



House of Commons
Justice Committee

Coronavirus (COVID-19): The impact on probation systems

Third Report of Session 2019–21

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 15 July 2020*

Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

Current membership

[Robert Neill MP](#) (*Conservative, Bromley and Chislehurst*) (Chair)

[Paula Barker MP](#) (*Labour, Liverpool, Wavertree*)

[Richard Burgon MP](#) (*Labour, Leeds East*)

[Rob Butler MP](#) (*Conservative, Aylesbury*)

[James Daly MP](#) (*Conservative, Bury North*)

[Sarah Dines MP](#) (*Conservative, Derbyshire Dales*)

[Maria Eagle MP](#) (*Labour, Garston and Halewood*)

[John Howell MP](#) (*Conservative, Henley*)

[Kenny MacAskill MP](#) (*Scottish National Party, East Lothian*)

[Kieran Mullan MP](#) (*Conservative, Crewe and Nantwich*)

[Andy Slaughter MP](#) (*Labour, Hammersmith*)

The following were also Members of the Committee during this session.

[Ellie Reeves MP](#) (*Labour, Lewisham West and Penge*) and [Ms Marie Rimmer MP](#) (*Labour, St Helens South and Whiston*)

Powers

© Parliamentary Copyright House of Commons 2019. This publication may be reproduced under the terms of the Open Parliament Licence, which is published at www.parliament.uk/copyright.

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/justicecttee and in print by Order of the House.

Committee staff

The current staff of the Committee are Nony Ardill (Legal Specialist), Alison Hill (Assistant Counsel), Seb Newman (Second Clerk), Su Panchanathan (Committee Assistant), Liz Parratt (Committee Media Officer), Tracey Payne (Committee Specialist), Christine Randall (Senior Committee Assistant), Jack Simson Caird (Assistant Counsel), Holly Tremain (Committee Specialist), and David Weir (Clerk).

Contacts

All correspondence should be addressed to the Clerk of the Justice Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 8196; the Committee's email address is justicecom@parliament.uk.

You can follow the Committee on Twitter using [@CommonsJustice](https://twitter.com/CommonsJustice)

Contents

Summary	3
Introduction	5
About this report	5
Probation in England and Wales: The current context	5
1 Changes to Probation during Covid-19	7
Exceptional model of delivery	7
Concerns about the exceptional delivery model	8
Roadmap to recovery	9
2 Key Issues relating to Covid-19	12
Staffing	12
Release and resettlement	14
Resettlement from prison	15
Financial support	16
Accommodation/housing	18
3 Probation Reform Programme	20
Conclusions and recommendations	22
Formal minutes	26
Written evidence	27
Witnesses	29
List of Reports from the Committee during the current Parliament	30

Summary

Covid-19 is an unprecedented public health crisis and has come at a time when probation is in the midst of its second major reform programme in the past five years. This report looks at the measures the Ministry of Justice (MoJ) and HM Prison and Probation Service (HMPPS) have taken in response to Covid-19, focusing on the Exceptional Delivery Model and the change in how probation supervision is delivered, staffing challenges and the resettlement needs of those released from prison.

In addition to adapting to a second major reform programme in five years, low staffing levels, and high caseloads for staff further add to the pressures that the probation service face during the Covid-19 pandemic. The Ministry of Justice, Her Majesty's Prison and Probation Service and wider stakeholders deserve praise for the vital work they continue to do. In particular, front-line probation staff have adapted well to the current climate and continue to delivery vital support and services to those under their supervision, and thus continue to protect the public.

On 24 March 2020, the probation service moved to an exceptional model of delivery, which changed the way in which probation services were delivered. With many offices closed, and staff working from home, the way in which offenders are supervised in the community has changed dramatically, going from face-to-face supervision, to digital via phone, Skype and messaging. For those high-risk offenders, the probation service has made doorstep visits. Offenders have been unable to complete sentence requirements, such as unpaid work. Additionally, shifting our focus to the recovery phase, we are concerned about how the backlogs that have built up, such as unpaid work, will be addressed in future.

Covid-19 has exacerbated already present staffing issues within the probation service. Low staffing levels and high case-loads present challenges during the current pandemic, given that in addition to existing vacancies, around 2,000 staff (about 20% of the total) are off work due to Covid-19 each day. We are aware that staff morale and wellbeing are being affected by current circumstances, but we are unclear what additional measures the Ministry have put in place to support staff.

The resettlement needs of those released from prison are also a concern to the committee. We know that the transition from prison to the community is crucial in terms of addressing risk and reoffending. For those leaving prison, society may be very different to how it was when an individual may have entered prison; probation offices, and other services that often provide crucial support have mostly closed their offices, and many staff are working from home. We are unclear what additional measures have been put in place to support prison leavers to transition into the community under the current circumstances.

In terms of financial support for prison leavers, we welcome the increase in the Subsistence Grant available to those who have been released early under the End of Custody Temporary Release Scheme, and recommend that the same increase be made to the Discharge Grant, for those released in the ordinary course of events. Both cohorts of prisoners will have resettlement needs that may be more difficult to achieve in current circumstances.

Housing is often a particular resettlement challenge for those leaving prison, and we welcome the measures in place to find accommodation and prevent homelessness upon release from prison. The Ministry have set up seven Homeless Prevention Taskforces (HPTs) to coordinate the sourcing of accommodation for offenders released early and have secured up to £8.5 million to support individuals at risk of homelessness on release—a scheme initially due to run eight weeks, but extended by five more weeks to 31 July. These measures are welcome, and we thank all those involved in securing and implementing them.

We broadly welcome changes set out in June by the Lord Chancellor and Secretary of State for Justice, in regard to probation reforms, however, we recognise that transitioning to a new service model by 2021 under the current circumstances is a huge undertaking.

Introduction

About this report

1. In response to the Covid-19 pandemic, the Committee have sought to examine the Government's actions across the justice system. Covid-19 has come at a time when the Probation system in England and Wales is undergoing significant reforms. The operation of the probation service is one of our highest priorities, and we have looked principally at the changes to the probation delivery model required to prevent the spread of the disease and maintain the safety of probation staff and offenders. We note with sadness that 21 of those offenders have died as a result of coronavirus, and pay tribute to the staff who have continued to provide a service at personal risk, including in particular those who have themselves suffered from the virus. We have held five oral evidence sessions specifically on *Coronavirus (Covid-19): The Impact on prison, probation and court systems*, and have taken evidence on the impact of Covid-19 during sessions related to other Justice Committee inquiries. We have received many written briefings from organisations operating in the criminal justice sector.

2. This report summarises what we have heard or received in evidence. We have set out the key events and announcements made by the Ministry of Justice (MoJ) and Her Majesty's Prison and Probation Service (HMPPS) relating to the operation of the Probation Service in England and Wales. We will publish separate short reports on other aspects of the Ministry's Covid-19 response, including on the impact of Covid-19 on prisons in England and Wales and on the effects on the court and tribunals system and the legal profession. We thank the organisations and witnesses who have so far provided us with evidence.

3. The Covid-19 pandemic poses an urgent threat to public health and safety. It is an unprecedented situation that has required an immediate response by the National Probation Service, CRCs and all other services providers along with the NHS to save lives. We praise the probation service and wider stakeholders for the vital work they are doing to respond to the pandemic, support their offenders and protect the public.

Probation in England and Wales: The current context

4. Covid-19 is an unprecedented public health crisis affecting all aspects of society, including the probation service in England and Wales. Covid-19 adds additional pressure to an already stretched service currently undergoing a huge programme of reform. The probation service has gone through substantial change in the past five years. Transforming Rehabilitation reforms in 2014–15 divided the service into two parts—the National Probation Service (NPS) (for the higher-risk offenders) and Community Rehabilitation Companies (CRCs) (smaller contracted providers for medium and low-risk offenders, paid, in part, by results). The TR reforms encountered substantial problems, and our predecessor Committee in their *Transforming Rehabilitation* report noted that “the Transforming Rehabilitation (TR) reforms are not meeting the then Government's aims. We are unconvinced that as things stand the TR model can ever deliver an effective or viable probation service.”¹

1 Justice Committee, Ninth report of Session 2017–19, [Transforming Rehabilitation](#), HC 482, para 37

5. Last year, after the financial failure and withdrawal of several CRC providers, the MoJ decided to end CRC contracts 14 months early (during this year) and to return to having a single national probation service for all offenders, but with some services still contracted out to private, voluntary or statutory providers.

6. Under the new model the MoJ intended to appoint Probation Delivery Partners to deliver unpaid work, accredited programmes and 'structured interventions' on emotional management, attitudes, thinking and behaviour and domestic abuse. Procurement for Probation Delivery Partners began in December 2019.² On June 11 2020, the Lord Chancellor and Secretary of State for Justice, Rt Hon, Robert Buckland QC MP, announced a policy change: the competitive process for Probation Delivery Partner contracts would be ended and instead these elements of probation delivery would be brought back under the control of the National Probation Service (NPS).³

7. The probation service is currently undergoing its second major reform programme in the last five years, and it is against this backdrop of ongoing reform and uncertainty that the probation service is responding and adapting to Covid-19.

2 Clinks, '[Probation review update: commissioning of rehabilitative and resettlement services](#)' accessed 29 June 2020

3 HC Deb, 11 June 2020. [col 426](#) [Commons Chamber]

1 Changes to Probation during Covid-19

8. The delivery of probation services in England and Wales is currently split between the National Probation Service (NPS) who supervise high-risk offenders in the community, and Community Rehabilitation Companies (CRCs) who supervise low and medium-risk offenders.⁴ The National Probation Service, supervises more than 106,000 high risk offenders released on license or on community sentences and those under Multi-Agency Public Protection Arrangements.⁵ As of December 2019, the total number of offenders on probation (under either NPS or CRC supervision) was 247, 759.⁶

9. An individual on probation is serving a sentence, but is not in prison.⁷ Individuals are on probation either because they are serving a community sentence, or because they have been released from custody.^{8,9} While on probation, an individual may have to:

- Do unpaid work;
- Complete an education or training course
- Get treatment for addictions, like drugs or alcohol;
- Have regular meetings with an ‘offender manager’.¹⁰

Exceptional model of delivery

10. A number of changes to how probation services are delivered were introduced on 24 March, following the Prime Minister’s announcement of a UK lockdown. The Lord Chancellor and Secretary of State for Justice, rt hon, Robert Buckland QC MP told the Committee in March:

“We have moved to an exceptional delivery model. That means we are making sure that priority is placed on offender management and risk supervision. In other words, we are focusing the attention of the probation service on offenders in the community and the way they are monitored.”¹¹

11. Dr Jo Farrar, Chief Executive, HMPPS further set out what the exceptional delivery model (EDM) means in practice for the probation service:

“We have had to stop some activities such as unpaid work, for example, but with the Prime Minister’s announcement yesterday [23 March 2020] some of that would have stopped anyway. For probation officers, it means that we cannot do as much face-to-face contact, so we are prioritising our face-to-face contact for our most high-risk offenders. We have a small number of offices open, but we are doing more doorstep visits. We are carrying out

4 *Contracting out probation services*, SN06894, House of Commons Library, May 2019

5 HM Inspectorate of Probation, *An inspection of central functions supporting the National Probation Service* (January 2020) p 4

6 Ministry of Justice, *Offender Management Statistics Bulletin, England and Wales*, 30 April 2020

7 Ministry of Justice, ‘[Probation](#)’, accessed 29 June 2020

8 Ministry of Justice, ‘[Probation](#)’, accessed 29 June 2020

9 Justice Committee, Ninth report of Session 2017–19, *Transforming Rehabilitation*, HC 482, para 1

10 Ministry of Justice, ‘[Probation](#)’, accessed 29 June 2020

11 Oral evidence taken on 24 March 2020, HC 225, [Q58](#) [Robert Buckland]

telephone, Skype and video messaging for people under our supervision. We recognise that that is not as robust as face-to-face contact, so we are increasing the frequency of those contacts. All our plans are reviewed by senior probation officers to make sure that we balance the risk against the needs of social distancing.”¹²

12. The exceptional delivery model has meant that engagement with the service will look very different for those under the supervision of probation services. Offenders will no longer be able to commence or complete sentence requirements such as unpaid work during this time. Case management supervision has also been limited, with supervision being carried out via face-to-face doorstep visits, telephone, Skype or video messaging.

Concerns about the exceptional delivery model

13. Some concerns have been raised about aspects of the exceptional delivery model. Justin Russell, Chief Inspector of Probation told the Committee in April that:

“About 14% of the cases that we look at involve someone who is high-risk or very high-risk, and the Probation Service has said that it will put in place measures to do doorstep checks on these people and, if necessary, to bring them in for face-to-face checks. That may help in the short term, but it is a poor substitute for proper face-to-face supervision and proper home visits, whereby you actually go into someone’s home and see the circumstances in which they are living.

One of the areas of performance that we have been most concerned about with probation over the last couple of years is their management of risk of harm and risk to the public, where performance has consistently been poorer than in other areas of its work. So, yes, there are real concerns about how much you can do to manage risk if you are only able to contact people by phone, WhatsApp or Skype.”¹³

14. Mr Russell further noted that the focus of probation was currently on welfare checks and basic risk checks, as he pointed to the difficulty in doing much else, stating that “it is very difficult to deliver any offending behaviour programmes over the phone. Those are usually done in groups and face to face.”¹⁴

15. In evidence to the Committee, when asked about the effect the Exceptional Delivery Model has on supervision and rehabilitative work, the Minister of State for Justice, Lucy Frazer QC MP, stated that:

“It has changed, and our priority has been to ensure that we prioritise our services to those who are at highest risk of reoffending and those who are in the highest risk categories. We have reorganised our service to concentrate on those people, so those who are in those higher categories, such as terrorists, will continue to have face-to-face contact. With those who are medium risk, who pose domestic violence or safeguarding issues, we will still be conducting home visits, although respecting social distancing

12 Oral evidence taken on 24 March 2020, HC 225, [Q58](#) [Jo Farrar]

13 [Q15](#) [Justin Russell]

14 [Q16](#) [Justin Russell]

within that, using a home visit to identify that someone is at home and then following up on the phone but not face to face. Then, for lower risk, we are using a lot of telephone contact, but we are doubling the amount of telephone contact to ensure that we continue our role in probation.”¹⁵

16. Commenting on the Exceptional Delivery Model and its implementation in practice, Ian Lawrence, General Secretary of the National Association of Probation Officers (Napo), told us in April that,

“It has been a rough start. An exceptional delivery model has been issued by HMPPS, guidance has gone out, and to some extent that is being mirrored by the private CRC providers, but there are inconsistencies in practice. We are raising possible issues with the centre and pressurising CRC employers to adapt their models to ensure that frontline staff are given the protection they deserve and that they are able to supervise those clients whom they must see face to face, assuring their safety as well.”¹⁶

17. Katie Lomas, National Chair, Napo further notes that “The inconsistency in the application of the exceptional delivery model across different providers is not helping either, because that is only heightening the anxieties that staff are feeling about their own health and safety.”¹⁷ In written evidence to the Committee, Unlock notes the effect inconsistency has on individuals under probation supervision, stating that:

“Calls to our helpline have identified some inconsistencies in the way that probation are currently delivering their services. This causes concern for individuals who are trying to adhere to their licence conditions and reporting requirements and avoid a potential recall to prison.”¹⁸

18. Unlock go on to state that whilst HMPPS have published a brief information sheet for those under NPS supervision, there has been no centralised guidance for people under CRC supervision.¹⁹

19. The Committee recognise that Covid-19 has required an immediate and unprecedented response and praise the probation staff and offenders for adapting to the current situation. The Committee are aware that the NPS and CRCs may differ in their models of delivery, however we are concerned to hear reports that inconsistencies in practice may be hindering staff safety and causing concern to individuals trying to adhere to their sentence. We recommend that the Ministry of Justice and HMPPS set out what guidance has been issued to CRCs, and how they are monitoring the models being delivered in different CRCs.

Roadmap to recovery

20. In April 2020, commenting on the longer-term effect Covid-19 might have on the probation service, Justin Russell, Chief Inspector of Probation told the Committee that:

15 [Q36](#) [Lucy Frazer]

16 [Q2](#) [Ian Lawrence]

17 [Q4](#) [Katie Lomas]

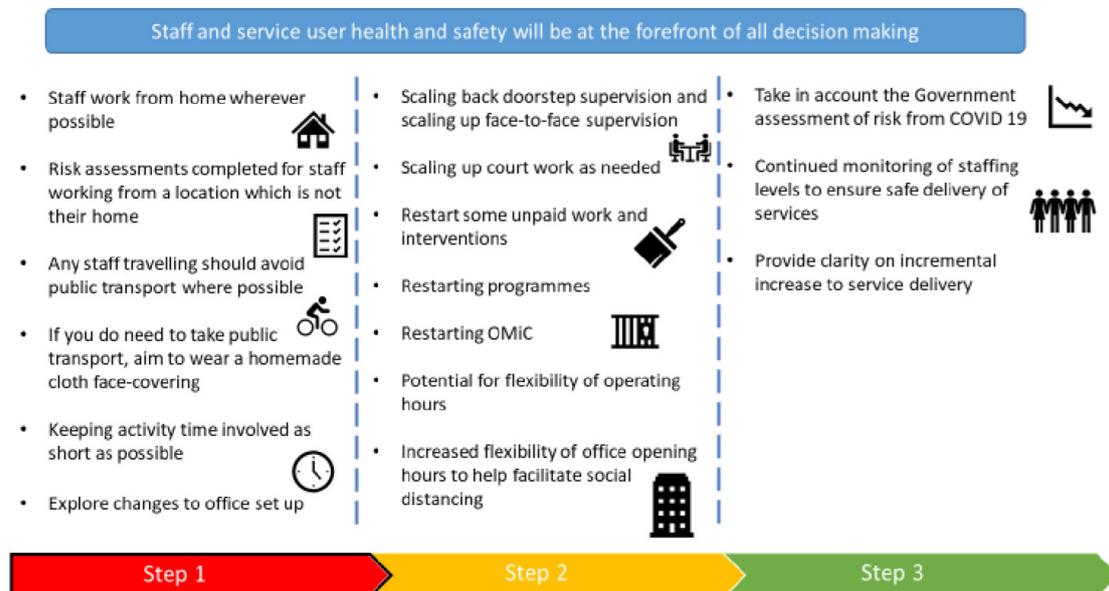
18 Unlock, *‘How have people with criminal records been affected by Covid-19 and social distancing measures?’*, June 2020, p 4

19 Unlock, *‘How have people with criminal records been affected by Covid-19 and social distancing measures?’*, June 2020, p 4

“In the medium term, as business perhaps returns to normal, it will be a challenge to catch up with the backlog. There will be a huge backlog of unpaid work, for example, that will still need to be done, and there is a deadline for delivering that within 12 months of sentence. There will be a backlog, as you say, of accredited programmes, which won’t have been completed. I hope that urgent work is going on to think about how those programmes might be delivered online. I know that some probation services have been experimenting to see whether you can deliver interventions online and there will be some interesting learning from that, but I think that is probably a poor relation compared to delivering these services face to face.”²⁰

21. On 2 June 2020, the Ministry of Justice and HMPPS set out their *Probation Roadmap to Recovery*²¹ which sets out what the easing of restrictions will mean in practice. The roadmap sets out “the key principles and objectives for how the recovery will be taken forward in stages across the probation system in step with the easing of government restrictions whilst continuing to adhere to public health advice”²² HMPPS also note that they will continue to work closely with criminal justice partners to align recovery plans.²³ The National Probation Service’s three-step road to recovery is summarised in box 1 below.

Box 1: Summary of Probation Step 1, Step 2 and Step 3²⁴



20 Q17 [Justin Russell]

21 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020)

22 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020), p 2

23 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020), p 2

24 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020), p

22. As the probation service moves to recovery, unpaid work, court work, interventions and probation programmes will gradually be scaled up on a limited basis.²⁵ However as a result of the exceptional delivery model, backlogs of work have built up, and it is unclear from the Probation Roadmap to Recovery how any backlogs, such as unpaid work, will be addressed.

23. In its *Probation Roadmap to Recovery*, HMPPS also note that as the service moves on from the initial response phase to the recovery phase, there are opportunities for learning and innovation across the whole of HMPPS, and they have commissioned work to look at the learning that can be taken from staff and offender experiences of more remote offender management during the lockdown period.²⁶

24. The Probation Roadmap to Recovery sets out the governance structure for decision making and states that:

“Ministers will make a judgement on the acceptable level of risk for the system as a whole, on the advice of HMPPS and Public Health England and Wales. In practice, this will involve Ministers making a “gateway” decision, at a national level, on the principle of us moving from probation step one to step two, and step two to step three... The Recovery Programme Board will oversee recovery coordination for the wider probation business, to ensure that decisions made in one part of the business do not adversely affect other parts, or the wider system.”²⁷

25. When asked when the probation service would move to step 2 on the road to recovery, Dr Jo Farrar, Chief Executive, HMPPS told the Committee that: “We are consulting at the moment. We promised our partners that we would give them two weeks’ notice, so within the next couple of weeks we want to be, as with prisons, opening up our probation services and having more face-to-face visits.”²⁸

26. The model of probation delivery has changed substantially in the weeks since the introduction of the UK lockdown, particularly the way in which case-management supervision is delivered. Additionally, other areas such as unpaid work and interventions have stopped. We recognise that these measures have been necessary, but we are concerned about increasing backlogs as a result of Covid-19—for example in unpaid work—and it is unclear how the Ministry and HMPPS intend to address these backlogs.

27. We recommend that the Ministry of Justice and HMPPS set out how the probation service intends to address the backlogs that have built up over the past three months. Additionally, we recommend that the Ministry and HMPPS set out how they will ensure that all individuals under probation supervision will be able to complete their sentence requirements, such as behaviour programmes.

28. The Committee are pleased to see the commitment from HMPPS to learn from the current model of delivery. We recommend that HMPPS update the Committee on progress of this piece of work, setting out how learning will be shared.

25 Letter from Lucy Frazer QC MP, Minister of State for Justice to Sir Bob Neill, Chair, Justice Committee, [COVID-19 in prisons, probation and the youth estate: plans for easing of restrictions](#), 2 June 2020

26 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020), p 2

27 Ministry of Justice, HMPPS and the National Probation Service, [Probation Roadmap to Recovery](#), (June 2020)

28 [Q231](#) [Jo Farrar]

2 Key Issues relating to Covid-19

Staffing

29. Covid-19 has exacerbated already present staffing issues within the probation service. Preceding the outbreak of Covid-19, staffing had been a significant issue. The National Probation Service reported more than 600 vacancies in England and Wales in June 2019.²⁹ For the year ending March 2020, 969 staff joined the NPS which is a 30.3% decrease compared to the year ending March 2019. 849 staff left the NPS for the Year ending March 2020 which is a slight decrease of 0.8% compared to the previous year.^{30,31} In its January 2020 report *An inspection of central functions supporting the National Probation Service*, HM Inspectorate of Probation found that “Workloads are high, with 60 per cent of probation officers carrying a workload over the 100 per cent target level and some much more than this. This reflects an ongoing and, in some areas, critical shortage of probation officers.”³²

30. Covid-19 has further diminished staffing levels across the probation service; Mr Buckland told the Committee in March that, “The challenge for us in the community, with a reduced number of probation officers, is how we supervise, which is why collaboration with the police and other agencies is going to be crucial if we are to be able to get this right.”³³ Dr Jo Farrar told the Committee in March 2020 that about 10% of prison staff, and a similar proportion of probation staff were self-isolating as a result of COVID-19; for prisons and probation together, about 4,300 people were self-isolating at the early stage of the pandemic.³⁴ In an update to the Committee on the 16 April, Amy Rees, Director General of Probation and Wales told the Committee that: “our statistics for staff are that we have about 2,000 staff everyday who are self-isolating. Of those, I am pleased to say that about 1,100 can do some work from home”.³⁵

31. Given the current issues relating to staffing in the probation service, and the effect Covid-19 has had on staffing levels, some note that this, in combination with the exceptional delivery model has increased the workload for staff. In evidence to the Committee, Katie Lomas, National Chair, Napo, states:

“The workload has actually increased as a result of the exceptional delivery model, because it requires a higher frequency of contact with clients—albeit not all face-to-face contact, but a higher frequency of contact all the same—and there is also the requirement to undertake a fresh assessment on every single client under supervision by Probation at the moment, which is massively increasing the workload.” Of course, where staff are not able to work at the moment because of illness or because they need to isolate

29 HM Inspectorate of Probation, [An inspection of central functions supporting the National Probation Service](#) (January 2020) p 4

30 Ministry of Justice, [Her Majesty’s Prison and Probation Service \(HMPPS\) Workforce Statistics Bulletin, as at 31 March 2020](#), May 2020

31 Staffing levels are provided only for the National Probation Service. Staff in private sector CRCs are excluded as are not directly employed by HMPPS. CRCs are able to set their own delivery and staffing models.

32 HM Inspectorate of Probation, [An inspection of central functions supporting the National Probation Service](#) (January 2020) p 4

33 Oral evidence taken on 24 March 2020, HC 225, [Q59](#) [Robert Buckland]

34 Oral evidence taken on 24 March 2020, HC 225, [Q53](#) [Jo Farrar]

35 [Q45](#) [Amy Rees]

or shield to such an extent, or where they are under pressure because they are working at home and also have caring responsibilities in the home, and they are unable to work to full capacity, then colleagues need to cover for them.”³⁶

32. Justin Russell, Chief Inspector of Probation, speaks of the challenges the probation service faces in terms of staffing;

“ ... we have had some real concerns about caseloads, particularly in community rehabilitation companies. We found that the average caseload of a probation officer in a CRC was 55, which we think is too high. And as one of your previous witnesses was saying, if people are being expected to contact those officers twice as often by phone, then again that will present some challenges.”³⁷

33. In April 2020, Amy Rees noted that some areas of work had decreased because of Covid-19. For example, court work has reduced because there is not the same number of offenders appearing at court. Additionally, group work has decreased, because of the social distancing measures in place.³⁸ Amy Rees states:

“I do not think it is true that the work has increased, but it certainly has significantly changed... there was a huge spike in in work in the first two weeks to change to the exceptional delivery model and now we are in the model where the amount of probation work we are doing, and in various pockets, has changed quite significantly”.³⁹

34. Commenting on morale within the probation service, Katie Lomas told the Committee that: “Staff morale is tricky, but there is a context to that, which is that workloads have been unacceptably high for many years now, since 2014; that is also having an impact”.⁴⁰ Katie Lomas further notes that as well as morale, staff wellbeing is a huge issue, stating that:

For a couple of years now we have been raising issues about staff wellbeing, because managers in the system are overwhelmed and unable to provide the support that we might expect them to provide for their frontline teams. Managers have an excessive workload in the same way as frontline staff have an excessive workload, and they are unable to provide that support.

35. Staff shortages and increased workloads within the probation service preceded the Covid-19 outbreak. Whilst the Committee recognise that Covid-19 means that some areas of work have stopped, it is clear that staff workloads are still extremely high, and staff morale and wellbeing are of significant concern within the probation service. In addition to these conditions, staff are also going through the second major reform programme to take place in just five years, and the impact of this uncertainty cannot be overestimated. We recommend that the Ministry of Justice and HMPPS set out what existing and additional measures are in place during this time to support staff wellbeing.

36 [Q4](#) [Katie Lomas]

37 [Q15](#) [Justin Russell]

38 [Q45](#) [Amy Rees]

39 [Q45](#) [Amy Rees]

40 [Q4](#) [Katie Lomas]

Release and resettlement

36. On 31 March 2020, the Government announced that some pregnant women and prisoners with children in Mother and Baby Units would be temporarily released from prison, where they were assessed not to pose a high risk of harm to the public.⁴¹ Further to this announcements, on 4 April 2020, the Government announced that selected risk assessed prisoners within two months of their release date could be temporarily released (End of Custody Temporary Release scheme).⁴² Offenders released early must have suitable accommodation to go to in order to be eligible.⁴³ Additionally this cohort of offenders are to be electronically tagged upon release. Although the announcement was welcomed by many, some expressed concerns about the pressure this could place on staff in the probation service. Ian Lawrence, General Secretary of Napo said

“This is welcome news. However, our members in both the National Probation Service and the 21 Community Rehabilitation Companies are already over stretched with dangerously high workloads. Probation providers must work to ensure this new cohort can be supervised safely and not cause additional operational pressure and stress to the workforce... The management of releases is vital to ensure that probation providers can cope with this sudden increase in community cases.”⁴⁴

37. Dr Jo Farrar later confirmed, however, that those released early under the End of Custody Temporary Release scheme would be released on temporary licence so would not initially fall under the jurisdiction of the probation service. At the end of their sentence, which would be within two months, they would then be on probation, so initially there would be light-touch involvement from probation at the start, and a more normal process later.⁴⁵

38. Katie Lomas, National Chair, Napo, told the Committee, that although the cohort released would not fall under probation supervision initially, clients would be contacted by phone, by their supervising officer at some point during their early release. She added that “the additional workload for probation comes in making the suitability assessments of the proposed accommodation for the client on their release and contributing to any assessments needed in terms of risk.”⁴⁶

39. Helen Berresford, Director of External Engagement, Nacro, notes that as well as considering the needs of those released early under the End of Custody Temporary Release Scheme, “we cannot forget that there are hundreds of people being released as normal—churn-through prisoners at the end of their sentence—every week, and we have to get the right support in place for those people as well.”⁴⁷

41 “Pregnant prisoners to be temporarily released from custody”, Ministry of Justice and Her Majesty’s Prison and Probation Service press release, [31 March 2020](#)

42 Ministry of Justice and Her Majesty’s Prison and Probation Service, [Covid-19: Prison releases](#) (April 2020)

43 Ministry of Justice and HMPPS, ‘[End of Custody Temporary Release](#)’, (April 2020) p6

44 “Early Prisoner Release: Union welcomes news but raises concerns over staff pressure”, Napo, [2 April 2020](#)

45 Justice Committee, [Summarised note](#), 7 April 2020

46 [Q6](#) [Katie Lomas]

47 [Q21](#) [Helen Berresford]

Resettlement from prison

40. Some have raised concerns about the resettlement support people may be receiving upon release from custody, particularly when many services are working remotely and with a reduced capacity. The Criminal Justice Alliance states that:

“People being released at the current time face additional challenges and may be particularly vulnerable to COVID-19 due to underlying health conditions and homelessness. There must be a guarantee of accommodation and both financial and practical support for all prison leavers during this crisis. Providing prison leavers with simple smart phones and increased discharge grants will help ensure they can access services and support at a time when much of this provision is being delivered remotely.”⁴⁸

41. Helen Berresford reiterates the importance of support to those upon release from custody during this time, when she states that:

“Almost all support is being provided remotely at the minute, so we need to make sure that everybody leaving prison—whether on early release or normal at-the-end-of-sentence release—has access to a mobile phone, so that they can receive the support they need and access all the services that they will need at different points. They will also need to have enough money to get them started. To be honest, they will need some of the basic essentials like soap, a toothbrush and some basic food and drink to get them through the first day or first few days. They may be released to somewhere they do not know. They may be released having to take public transport, which may or may not be running. It is an incredibly different situation out there.”⁴⁹

42. A coalition of five specialist small charities raise concerns that “There has been no MoJ/HMMPs guidance on how probation, housing or welfare support for prison-leavers will be guaranteed during this crisis. This is putting prison-leavers, and the wider public, at serious risk. We are already seeing people being turned away from probation due to staff shortages, leading to high anxiety about recall and even more limited support than normal”.⁵⁰ The coalition of charities calls on the Government to implement measures that will reduce risk, such as the provision of a “basic smartphone with credit for all prison-leavers to enable remote access to vital support services as physical offices become unreachable.”⁵¹

43. The transition from prison to the community can be crucial in terms of the risk of reoffending and when asked by the Committee about what support was available to those on release from custody, Lucy Frazer told the Committee that:

“... we are doing a lot of work with the third sector. You will be aware of Clinks, the umbrella organisation that draws together many voluntary sector organisations, and we are working very closely with them—we have set up a protocol—to see how we can feed in offers of support outside the core services that we have set up. We have had a number of very interesting

48 Criminal Justice Alliance, [Briefing for the Justice Committee on COVID-19](#), 2 April 2020

49 [Q21](#) [Helen Berresford]

50 Switchback, [Briefing: urgent action needed to support prison-leavers during Covid-19 crisis](#), 23 March 2020

51 Switchback, [Briefing: urgent action needed to support prison-leavers during Covid-19 crisis](#), 23 March 2020

offers; we are looking at those and at how we can maximise support from the third sector for these individuals.”⁵²

44. **At the best of times, release from prison can be a difficult time for many, however, Covid-19 has created a very different environment for those released from prison to enter. Service provision in the community has changed substantially and it is important that individuals released from prison continue to receive the support necessary to enable them to reintegrate into society and stop the cycle of offending. Whilst we welcome the Ministry’s commitment to work with the third sector, we are unclear what specific additional support has been put in place for those released from custody during this time and recommend that the Ministry of Justice and HMPPS set out what additional measures they have put in place to support prison leavers.**

Financial support

45. Ordinarily those released from prisons receive a Discharge Grant of £46. Individuals released early under the End of Custody Temporary Release Scheme, will receive a Subsistence Grant, which has been increased from £46 to £80.⁵³ The Minister of State for Justice, Lucy Frazer QC MP said:

“The purpose of both the Discharge Grant and the Subsistence Grant is to help prison leavers on release, so that they are supported while accessing other legal sources of income such as applying for benefits.

The higher rate of the Subsistence Grant is set at £80 to reflect the more limited amount of time prisoners have had to prepare for their release under the ECTR scheme and therefore the possibility that they would not have received the full amount of time and resources they would usually have had to prepare for release.”

There are currently no plans to increase the Discharge Grant, but we will continue to keep this under review.”⁵⁴

46. While the increase in the Subsistence Grant was widely welcomed, concerns have been raised that the increased amount applies only to those released under the End of Custody Temporary Release Scheme. Commenting on the increase, Nacro, in a briefing to the Committee stated: “Regardless of whether someone is released early or on their scheduled release date, they need sufficient money to buy essentials to give them a start outside of prison, often while they wait for benefits to be processed or to start a job. This is true at any time but even more so during the Coronavirus crisis where getting the essentials and the basics in place is even harder than usual”.⁵⁵

47. The Reducing Reoffending Third Sector Advisory Group (RR3) also comment on the financial provision for those released from custody, stating that the increase in Subsistence Grant is welcome, but that the increase should also be applied to the Discharge Grant which is available to those released in the ordinary course of events. RR3 states that:

“We understand the reasoning to limit it to the early releases was they will not have had as much time to prepare for release as those at the end of their

52 [Q50](#) [Lucy Frazer]

53 Justice Committee, [Summarised note](#), 7 April 2020

54 [PQ 540 6](#) [Prisoners’ Discharge Grants], 12 June 2020

55 Nacro, [Nacro briefing to the Justice Select Committee](#), 14 May 2020

sentences. Whilst this is true, we would contend that no-one leaving prison at this time has had opportunity to fully prepare for a release into a ‘Covid19 world’: where previous face to face support services are now only offered virtually or over the phone; employment opportunities have drastically diminished; libraries offering internet access are closed; children are not at school; food prices have increased; there is reduced access to public transport; the processes for applying for ID and open bank accounts (in order to receive Universal Credit) have been delayed and food banks and charities are facing drastic increases in demand.”⁵⁶

48. Many upon release will need to apply for benefits, such as Universal Credit. Access to benefits has been raised by some as a problem for prison leavers during the current Covid-19 pandemic; a coalition of five charities, in evidence to the Committee, state that “ In normal times people leaving prison struggle to access basic services like healthcare, housing and benefits. Without action, the Covid-19 crisis will greatly amplify these problems, increasing ill-health, homelessness, reoffending and risk of infection among the c.5,700 people released monthly.”⁵⁷

49. The Lord Chancellor and Secretary of State for Justice, rt hon, Robert Buckland QC MP told the Committee in April that he was working with the Department for Work and Pensions (DWP) on universal credit provisions.⁵⁸⁵⁹ The Minister of State for Justice, Lucy Frazer QC MP, later confirmed in evidence to the Committee in April that, on access to Universal Credit:

“Mostly, you are expected to apply online for universal credit, but DWP has very helpfully set up a dedicated phone line to enable our offenders—ex offenders—to get on to universal credit as swiftly as possible. I am working with my counterpart in DWP on that, and officials have been engaging proactively at official level.”⁶⁰

Measures to ensure swift access to universal credit are welcome, but we are not clear how effective such measures have been during the pandemic or what additional help has been available to individuals waiting for their first payment.

50. The Committee are pleased to hear about the work the Ministry has done with the DWP to make Universal Credit more accessible to those leaving prisons. We also welcome the increase in the Subsistence Grant for those who are leaving prison early under the End of Custody Temporary Release scheme, however, we also consider those leaving prison through the ordinary course of events to be in need of additional provision during this unprecedented time. We recommend that the Ministry review the Discharge Grant, and reconsider increasing it during the period of coronavirus, particularly considering that all those released from prison will face challenges adapting to the current environment, and vulnerability may be heightened by the fact that many support services have reduced in capacity and changed delivery models.

56 Reducing Reoffending Third Sector Advisory Group, *RR3 Recommendations: Lifelines for all prison leavers*, 14 May 2020

57 Switchback, *Briefing: urgent action needed to support prison-leavers during Covid-19 crisis*, 23 March 2020

58 Justice Committee, *Summarised note*, 7 April 2020.

59 We note that it usually takes around five weeks for an individual to receive a first universal credit payment following successful application. While waiting, the individual may apply for an advance to cover bills and other costs, which will need to be repaid.

60 [Q54](#) [Lucy Frazer]

Accommodation/housing

51. Accommodation for those released under the End of Custody Temporary Release scheme is among the criteria to be met in order for someone to be released early,⁶¹ but this is not the case for those released ordinarily when they come to the end of their sentence. Typically, many prisoners will be released from prison without accommodation to go on to, often referred to as released to ‘No Fixed Abode (NFA)’. Crisis note that this is a rising problem, but there is limited data on the scale of it.⁶² In 2016, The Howard League published a report *No Fixed Abode*, that found that a third of people about to leave prison said that they had nowhere to stay.⁶³ In a survey published by the MoJ in 2012, 15% of prisoners reported being homeless when they were sentenced. At the point of release, 37% of former prisoners reported having nowhere to live.⁶⁴

52. Justin Russell, Chief Inspector of Probation, notes in his July 2020 report, *Accommodation and support for adult offenders in the community on release from prison in England*, that “there are many barriers for individuals supervised by probation services to obtaining suitable, settled accommodation. These include a shortage of housing stock, delays in obtaining benefits, high up-front costs of renting, low priority on housing registers, insufficient support services, and providers who are averse to accommodating people with substantial criminal records”.⁶⁵ HM Inspectorate of Probation found that 4,742 individuals began community supervision whilst homeless in 2018–19 and there were 11,435 occasions where individuals were released from prison homeless.⁶⁶ Justin Russell states that “We were particularly disturbed by the high numbers of higher-risk prisoners being released into homelessness or unsettled accommodation. At least 22 per cent of NPS cases, by definition the highest risk individuals in the probation caseload, were released from prison without stable accommodation in 2018–2019—equivalent to 6,515 individuals. And only 75 per cent of individuals supervised by the NPS were in settled accommodation 12 months after release.”⁶⁷

53. On 23 March the Prime Minister announced a UK lockdown, with Government advice stating that people should stay at home.⁶⁸ The Lord Chancellor and Secretary of State for Justice, Rt Hon, Robert Buckland QC MP told the Committee in March that: “Over the next six months, quite a few thousand will be released in the normal course of events, which is why we are working very closely with MHCLG [Ministry of Housing, Communities and Local Government] and Louise Casey to develop at pace an accommodation plan.”⁶⁹ At the height of the pandemic, 85 young adults (18–25), 840 other adult males and 89 other adult women were released from custody homeless (either rough sleeping or other homeless, which refers to individuals who identify as homeless

61 Ministry of Justice and Her Majesty’s Prison and Probation Service, [End of Custody Temporary Release](#) (April 2020)

62 Crisis, [‘Prison Leavers’](#), accessed 29 June 2020

63 The Howard League, [No Fixed Abode](#) (2016), p 5

64 Ministry of Justice, [Accommodation, homelessness and reoffending of prisoners: Results from the Surveying Prisoner Crime Reduction \(SPCR\) survey](#) (March 2012), p 1

65 HM Inspectorate of Probation, [Accommodation and support for adult offenders in the community on release from prison in England](#) (July 2020) p 4

66 HM Inspectorate of Probation, [Accommodation and support for adult offenders in the community on release from prison in England](#) (July 2020) p 6

67 HM Inspectorate of Probation, [Accommodation and support for adult offenders in the community on release from prison in England](#) (July 2020) p 4

68 Cabinet Office, [‘Staying at home and away from others \(social distancing\)’](#), accessed 29 June 2020

69 Justice Committee, Oral Evidence, The Work of the Lord Chancellor, [HC 225](#), 24 March 2020

but have not been identified as rough sleeping). In addition to this 1,209 individuals were released with unknown accommodation circumstances.”[1][2] By comparison, in quarter 4 of 2018/19 (the latest period for which statistics are available) 2,586 individuals were released homeless (rough sleeping or other homeless).

54. Many of those who leave prison face challenges in securing accommodation, including in private rented and local authority housing.⁷⁰ Helen Berresford, Director of External Engagement, Nacro, told the Committee that “housing is always one of the biggest challenges that we face in resettlement, and to be honest, it continues to be so.”⁷¹

55. In response to Covid-19, the Ministry of Justice and HMPPS have set out various measures to support prison leavers to access accommodation, including setting up a “seven Homeless Prevention Taskforces (HPTs) to coordinate the sourcing of accommodation for those offenders released early, in order to ensure no offender is released early without accommodation in place”.⁷² Additionally, the Ministry of Justice state that they have “secured up to £8.5 million to support individuals at risk of homelessness on their release from prison for up to eight weeks and help to move on into permanent accommodation. This scheme was originally due to run until 26th June; however, we have recently undertaken our first review and, following this, have extended the scheme until 31 July.”⁷³

56. Accommodation is an important resettlement need for prison leavers, and we welcome the work that the Ministry of Justice and HMPPS have done during the pandemic to ensure that prison leavers have the best access to accommodation as possible. We are also pleased to hear that scheme to support individuals leaving prison has been extended to the 31 July. Given that Covid-19 is an ongoing situation, we recommend that the Ministry of Justice and HMPPS continue to keep this scheme under review to ensure that the housing needs of prison leavers continue to be met. Additionally, we recommend that the Ministry set out their what work is being done in the longer term to address the housing needs of prisoners on release from custody and prevent homelessness.

70 Nacro, [Nacro briefing to the Justice Select Committee](#), 14 May 2020

71 [Q23](#) [Helen Berresford]

72 [PQ 618 7](#) [Prisoners’ Release], 25 June 2020

73 [PQ 618 7](#) [Prisoners’ Release], 25 June 2020

3 Probation Reform Programme

57. The probation service has undergone significant reforms in the past five years and on 11 June 2020, the Lord Chancellor and Secretary of State for Justice, Rt Hon, Robert Buckland QC MP, announced further changes to the future model of probation, stating that the competitive process for Probation Delivery Partner Contracts would be ended and instead these elements of probation delivery would be brought back under the control of the NPS.⁷⁴ Mr Buckland, in a statement to the House, stated that:

“The disruption caused by covid-19 makes delivery of other parts of our plans considerably more complex, and looking ahead, it is vital for public and judicial confidence that we have the flexibility to deliver a national response to any future challenges that covid-19 presents. For these reasons, I am today setting out changes to streamline the reforms, giving priority to unifying the management of offenders under a single organisation by June next year as planned, while giving us greater flexibility to respond to an uncertain picture across the criminal justice system and beyond.

Under those revised plans, we will end the competitive process for probation delivery partners. The delivery of unpaid work and behavioural change programmes will instead be brought under the control of the NPS alongside offender supervision when the current CRC contracts end in June next year.”⁷⁵

58. The Committee noted that private sector providers were given very little notice of the change in model and asked the Lord Chancellor to set out why they were given so little notice and so little option to put forward alternatives.⁷⁶ Responding to the Committee, Mr Buckland stated:

“... The viability of a process that we wanted as many participants as possible to take part in, in the context of Covid, was going to be difficult.

Frankly, I had a choice: should I postpone the reforms into the blue yonder or keep to the timetable we had publicly set ourselves and that had already been slightly adjusted in any event? I decided that it was right to keep to the timetable. Why? Because I have a wide duty, not just to the parts of the system that provide the services that the CRCs provided, but to the National Probation Service as well, and the need to make sure that any transition period was as smooth and as nondisruptive as possible. I took the judgment that it would not be right for me, in effect, to keep things in suspended animation, running a system that I think had run its course, and promising change but not then delivering it.”⁷⁷

59. In a press release following the June 2020 announcement, Justin Russell, Chief Inspector of Probation states that; “Today’s [11 June] announcement is likely to be welcomed by many, but it is not a magic bullet for improving performance by itself. The probation service must be properly funded. The quality of probation supervision will not

74 HC Deb, 11 June 2020, [col 426](#) [Commons Chamber]

75 HC Deb, 11 June 2020, [col 426](#) [Commons Chamber]

76 [Q227](#) [Rob Butler]

77 [Q227](#) [Robert Buckland]

improve merely by lifting and shifting large volumes of cases from CRCs back into the NPS next year.”⁷⁸

60. Covid-19 has created an already challenging environment for both probation staff and offenders, and speaking of the longer-term impact that Covid-19 may have on the probation service, Mr Russel told the Committee that:

“CRCs and the National Probation Service are already thinking about planning for that transition. That will involve an awful lot of work, and they will need to do that on top of recovering from the impact of covid-19 and all the work that that will involve. It will be a really challenging year for the service.”⁷⁹

61. The probation service has been in a continual state of reform and uncertainty for the past five years, and is now adapting to the challenges presented by Covid-19. Whilst the announcement is a welcome one, the new model is expected to go live in the summer of 2021 and the Committee recognise that this is a huge task to undertake in a year, particularly given the current circumstances. *We recommend that the Ministry of Justice set out a detailed timeframe for the transition of the probation service to the new model. Additionally, the Ministry of Justice should keep the Committee updated on progress, including any potential delays to the transition.*

78 “Response to Lord Chancellor’s announcement from Chief Inspector of Probation Justin Russell”, HM Inspectorate of Probation, [11 June 2020](#)

79 [Q17](#) [Justin Russell]

Conclusions and recommendations

Introduction

1. The Covid-19 pandemic poses an urgent threat to public health and safety. It is an unprecedented situation that has required an immediate response by the National Probation Service, CRCs and all other services providers along with the NHS to save lives. We praise the probation service and wider stakeholders for the vital work they are doing to respond to the pandemic, support their offenders and protect the public.(Paragraph 3)

Changes to Probation during Covid-19

2. The Committee recognise that Covid-19 has required an immediate and unprecedented response and praise the probation staff and offenders for adapting to the current situation. The Committee are aware that the NPS and CRCs may differ in their models of delivery, however we are concerned to hear reports that inconsistencies in practice may be hindering staff safety and causing concern to individuals trying to adhere to their sentence. We recommend that the Ministry of Justice and HMPPS set out what guidance has been issued to CRCs, and how they are monitoring the models being delivered in different CRCs.The Committee recognise that Covid-19 has required an immediate and unprecedented response and praise the probation staff and offenders for adapting to the current situation. The Committee are aware that the NPS and CRCs may differ in their models of delivery, however we are concerned to hear reports that inconsistencies in practice may be hindering staff safety and causing concern to individuals trying to adhere to their sentence. We recommend that the Ministry of Justice and HMPPS set out what guidance has been issued to CRCs, and how they are monitoring the models being delivered in different CRCs. (Paragraph 19)

Key Issues relating to Covid-19

3. The model of probation delivery has changed substantially in the weeks since the introduction of the UK lockdown, particularly the way in which case-management supervision is delivered. Additionally, other areas such as unpaid work and interventions have stopped. We recognise that these measures have been necessary, but we are concerned about increasing backlogs as a result of Covid-19—for example in unpaid work—and it is unclear how the Ministry and HMPPS intend to address these backlogs.(Paragraph 26)
4. We recommend that the Ministry of Justice and HMPPS set out how the probation service intends to address the backlogs that have built up over the past three months. Additionally, we recommend that the Ministry and HMPPS set out how they will ensure that all individuals under probation supervision will be able to complete their sentence requirements, such as behaviour programmes.(Paragraph 27)
5. The Committee are pleased to see the commitment from HMPPS to learn from the current model of delivery. We recommend that HMPPS update the Committee on

progress of this piece of work, setting out how learning will be shared. The Committee are pleased to see the commitment from HMPPS to learn from the current model of delivery. We recommend that HMPPS update the Committee on progress of this piece of work, setting out how learning will be shared. (Paragraph 28)

6. Staff shortages and increased workloads within the probation service preceded the Covid-19 outbreak. Whilst the Committee recognise that Covid-19 means that some areas of work have stopped, it is clear that staff workloads are still extremely high, and staff morale and wellbeing are of significant concern within the probation service. In addition to these conditions, staff are also going through the second major reform programme to take place in just five years, and the impact of this uncertainty cannot be overestimated. We recommend that the Ministry of Justice and HMPPS set out what existing and additional measures are in place during this time to support staff wellbeing. Staff shortages and increased workloads within the probation service preceded the Covid-19 outbreak. Whilst the Committee recognise that Covid-19 means that some areas of work have stopped, it is clear that staff workloads are still extremely high, and staff morale and wellbeing are of significant concern within the probation service. In addition to these conditions, staff are also going through the second major reform programme to take place in just five years, and the impact of this uncertainty cannot be overestimated. We recommend that the Ministry of Justice and HMPPS set out what existing and additional measures are in place during this time to support staff wellbeing.. (Paragraph 35)
7. At the best of times, release from prison can be a difficult time for many, however, Covid-19 has created a very different environment for those released from prison to enter. Service provision in the community has changed substantially and it is important that individuals released from prison continue to receive the support necessary to enable them to reintegrate into society and stop the cycle of offending. Whilst we welcome the Ministry's commitment to work with the third sector, we are unclear what specific additional support has been put in place for those released from custody during this time and recommend that the Ministry of Justice and HMPPS set out what additional measures they have put in place to support prison leavers.^e At the best of times, release from prison can be a difficult time for many, however, Covid-19 has created a very different environment for those released from prison to enter. Service provision in the community has changed substantially and it is important that individuals released from prison continue to receive the support necessary to enable them to reintegrate into society and stop the cycle of offending. Whilst we welcome the Ministry's commitment to work with the third sector, we are unclear what specific additional support has been put in place for those released from custody during this time and recommend that the Ministry of Justice and HMPPS set out what additional measures they have put in place to support prison leavers.. (Paragraph 44)
8. The Committee are pleased to hear about the work the Ministry has done with the DWP to make Universal Credit more accessible to those leaving prisons. We also welcome the increase in the Subsistence Grant for those who are leaving prison early under the End of Custody Temporary Release scheme, however, we also consider those leaving prison through the ordinary course of events to be in need of additional provision during this unprecedented time. We recommend that the Ministry review

the Discharge Grant, and reconsider increasing it during the period of coronavirus, particularly considering that all those released from prison will face challenges adapting to the current environment, and vulnerability may be heightened by the fact that many support services have reduced in capacity and changed delivery models. The Committee are pleased to hear about the work the Ministry has done with the DWP to make Universal Credit more accessible to those leaving prisons. We also welcome the increase in the Subsistence Grant for those who are leaving prison early under the End of Custody Temporary Release scheme, however, we also consider those leaving prison through the ordinary course of events to be in need of additional provision during this unprecedented time. We recommend that the Ministry review the Discharge Grant, and reconsider increasing it during the period of coronavirus, particularly considering that all those released from prison will face challenges adapting to the current environment, and vulnerability may be heightened by the fact that many support services have reduced in capacity and changed delivery models. (Paragraph 50)

9. Accommodation is an important resettlement need for prison leavers, and we welcome the work that the Ministry of Justice and HMPPS have done during the pandemic to ensure that prison leavers have the best access to accommodation as possible. We are also pleased to hear that scheme to support individuals leaving prison has been extended to the 31 July. Given that Covid-19 is an ongoing situation, we recommend that the Ministry of Justice and HMPPS continue to keep this scheme under review to ensure that the housing needs of prison leavers continue to be met. Additionally, we recommend that the Ministry set out their what work is being done in the longer term to address the housing needs of prisoners on release from custody and prevent homelessness. Accommodation is an important resettlement need for prison leavers, and we welcome the work that the Ministry of Justice and HMPPS have done during the pandemic to ensure that prison leavers have the best access to accommodation as possible. We are also pleased to hear that scheme to support individuals leaving prison has been extended to the 31 July. Given that Covid-19 is an ongoing situation, we recommend that the Ministry of Justice and HMPPS continue to keep this scheme under review to ensure that the housing needs of prison leavers continue to be met. Additionally, we recommend that the Ministry set out their what work is being done in the longer term to address the housing needs of prisoners on release from custody and prevent homelessness. (Paragraph 56)

Probation Reform Programme

10. The probation service has been in a continual state of reform and uncertainty for the past five years, and is now adapting to the challenges presented by Covid-19. Whilst the announcement is a welcome one, the new model is expected to go live in the summer of 2021 and the Committee recognise that this is a huge task to undertake in a year, particularly given the current circumstances. We recommend that the Ministry of Justice set out a detailed timeframe for the transition of the probation service to the new model. Additionally, the Ministry of Justice should keep the Committee updated on progress, including any potential delays to the transition. The probation service has been in a continual state of reform and uncertainty for the past five years, and is now adapting to the challenges presented by Covid-19. Whilst

the announcement is a welcome one, the new model is expected to go live in the summer of 2021 and the Committee recognise that this is a huge task to undertake in a year, particularly given the current circumstances. We recommend that the Ministry of Justice set out a detailed timeframe for the transition of the probation service to the new model. Additionally, the Ministry of Justice should keep the Committee updated on progress, including any potential delays to the transition. (Paragraph 61)

Formal minutes

Wednesday 15 July 2020

Members present:

Robert Neill, in the Chair

Paula Barker	Maria Eagle
Richard Burgon	John Howell
Rob Butler	Kenny MacAskill
James Daly	Dr Kieran Mullan
Ms Sarah Dines	Andy Slaughter

Draft Report (*Coronavirus (Covid-19): The impact on probation services*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 61 read and agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 21 July at 1.45 pm]

Written evidence

[A Criminal Barrister](#)

[Arthur Michael Robinson](#)

[Chartered Institute of Legal Executives](#)

[Children's Rights Alliance for England the Youth Justice Legal Centre, part of Just for Kids Law](#)

[Clinks](#): Impact on the voluntary sector

[Clinks](#): Briefing for Justice Committee

[Criminal Justice Alliance](#) 5 June 2020

[Criminal Justice Alliance](#) 2 April 2020

[Howard League for Penal Reform](#): Women in prison

[Howard League for Penal Reform](#): Briefing for Justice Committee

[Independent Advisory Panel on Deaths in custody](#)

[INQUEST](#)

[JUSTICE](#): Briefing for Justice Committee

[JUSTICE](#): Ensuring fairness in socially distanced trials

[Law Centres Network](#)

[Law Society's Junior Lawyers Division](#)

[Legal Aid Practitioners](#)

Rt Hon Lord Burnett of Malden, [Lord Chief Justice of England and Wales](#), dated 10 June, Open Justice

[Magistrates Association](#)

Ministry of Justice

Rt Hon Robert Buckland QC MP, Lord Chancellor and Secretary of State for Justice, dated 7 July 2020: [Impact of COVID-19 on criminal enforcement](#)

Rt Hon Robert Buckland QC MP, Lord Chancellor and Secretary of State for Justice, dated 28 May 2020: [CPT Statement of Principles](#)

Lucy Frazer QC MP, Minister of State for Justice, dated 10 June 2020: [Reforms to probation services](#)

Lucy Frazer QC MP, Minister of State for Justice: [Covid-19 plans for easing of restrictions](#)

Lucy Frazer QC MP, Minister of State for Justice dated 26 May 2020: [HMPPS reporting of staff cases of Covid-19](#)

Lucy Frazer QC MP, Minister of State for Justice dated 28 May 2020: [Covid-19 testing for prison and probation staff](#)

Lucy Frazer QC MP, Minister of State for Justice dated 28 May 2020: [Deployment of temporary accommodation across the prison estate as part of Covid-19 mitigation plan](#)

Lucy Frazer QC MP, Minister of State for Justice dated 28 May 2020: [Covid-19 in prisons: family contact](#)

Chris Philp MP, Parliamentary Under-Secretary of State, Ministry of Justice, 17 June 2020: [Release of HMMCTS weekly operational management information](#)

Chris Philp MP, Parliamentary Under-Secretary of State, Ministry of Justice, 3 June 2020: [Changes made to mitigate the impact of Covid 19 on the courts and tribunal system](#)

[NACRO](#)

Sir Robert Neill, Chair, Justice Committee to Lord Chancellor, dated 8 April 2020: [evidence session on 7 April 2020](#)

[Prison Governors Association](#)

[Prison Reform Trust: 21 May 2020](#)

[Prison Reform Trust: 14 May 2020](#)

[Prison Reform Trust: Briefing for Justice Committee](#)

[Public and Commercial Services Union](#)

[Reducing Reoffending Third Sector Advisory Group](#)

[Revolving Doors Agency](#)

[Standing Committee for Youth Justice](#)

[Switchback](#)

[Transform Justice: Issues in the criminal courts](#)

[Transform Justice: Briefing for Justice Committee](#)

[Unlock](#)

[Women in Prison: Briefing for Justice Committee](#)

[Women in Prison: additional material on planning for release](#)

[Young Legal Aid Lawyers](#)

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 14 April 2020

Katie Lomas , National Chair, Napo; Ian Lawrence , General Secretary, Napo	Q1–8
Justin Russell , Chief Inspector of Probation, Her Majesty's Inspectorate of Probation	Q9–19
Mark Johnson , Chief Executive Officer, User Voice; Helen Berresford , Director of External Engagement, NACRO	Q20–25
Lucy Frazer QC MP , Minister of State, Ministry of Justice; Jo Farrar , Chief Executive, HM Prison and Probation Service; Amy Rees , Director General of Probation and Wales, HM Prison and Probation Service	Q26–58

Monday 04 May 2020

John Bache JP , National Chairman, Magistrates Association; Ellie Cumbo , Head of Public Law, Law Society	Q59–86
Amanda Pinto QC , Chair, The Bar Council; Bill Waddington , Chairman, Criminal Law Solicitors Association; Simon Davies , President, Law Society; Elspeth Thomson , Co-chair, (family justice professionals group), Resolution	Q87–108
Chris Philp , Parliamentary Under Secretary of State, Ministry of Justice; Susan Acland-Hood , Chief Executive, HM Courts and Tribunals Service; Alex Chalk , Parliamentary Under Secretary of State, Ministry of Justice	Q109–136

Friday 22 May 2020

Rt Hon The Lord Burnett of Maldon , Lord Chief Justice, Judiciary of England and Wales	Q137–175
-----------------------------------------------------------------------------------------------	--------------------------

Tuesday 23 June 2020

Robert Buckland , Lord Chancellor and Secretary of State, Ministry of Justice; Susan Acland-Hood , Chief Executive, HM Courts and Tribunals Service; Dr Jo Farrar , Chief Executive, HM Prison and Probation Service	Q176–243
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2019–21

First Report	Appointment of Chair of the Office for Legal Complaints	HC 224
Second Report	Sentencing Council consultation on changes to magistrates' court sentencing guidelines	HC 460
First Special Report	Prison Governance: Government Response to the Committee's First Report of Session 2019	HC 150
Second Special Report	Court and Tribunal Reforms: Government Response to the Committee's Second Report of Session 2019	HC 151
Third Special Report	Transforming Rehabilitation: Follow-up: Government Response to the Committee's Nineteenth Report of Session 2017–19	HC 152