said at the previous bit of the hearing before I heard it myself. There are two issues here. The first thing to say is that, of the 66 commitments in the strategy, 29 have been completed, 15 are what we call green and will be completed, and only two are red, so it is not the case that there has been no progress. There has been, as the NAO's excellent Report recognised. On that, we obviously worked closely.

However, it is clear that when the strategy—one of the issues here is whether it is a strategy or a programme and how it was run. That is something that the Report has identified. When the strategy was first published, between spending reviews—some money has been given. We pledged in the strategy a commitment of £5 million to spend on community funding; in fact, we have spent £9.5 million. There are a number of areas where we are piloting the residential women's centres, as you know, which I am sure we will get into. We have been seeking a site. There has been a reduction in the number of women in custody. Of course, as no doubt we will also get into, what you attribute to what is difficult, especially when you have had a pandemic.

I think there has been some progress. You will recall, Chair, that when I came here almost a year ago, in my first appearance in front of the Committee in this job, I was very concerned having looked at overall delivery and data, which were the two things that I had identified. It is clear that, in some areas, we did not have the data. It has been difficult because of the pandemic, and it has also been difficult because of how we were evaluating it. Those are things we are seeking to address at the moment. My final point is that we have put in place significant new governance to get a grip of this as a programme, and it will be governed under the overall delivery board that I set up almost a year ago in the Department.

Q30 **Chair:** Thank you for your candour, but you have a lot on your plate as permanent secretary. You have walked into a Department when everything is on the move. They are really all big, major projects. This, in money terms and, indeed, in the number of people it is supporting—although very important—is actually a small corner of your Department. Is it a high priority for you?

Antonia Romeo: The Deputy Prime Minister has said that protecting women and girls, and giving them confidence in the criminal justice system, is his No. 1 priority, so it is absolutely right at the top. I think you are right to say there is a difference—sometimes there can be a confusion between things where there is a lot of money invested and things that are seen as



high priority. This is absolutely core to what we are trying to do. As I say, the new board on women in the CJS or at risk of coming into the CJS, which is chaired by Minister Atkins and which met earlier this week, is very much focused on ensuring we have the right programme in place and will be measuring those outcomes.

Q31 Chair: You mentioned data, which is a big bugbear of this Committee. It is very helpful that the NAO have pulled out some of the gaps in your data in figure 9—that is just some of it. It is a big job to get this right, but the strategy was published. You have acknowledged that there is a problem with data. What are you going to do to sort that out and build it in, so that you know what you are achieving and that, when we ask you questions about things, you actually have the information in front of you?

Antonia Romeo: There is a lot in that. Obviously, the first thing is to understand what it is we are trying to achieve, how we will know when we have got there and how we are going to measure it, and that is work that is happening at the moment. We are developing those metrics. There are a number of different types of metrics. We do look at national data. We need to look at local data, and we need to look at intervention-specific data. We have a number of areas that we published in the concordat, which was published about a year ago this month and which set out each of the three strands of the strategy: fewer women offending or reoffending, fewer women—particularly those on short-term sentences—in custody, and better conditions in custody. For each of those, what are the metrics? We published that in the concordat, and when we publish our year-on report, we will be putting in more information on that.

I would also like to say that one of the things that I have talked about before in front of this Committee is that I was seeking to elevate the focus on data and evidence at board level, so I am pleased that I am nearly at the end of the process of recruiting a director general for performance strategy and analysis, who will be focusing on exactly this sort of thing.

Q32 Chair: There will be a hallelujah from the Committee that a Department is doing that. It is a good start, but there is still a long way to go to get that right. We heard some very compelling evidence on the ground about what those small interventions do—we are dealing with a small number of women, relative to the male prison population. You can talk about matching local with national, but sometimes it is that very, very granular information that will make a difference to the lives of a woman or a few women. How are you going to match up what is really happening on the ground with what you need to see at the centre in order to prove that the money you are investing is actually going to deliver the results?

Antonia Romeo: I think the really important thing is that it comes up through the governance, because, exactly as you say, some of it will be what we are capturing. For example, we have a new local data tool that we are training people at local level to use. That will capture a lot of information. The question is how we can use this to help at an individual level. One of you previous witnesses was talking about Greater Manchester. Obviously, one of the great things there has been the problem-solving court, where all



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the relevant local services get together and look at what is best for that individual woman. That is absolutely crucial in focusing on what we are actually trying to do, which is, as you say, to solve particular problems for particular women and to stop them offending or reoffending. However, the thing that also matters is the whole system and how you get it up, so that we can make sure we are investing in the right sorts of interventions. That has been the problem that the Report has identified.

I think the new governance, which I am happy to explain now or later, will help do that, but the key thing is capturing the local data and measuring the individual things—things like the number of out-of-court disposals and how many pre-sentence reports we are doing. There is also, obviously, understanding diversion—having now rolled out liaison and diversion that the NHS has done, that is going to help significantly—and capturing what that means. When you divert somebody away from custody, do they end up coming back into custody or not?

I cannot claim that we have got the perfect way to capture all this data because we are still building a lot of it. It is patchy—I think that has been one of the problems. I think we are getting better on focusing on what we need to capture data on and then how we would bring that together, and, in particular, how we then put that into ministerial decision making about what interventions we are going to invest in and what the policies should be.

Q33 Chair: I will come back to you in a moment. I just want to touch on prison places, Jo Farrar. There are 500 more women's prison places. We heard quite passionate views from our pre-panel on that issue. They were very happy spending the £200,000 that they say it is costing to build the prison places. Why are you building 500 more women's places in prison?

Jo Farrar: That is a really important question. We obviously analyse how many prison places we need. We do that regularly. We have identified, particularly with new police officers, as you have quite rightly said, that there may be a need for new prison places. It is important that if women are coming into custody, we can receive them into custody.

As we continue with this really important work that we are doing through the strategy, our hope is that if the number of women in custody does not rise, we will be able to use these prison places to replace existing prison places.

I was talking to the governor of Eastwood Park this week. She was talking about some of her cells. We have had to close some down because of damp. We have had to close some down in Styal because of fire risk. We have issues with women's accommodation right across the estate. These new prison places will provide much more fit-for-purpose places for women, designed by and for women. It will change the experience for women in



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prison. It will have a much better focus on rehabilitation. Importantly, it will introduce more open places.

If you are a woman in the south-west, at the moment, to go into an open prison place and to be able to experience release on licence, for example, you would have to move to another part of the country. That makes it really

hard then to go and visit your family.

It is important that, whatever happens, we introduce more open prison places. That is one of the things that these new places will do.

Q34 **Chair:** How many of the 500 are expected to be open prison places?

Jo Farrar: I do not have the exact number in front of me. What I can say is that the places will be built in existing women's prisons. It will be a mix of closed and open provision.

Q35 **Chair:** You are expecting to close down some of the old ones. Is the 500 net or gross?

Jo Farrar: It is 500 new places. Obviously, we have to keep measuring capacity and we have to see what happens in terms of police numbers and sentencing. If the numbers in prison reduce, we will be able to use those instead of some of the prison places. The Minister has been very clear previously, speaking on this at the Justice Committee, that if we are able to, these will be replacement, but at the moment, our assessment is that we may need these prison places and it is important that we can receive women who are sentenced by the court into prison if they are sentenced to prison.

Q36 **Dan Carden:** To follow up on that point, I don't see how the strategy can sit alongside the decision to build those new prison places. I wonder whether any impact assessment was done on the £200 million. The witnesses in our previous session were saying, "Imagine what that could do!" if it were to be spent on your own strategy—to provide these services in the community. I am having real difficulty grappling with that.

Antonia Romeo: There were three objectives to the strategy. The third one was better conditions for women in custody. As Jo has said—

Q37 **Dan Carden:** You are not replacing, you are building new?

Antonia Romeo: Of course. But, as the chair said in the earlier session, and because of the recruitment of new police officers, it is sensible to assume that that is going to increase the population overall and that some of those people might be women.

Our responsibility is to ensure we have enough custodial places for any women who are sentenced to custody. Remember, sentencing is down to a judge so we do not prejudge it, but we look at patterns, and the expectation is that we will need more places. The key thing is that in building more places, we make sure they are family friendly, suitable for women, and trauma-informed, which means that we take into account the fact that a very high proportion of women who end up in custody have themselves been



victims of abuse or trauma in the past. You would expect that we would want to build new types of places.

Q38 **Dan Carden:** I thought you only wanted to replace places?

Antonia Romeo: But if we think the numbers are going to increase, we need to be ready for that with new places. If, as we would hope, the first two objectives in the strategy are met, we would, as you rightly say, expect to have fewer women coming into custody. If we can manage that despite the increase in the police numbers, of course it would be good news for us if we could close down some of the other places.

Q39 **Dan Carden:** Is that an objective—to close down existing places?

Antonia Romeo: It is not an explicit objective because of course it all depends on what happens, but if we found ourselves in a position where we did not need all the places, we would close the old places, most of which were originally male places. That is the problem: a lot of the way we hold women at the moment is not what we consider gender-specific, traumainformed, and safe, decent, and appropriate for women. That is absolutely the thing that we are seeking to do, but we cannot commit to doing that because it depends on the numbers. Our job is to make sure we have enough custodial places for everyone who is sentenced to custody, be they men or women.

Q40 **Dan Carden:** On that very decision, was there any sort of impact assessment on the spending of that money on new places compared with what it could have been spent on in line with your own strategy?

Jo Farrar: I think that is almost two separate questions. We have to absolutely meet the responsibility to bring women into prison if they are sentenced by the court. That is the basis on which the 500 places were assessed, and that is why the money has been allocated for those 500 places. We did do an assessment on what then helps to rehabilitate women. For example, the design of the new prisons, with no bars, and with bigger association spaces and smaller cohorts, will mirror some of the services that we will be able to provide in the community and will help to rehabilitate women and reduce reoffending so that they will not return to prison. That would be our aim.

It was not a question of, "Should we provide community spaces or prison places?" Actually, the capacity assessment showed that we were going to struggle with capacity in the prison system as a whole, for men and women. We have a duty to respond to that— **Dan Carden:** I am struggling with this.

Jo Farrar: That does not mean that we are not spending money in the community. We are also spending money on services—

Dan Carden: I think you said £9.5 million.

Jo Farrar: On community services, and also £46 million through the new probation dynamic framework contracts, which will also go to services in the community.



Q41 Dan Carden: I am really labouring this point—sorry, Chair—but can you see how people who were so excited by the strategy, and what it meant for women in the criminal justice system, would just be confounded by the fact that this amount of money was being spent to expand prison places?

Jo Farrar: I can absolutely see what they are saying. We heard that very powerfully from the witnesses. Nevertheless, we need to provide prison places for women, and we want to make sure that they are better prison places than those we have at the moment. As the permanent secretary said, if it transpires that we do not need as many prison places, we will absolutely prioritise the new 500 places for women, which will just give much better provision than what they have at the moment. Women in prison are crying out for open spaces. They ask me when I visit prison about going to open spaces.

Q42

Dan Carden: Absolutely, but I think it would be great to see an objective of closing down spaces that are not fit for women.

Antonia Romeo: Our objective is to provide safe, decent, traumainformed, gender-specific places. If it helps to have some numbers attached to this—these are public numbers—the number of women in prison is about 3,200 at the moment, of which about 20% are on remand, and the projection is that that number will increase by about 1,300 by July 2025. Those are the published projections. We have to be in a position to be able to meet that if it materialises. As I say, the hope is that the first two objectives of the strategy mean that that does not come to fruition, but we have to provide, sensibly, the custody that we might be on the hook to provide.

Dan Carden: Thank you. We will see where we end up in a year or two.

Q43

Chair: When you look at the relevant figures for the amount of money you spend on community services compared with building prisons, would you agree that it is better value for money if you can do it in the community, rather than having a woman incarcerated?

Jo Farrar: The Government's objective is to have as many women out of prison as possible.

Q44

Chair: As Ms Romeo rightly highlighted, it is a matter for judges to sentence, and politicians pass the laws and set the parameters in which they do that. We heard good evidence from the witnesses about when it goes well; they highlighted Avon and Somerset. However, there is a lot of early discussion about diverting women from prison, which presumably includes the judiciary—the magistrates—making sure that people are aware of those options.

What are you doing to make sure that people are aware of those options, so that we are not in a loop of having prison places and so sending women there but instead knowing that it is actually okay to have empty prison places that will eventually close?

Jo Farrar: I am sure others will want to pick up on this too, but I will start with probation, which is a really important factor in this. Bringing together



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the National Probation Service with CRCs will allow improvements in probation. One of the first improvements we are making, which was in the strategy, is to put a probation women's lead in every area. HMPPS is already working very actively in Avon and Somerset, and we want to replicate that in every area.

Those probation leads will be responsible for working with partners to make sure that the needs of women are met. The other really important thing we are doing through probation is pre-sentence reports. We have designed a new pre-sentence report that gives judges better information about women. They are different from pre-sentence reports from men. They take account of a number of things that are really pertinent to women. They are much fuller. We also think that that will be quite significant in ensuring that women receive the right provision, be that in the community or otherwise.

Q45 Chair: Ms Romeo, when you are looking at this through your new governance structure, how will you know whether judges are really using those presentencing reports, and how will you monitor what sentences are given out and how that is changing?

Antonia Romeo: This is the point of piloting it. We are piloting it in 15 magistrates courts. It is really going to be about the numbers that have been diverted and find themselves on a different type of order or in the community, rather than going into custody. I think it has to be outcome-focused, in terms of the measures. The problem with that, of course, is that you always have a lag, but I think that will be the most crucial thing if that is what we are trying to achieve, which is fewer women in custody, particularly for short-term sentences.

The prior thing, which is the first objective of the strategy, is of course diverting before they even get that far. That is about things like the liaison and diversion programme that has now been rolled out entirely across the NHS. That is about the grant money invested into the community sector.

One of your witnesses earlier said that they want the Government to recognise the importance of the work done in the community. I think that is absolutely well understood, because it is that individual interaction at a local level that will make a difference. How many are being diverted in that way? How many are chosen as part of the liaison and diversion programme to go off into, for example, support on health grounds? That will be essential, and we will have to look at those numbers. We expect to see some diversion.

It is difficult as well, because as we come out of the pandemic, as you know, we have had a significant increase in the number of women in custody, but what you attribute to what is really difficult. I am afraid it will be a bit of time before we know for certain what is due to what, but looking at out-of-court disposals, pre-sentence reports and other community interventions is the only way we will be able to measure it.



Q46 **Chair:** When you come to see us next time—let us say a year’s time, for argument’s sake—will you have more robust data on that?

Antonia Romeo: I definitely expect to have it in a year’s time, pending—

Chair: That is five years after the strategy was published.

Antonia Romeo: Indeed. I think the crucial thing is knowing that we will have some good data, and other data we will be waiting on to see what happens. Of course, on reoffending in a year’s time, it will be harder for us to know what actually happened, because you have to wait for a year afterwards to know whether someone reoffended in that period.

Jerome Glass: I just want to elaborate a little bit on out-of-court disposals, which we heard about from the witnesses. The picture on out-of-court disposals is quite complicated. Different forces use different types of cautions and so on. There is a slightly odd combination of informal and formal and so on.

What we are trying to do, working with the police, is to formalise that a little and to have a relatively clear two-tier system. What the police have been doing, which is a great initiative, is to have female-specific out-of-court disposals. In particular, the forces work very well with a whole system approach: Surrey is a leading force on this, with the Checkpoint programme, and some other forces have a programme in which they can defer prosecution slightly as well.

Out-of-court disposals are something that we are legislating for through the Police, Crime, Sentencing and Courts Bill at the moment, so it is something that we expect to put on a more formal footing. I will also say that we are going to evaluate out-of-court disposals, as the permanent secretary said. We have RAND Europe in to do that, and we have started that 18-month programme of evaluation of existing out-of-court disposals programmes. That is an example of the sort of thing that witnesses and you were saying that you rightly wanted more evidence of. That is the process that we are going through—the intervention-level evaluation that the permanent secretary was talking about, which we have kicked off.

Q47 **Dan Carden:** I wonder whether there is a slightly bigger problem in all of this. You said, and it is in the NAO Report, that you had not set targets because the outcomes would be reliant on bodies that are independent of the Ministry of Justice. That does not fill me with confidence. I would have thought that you would be working across Government.

For example, if you want to divert people away from the criminal justice system, of course you need local government and other Departments to be in this with you. To say that we will not set targets because we are reliant on things outside the Ministry of Justice does not strike me as a very good place to be. It seems a bit wishy-washy.

Antonia Romeo: That is a great question. I wanted to talk about metrics, instead of targets—so measures, rather than the thing you are aiming for.

Of course, Ministers might in due course decide that they want to set targets on some of those.

At the beginning, when the strategy was first published—as I said, between spending reviews—it was not set up. It had broad governance, but it was not tightly governed as a programme. That has been reflected in the Report. That has now changed.

Now, it is not our position that we are not expecting to have detailed metrics that would be evaluated—in fact, I think we should, because we are spending taxpayers' money on these different interventions. As I say, I do not know how quickly we will get really detailed answers on all of it. But the key thing is understanding, as Jerome set out, what other things we will be trying to measure.

I completely agree with you that because it is cross-Government does not mean that we should not have metrics on it. The concordat that sets out our whole-system approach—how we are going to work together across Government—has already set out some of those measures. Those are not just things that we are doing, because signing up to the concordat as well are DHSC, DFE, DWP—all the relevant Departments. A lot of this is about working at the local level, so the NHS working with their local partners.

We would therefore expect to measure all those things and to keep an eye on them via our governance—so, the delivery board should be looking at what is happening with broader work on violence against women and girls, for example. Even when it is not owned by us, because it is under its own appropriate governance at the Home Office, we want to make sure that that is being captured, because all these things work together.

I agree that we need to have metrics and I think that they should be crossGovernment. Our governance and in particular the women in the CJS and at risk of entering the CJS board, chaired by Minister Atkins, need to have oversight of all these different metrics. We are working on what those evaluation metrics will look like, and Ministers will be consulting on them.



Q48 **Dan Carden:** Might we get targets?

Antonia Romeo: It is possible. In a way, that is a judgment for Ministers—it is a policy decision, essentially, on whether we want to target something or we want to measure it and, if we want to measure it, whether we want that to be published or not. At the moment, we have not set targets, but that could in due course be a decision that Ministers may choose to make. As I say, that is live.

Q49 **Chair:** To unpack that before I pass to Ms Osamor, when you see how effectively something is working locally, you will then see what the measure of your investment is and, in the loop that comes back, you might put more money in to get more of the same result.

Antonia Romeo: I suppose that at one level, yes, in the sense of if something works. So, Greater Manchester a great example: reoffending there between 2014-15 and 2018-19 fell by 20 percentage points, whereas in England and Wales as a whole, it went up five percentage points for the same cohort. When you are looking at things like that, you would sensibly say, "Now we've got to roll it out," and you would point your money in that direction.

Q50 **Chair:** And you would also, by that same measure, be able to work out how many prison places you need.

Antonia Romeo: Indeed. If you know that that is going to work and then divert people, and that is going to reduce your reoffending rate, at an aggregate level, yes, although the problem is that by the time you knew that, because we have to build in advance, you would not be in a position of not building; you would be in a position, potentially, of closing the old places.

Chair: We could go on about 500 prison places forever, but we will pause on that. Ms Osamor will give you an easy time—actually, I'm not sure that it will be—but Ms Osamor, over to you.



Q51 Kate Osamor: Thank you, Chair. I will start by asking some questions about the progress on programme management. If we look at figure 5, on the female offender programme, there has been quite a lot of emphasis on the residential women's centres. From what the Report has found, it has been very difficult for you to get the funding to get all the pilots up and running.

My question really is, in the event of not being able to get the pilots up and running, have you been working and engaging with courts to ensure that judges and magistrates have an understanding of other options within the community—whether that is the piloting of electronic monitoring, or community sentences themselves, where it is non-custodial?

What work have you been doing with the courts to make sure that, in the absence of the residential centres opening up because of the issues with money—we can talk about that separately—the use of other options is being encouraged for women?

Antonia Romeo: Let me say something first; I know that Jo wants to say something, and then Jerome may want to add to it. Just to be clear, we might come on to funding, but the issue has not been money not being allocated; the issue has been finding a site. We have announced that the first site for the residential women's centre is going to be in Wales. We hope to be able to announce very shortly where that is going to be, but we are still in the final moments of that. It has not been a funding issue; the issue has been finding a site.

Q52 Kate Osamor: Would you say, Ms Romeo, that you have had enough funding to be able to implement the whole programme?

Antonia Romeo: On the residential women's centre, funding has not been the issue; we have had a problem with sites. Was £9.5 million enough money to invest into grants? Had more money been invested, there would have been more grants.

I am sure that every accounting officer before this Committee says, "Had I had more money, I would have done more things," but inevitably I am subject to the same fiscal constraints as everybody else. Money has been allocated. Perhaps we will come on to this, but the new money for reducing reoffending, the money from the dynamic framework, and the money that we are investing in victims in the coming SR is a significant increase in money that is going to help women both at risk of entering the CJS and in the CJS. We can perhaps come on to that.

Jo Farrar: I will just say a bit on the residential women's centre. That is still our focus, particularly in Wales, because we have really limited provision in Wales. There isn't a prison in Wales, and there aren't the same alternatives to custody in Wales, so we have committed to do that. We hope to have some good news shortly. I know that there have been concerns about when it will open.

Our targeted opening date now is next year—2023. It is really important that we pilot this and learn lessons, but in England we are also beginning



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the market engagement for the potential for residential women's centres in England. We intend to have a different model in England. We will be looking at whether we can contract with current providers, and I think that that will be welcomed by the sector.

At the moment, we use some women's centres. You heard about the women's centre in Birmingham. We use Willowdene Farm for criminal justice women. There is some good evidence coming from that that it really reduces offending, their evidence suggests by over 20%. This is something that we are really keen to pursue.

As you heard earlier, we are working really closely with Avon and Somerset police on our partnership with a residential women's centre in Avon and Somerset that will open this year, as well as a women's centre in Plymouth, where we are working with One Small Thing. There are private or voluntary women's centres that we will be able to look at to see the impact that they have on women before we contract with providers on our own centres.

We are also doing other things to help with reducing the number of women in custody and giving alternatives to custody. We are very keen on the expansion of electronic monitoring; we are looking at different types of electronic monitoring and specifically where it can be used for women. We are expanding unpaid work provision and the types of unpaid work so that we can give a different offer to both men and women—it will definitely benefit women. As the permanent secretary has said, a proportion of the £50 million that we have allocated for reducing reoffending will also go towards women's services.

Jerome Glass: Can I come back to the question about working with the judges? One of the things that we are doing that was part of the sentencing White Paper published in 2020, and we are excited about, is to pilot problem-solving courts.

For those who don't know, problem-solving courts are a slightly different way of the judiciary managing a caseload. We have heard from witnesses about bringing the services together and using short, sharp interventions when things go off track, but mainly trying to see if we can solve the issues, led by the judiciary. We are taking powers to expand that in the legislation that is currently passing through the House.

One of those pilots is specifically working with female offenders. I think there is a pilot for domestic abuse offenders, substance abuse offenders and then female offenders. We are conscious that this is an area where it might work really well.

Q53 Kate Osamor: In paragraph 2.15 of the NAO Report, the programme team told the NAO that it had not yet secured the level of commitment from partners that it had hoped for. I thank you for speaking about the judges, but what about other helpful partners when you are working with very vulnerable women? What incentives are you able to offer to make sure that you get a more joined-up approach?

Antonia Romeo: The first thing to say is that, in a way, we have all got a shared incentive here, which is that nobody wants women ending up in the criminal justice system. We need to get more upstream in education and health. It is the same story that we always have in our system.

I think that one of the issues that this may or may not reflect is that, during the pandemic, a lot of priorities for a lot of Departments changed—understandably so. That meant that in some areas where we were hoping to make more progress we made less progress because the joined-up working did not continue at the same pace as it might have done—and certainly not as much as we want it to now. One of the two red actions of the list of 66 commitments was work with non-police prosecutors, which was paused because of the pandemic.

I mentioned the ministerial group that is overseeing the women in the CJS board; that group is made up of relevant Ministers from across Departments, and they have all reiterated support for the objectives of the strategy. They are now looking together at how we can improve delivery of the strategy. I think that this is now going to improve.

There were a number of issues as to why it was not so great; some of the issues around governance meant that the grip across the whole picture wasn't as strong as it might have been—as per my earlier answer. I think that is now going to improve and that Departments are fully committed and onboard with the concordat. That will come out when we publish our oneyear-on report.

Q54 Kate Osamor: What contingency plan do you have in place in case you do not get the commitment that you would like?

Antonia Romeo: Now, I think the thing will come up via its proper governance. There is a director level-chaired board. There are essentially three crucial groups. There is the women in the CJS board, which is chaired by Minister Atkins. There is the expert group, which is essentially the group that a number of your previous witnesses are on. Stakeholders and, crucially, the relevant VCSE organisations are on that, so that we can make sure that the interventions that we are putting in place are the right ones and we are testing things. Then there is the female offenders delivery board, the thing that we need to use to get a grip on this across Government, and that is chaired at director level in the Ministry of Justice.

Q55 Kate Osamor: I want to move on to over-representation of black and Asian women in the prison system. You spoke about the voluntary sector being part of this three-tier board. How do



you work with them? The Report showed that they were a bit unclear as to what work you were going to have in place to make sure that we navigated women of colour out of the system.

Jerome Glass: The first thing to say is that we recognised, after the publication of the Report, that this was an area where more needed to be done and that the strategy itself probably did not address some of the issues fully, so, working through the Advisory Board on Female Offenders, which includes the third sector, we set up a separate minority ethnic female offenders group.

We have done a number of things since then. The first is to try—it sounds a bit like starting from first principles, but it is the right thing to do—to work through a bit the user journey. We worked with these groups to try to understand what things were going wrong through the system and then target some interventions as a result of that. We gave, for example, £1.5 million in 2020-21 to groups that were supporting black and minority ethnic offenders through the system, and we gave an additional £200,000 to Clinks to help with one of the issues that the previous witnesses talked about, which is how to bid for money. Typically—not always, but typically—some of the support groups for minority ethnic women are smaller than some of the other groups, so their capacity to bid for grants and so on just makes it a little bit harder. We gave some money to Clinks to help with that.

Then we have been focused on specific things. For example, as we did that work, we found that our translation services were not where we wanted them to be, so we have been working with the group that I mentioned—the minority ethnic female offenders group—to try to design a specification for translation services that were better equipped for the kinds of offenders, victims and witnesses that we were seeing coming through the system. It is very much work in progress. It is something that we recognised we needed to do more on, but we are well aware of the issue in general in terms of over-representation.

Indeed, there was a report earlier this week, authored by some of the people who gave evidence earlier, about double disadvantage. Looking through their 10 recommendations, a lot of those are things that we recognise and we are working on, but we really want to work with them and look through that and make sure that we are addressing the concerns.

Kate Osamor: Thank you, Mr Glass.



Q56 **Chair:** There were lots of words there, Mr Glass. I am not being rude—you have a job to explain things—but can you give us a couple of concrete examples of how life will be transformed, in an ideal world, for women of colour in the criminal justice system?

Jerome Glass: I spoke about the translation services; that is one where we can make a difference. The second is the training of our own staff and better cultural awareness of our own staff—Jo might want to talk about that—through the HMPPS race action plan. The points we are making on data is another—just a better understanding, particularly at the early part of the system, by which I mean the out-of-court disposals and so on. That is where we have less grip on the data, so we are just trying to understand that.

One of the recommendations is that we should publish our “Women and the Criminal Justice System” report annually. That is something we will look at. At the moment we do it every two years. There are a lot of things that we want to look at. I hope that is a set of concrete things. I do not know whether Jo wants to add anything.

Jo Farrar: Thanks, Jerome. Obviously, I have been really concerned about this since taking over as chief executive of HMPPS. I was the race champion for the Ministry of Justice, and I am now the diversity and inclusion champion, so I have been really concerned about some of the assessments we have had, for example from the inspector of probation.

We have proactively carried out, with our trade unions, a survey of people in probation to understand what we need to do differently. We have had a similar survey in prisons. We have developed a comprehensive race action plan, which involves the training of staff and the way staff interact with people in prison or on probation. It covers a whole range of issues and is being implemented at the moment.

We have also reviewed the Lammy recommendations and ensured that we continue to take those forward and continue to make the same progress in prisons. I have a team in HMPPS specifically focused on the race action plan and how we are changing the experiences of people in custody and on probation, but also of our staff.

Q57 **Kate Osamor:** How quickly did you realise that there was an issue? Or is it something that you have been working on for quite a while?

Jo Farrar: We have been working on this for a while. It is something that people talked to me about when I first joined the service. That is why we reviewed the Lammy recommendations and then developed the race action programme. That has been in place for about a year now. We are starting to see progress, for example in terms of the number of people entering the service and progressing through the service. We want to ensure that we continue to make the progress that we have seen and just improve the experience for our staff and the people that we serve.



Q58 **Kate Osamor:** How are you going to encourage other Departments to build preventive measures for females in the system?

Jo Farrar: As the permanent secretary said earlier, we have a structure in place now, starting with the ministerial-chaired group, that brings together the action. I would particularly single out health, where we have a really proactive programme for women. We are reviewing the services that we provide across HMPPS and the NHS. That will be published in the spring and will allow us to look at the types of services that we provide for women in prison that cut across health, social care and wellbeing. That is really important.

As I said earlier, the probation leads in the regions are going to be really important to me, in terms of ensuring that we work right across HMPPS—prison and probation—with our partners. As some of you will know, I am a former local government chief executive, so I am passionate about us working with our local partners. That is why I am very enthusiastic about the Avon and Somerset board, which I have been to, and the work in Manchester. I want to see that replicated across the country.

One of the things we talk about in Her Majesty's Prison and Probation Service now is one prison and probation service that works with its partners to deliver much better outcomes for the people that we either serve on probation or who come into custody.

Kate Osamor: Thank you.

Q59

Dan Carden: Are you able to give us an overall figure for the funding that has been allocated to implementing the strategy? As we know this is absolutely dependent on other Departments spending their often scant resources—I am thinking of local government in particular, where many local authorities will be looking at further cuts this year—what are you doing to lead other Departments to allocate some of their funding to delivering the objective of keeping women out of the criminal justice system? **Antonia Romeo:** Perhaps I will start on this. Probably the most sensible thing to do is to say what we have already spent. We have mentioned the £9.5 million that was spent in the community, and then there was £4.8 million allocated for the residential women's centres. We are not going to spend all of that, as discussed, because of the delay in finding the sites, but we will spend some of that in this period.

There will be some money that is subject to our current allocation process that we will be spending during the SR, so during the coming three years of the spending review. That has not yet been signed off, but because this is a priority, money will certainly be invested at community level but also in all this work we have been talking about.

As we have previously touched on, there is quite a lot of additional money that is not necessarily directly associated with the strategy but plays right into the strategy. For example, there is £46 million over three years from



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the dynamic framework in probation. That is money tailored for women offenders. There is—this is a number for men and women, but obviously a

lot of it will support women—the

£550 million over three years for reducing reoffending. That money is going to be focused on accommodation, education and employment. As you will know, accommodation tends to be a particular issue for women, and there is a much bigger impact on families, of course, because women tend to have caring responsibilities at the time of entering the system. That is going to be really significant.

Q60 **Dan Carden:** But that applies to them if they are diverted away from the criminal justice system.

Antonia Romeo: That is about diverting them—indeed. It is MOJ spend, but we worry about diversion as well. But you are right—

Dan Carden: That is not to take anything away from it.

Antonia Romeo: Right. That's correct. It is about accommodation once they leave; it is about education and employment.

There is also £120 million that we are spending over that period for substance misuse, which is another big issue. This was part of the Government drug strategy. That connects with the second part of your question: the DHSC are spending in the region of £500 million over the same period. Their work is on treatment in the community, and that will be via the local authorities.

Q61 **Dan Carden:** Was that the recent announcement?

Antonia Romeo: Yes.

Q62

Dan Carden: Is the other money the Project ADDER money?

Antonia Romeo: There is also Project ADDER money, which is mainly Home Office. I might ask Jerome to say something about the specifics of that.

Q63 **Dan Carden:** So there is actually quite a bit of money around—

Antonia Romeo: There is.



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Dan Carden: —on this issue of drug rehabilitation and addiction issues. How are you working on that particular area of this—rehabilitation—with Departments to make sure that you get the money put in the right place for this agenda?

Antonia Romeo: Jerome has been the lead on this, so I might ask him to say something about that, but I think the crucial thing for the purposes of women and the female offender strategy is that we need to understand what proportion of that is helping women, and we will be looking at the sorts of metrics we have been talking about and capturing that under that governance. On the wider drug strategy, which is led out of the Home Office, essentially, they are holding us to account for delivery of our bit, which feeds up through their governance. Those two things do not need to be mutually exclusive; they can co-exist. They ideally would not be duplicative.

Jerome Glass: To give you a concrete example, we have a crossGovernment reducing reoffending board, which is the way we look

after— we manage—the £550 million that the permanent secretary was talking about. As a very tangible thing that we have done this year, we have put 20 accommodation advisers—housing advisers—in prisons in order to help smooth the journey when you leave prison and try to find accommodation, which, as the permanent secretary said, is a particular concern for female offenders. Four of those accommodation advisers are in female prisons specifically to address that issue.



Q64 **Dan Carden:** I suppose you are talking about supported housing in the community and trying to get people leaving prison into that kind of housing.

Jerome Glass: That is right. It depends on how much you want to go into this, but there are essentially three different types of accommodation that we are providing in the community. One is approved premises, which are the most secure. We have been expanding our approved premises and we are likely to be spending some money to improve the quality of those as well. Some of those are set aside specifically for women. Then there is the bail accommodation and support services. That is a tier down in terms of security, but again, it is accommodation on release. The new thing that we have been doing in this financial year is trying to secure transitional accommodation for people who leave prison. That is men and women, but as I said, we are particularly putting those accommodation advisers into female prisons, because we are aware of that issue.

Jo Farrar: I would like to add to that. We talk about working with other Government Departments, and we have been working with the Department for Levelling Up, Housing and Communities on the scheme that was mentioned. We give transitional accommodation to people leaving prison, and that will give time for DLUHC to implement its £13 million scheme to find permanent accommodation. I heard the earlier panel talking about the number of women who are released homeless. We have seen that reduce this year. I think that is due to the transitional support we have been giving, the 39 additional approved premises places, which are really important, and the BASS accommodation that Jerome mentioned.

To help women move on and feel safe, we have also been working with Nacro, who are our BASS accommodation providers, on a programme specifically about how we make women feel safe and secure in bail accommodation. It is about giving them more security and making them feel more comfortable in the accommodation they are in.

Q65

Dan Carden: How do you work with local authorities at a local level?

Jo Farrar: In different ways. First, we work at a national level with the Department for Levelling Up, Housing and Communities. We have been working really closely with it, first through covid, when there was a particular issue about people being released, but also on an ongoing basis now with the community accommodation service and the new DLUHC scheme for permanent accommodation. We work really closely with them.

We also link in with local authorities at a local level. We are improving our contacts at a local level. I have mentioned a couple of times, because I am very excited about it, the probation women leads. It will be an expectation of them to link in with their partners locally. The probation service already links in locally.

I think that the real innovation is the housing advisers in prisons, which Jerome mentioned. They are making a real difference in terms of working with women in prison and then with local partners to find them the right



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type of accommodation. We have seen the real difference that that is making in the prisons that they are working with. There is much more engagement with local authorities. I went out with one of the housing advisers a little while ago, and you can really see the difference that they are making. That is something we want to continue to support.

Antonia Romeo: Can I briefly add a point on the overall funding? This is something we discussed when I was last in front of the Committee. Because so many of the women who end up in the criminal justice system are themselves victims, the money we are investing on victims is going to be really important—particularly the significantly increased investment in this SR for independent domestic abuse advisers and independent advisers for victims of sexual violence. That is very upstream, but none the less things like this are really crucial as well. We consider that investment helpful in supporting the overall objectives.

Q66 Dan Carden: I have one final question, with two parts. First, where do people suffering with mental health issues fit into that, and what work have you done to ensure that they receive the correct support as part of this? Secondly, Dame Carol Black's independent review of drugs came out recently and led to some of this additional money. There were 32 recommendations in that review. I believe that a lot of the money that has been promised is in the process of being allocated and that discussions are going on between different Departments. Are you involved in those discussions? Can you give me any update on that?

Antonia Romeo: On your first point, which is essentially about liaison and diversion, I should say that what we are doing on mental health issues is a big focus of the Deputy Prime Minister. With the roll-out of the NHS liaison and diversion, that is exactly the sort of thing it is going to spot—what is the suitable intervention now to divert people away from custody. That is one area where it is picked up, and then obviously in other work that we are doing with DHSC.

On the drugs issue in general, Jerome will want to comment, but the money I referred to—the £40 million per year over three years in the SR— is of course part of the drug strategy. I think that allocations have been made by Department. We understand what our bits are, and we will be going ahead and implementing that and working out exactly how we are going to use that money. That is the process we are in at the moment.

Jerome Glass: We are very aware of the relationship between mental health and criminality. It is one of the things we particularly want to have more data on and where we think there is a data gap. There are two concrete things we are trying to do. The is that, working with the NHS, we really want an increase in what are called mental health treatment requirements, which are community sentences that have a mental health requirement, so there is treatment associated with them.



The second picks up on something the witnesses were saying before: we are also committed—this commitment was made in the Mental Health Act White Paper and, indeed, in the prisons strategy White Paper—to try to end the practice of prison being used as a place of safety. We are exploring how we do that. Again, that is something we are tangibly trying to do to address the interaction between mental health and criminality.

Q67 Kate Osamor: You will be glad to know that this is my last lot of questions. I want to ask you about achieving your objectives. The Report found that you did not set any targets for your main objectives, which seems a bit problematic. If you don't have any targets, you don't have any milestones—you don't know what to measure against. How are you going to change that, and what are your priorities going to be going forward?

Antonia Romeo: It comes back to the evaluation points we talked about before. As I said at the start, we have a red, amber, green model for where we have got to on the 66 commitments, but we want to get much more detailed on the metrics. The concordat published last year has set out some specific metrics that we want to look at via the three pillars of the strategy—essentially, early intervention, community solutions and better custody. Those are the three objectives. As we talked about before, we have out-of-court disposals as an example in the first, pre-sentence reports as an example in the second, and so on.

As Jerome mentioned earlier, we also have to look at some specific, more detailed evaluations. There are two areas where we are already making some progress with the data. One is something called the BOLD programme, which is better outcomes through linked data. This is a £20 million cross-Government shared outcomes fund that is running until March 2024. It is looking at joining up that data, which will then give us a much better picture on that front. Separately, there is the shared outcomes fund, which provides funding for pilot projects. Our prison leavers project, which Jerome has been heavily involved in, is £28 million over two years to help support that. Those are examples of particular funding looking at particular interventions that are data-focused, because until you've got the data, you can't do the evaluation.

Q68 Kate Osamor: In regards to providing funds, to date the Ministry has not given any money to the community—local areas where funding could help them set up initiatives to feed into the work you're doing. If there isn't any money in the community that people can apply for—when I say people, I mean organisations—how are you going to have a more joined-up approach? You can't do it on your own. You need their support.

Antonia Romeo: The community money, of course, would include money bid for to do that sort of work—so, like the local data tool. Some proportion of the £9.5 million that we've put into the community over the past few years will have gone into that sort of work. But we are actually seeking to increase the amount of grants bid for. The allocation was greater than the



amount we spent last year, because it wasn't fully bid; this year, I am pleased to say, it is over-subscribed, which is a better place to be in terms of bidding for grant funding. Some of that money will go towards local data initiatives—for example, the local data tool.

Q69 **Kate Osamor:** Has the Ministry provided any seed funding?

Jerome Glass: Yes. We very specifically provided some seed funding for what's called the whole-system approach, which some of the witnesses were talking about earlier. We gave that to six regions in 2015-17. Obviously, that is something that we would hope is being picked up as part of the grant funding that the permanent secretary was talking about. As an example, Greater Manchester has received some, as have Norfolk, Surrey, Sussex, Lancashire and West Mercia. It is in six different regions around the country, so the short answer is yes.

Q70 **Kate Osamor:** From what you have just said, 2017 was the last time that there was funding. Maybe I misheard you.

Jerome Glass: We provided funding in 2017 over three years, so it would have covered 2017, '18 and '19. From the strategy, which came afterwards, we then committed the £5 million, which over the next few years has become £9.5 million. Again, it is all building on trying to build up the women's community sector specifically.

Antonia Romeo: Part of this will be done through the money that we will be investing over the coming spending round. That is the allocations process I described earlier.

Q71 **Kate Osamor:** To go back to Mr Glass, where you have provided the seed funding, are those the same areas where there is good collaborative work happening? You have Manchester, and you also have Somerset and Avon. Are those the same areas where seed funding has been given or not?

Jerome Glass: We would hope that the seed funding has been helpful in setting up these sorts of whole-system approaches. That is certainly true of Surrey, Greater Manchester and some other areas. What I cannot do is provide an exact one-to-one that the seed funding we gave has necessarily led to the best practice in a whole-system approach. That is not the way we have gone about it, but certainly there is a correlation between the seed funding we gave and the areas that are particularly good in the wholesystem approach. Again, that is then supplemented by the £9.5 million, and then by the further funding that we would potentially be putting through the allocations process into a longer spending review period.

One thing that I want to pick up from the previous witnesses was about the sustainability of the funding as well. One of the issues that there has been is that it has been a series of one-year spending reviews, which has made it difficult—we recognise that—for the sector, because they are getting money on a one-year basis. We would hope that, with a multi-year spending review settlement, we will be able to give a bit more certainty over a longer period of time, which will help—I think it was Kate Paradine who was talking about this—with the continuity of that service.



Q72 Kate Osamor: Mr Glass, why are you unable to say if the seed funding has been influential in the work that has taken place in these areas? Do you not get feedback from those you give money to, or do you just give free money out?

Antonia Romeo: May I comment on this? Greater Manchester is a great example. The seed funding has gone in. They have got a problem-solving court, so they have used this funding to do some really good local work—it is set out on page 51 of the Report. We know there have been big results on reducing reoffending and on the numbers of women coming in, and we can see what is happening in Greater Manchester compared with England and Wales as a whole. Jerome's point is that attribution is always difficult but, none the less, there is a correlation between seed funding and good practice in those areas. There are also other areas that have had money—not within that £1 million seed funding, but they have had money via grants—and they have also got good practice. There is quite a lot of good practice going on; it was not just those that got seed funding. What we now have to do—to the Chair's early point—is work out how we share that and how we scale it up, essentially.

Q73 Kate Osamor: Which is really important. Otherwise, how are you able to measure it and also beat your own drum? It is not about saying, "Well, we're not going to attribute the success to the money that we've given." You should be able to say that and have data to back that up. That is really what we need to see so that we can say it is successful.

Jerome Glass: Exactly. We recognise that evaluation is incredibly important. It is worth saying about evaluation—this is common in lots of the interventions that we make in reducing reoffending—that the sample sizes are quite small. That makes evaluation quite difficult, which is picked up in the Report. That is not to say we should not do it, but it just makes it a bit more difficult to directly attribute improvements to one particular intervention.

Q74 Chair: On the point about evaluation, do you now regret that there was not more of that built in from the beginning when the strategy was unveiled, so that all partners could be expected to build in evaluation from day one?

Antonia Romeo: When one wasn't there, it is always easy to say one would have done it differently. The reality is that it was difficult to do because it was a strategy that was not actually treated from the start as a programme.

Q75 Chair: I appreciate your candour on recognising that. Do you think that that is one of the main reasons it has perhaps been a bit slower to deliver than we might have all hoped?

Antonia Romeo: I think it wasn't intended.

Chair: It isn't about intent, but it is about, practically, what it has actually achieved.



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Antonia Romeo: Agreed, but I think it was misnamed rather than mismanaged, if you see what I mean. It was referred to as a programme, but it was actually being treated as a strategy.

Q76 **Chair:** This is such a Whitehall angels-dancing-on-a-pinhead moment. When we rewrite “Yes Minister”, Ms Romeo, you will get a cameo appearance for that answer. There are plenty of much more egregious examples, I should stress. You are quite low down the list.

You talked about the 66 commitments in this strategy, programme or whatever you want to call it. Will you be able to publish that and show us which ones have been completed, green, and which are red?

Antonia Romeo: Yes, I think—

Jerome Glass: We shared our progress update with the Advisory Board on Female Offenders in November last year. I do not think we have anything particular to say. I think implementation—notwithstanding the frustrations on some parts—overall has been quite strong. I understand the concerns from the sector, particularly on prison places, but the actual implementation of what is in there in lots of places has been—

Q77

Chair: It seems to me that you cannot do this on your own. I think you realise that. You are big because of the prison bit and the courts and probation bit, but you are expecting and hoping that all the rest will be provided elsewhere, so surely the more it is shared, the better. It seems to me, from our pre-witnesses and you, that there is a shared agenda and the direction. They are frustrated that it is slower than they would want to see. Are you frustrated that it is slower than you want to see?

Antonia Romeo: Yes, but we cannot overestimate the impact of the pandemic on this, so it is difficult. Of course, when I was talking about strategy and programme, it should be a programme. It should be managed as a programme. We want to understand the metrics and ensure we deliver it. Current Ministers across Government are reviewing exactly what those outcomes will be and how we best deliver it, but yes to that. We want to make swift progress and we want to measure the progress that we are going make, and we think that that should be across Government.

Q78

Chair: Given that there is good practice going on—we have all heard some really good stuff—how are you going to disseminate it so that other areas know what Manchester and what Avon and Somerset are doing? What actual tools do you have to bring people to the table? You do not manage PCCs or the police. How are you going to ensure it actually happens?

Antonia Romeo: In terms of dissemination, the first step will be the publication of the one-year-on report of the concordat, which sets out the whole-systems approach. It will set out some of the joined-up work we are doing and where best practice exists, and we will then want to further invest in that.



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In terms of incentives, as I said earlier, I think everybody has a shared incentive here. We are all aligned. We want to improve outcomes for women in the system. We want fewer women coming into the system and we want them to not come back into the system. We want them to have appropriate custody while they are in there, if they need to be in custodial conditions. All of that is totally aligned, and it is just how we work across all of our CJS

work. It is about joining up the local with the national. It is not just local; it is about doing both.

Q79 Chair: I recognise the challenge for you at the top of the Department trying to get all the datasets lined up, and it is a big problem across Whitehall. The data officers and all that were great. However, the concordat you just described lists data, not performance measures. I hear what you are saying, Mr Glass, about small numbers, but you can do a mixture of qualitative and quantitative, because the qualitative stories on this and how you prove—I am sure in negotiations with the Treasury— what money you are saving the wider system can be done. Are you going to look at proper performance measures for all areas? How are you going to show those cross-sector savings that you are making? Are you doing any kind of evaluation on the numbers, on the money? Spend to save— one would hope.

Jerome Glass: I think the short answer is yes, we do want to have the metrics in place. You are completely right that that is the way we demonstrate what is going on. As we said, we are evaluating a large number of interventions. We are evaluating the out-of-court disposals, pre-sentence reports and so on. As those evaluations prove their worth, we would hope to be able to make the case to the Treasury to spend more on that. If we had been able to do that sooner, we might have been able to roll it out faster. I understand that that is a point of frustration, but we are doing it now.

Q80 Chair: Ms Romeo, say you are the accounting officer at the Treasury. How easy is it to convince them to spend to save?

Antonia Romeo: We have had a record spending review settlement, so one of the key things we have got to do is to look at—

Q81 Chair: Does that include the prisons money, or are the PFIs taken away?

Antonia Romeo: Yes, indeed, on capital, but our resource money has also gone up significantly over the period. As I say, we have significant additional investment for things such as reducing reoffending and for victims that will make a real difference in this space. What I want to do in our allocations is make sure that we have the right funding going into this, given that it is a real priority for the Department and for the Government.

On your invest to save point, this is the classic position that we always find ourselves in in the MOJ—we want others to invest so that we will save. However, the joined-up working is actually about us getting upstream and doing some of that diversion and investing in that ourselves. In allocating the grant money, we are always looking at judgments about what works. That is why we always look at best practice where it exists. With things like



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the What Works centre, the Justice Data Lab and the local data tool, we can look at what actually works in interventions. That intervention data is crucial, because otherwise it is impossible to make the choice between different investments.

Q82 Chair: In some of the qualitative work you are doing, are you looking at the actual quantum impact of diverting somebody from not going into custody—the impact on the children and their life chances, on housing and stability and perhaps on getting back into work and so on—and therefore the cost you are saving the wider system? Are you doing any of that analysis or commissioning any of that work?

Antonia Romeo: Some of that has been done already. In fact, some of it is in the Report, about the cost to the overall system of women entering the system. In terms of ongoing work—

Q83 Chair: Proof of concept shows the Treasury, the Committee and the taxpayer that you are not only getting a good outcome for the individual, in this case, but you can do it cost-effectively for the taxpayer. That is a double win.

Jerome Glass: That is exactly what we have been doing in the wider reducing reoffending space, where we have been able to demonstrate the value of the interventions that we were talking about earlier on housing. That has helped our case with the Treasury. In general, a couple of years ago we did some really interesting analysis on the total cost to the system—not only the cost to society but the fiscal cost of reoffending. Given that female offenders have higher reoffending statistics, as the Report brings out, that case should be quite easy to demonstrate.

Chair: I thank you very much indeed for your time.

Antonia Romeo: In the spirit of correcting something while I am in the room, I said earlier that we are expecting the female prison population to go up by 1,300, but in fact it is 1,100.

Chair: We do like it when people correct in the moment. If only some of our colleagues took the same example. That is a good example set by officials in Whitehall.

I thank you very much indeed for your time. As you know, we have looked at this area a few times as a Committee, and we will continue to watch closely. It is common sense in every way, I think we would all agree, to keep women out of prison. It is cheaper, better for them, better for their children and families, and better for society if it works, so let us hope it does. I do not know whether we will agree to differ on the 500 prison places, but we will obviously reflect on that as we put our report together. The transcript of this session will be on the website uncorrected in the next couple of days—thank you to our colleagues at *Hansard* for that—and our report will be out in due course. We have a short recess, so it will be at some point after that.