

Justice Committee

Oral evidence: [Transforming Rehabilitation](#), HC 482

Tuesday 27 February 2018

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Members present: Robert Neill (Chair); Ruth Cadbury; Bambos Charalambous; David Hanson; Gavin Newlands; Ms Marie Rimmer.

Questions 118 - 192

Witnesses

[I](#): Jacob Tas, Chief Executive, Nacro; Andy Keen-Downs, Chief Executive Officer, Pact; Steve Matthews, National Contracts Manager, Shelter; and Lorraine Preece, Chief Executive Officer, YSS Ltd.

[II](#): Beverley Toone, Senior Employment Projects Manager, Business in the Community; and Sam Boyd, Policy and Impact Manager, Switchback.

[III](#): David Lloyd, Chair, Association of Police and Crime Commissioners.

Examination of witnesses

Witnesses: Jacob Tas, Steve Matthews, Lorraine Preece and Andy Keen-Downs.

Chair: Good morning everyone, and welcome to our evidence session on transforming rehabilitation, one of a number that we are going to have. Thank you very much to all of the panel for coming to give evidence to us. We have to start formally with Committee members making their declarations of interest. I am a non-practising barrister and consultant to a law firm.

Bambos Charalambous: I am a non-practising solicitor.

Ruth Cadbury: I was trustee and chair of the Barrow Cadbury Trust and I may in the past have had some connection with one or more of your organisations.

Q118 **Chair:** Could the panel introduce yourselves, your organisations and, for the record, tell us what your involvement currently is with the delivery of probation services? It might help us with our inquiry to know whether you were involved before transforming rehabilitation came in, purely since, or both.

Jacob Tas: My name is Jacob Tas. I am the chief executive of Nacro, the social justice charity, which has been going for over 50 years. We have delivered lots of justice services pre transforming rehabilitation, and post as well. We are a strategic partner of Sodexo, responsible for six CRCs, and we operate in three of those—two in south Yorkshire and Essex from the start and the third in BeNCH since, I think, a year ago.

Andy Keen-Downs: I am Andy Keen-Downs, chief executive of Pact, the Prison Advice and Care Trust. We have been working with people with convictions and their families for 120 years. We developed a lot of mentoring programmes without payment by results measures being necessary, and over the last 10 or 20 years we have worked with a number of probation trusts to develop voluntary mentoring schemes, through-the-gate schemes and other rehabilitation services.

We are a charity principally interested in family and relationships and are working in over 60 prisons. On TR, we have a number of modest contracts, working either to deliver face-to-face through-the-gate mentoring services or family support services. Those are in South Yorkshire, Cumbria and Lancashire, Wales and the south-west, and there is something in Thames Valley as well.

Steve Matthews: I am Steve Matthews, the national contracts manager for Shelter. Shelter has been involved in the delivery of the TR contract since the start of the whole process and was involved in delivering services before TR came into being. We are delivering in five contract areas across, currently, 19 prisons. We are working in contract areas in Cheshire and Greater Manchester, Merseyside, Humberside, Lincolnshire, North Yorkshire and Northumbria, and in Cumbria and Lancashire as well.



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Lorraine Preece: My name is Lorraine Preece. I am the chief executive officer for YSS, which is a charity that has been around for over 30 years delivering innovative services to people specialising in criminal justice work and specialising in one-to-one support in the community. We have a strong local presence. We work in the Warwickshire and West Mercia contract package area, and currently have a contract with that CRC, but we have held contracts with what was formerly the probation trust since the early 2000s.

Q119 **Chair:** Thank you very much. One of the stated objectives of transforming rehabilitation was to open up the market. Has it?

Steve Matthews: My perception is that it has opened up the market to a certain extent, in the sense that when TR started there was an opportunity to engage other providers in the voluntary sector in the delivery of contracts, but that was restricted because of the way the supply chain and the list of approved providers was put together. Larger voluntary organisations such as ourselves, who have been able to get involved in the delivery of the contracts and take the financial risk, have become involved, but—my colleagues will probably share their own experiences—it has been a struggle in terms of the financial pressures involved in delivering those contracts. For other organisations, particularly smaller voluntary sector organisations, it is even harder, and it is particularly hard to get involved at this stage of the process. There needs to be more opportunity to open up the market to encourage more organisations locally to get involved to meet local needs.

Q120 **Chair:** Does anybody dissent from that view?

Lorraine Preece: On opening up the market, from a voluntary sector perspective, I think the expectations were set when transforming rehabilitation was introduced. There was huge potential for voluntary sector providers, and several hundred registered on the portal to say they wanted to be part of the supply chain. That has not materialised for a number of reasons. We were fortunate that we had an existing contract that was novated across, so we stayed in the supply chain. I do not see there being many new providers in the voluntary sector. There are probably fewer now than there were before, so it certainly feels from a voluntary sector perspective that we have taken a step back.

Q121 **Chair:** It is a step backwards as far as you are concerned.

Lorraine Preece: That links to innovative practice, and to the pay mechanism structures and how the contracts are structured.

Andy Keen-Downs: I concur with what has already been said. It has opened up the market to a greater extent for larger organisations that have more capital, a bigger capital base and bigger capability to manage the risk involved. We are probably one of the few medium-sized voluntary organisations operating in the market. Organisations smaller than us have really struggled.



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Jacob Tas: From my perspective, as I have said before, the ambition was indeed to open up the market, but also to look at best practice, and therefore give more work to those who deliver good outcomes. That has not materialised. We are very clear that lots of smaller charities who work in the community really struggle to sign up to complicated contracts, and therefore have, in a way, been pushed out of the supply chain. There is a misconception that larger charities, such as Nacro, benefited from that, because pre the work we are doing in TR, our volume of work was three times higher than we are doing now in transforming rehabilitation. The whole industry, or the whole third sector, has suffered from that, and we have not seen the uptake of “This is working. Let’s do more of it.” I cannot compare necessarily how it was working pre-TR, but one of the arguments was that it was quite a closed probation service, and we wanted to get innovation and new ideas.

Q122 **Chair:** Okay. If there were a couple of things you could do to improve it, what would you do?

Andy Keen-Downs: If it was about improving what we currently have—

Q123 **Chair:** Yes, more voluntary sector involvement.

Andy Keen-Downs: There needs to be more cash in the system for smaller organisations. The contracts need to be proportionate to what a small organisation is capable of taking on. We spent tens of thousands of pounds on legal and professional fees just to read the contracts and negotiate them. Smaller organisations do not have that capability. The kind of spot-purchase approach that we have seen over many contracts does not work for people. What we are seeing is a pushing down of risk as well, so even though there has been more money put into the system for the prime contractors, organisations such as ours have not seen any benefit. In fact, we have seen some values of contracts cut due to poor referrals—poor contract management. It needs a wholesale review.

There is a more fundamental thing. Most of the services that genuinely reduce reoffending and aid rehabilitation are outside the scope and control of TR. They are about housing, mental health, addiction, health—

Chair: We will come on to those.

Andy Keen-Downs: There is a fractured, disjointed approach.

Q124 **Chair:** A lot of the written evidence says: “Fundamental review”. But what about some quick deliverables, Mr Matthews?

Steve Matthews: As one of the larger providers involved in delivering TR, even we have found that we struggled to be able to innovate. Where we have innovated, it has largely been at our own cost—at our own expense. On occasions, we have been able to work with the CRCs to deliver innovation in particular areas, but it is by no means widespread. The contract arrangements themselves preclude opportunities for innovation, because the contracts are so tight financially, and the current



providers are under a lot of pressure to make budget cuts, as my colleague said.

There is lack of opportunity for innovation in terms of other organisations being allowed to come in to deliver innovative services that meet a local need, so although we have the TR contracts in place, there need to be more resources put into innovation funding, which is based around supporting the needs of local CRCs and local prisons and allowing them to make decisions about what is needed.

Lorraine Preece: We have a payment mechanism that does not recognise or promote innovation. We have a payment mechanism that promotes traditional methods of delivery, accredited programmes and unpaid work, and in accredited programmes, certainly in the areas that YSS works in—rural areas, urban rural areas—that does not work.

Jacob Tas: From our perspective, the fact that, of course, the system has been under considerable strain, with lower volumes and with the change itself, means that we have not really come out of that. I echo what has been said, but it is important to realise that, apart from innovation, we need to fund the work that the voluntary sector can do in the first place. We have been equally hit by lower volumes and are therefore in a tight squeeze, so at a certain stage it becomes unviable to deliver those services, and definitely to our own charitable objectives. That is, I think, where the voluntary sector was meant to play a bigger role, and we are still convinced that we can play that bigger role because we are focused on outcomes and changing lives. We are not necessarily focused on contractual outcomes. Maybe we will come to that later.

Q125 **Bambos Charalambous:** I am trying to look at positives. Are you able to give us examples of successful voluntary and community sector involvement at local level, and how that best practice can be replicated at national level?

Lorraine Preece: We actually have a positive relationship with the CRC, which is PeoplePlus, but they have made very clear to us the reason for cutting our contract significantly. We were working with 160 people at any one time—the most complex and chaotic cases, with multiple and complex needs. That has been cut to working with 42. They made it very clear that they did not want to cut that, but that it was because of the financial constraints they were facing.

In terms of what we are doing locally, we are using some of our own free reserves to supplement the work, in Herefordshire particularly. We have built relationships with local grant-giving trusts to fund work with people in the criminal justice system. That is very successful collaboration in a local approach. There is good work happening, but it is not everywhere, and it is not because the voluntary sector just expects contracts with a CRC. We are quite happy to do what it takes ourselves to bring added value and additionality to what we are doing, but it is very difficult with the financial constraints that everyone has talked about. The budget cuts



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and the WAV band weightings have made it incredibly difficult. The money is not there for us.

Steve Matthews: There are lots of really good examples where we have been able to link with local services, local mentoring services, women's centres and other organisations to support individuals when they are released, particularly during the first 48 hours. Having a mentor to pick somebody up at the gate and support them when attending appointments is really important, but, unfortunately, it is not widespread. There are examples of very good services that we are able to link to, and we do that, but, as has been said, the financial constraints on the contracts mean that there is a lack of mentoring provision around the country for resettlement from prisons.

Of course, there have been cuts in overall funding to a number of those services. Some services have had to withdraw from TR just because of that very situation, so the picture is not great. But there are pockets of very good practice and examples where we could encourage more good practice that would support the contracts if more resources were put into them.

Andy Keen-Downs: As a frontline agency, the things we are most proud of would be through-the-gate mentoring services, where we have staff and volunteers working out from prisons, engaging with prisoners pre-release and supporting them through the gate. The payment metrics allow for a certain number of hours of contact time. We probably bust that by 300% in terms of the time we spend with our service users, and we do that at our own cost, so it is a similar story, but those kinds of mentoring services work; they are effective.

We have also had some very good work in the midlands, through the RRP supply chain, where we delivered resettlement programmes based on reuniting people with their families. That was a piece of innovation, because family work was not in the core operating model for TR, even though everybody knows that if you can strengthen family relationships, you can massively reduce reoffending, but you do not get paid for restoring family relationships. We did some really good innovation for a year until the money ran out, and that work has now been stopped.

Jacob Tas: I am particularly proud of the work of my staff who work in prisons and in communities within the TR contract, because, despite the difficulty of having to type information three times into different systems or filling in and ticking boxes that are not focused on outcomes, they still go at it. They are driven by building a relationship and helping service users to turn their lives around and become law-abiding citizens.

It is interesting that, for example, we have been funded by the NHS in a few London prisons to do exactly what we used to do for prisoners with mental health issues, which is to meet them at the gate, and we have massive success in that. That is in addition to the work the CRC does. People with severe mental health issues have their GPs and their



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prescriptions, they are met at the gate and they have a place to live, and, though very small, that has great success, funded by the NHS. It should not be working like that, but it is linking up all the different elements to make sure that somebody can make a good transition.

Q126 David Hanson: We are 19 minutes into this session, and I do not think I have heard the words “Ministry of Justice” said by anybody on the panel. Who is directing all of this? Where is the MOJ? What is the plan?

Steve Matthews: It is interesting that we are still working to a contract model that is very much focused around completion of resettlement plans, seeing people at the very start of their sentence and then at the very end of their sentence, without any real support in the middle. We have been waiting for nearly two years for changes to the model itself to have more focus on outcomes and delivering real resettlement support to individuals when they are in prison. At the moment, the contracts seem to have got stuck in the mud, in the sense that they are very much focused on completing resettlement plans.

Q127 David Hanson: Can anybody tell me this, because I am genuinely interested? The MOJ has launched this ship and sent it off, and in so doing seem to have reduced the amount of funding going with the launch of the ship. What is the relationship between you on the ground and the Ministry of Justice upstream? Is there any strategic plan, any oversight or any direction? Is innovation entirely up to you? Who is monitoring the outcomes? What does the MOJ do in all of this?

Jacob Tas: The MOJ, I think, and Michael Spurr have acknowledged that TR has not delivered against its ambition. We all closely follow, or at least we at Nacro closely follow, what is happening there. In essence, we work through, in our delivery model, the CRCs, who are the prime people. Unless we have a policy department or we try to influence things from the top, from the Ministry of Justice, we are bound by what we get given, but the—

Q128 David Hanson: The key point for me is that the Ministry of Justice and CRCs are still public money, and I am wondering if there is anybody sat in the building just half a mile from here who is looking at this landscape and saying, “What do we want from all this? We have launched this ship. What difference does it make?”

Jacob Tas: Just to finish my answer, in terms of the recognition that it is not working as planned, they are working, from what I understand, on how they can make the system better. We have been waiting not only for what happened pre-summer last year in terms of the finances for CRCs but particularly for our work. There were noises in the system, or quite strong noises, that we would focus more on getting people a job, getting them a place to live and having family ties. We have all known this for years, but it has not worked out yet to that level, and it has not come through. Maybe the Justice Select Committee can help in unblocking it.



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We are raring to go and keen to do more work around it, but it has not filtered through.

Lorraine Preece: Four years on, there still seem to be major outstanding commercial issues, and we need to resolve them. I read the evidence that has been submitted to this Committee. I think there were 83 submissions. Some of them were from the CRCs themselves. One CRC said that they had spent £6.5 million on IT only to have the goalposts moved by the MOJ, which meant it was too expensive to carry that forward, so they had to halt it and go back to the MOJ system. That £6.5 million, as a basic perspective, could have been used for frontline delivery.

On the issues in the contract performance, the MOJ appears to be monitoring not outcomes but outputs. We should be monitoring the impact we are having on people's lives—some of the most marginalised people in society, people with multiple and complex needs. It is not about timeliness of reports; it is about what we put in those reports and whether we follow through on what we say. That is what it should be about, but it does not appear to be that way to me.

Steve Matthews: IT is a big issue on the ground. If you are trying to deliver services in a number of contract areas and a large number of prisons, when different systems are being used in prison from probation and out in the community, when potentially staff are working in prisons, inputting information to five or six different computer systems at the same time, and unfortunately they do not speak to each other, sharing information is quite difficult. It relies on staff emailing responsible officers in the community. There are some solutions to those issues, which are very much focused on not continuing to invest in very expensive IT systems but settling on one system that could be used across the board.

Q129 **David Hanson:** Can I have a yes or no answer on this from each of you? Do you think the MOJ currently has a grip of the issues? Just a yes or no.

Steve Matthews: No.

Andy Keen-Downs: No.

Lorraine Preece: No.

Jacob Tas: No.

Q130 **Bambos Charalambous:** From a previous answer, I was horrified to discover that you are funding some services yourselves—from reserves in some cases—that benefit offenders when they come out, so that you can help to rehabilitate them, and that that is partly due to the cuts that have been imposed upon you from the CRCs. I think Shelter wrote in and gave evidence about how the lack of funding means that organisations have to invest their own money to try out new approaches. Innovation is very important, but what change do you think needs to be introduced to incentivise innovation? Is it just funding, or are there other things?



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Lorraine Preece: What do we mean by innovation? Actually, it is delivering the appropriate services very well. We talk about innovation: what does that actually mean, what does good performance mean, and what should we be measuring? My board—our trustees—chose to put some of our own free reserves in, because the budget cuts meant that we were pulling out of a rural county, Herefordshire. We felt very strongly about that, and they made the decision to put some funding into that area. We were happy to do that for now, while this whole thing is underfunded.

Q131 **Bambos Charalambous:** But by doing that you are, in effect, doing partly what the CRCs are meant to be doing themselves.

Lorraine Preece: The CRC that we worked with made it very clear to us that they did not want to cut. We were working with, as I said, an active caseload of 160 people with the most complex and multiple needs, always with waiting lists to access the service for one-to-one intensive support in the community. The CRC made it very clear that it was because of the terms of the contract. They did not want to cut it and they valued what we were delivering, but they could not afford it under the current terms of the contract. It is very significant for them to say that.

We actually have a good working relationship with our CRC, but we have to look again at how those contracts were set up, and look at the reducing reoffending element. Transforming rehabilitation was supposed to be about reducing reoffending, yet the incentives for reducing reoffending for the CRCs are very few compared with the rest of their contractual requirements, so they are almost de-incentivised to reduce reoffending, if that makes sense.

Steve Matthews: We have people who have good relationships with the prime contractors and the CRCs we work with. We have worked with Interserve to support innovation in prisons such as Styal and Risley, but again because of the financial constraints on prime contractors, there is limited opportunity or scope for innovation—full stop. Outside the TR contract requirements, more needs to be done to look at what is actually happening or is needed at local level. If innovation funding could be directed to local needs, and prison governors and CRCs given more scope to commission services and look at innovation, it would open up more innovative thinking around services that could support people both within a custodial environment and when they come out into the community, but, unfortunately, the lack of resources and the lack of funding generally is stifling innovation—full stop.

Andy Keen-Downs: If I might, I will come back to the question about where the MOJ is in all of this. I think there is a question about where prison governors are in all this and where the population management is. One of the major issues we find is that we are often put into locations where we are chasing the service users—the clients—for the contract package area we are working to. Prisoners are often in the wrong place. You might find yourself in a resettlement prison that is supposed to be for



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that contract package area but is full of men from a different contract package area you are not contracted to work with, or you are not contracted to work with their NPS caseload.

Rather than the traditional approach of charities, which is to assess need and respond to the greatest need with the greatest effort, we find ourselves very much constrained. The services are fragmented and wrongly located. The prison reform Bill that was cancelled was going to put greater accountability on governors for rehabilitation, but governors have been largely disempowered from the process; they have not been involved in service design particularly, and they have very little control over what the CRCs or the supply chains are delivering. We have a very fragmented system. In order to get any real innovation into it, we need to look at ways of rejoining it.

Jacob Tas: I strongly echo that. While we are looking at success or failings of TRs, there is, of course, a whole system; nowhere is as important as governors and prison, but there is also the community, with the police and other providers. We are looking at TR, but it is part of the whole chain, so we should realise that. The other thing is that innovation sounds brilliant, but can we just do what we know works? That would be my aim at this stage.

Chair: Okay. There is a lot of assent to that.

Q132 **Ruth Cadbury:** We have already touched on through the gate. Is there anything any of you want to add to what you have already said about what changes would be needed to enable through the gate to work effectively? How easy is it at the moment to provide peer mentoring and support to prepare prisoners for their release?

Steve Matthews: Certainly, peer mentoring is a key part of our model. Without peer mentors operating in prisons, it would be very difficult for us to deliver services. They are a key link with our staff who are delivering resettlement services and engaging with prisoners. That is a key issue, because one of the things we have found quite difficult since mobilising the contracts is engaging prison governors and prison staff in the whole resettlement process. Obviously, there are situations in some prisons where security is more paramount and therefore resettlement services are given less priority. It is very important that we have peer mentors operating in a prison. That is key.

In terms of how we can make the services better and improve the way in which we are delivering the current services, we need, first, to look at the IT issue; if we are not going to get a new case management system, which has been promised, we need to settle on using a particular system, perhaps nDELIUS, which is used in the community by probation services, and bring that into the prison so that we are operating off one system. That would, I think, improve communication and the sharing of information, hopefully without some of the big costs that have been talked about.



We also need to look at the actual process itself. It is very much driven by the need to complete resettlement plans; we go through the basic custody screening process, and then there is a big gap and we pick people up 12 weeks prior to release. There is a lack of support in the middle, mid-sentence. Peer mentors are really important. From our point of view, we go beyond the current contractual requirements because we are able to provide crisis interventions and support to individuals where there is a need and it is identified, but it puts our staff under a lot of pressure to deliver those services, when, contractually, they are only expected to deliver services at the start and end of the process. The system does not work in the way in which perhaps it was designed and intended to work. There are things that could be done that would be relatively quick fixes that allowed the processes to work a lot better.

Andy Keen-Downs: Historically, we have focused more on the use of volunteers, because volunteers are the local community, but there is an increasing difficulty in getting volunteers vetted—getting them security cleared—in order that they can enter a prison or work in the community. That is a very practical quick fix. There needs to be proper resourcing so that we can get volunteers vetted. We can provide all the training, supervision and management and handle the risks, but there is a potentially much bigger workforce within communities. That is traditionally where we have come from.

Lorraine Preece: Before I talk about what we do regarding through the gate, I want to take a step back and look at what could be regarded as the chronic overuse of short sentences. People who are vulnerable are being given short sentences and come out with even more issues than when they went in. The use of community sentences has halved in the last 10 years, and we need to unpick that. There is a lack of confidence in sentences. CRCs are not represented in court. It is part of a much bigger picture. There are the unintended consequences of recalls, as a result of the new licensing requirements for those serving short sentences.

All of that aside, what about through the gate? Absolutely. In 2003, for five years, YSS was involved in an innovative pilot called Connect, funded by the European Social Fund. It was working with short-sentence prisoners delivering proper through-the-gate services. It was voluntary engagement, and I think that is really key, working with people who want to engage with you rather than imposing it on them, with gate collection and intensive support in the community. For me, whether someone is coming out from prison or whether they are on a community licence, that intensive one-to-one support—having someone sticking to them like glue and helping them navigate the barriers that they face on a day-to-day basis—is key to turning people's lives around, whether it is through the gate or in the community.

Jacob Tas: Because we are working to our charitable objectives, we do this work to help people to become successful and law-abiding citizens, but we are also obliged to deliver a certain contract, and the contract



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terms, as we have said before but I would like to reiterate it, do not help because they are box-ticking; they are about how many hours you have worked with somebody—not about the outcome you achieve. You only work with some people for two hours and you get a successful outcome; for some people it might be 20 hours, so we should focus on outcomes in the through-the-gate work. It cannot be just left to us and the personal aims of our staff on the ground. It should be reflected in the contract as well. Mentoring is of course a very powerful instrument, but it also requires the right number of referrals to come through, with probation officers seeing it as a possible and successful intervention. Again, it is a system approach that needs to be looked at.

Lorraine Preece: That is where the added value comes from using volunteers to do a gate collection. The reality is that that person can spend several hours with someone on their day of release checking out the accommodation and their appointment with their offender manager. That is absolutely key in their rehabilitation and giving that person the best possible chance. The use of that mixed economy, with professional staff and volunteers who have the proper training, is very powerful and effective.

Q133 **Ruth Cadbury:** I have one final question for the three of you. Shelter has talked about prisoners being given a prisoner discharge pack with key items and information to help them in the period following release. What do the others of you think of that proposal, and what should be in the pack?

Andy Keen-Downs: I would agree; we would concur. An initiative called vinnie packs, which the St Vincent de Paul Society organises for people who are homeless, is a similar sort of model. We have raised funds and used our own resources to provide just such packs. When people are released immediately before Christmas and they have accommodation for 48 hours, you need to make sure that they are not going to freeze to death on the streets. That is the first priority. There is a whole range of things that are needed. You need to make sure that people can make their appointments; they need money to travel. You need to be able to communicate with them, so they need a phone. We still see people leaving prison in winter wearing flip flops and T-shirts and carrying an HMPPS bag with some rather grungy belongings that they went into prison with. It should be based on need. Some people leaving prison may be picked up by an Audi, and they are fine, but lots of people need the most basic things just to survive the first few months after release.

Jacob Tas: It is whatever helps. Nacro provides pocket planners when people go into prison, so they are already starting to work on how they can maintain their home or mortgage or whatever, and retain family relationships. It starts far earlier, of course, than on the exit. The only risk is that we provide it and think we are done. There are far bigger problems that we need to solve; ensuring that people have sustainable



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homes and a job to go to, or their benefits and all that stuff. If the pack helps with that, I would be all for it.

Steve Matthews: The key thing is that, when people are released, within those first 48 hours they need some basic provisions such as a cheap mobile phone with a top-up card, travel warrants and warm clothing, if they do not have it. It needs to be based on need, and toiletries and things like that are quite key. Quite often, it can take up to six weeks for individuals to receive any form of income, just because of the way universal credit works, and not being able to make applications until the day of release. In quite a lot of situations, individuals are faced with having to get through those first few weeks without any income or support. Discharge packs, while they sound quite basic, are fundamental in supporting individuals at the point of release.

Lorraine Preece: I think it is a good idea. It is about having one-to-one support. The people we provide a service to need someone to speak to when something goes wrong. In their eyes, it could be something quite minor that turns into something quite major. All the people we support on release from prison have access to an out-of-hours helpline. It is not a Monday-to-Friday, nine-to-five service; if something goes wrong, they can speak to one of our qualified workers from 5 o'clock in the evening to 9 am the next day—it is 24 hours—including bank holidays and weekends. It is not crisis support. Sometimes they just want someone to speak to because something has kicked off; they have had a row with their partner. We once had a phone call at two in the morning because someone's fridge had packed up. It is about having someone they trust and can speak to, who gives them support at a time when they need it. A pack is a great idea, but that personalised one-to-one support is important as well.

Q134 **Gavin Newlands:** To move on to post-sentence supervision, there has been much criticism of the 12-month compulsory post-sentence supervision, from the Prison Reform Trust and YSS among others, which have both argued for a voluntary scheme, rather than the compulsory scheme as at the moment. Do you think supervision should be compulsory?

Jacob Tas: The philosophy behind it is a positive one: to help people. Whether it is voluntary or compulsory, it should be focused on helping individuals move on in their life. I do not like the deficit model or the punitive element of compulsory. On the other hand, if we had support that helped people, even if they did not realise that they might benefit from that help, the compulsory side is not a bad thing necessarily, because you do not always know. The compulsory side comes with recalls and all kinds of punitive elements, which is not necessarily helpful or does not make society safer. There is lots of evidence of people coming out who go back into prison for two weeks. It has no benefit and is not a deterrent at all, and it is very costly to society, ultimately, but also to the person.



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The question is too difficult for me to answer with a simple yes or no. If we got the compulsory support right, it would be fine, if we made sure that everybody benefited from it. Until then, I would probably be in favour of making it voluntary until we are ready to have the benefits of a compulsory scheme.

Andy Keen-Downs: I would agree. Recalling somebody to prison for failing to make appointments is entirely counterproductive, unless they are a high risk of harm to the public. If you look at the conditions in our prisons, the overcrowding and the challenge of generally keeping people safe in prison, and if you look at the suicide, self-harm and violence in prisons, the last thing we want to do is overcrowd them any more with people who do not need to be there.

Steve Matthews: I agree with my colleagues. The process of recalls is unhelpful, because, essentially, what happens is that the whole process just starts again. We need to focus on proper resettlement planning, with action plans around outcomes that can be achieved when people are eased into the community, which might be about helping them to find suitable accommodation and employment, sorting out their benefits and things like that. Once they have achieved certain outcomes and are happy with what has been achieved, there is no reason why it should remain compulsory for that period of time. Unfortunately, the system itself is not really focused on that at the moment. That is why the question is relevant, but unfortunately the whole system itself does not work to support the idea of a voluntary process at the moment, just because it is very much around completing resettlement plans and ticking boxes.

Q135 **Gavin Newlands:** Ms Preece, you have advocated a voluntary scheme, but given the answers about keeping the compulsory element of support for 12 months, would you agree with that, as long as the punitive measures of the 12-month supervision were dropped?

Lorraine Preece: I guess what I am seeing with the compulsory element is an accelerated revolving door back to custody, which is surely what we want to avoid. My comment was based on the five-year short-sentence through-the-gate service that we delivered across a wide area, from which there is evidence to show that engaging on a voluntary basis worked. There is an evidence base to support that, and it reduced reoffending. There is external evaluation to support that.

Q136 **Gavin Newlands:** I have another question on reoffending. Mr Tas, you mentioned people going back to prison for just two weeks after their release. The Prison Reform Trust supports the Scottish Government's policy of a presumption against short sentences. This policy in Scotland has led to a 16-year low in recidivism rates, in addition to a more manageable prison estate. Would you support such a policy in England and Wales?



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Jacob Tas: Yes, I would. As Andy already mentioned, the state of affairs in our prisons is dire, whatever words we use euphemistically to describe it. It is not conducive to changing your life around and making amends, so we should avoid it. This is about protecting people and the public, so I am not saying that we should do away with prisons as such, but we should make them places of resettlement and rehabilitation. People's freedom is taken away, but let's work with them right from the start to help them to change their lives around. We are very far removed from that so, even as I am saying this, I think, "Oh, that sounds a bit unrealistic in the state of affairs as it is."

Fundamental to that is the volume of people we incarcerate at the moment. If we can reduce that, as we should and we can, by not sending them for short sentences, it can only help. It would also alleviate pressures on the staff, who are willing to help those people but who simply do not have the time and are currently focused on safety and security. I would do that. I think that it is really beneficial for people to stay in their community if they can, and stay in their own place. They may have electronic tags and certain conditions on what they can and cannot do, but that can only help with resettlement continuing post sentence.

Andy Keen-Downs: I agree with the Scottish approach. In terms of the mechanics of TR, one real issue that we have is that sentencers—the people who sentence people—do not have sufficient confidence in alternatives to custody. Because of the disjointed nature of the split between the national probation service and the CRCs, most people who sentence people do not get to see what the alternatives are, and they tend to use custody because of the limited range of options available to them. A fundamental issue is to enable sentencers to see the range of options, as well as a presumption against unnecessary short sentences.

Gavin Newlands: Does anybody else have any opinions on this subject? No? We will move on to service delivery—housing, education, training and so on. There is probably largely agreement across the piece that the housing situation facing prisoners on release needs to be improved. Perhaps that is an understatement. Probation hostels play a part, but they should be a short-term solution. To what extent do you think that an increase in the number of beds in approved premises or probation hostels will help to address the accommodation challenges faced by prisoners on release?

Steve Matthews: It will certainly help. The difficulty we face is that there is a national housing crisis or shortage, and for vulnerable client groups in particular the number of bed spaces available for us to get people into has been substantially reduced. Any efforts to increase bed spaces through probation hostels would be welcomed. The benefit of being able to provide wrap-around support to people on release, and to maintain or sustain accommodation for a period of time, is that it helps to



limit the numbers of recalls and people coming back into the prison system.

It is a matter of resourcing. We have to work very hard to develop links with housing providers—social housing providers and landlords in the private rented sector—to access accommodation for individuals on release. It is a never-ending struggle to achieve that. Certainly, when you look at the performance in the contract in terms of the numbers of people who have been released who are homeless or living in settled accommodation, we are not hitting the targets that we should be, because of the lack of supported housing or access to housing for individuals on release. That is one of the main reasons why people are being recalled. There are reasons why we are unable to get that accommodation, and that is fundamentally impacting on the behaviour of individuals once they are released.

Lorraine Preece: Accommodation is a huge issue and has been for a long time. The extra beds may help, but they are a sticking plaster. It is not actually getting to the root of the issue. That links to localism and the work that we do locally. It is joining the dots. In April, the Homelessness Reduction Act is coming in, and, hopefully, that will have an impact. It is about how we all work together to identify longer-term solutions so that we do not have the issue that we constantly face of someone coming out without a roof over their head and trying to find immediate temporary accommodation and then look for more sustainable accommodation. While extra beds are good, they do not solve the issue.

Andy Keen-Downs: I totally agree with my colleagues about the crisis in the supply of housing and accommodation, but we need to look at the demand side as well. One of the best ways to reduce the demand on accommodation for homeless single ex-offenders is to ensure that they are not single and that they return to their family. That means maintaining family relationships during the whole period of custody and engaging with the family where it is appropriate and safe to do so.

Jacob Tas: Nacro is also a housing association, and we provide housing for this client group. We have been making lots of noise over time that the incentive to make sure that ex-offenders have a house is great from a TR perspective, but, if the provision or the pipeline of supply is slow or blocked, it will never work. We were pleased with the efforts of the Minister at the Ministry of Justice at the time, in talking to his colleague in the DCLG, now the housing Department. We have to align our strategies so that there will be supply. Shelter also campaigns to make sure that the housing crisis that we face is resolved. It is very interesting that there are more beds, and anything is positive, of course, but we need to look at an offender housing strategy, and local authorities need to be part of that. Some of them say, "You've deliberately made yourself homeless. We're not providing anything."

Q137 **Chair:** I was going to come on to that point, Mr Tas. How many local



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authorities are adopting that attitude and regard someone who has gone into custody as having made themselves intentionally homeless? Do you know?

Jacob Tas: I do not know the number, but I know that it is enough to get it to my desk; people are complaining that they cannot get people in. Our workers on the frontline are fighting that and they make waves, but local authorities are in a housing crisis as well. It is not that they do not want to help; they do not have the supply, most probably.

Q138 **Ruth Cadbury:** Can I just pursue this, because it concerned me? You raised it in your submission from Nacro, Mr Tas. My understanding, and I think it is the understanding of all of us, certainly in England, is that there is a homelessness duty for vulnerable adults, and people coming from prison are counted in that category. Even if councils do not have appropriate council housing, if there is a duty to house, they have to provide temporary accommodation in the private sector, if necessary. You are saying that they avoid that by describing ex-prisoners as intentionally homeless.

Jacob Tas: Deliberately homeless.

Q139 **Ruth Cadbury:** And you are pursuing this.

Jacob Tas: Yes. I am happy to ask back home and provide you with information on the magnitude of that problem.

Chair: That would be most useful.

Q140 **Ruth Cadbury:** That would be very helpful, because it concerns us. Of course, we understand, even if most of us do not accept, the shortage of housing. Irrespective of that, I thought there was a legal duty.

Jacob Tas: That is a problem, because if that was not the case we would have far fewer problems getting ex-offenders through the gates and into a home.

Q141 **Ruth Cadbury:** I guess that there is also the issue that temporary housing is in the private sector and sometimes the rents are well above the benefit cap, and there is a question of whether the basic income is sufficient.

Steve Matthews: Part of the problem is that they have to be able to provide proof of income for a lot of the accommodation. A lot of people who are constantly recalled to prison have burned their bridges in terms of available accommodation. As I said, a lot of local authorities have had to reduce the number of allocated bed spaces for vulnerable clients just because of funding cuts. We are locked into a cycle where that process is perpetuated, and it is happening across a lot of local authorities. Certainly, along with Nacro, Shelter can provide information to the Committee.

Chair: That would be helpful. We are a bit pushed for time. If you are able to provide that information, we will drop you a note about other



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issues—education and other things—where you may be able to help us with additional statistics, as well as what you have already helpfully provided. I am very grateful to you.

Q142 Ms Marie Rimmer: Does transforming rehabilitation, or aspects of its approach, have a long-term future? A simple yes or no.

Steve Matthews: I am going to stick my neck out and say yes. We are two and a half years into the process, and there are a number of things that need to be changed. During this meeting, we have talked about some of the fixes that could be introduced that would improve transforming rehabilitation, certainly in terms of how we join up the thinking.

Q143 Ms Marie Rimmer: How long would you give it to improve?

Steve Matthews: I think six months is reasonable.

Jacob Tas: I would say yes as well. Part of the reason is the disruption that TR has brought to the provision of services, to the staff working in them, the buildings they work in and the computer systems they work with. For colleagues, the split with NPS is an enormous change, and it has not delivered success, but I cannot consider throwing it all up in the air and changing it again. We need to forcefully pursue it to make it work, with a far bigger chunk of work done by the voluntary sector, supported by extra money to do that. Depending on the measures, I would say a period of six to 12 months, but if the measures are not taken, we will continue to blabber on, although that is probably not a good British word, and not deliver success for a very vulnerable group. It has a massive impact; as we all know, the cost to society and to individuals is enormous, so it is critical.

Q144 Ms Marie Rimmer: Do you agree with that, Mr Keen-Downs?

Andy Keen-Downs: There needs to be a comparative look at the option of continuing with TR and developing and refining it, against the option of devolving justice along the model that we have for Greater Manchester. At the moment, the models of mentoring and support that are there are trying to join together fractured systems that are not aligned in their planning.

Q145 Ms Marie Rimmer: The Manchester approach brings the strategic partners together.

Andy Keen-Downs: Yes. They are not aligned in their economic drivers or their incentives. To go back to local authority housing, there is every incentive on a local authority to avoid rehousing an offender. The incentive is that, once they have gone to prison, that is one client and one problem gone, and the best thing that could happen for that local authority is either that they stay in prison or that they are released into somebody else's local authority area.



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There is a constant revolving door and shifting of problems, moving the problem away. We need a system whereby we find a way of democratising justice, because most of the solutions to reducing reoffending and providing rehabilitation are not in the justice system; they are about housing, health, family support, education, training and jobs. At the moment, all the economic drivers and policies are pointing in the wrong direction.

Lorraine Preece: I am going to say it: sometimes, when you are in a hole, you stop digging. Reading the 83 submissions, as I did, and from the overview, you get the sense that this whole thing is fundamentally flawed. It is not working, and, ultimately, who is suffering? It is the service users and the people caught up in the system. There needs to be a review, and quickly, before the current contracts come to an end. The worst thing would be that we just limp along and get to 2021 or 2022 with no clear direction.

Q146 **Ms Marie Rimmer:** What do you think the next step is for the probation service?

Lorraine Preece: I think there needs to be a review. The split between the NPS and the CRCs is massive, and has added extra layers of bureaucracy. Then there is the way the contracts are managed, not really recognising innovation or performance, along with what we talked about in terms of the short sentences for prisoners and the number of recalls, as well as the number of people who are in prison anyway, serving short sentences. There are so many elements that I would not know where to start. But is it working? On the ground, from what I am seeing from a service user perspective, it is no; they are worse off now than they were prior to TR, which cannot be a good thing.

Q147 **Ms Marie Rimmer:** Do you support Mr Keen-Downs's approach of going local, with strategic partners?

Lorraine Preece: The local approach is really interesting. I know that there is interest from police and crime commissioners. I am not saying that it is the right answer, but a localised approach certainly needs exploring, with local solutions for local people and communities. That is absolutely key, as is joining all those other things up, as we have heard. It is about lots of other things as well.

Ms Marie Rimmer: Thank you.

Chair: Thanks very much. We will be hearing evidence from police and crime commissioners, so there will be a reaction shortly. Thank you very much for your time and for giving evidence to us. We are very grateful, and we look forward to having that further additional information.

Examination of witnesses

Witnesses: Beverley Toone and Sam Boyd.



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Q148 **Chair:** Good morning. Thank you very much, Ms Toone and Mr Boyd, for coming to give evidence to us. Perhaps you could introduce yourselves, your organisations and your involvement in them.

Beverley Toone: I am Beverley Toone. I am the senior employment project manager at Business in the Community. Business in the Community is the Prince's responsible business network. It is a business-led membership organisation made up of progressive businesses of all sizes. We have had involvement in prisons for many years. We have our Ban the Box campaign and our rehabilitation of offenders network. More recently, over the past 18 months, we have been involved in the National Careers Service careers in custody programme. We have only been there for 18 months. The programme came up, and we decided to bid for it.

I work in five prisons. They are all very different prisons, and I believe that we should treat them as such. When I tell you what they are, those of you who know them will see why. I have HMPs Nottingham, Whatton, Lincoln, Ranby and North Sea Camp. They are all very different.

Chair: Okay, we will come back to you on that.

Sam Boyd: I am Sam Boyd, policy and impact manager at Switchback. We are a small rehabilitation charity with 10 years' experience working through the gate with young adult offenders who are returning to London. At the moment, we are working in five London prisons, but we have worked in around 20 across the south-east. We provide intensive one-to-one mentoring from our full-time mentors, beginning in prison and through into the community, alongside work-based training with our partner employers in the community, including our partner café in east London.

Q149 **Chair:** Great. That is helpful. Do the funding mechanisms that we have heard about create an obstacle to small organisations such as yourselves getting involved, or are you able to overcome that?

Sam Boyd: We have not been involved in the formal transforming rehabilitation framework.

Q150 **Chair:** It is an informal arrangement.

Sam Boyd: Yes. In fact, we have never had statutory funding at all in our 10-year history. That presents certain challenges, but we have managed, in the context of TR, to work within the cracks of quite a fragmented system, and that has required strong, long-standing relationships with individual prisons and funders, including private funders. While we have managed to make that work, the context of a fragmented and bureaucratic system has certainly made it very challenging, as I know it has done for a lot of other small organisations, which is part of the reason why most of the smaller voluntary sector organisations work outside the formal contracting framework.

Q151 **Chair:** From a large organisation point of view, Ms Toone, what are the



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obstacles to the voluntary sector's involvement?

Beverley Toone: The first obstacle is that the National Careers Service contract is coming to an end, and that will stop us doing the work that we have been doing in the five prisons.

We get funding. Businesses are a big contributor, but they do not provide all of our contributions, so that will come to an end. The issue is that we have now worked for 18 months to get 33 businesses—if my numbers are right—into the five prisons, and others are interested. Come the end of that contract, the goalposts will move, and we will lose the continuity of work that we started in those five prisons.

One of the biggest stumbling blocks will be the new Data Protection Act, which stops you ringing up somebody ad hoc; you know they might be interested, but you have not had any contact with them. That will stop some of the work. I know you want the governors to take it on board, but there is another issue: the thing between business and prisons. The prisons know their job and the businesses know their job. I believe that, if they come together, we can make a big difference. That is where I think they fear that—

Q152 **Chair:** How might you achieve that?

Beverley Toone: Those at governor level and senior officers within businesses should come together, and perhaps even consider mentoring one another.

Sam Boyd: From our perspective, outside the formal framework, it is clear that there is not enough resource in the system, either financial or human resource, or enough flexibility in the system for small organisations in the voluntary sector to be involved at prison level. If we had more flexible funding models, more grant based than payment by results, and if local prison staff and probation staff had the capacity and understanding to build partnerships with local organisations, we would have a much better change.

Q153 **Bambos Charalambous:** I will follow on from that point. We have heard that TR has not opened up the market as it was intended to, and both your organisations have issued a word of caution about an increased role for the voluntary sector in a formal TR structure. How should the voluntary sector be more involved in delivering probation services and support? How do you think that should happen?

Sam Boyd: There are a number of ways to look at it in terms of the barriers we face at the moment. There are some quite basic ones such as access to prisoners and to prisons. That remains a big challenge for us in the context of safety concerns and conditions in prisons. We have had to pull out of one London prison because of concerns about the safety of our staff. In another London prison, our mentors have to go round in pairs because of the extremely large wings and limited staff. That is an issue.



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As I mentioned, we could look at how more flexible funding models could be used at prison level, and how we co-ordinate different voluntary sector providers at prison level. We see a lot of appetite from prison governors, with positive interest in engaging with local charities and employers, but it is not achieved in a very co-ordinated or strategic way. We find duplication in some areas, with gaps in provision in other areas. Addressing co-ordination at a more local level would help.

Q154 Bambos Charalambous: Do you think that the contracts are too rigid and that, if there was more flexibility to commission services, that would help?

Sam Boyd: Yes. The impression has been of a top-down, rigid approach to contracting, which, alongside the limited resource in the system, has meant that more flexible involvement has been very challenging for smaller organisations.

We need to recognise that there is a role for organisations to play outside formal commissioning. From our perspective, we value the semblance of independence that we have, with an ability to have a very long-term approach. We talk to our trainees about taking the long way round and avoiding short cuts. That is the approach we take, and it is the approach that we have with our trainees regarding how they can make sustainable changes in their lives.

We would only really look to be involved in any kind of formal commissioning framework if it enabled us to work in that way, which we know has the results that we are trying to achieve as a charity, looking at all the areas of an individual's life that might affect the likelihood of their reoffending and their ability not only to get into work but to stay in work. That is why we look not only at employment but at 10 areas of a person's life, from housing to mental health, relationships and debt, to ensure that they work through those challenges, which are key to good rehabilitation.

Q155 Bambos Charalambous: Our evidence suggests that effective rehabilitation is reliant on effective local partnerships, and that many of the levers for reducing reoffending lie at local level, outside the criminal justice system. What impact does that have on voluntary sector organisations seeking to deliver effective rehabilitative services and on your service users?

Sam Boyd: Having partnerships on a local level and different agencies working together is an area that needs to be looked at, and where improvements could be made. One of the problems we face as a charity trying to navigate the system, and that people in prison face, is the very complex web of different agencies and organisations that are involved. A single person in prison might have to deal with an offender manager, a resettlement worker, the job coach and the community rehabilitation or national probation service staff. Who is taking responsibility within that? It is unclear whether those different organisations and agencies are talking to each other, and that leads to a lot of frustration.



When we talk to our trainees about their experience of prison and probation, the comments that come up are about it being draining to try to find out who is responsible and who can help them, with the Chinese whispers and hearsay that go around prison about who can sort them out with housing and who can help them with their benefits. It is very unclear. It is difficult for us as a charity, so you can imagine that it is very difficult for people in prison who are facing lots of other challenges as well. If there was a single point of contact who could oversee individual prisoners' cases and call in support when needed, it would add a very helpful level of clarity.

Beverley Toone: I agree with that. It is very difficult to find your way around inside a prison. I do not just mean the walking part; I mean who is responsible. When I first started 18 months ago, the goalposts seemed to change constantly. You would have one contact, but, within a month, they had moved prisons or even jobs, so you would have to start again. Without a point of contact in a prison, it is hopeless to try to set it up.

That is where the businesses come in. You can take them into the prison, they can be very interested, you give them a point of contact—and it falls down. We have needed to go that extra mile ourselves to get the businesses there.

Q156 **Bambos Charalambous:** Rather than having a named person or contact point who would provide tailor-made services for the prisoners to progress?

Beverley Toone: Yes. HMP Ranby is a good example. They have pathways and sequencing, and they are beginning to put that into place. That has helped enormously with what we are trying to do, and it has gone incredibly well over the past nine months, to the point that North Midland Construction now has a fully operational construction academy, and Ibstock Brick is now taking people in on ROTL. That point of contact has worked.

Q157 **Ruth Cadbury:** Switchback uses an intensive model of contact, with weekly meetings and mentors attempting to contact prisoners daily. Is it realistic to roll out such a model nationally, or is that a bit too prescriptive?

Sam Boyd: That is a very good question. For us, frequency and continuity of contact is a very important part of what we see works with people who are facing lots of complex issues in their lives. When we speak to our trainees about this, they talk about the importance of keeping busy and keeping on the right track. Having a point of contact and frequency of contact makes them think twice about being tempted to return to other ways of living, as they might have done.

It is important to recognise that it is not just about frequency of contact; it is about the type of support that is being provided. I would not want to advocate a system that enforced weekly or daily contact if we are just



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taking a tick-box approach. It has to be based on what the individual needs, and whether that intensity is appropriate for that particular individual. A higher frequency of contact, if based on the more rehabilitative approach, could be beneficial, and would avoid certain oversights like those we see, whereby, because someone has not had a conversation in the 12 weeks before their release, they are assigned to probation where they were arrested, rather than where they are from.

We recently had one trainee who had to go to Norwich, where he had been arrested, for his probation appointment. He was actually from Hoxton. He was given money to get there, but not to get back, and the only place he could stay was in a house that was associated with his previous criminal activity. He has since dropped off the radar, and we were not able to engage with him. If there was more frequency of contact, so as to build up trust and understanding, which is, importantly, what we can use the time in prison to do, we would avoid lots of those oversights and we would be able to work on the issues that need addressing.

Q158 Ruth Cadbury: You have both clearly made the case for the principle of a single point of contact for service users. Who should that be, or where should that point of contact be based?

Beverley Toone: In the prison. For me personally, and for BITC, that has been the most difficult part. I can get in touch with all the businesses we work with, and I can help them through the gate, but when I get through the gate I come to a stumbling block. Even though I draw keys in Nottingham, I am still not comfortable walking round a prison, because it is not my day job. There needs to be somebody you can go to, and say, "Right, today we're bringing in X, and we want 20 prisoners."

One of the things we do is a design workshop. The aim is to get not just the businesses, but the prisoners, the businesses and all the different people in the prison involved in the workshop to talk about how they feel careers inspiration should be put forward. I believe that everybody has a part to play. It is not just my decision, and it is not the people who work in the prison; it is the prisoners as well. They are human beings and they need to be treated as such.

Q159 Ruth Cadbury: If there is to be a single point of contact for each prisoner, who would that be?

Beverley Toone: As in the individual prisoner?

Q160 Ruth Cadbury: The individual prisoner: who would be their point of contact?

Beverley Toone: I know there is some discussion about them having prison officers, with so many to each prison officer. That is great if the prison officer understands TR. I am not sure that they all do. They come in and listen, and they ask questions themselves. It could be one of the other organisations that works in the prison that is responsible for the



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prisoners. The peer mentors are very good in some prisons, but they do not get enough information given to them. There is a complete breakdown of information going through the prison, for whatever reason.

Q161 Ruth Cadbury: Is your model for a single point of contact in prison and then beyond?

Sam Boyd: It is, but I do not know that I would advocate an organisation such as ours, outside the probation framework, being responsible for accessing, or even being able to access, all the different bits of information on Government systems about that person. It probably needs to be someone who is dialled into the different systems in a prison.

Q162 Ruth Cadbury: Within the TR system.

Sam Boyd: Yes. Different options should be looked at. Who it is exactly is probably less important than the fact that there is a single point of contact. The roles should be clarified, because the waters are pretty muddled for who is responsible for what. As Beverley mentioned, we are now having prison officers becoming key workers in prisons, according to the MOJ—responsible for overseeing a caseload of prisoners and, to use the language they have used, for mentoring and challenging behaviour. In principle, those are good things.

In general, we need a much more personalised approach to supporting people in prison, based on good relationships between staff and prisoners. We have highly skilled, highly trained mentors filling that role, and it is about whether the right training and the right support are in place for different staff in prisons to take on those roles. We have to look carefully at who takes on those responsibilities.

Q163 Chair: You probably heard some questions about housing and accommodation issues from Mr Newlands earlier. Do you have any observations from your point of view?

Beverley Toone: I definitely think that, without a home to go to, without a bank account and without all the things that we take for granted, getting a job is not on their priority list. We have had examples where a prisoner has been offered a job, but they disappeared and did not turn up for that job on the day they were supposed to. That was a shame, because it meant that the company involved lost trust in the prisoner they were working with. With the chaotic life that these individuals lead, if they do not have somewhere to go, it fails at that point.

Sam Boyd: I agree. Housing is a bigger and bigger issue for us, at least anecdotally. We have not done specific analysis on it, but we are experiencing more situations. For example, someone was released just before Christmas as homeless. No one had linked him to any housing support, and he was advised to go to his local council. His local council told him that he could not have housing support if he was not signed up for universal credit. He was then informed that he could not sign up for



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universal credit unless he had an address. It was only because we had built up a relationship with him in prison that he had someone he could work through those issues with. We were able to support him to get emergency accommodation over Christmas. He is still in temporary accommodation, and finding sustainable housing options is very difficult.

That is something we are seeing more and more. Stable housing is very important for achieving other outcomes around employment and so on. We are able to mitigate it to an extent by looking at things like family relationships and other areas. Family is one area where, if you can work on it, you can help to solve some of the housing issues, too.

Q164 **Chair:** What about the approved premises point that was raised—the need for more of that? What is your experience?

Beverley Toone: I would not know where they go, but I have seen some of the premises they go to, and, to be perfectly honest, it is not fair. It is not the sort of place where most of us would ever want to live.

There is one other thing to consider regarding premises. On some of the construction contracts, for instance—this is where we could give incentives to construction companies—they provide on-site accommodation. It has been suggested that that could be another way. There are men—it is men I have talked to, because my prisoners are all male—who say, “Yes, I would move away, I would get a job and it would be great if I could work on site.” That might be something to be considered. It will not be for everybody, but it is a way of getting—

Q165 **Chair:** They could get work.

Beverley Toone: Yes. They have a home and they will get some money. In the long term, hopefully, they will save it and buy or rent somewhere.

Sam Boyd: Another part of the picture is how the lack of housing is impacting on the ability of people to be released early on tag, on home detention curfew. There have been a few more cases recently of people not being given earlier release because they could not be found suitable supported accommodation. If there was more supported accommodation and improved premises, we would be able to get people out sooner and we could start to help them on their journey earlier.

Chair: Understood.

Q166 **Ms Marie Rimmer:** Does transforming rehabilitation have a future?

Beverley Toone: Yes, I think it does.

Q167 **Ms Marie Rimmer:** You do.

Beverley Toone: I do, yes. Everybody always thinks they can do something better. It is not about better; it is about trying to come up with new ideas. Businesses want to help, and that is a way forward. If



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businesses are prepared to give jobs to ex-offenders and it is done in a proper way, there is a future for it.

Q168 **Ms Marie Rimmer:** How long do you think it should be given to prove itself?

Beverley Toone: To prove itself? I have been doing it for 18 months. If it was me, I would like another six to 12 months to get the businesses I have got engaged fully operational.

Q169 **Ms Marie Rimmer:** Do you agree, Mr Boyd?

Sam Boyd: Some of the principles at the heart of what transforming rehabilitation was originally trying to achieve were good ones, which could be revisited: genuine through-the-gate consistent support, continuity between prison and the community, and the provision of support for everyone in the system. For most people we work with, that has not been achieved in practice. Some quite significant changes need to happen to make sure that people are getting the level of support they need.

In general, there needs to be a much more personalised approach, focused on relationships between staff and prisoners. Things need to be more co-ordinated in voluntary sector access and the more flexible funding models that I talked about previously. Staff quality and the training of staff need to be looked at, as much as numbers.

There are some smaller things that could potentially be quicker wins without turning the whole system upside down. For example, we find that inaccurate data or bad data on prisoners are a really big barrier for us. We often spend a lot of time tracking down people who apparently meet our basic criteria of age, offence and so on, but they will actually be 37 when the system says they are 27, or they will be released next year, not in a month's time.

There has been an impact on individual prisoners, who are under the impression that they will be released in two weeks, but they actually have another two months to serve. You can imagine the impact that has on morale. Being able to plan for a certain release date is very important for putting the right things in place for that person. Data, getting the release dates clearer and having release on tag rolled out more consistently would make a big difference, as would access to benefits in prison. There are some smaller things that we could address now that would make a big difference.

Q170 **Ms Marie Rimmer:** Is it more successful in some areas than in others?

Sam Boyd: We certainly see a lot of variation.

Beverley Toone: It depends on the category of the prison. In the likes of Nottingham, where there is a high churn of customers, it is incredibly difficult to carry out, because they are only there for three weeks. What



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happens in three weeks? They come in, they go through the first part of the system and come out again. We had an open discussion with some of the prisoners, and one's argument was, "Well, I come in here for three weeks and I go out again. I have nowhere to live, I'm hungry, I offend and I come back in again." He was quite open about it.

At Ranby, people are there for a longer term. I believe that pathways and sequencing is the right way to go. You start with them when they enter the prison, and you go with them all the way through. Towards six months before they leave, if not before, we need to start looking at getting them into work.

Q171 **Ms Marie Rimmer:** Not short term, but more long term.

Beverley Toone: Yes. In Nottingham, we need to look at TR, but it needs to be a short, sharp fix. In the longer-term prisons, we can really work with the prisoners. They have their own ideas about what they want to do. It is not about reoffending; it is about, "I want to do this when I leave. How do I do it?" They do not necessarily want to do construction. They might want to do business administration.

Q172 **Chair:** Somebody who turns up 12 weeks before they are released does not get a lot.

Beverley Toone: No. It never works. I have said from day one, when I started the programme: "Don't come to me three months before they leave and think I am going to find a business that has a job." We can't do that, so they can't.

Ms Marie Rimmer: Thank you for that.

Chair: That is very helpful. Thank you very much for your evidence, which is most useful to us. We are very grateful to you.

Examination of witness

Witness: David Lloyd.

Q173 **Chair:** Good morning, Mr Lloyd. It is nice to see you again.

David Lloyd: Good morning, Mr Neill. It is good to see you, too.

Q174 **Chair:** Thanks very much for coming to give evidence. Perhaps you would like to introduce yourself and your role for the record.

David Lloyd: If I may, I will introduce myself and give a little context. The Clerk has suggested areas that the Committee might be interested in—thank you for that—and I will then go into those. I am here today in three roles, I think: as chair of the Association of Police and Crime Commissioners; as the association lead for criminal justice; and as the police and crime commissioner for Hertfordshire.

Unlike other areas of devolution to PCCs, most notably fire, there is broad cross-party consensus on the need for change in the CJS and for a wider



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role for PCCs or, for many of you, the Mayor of London. The work that is already being done in Manchester is an interesting model for that.

I hope, first, to leave you in no doubt that the reforms have not worked as they were originally envisaged, and then to offer an evolutionary solution, which will put democratic oversight at the heart of the criminal justice system and set a clear plan and budget for criminal justice through PCCs.

The reason is twofold. First, although we call the criminal justice system a system, it is not. It is made up of a series of often competing organisations, which, together, manage to forget the needs of the victim and the offender. Secondly, I really believe that this is a moment when we can make a step change in reducing reoffending if we all work together. If I reflect back on fire, the biggest culture change in fire that I hope to bring to bear in Hertfordshire lies in the lessons that fire can bring to policing; rather than investing in more fire trucks, what they did in fire was to look at how to reduce fire in the first place.

Q175 **Chair:** Preventive work.

David Lloyd: It is exactly the same in criminal justice. With PCCs at the head of the whole process of early intervention, including out-of-court disposals and so on, I think that is more likely to occur.

Q176 **Chair:** That was very helpful. It is helpful to get a bit of context. We heard from some of the other witnesses, when you were probably sitting at the back, about the need to democratise the process.

David Lloyd: Exactly.

Q177 **Chair:** How would you achieve that, in the view of your organisation and from your experience? You talked about Manchester and London. Yours is a county area. How can you do it in your area of the country?

David Lloyd: First, there has to be a place we go to. Frankly, there is no one who currently holds the ring around criminal justice. At the moment, the CRCs are not working. Just to put that in context, although they turn up to my criminal justice board in Hertfordshire, they are rarely seen at the community safety partnerships, although they have a statutory duty to be there. They do not necessarily turn up at MAPPA. There really is a lack of seeing them.

I cannot do anything other than plead with them. I do not hold a ring, and I cannot set the plan for what they do. I do not set the budget. Having us at the heart of the system, being able to set the plan and being able to set the budget around the whole of the criminal justice system, starting with CRCs and probation, is the way that we get it started.

Q178 **Chair:** And that is why your submission talks about “oversight and accountability” and having a role in the financing and inspections.



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David Lloyd: Exactly that. Yes, indeed.

Chair: That is helpful.

Q179 **Bambos Charalambous:** Do you think there is a long-term future for TR, and can TR continue to exist in the way it does at the moment?

David Lloyd: At the moment, we have a combination of complex contracts, performance measures, payment mechanisms and specifications. They have resulted in services being unable to deliver the transforming rehabilitation agenda. I do not think that the payment mechanism for CRCs works. It stifles local innovation and tends to a one size fits all. I do not think it is having the impact on reoffending that was first thought about.

Can it exist? Probably not in the current role. What we need is a model or changes to contracts that allow for greater scope for local innovation, with services that reflect local need and an increased use of the voluntary sector. We need better local governance, scrutiny and accountability, including shared local performance data. We need better join-up and partnership working at a local level, not just with CJS partners but with other key players, in reducing reoffending. We have heard about that already: housing, health, skills and employment. We should allow greater co-commissioning.

I do not think it is the case that we will see CRCs working as they currently do, but that does not mean to say that, if properly managed, those very same people could not do exactly the same role they are doing now. They just need to be better managed, and they need to be better focused.

Q180 **Ms Marie Rimmer:** In your submission, you talk about the role that the Government can play in getting the different agencies to work together at a local level through modelling expectations. Could you expand on that?

David Lloyd: While I recognise that there is not a great deal of parliamentary time to change things in criminal justice at the moment, by allowing the local leaders to get on and do it at a local government level—specifically at a PCC level—we can move on and do it. That is the solution for you.

What we need, however, is to be given some leeway, perhaps to take on the Manchester model, for example. We already have some good examples of different ways of working more closely together, and the Government need to devolve that power down.

What works poorly is for the performance management to be done centrally at the MOJ. What works perhaps even less well is for the democratic accountability to be held centrally at the MOJ. Bluntly, if offender management is not working in Hertfordshire, I should be the person who carries the can for that. People locally should be able to say, “He hasn’t done that properly, so we are going to get rid of him.”



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Q181 **Ms Marie Rimmer:** Because you have all these providers.

David Lloyd: Exactly, yes.

Q182 **Chair:** I was particularly interested in that point. We have heard some evidence about the difficulty with housing—for example, the attitude of some local authorities to intentional homelessness, or not. You have a long experience in local government yourself, in housing and education. What advantage could giving that role to the PCCs have in joining up those areas, in district councils or other local authority areas?

David Lloyd: Indeed. It is exactly as you suggest. I proudly think that the role of the PCC is a local government role. It is about leadership in the local area. Some of us might well come and give evidence at Select Committees, but the real work we do is in our own constabulary areas, meeting local government leaders. I make sure that I see my local government leaders on a very regular basis, because there is a leadership role around housing. It is not the easiest end—to say that we need to rehouse former offenders—but if we do not get on and do that, the likelihood is that they will reoffend. It is a local leadership role, and that is far better done by that person.

Q183 **Ms Marie Rimmer:** In some areas, there were what were formerly known as local strategic partnerships. They established themselves through bringing health and social care together. They have taken housing and different things. Do you think that could work at metropolitan borough level?

David Lloyd: I would say that, generally, it could, although I do not have as much knowledge about metropolitan boroughs. I know county and two-tier structures very well indeed, and I know unitary authorities well, but I do not know metropolitan boroughs so well. However, I see no reason why it shouldn't.

Many PCCs—me included—sit on a health and wellbeing board. They sit on local strategic partnerships and community safety partnerships. That is where they bring it to bear. That is the way you get that in. You cannot expect a Minister from the MOJ to sit on every single CSP in the country; it would be ridiculous even to think so.

Q184 **Bambos Charalambous:** I very much welcome your comments about local accountability. I find it ironic that the probation service used to sit within local authorities many years ago, and now we are coming back to that model because of the accountability and services required. I purely wanted to make that point. What are your views on that?

David Lloyd: I suppose that we are always seeing changes in local government and local accountability. I am sure that, somewhere in DCLG, there is a map of the 1960s approach to what local government should look like. At one point, we might even get there.



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Things go round, but that tends to be because we find new ways of doing them. The positive thing is that, if you bring PCCs in to have responsibility for it, there is direct democratic oversight, which probably was not there in quite the same way with local government, in that it was more arm's length. There is a real positive benefit to bring from having PCCs in charge.

Chair: That is very interesting.

Q185 **Ruth Cadbury:** I know there are mixed opinions about the role of PCCs in offender rehabilitation. That is fine, if it is somebody like you, who clearly cares, and it is part of your political strategy to rehabilitate and reduce reoffending; but what if you have a PCC who has a slightly different perspective? Isn't there a danger that local accountability could work against the interests of good offender rehabilitation?

David Lloyd: There are two things. The first thing is more general. I was at Unison the other week, which might surprise some people. I was chatting to one of the leaders there. Unison is very much in favour of probation, and indeed prisons, coming under the aegis of PCCs, which surprised me slightly, but I recognise that everyone would welcome that democratic accountability, no matter whether they are from the left, right or neither.

In some ways, what you are posing is the same issue that people posed about bringing PCCs in. What if we don't get a good PCC? I believe in the wisdom of the electorate, at the end of the day, and, prior to that, the selectorate. If one of your responsibilities is criminal justice, and you say, "I'm not going to do anything about criminal justice," you might get there for four years, but you will certainly not be there for longer. It is exactly the same issue that we could talk about regarding any party policy or anything we do. Actually, the electorate shows great wisdom.

Q186 **Chair:** In an urban context, you referred to the Manchester model as worth pursuing. Are there any particular things you would highlight?

David Lloyd: In Manchester, they have devolved responsibility for most of criminal justice to the Mayor. That seems to be an interesting model. It has not been there long enough for us to be able to say that it is working or not working, but it is a very interesting model.

Why is it especially interesting? If you have the planning function and the budget, you can start to say, "Let's pick up here." It goes back to the whole matter of stopping reoffending. You can decide where to put the money. Actually, it might be that some money goes into early education or further up the stream than we are thinking at all. If you want a whole system, you have to have one person who sets the plan for the whole system, not parts of it. Otherwise, you get perverse outcomes.

Chair: I understand that.

Q187 **Ms Marie Rimmer:** I have watched Manchester—I do not live too far



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away—and it is interesting. The 10 authorities have been working together for some years, since the abolition of the counties. The relationships and the way they work are quite different from other areas. They are well advanced in that, and it is working.

David Lloyd: I could see it working in places such as Hertfordshire. It is unhelpful that the MOJ sets contracts in areas that do not join up.

Q188 **Chair:** There is no coterminosity.

David Lloyd: Yes, exactly that. For example, the Crown Prosecution Service is in Thames Valley, Bedfordshire and Hertfordshire. The CRC is around Bedfordshire, Cambridgeshire, Hertfordshire and Northamptonshire; Northamptonshire is outside our area, as is Thames Valley. Her Majesty's courts service covers an even wider area, of course. That is unhelpful for bringing everything together. A sub-clause would be to try somehow to get those better aligned.

While that is unhelpful, what we have in many former counties—most of the forces are set up around the '74 county boundaries as were—are other organisations that fit within that boundary. In Hertfordshire, we have 10 districts, one county council and one constabulary. That all works very well together, and you can sit around a table and talk to housing or education providers. You can talk across the whole piece about how we do it better.

Q189 **Chair:** As a PCC, how do you find relations with HMCTS, say, or with the judiciary—the courts and tribunals service, the judiciary and the magistracy? Are they willing to engage with and talk to the PCCs?

David Lloyd: The short answer is that it is variable. Because HMCTS covers so many places, it is very difficult to sit down with them frequently, although they work hard to engage.

The judiciary values its independence highly and does not much like politicians, I would suggest, and I think I am seen as a politician in that regard. I highly commend our local resident judge; he is a very forward-thinking person, but they value their independence such that they perhaps do not engage as much as would be helpful in that whole system.

Q190 **Chair:** That is a helpful observation; it is very useful. We do not have much legislative time, as you and others have observed. On priorities, what would you suggest to the MOJ as the key deliverables to achieve what you are suggesting to us?

David Lloyd: The first step around CRCs is that we have to let the contracts somewhere between 2020 and 2022. We need to be involved in that at a very early stage. In some areas, people might say, "We want to take that back in-house." In other areas, they might say, "It's fine to have a stand-alone company that does it, but this is the plan and these are the objectives." The PCCs should, as a minimum, be co-



commissioning those contracts. Ideally, they should be commissioning the contracts themselves.

It might be that we then get together in Beds, Cambs and Herts and commission a contract across those three areas on a three-force basis, but we should be doing it. The reason we should be doing it is that we were promised that there would be greater use of the voluntary sector and greater use of the small organisations that make such a difference. Because we have put it into the hands of rather large organisations and perhaps not given them enough money to do what they want, we have ended up in a situation where really great, very local providers are not being used enough. That is step 1.

Step 2 may well be around how much of the other bit of the budget we can control. Much of that can be done by local agreement. I do not think it needs primary legislation; we could do it as a test in four or five areas across the land. Let us say that it works well, as I think it would, so let's then roll it out, perhaps when there is more parliamentary time to do it.

Q191 **Chair:** Thank you very much. That is very helpful. Mr Lloyd, thank you very much indeed for your evidence, both written and oral.

David Lloyd: Thank you very much, Mr Neill. It is good to see you.

Q192 **Chair:** We are very grateful to you and we look forward to seeing you again.

David Lloyd: Thank you. Yes, see you again, I hope.

Chair: The evidence session is concluded.