



Home Office

**Laura Farris MP**  
Minister for Victims and  
Safeguarding



Ministry  
of Justice

Rt Hon Caroline Nokes MP  
Chair, Women and Equalities Committee  
House of Commons  
London  
SW1A 0AA

16 April 2024

Dear Chair,

Thank you for the opportunity to give evidence to the Committee's 'Escalation of VAWG' Inquiry on 20<sup>th</sup> March.

As requested, please see further information on the questions you asked me to write on outlined below.

**On spiking, what steps we are taking to address the fact that there is no statutory obligation for hospitals to take tests which could help victims down the line on spiking.**

It would not be appropriate to place additional testing requirements on the health service in relation to spiking incidents, and we have no plans to introduce a statutory responsibility on hospitals. The Government's position remains that the only reliable testing method for spiking (and the only one way which enables the sample to be used as evidence in criminal proceedings) is through the lab-based rapid urine-screening process established by the police in December 2021 with forensic provider Eurofins. This is the only process which can accurately detect the full range of potential substances used in spiking and can later be used in court.

We strongly encourage anyone who believe that they or someone around them has been spiked to contact the police as soon as possible so that samples can be taken for testing, preferably within 24 hours of the incident occurring.

Additionally, the Home Office is committed to working with law enforcement to carry out research into the capability of existing, non-lab-based spiking test kits to identify whether they meet police requirements, or whether a new product is needed to help venues and police detect if someone has been spiked in real-time.

**Steps to address the fact that the "risk of serious recidivism tool for sexual offending" has been found to under predict contact sexual reoffending.**

The Risk of Serious Recidivism (RSR) tool predicts seriously harmful behaviour, including proven sexual reoffending. The OASys Sexual reoffending Predictor is a subset of RSR. Prisons and probation officers use the OASys Sexual reoffending Predictor (OSP) as the sexual offending risk assessment tool to predict sexual reoffending by men already convicted of a sexual offence. OSP produces two outcomes which have been – OSP/C which predicts contact sexual reoffending and OSP/I which predicts offending linked to indecent images of children. MoJ data analysts undertook a revalidation study to make sure the tool was working as intended and found that it was working well for predicting direct contact reoffending such as rape and sexual assault, and for offending relating to indecent images of children. They found, however, that it was not predicting effectively for a group of six specific offence subtypes that we have collectively termed ‘indirect child contact’ offences e.g. inciting a child to engage in sexual activity and engaging a child in sexual communication. These offences are often, but not exclusively, committed online.

Analysts subsequently undertook follow up analysis to identify a remedy. In simple terms, they found that the patterns of offending of people convicted of indirect child contact offences were more similar to those convicted of indecent image offending than direct contact offending.

On 28th March 2024, the tool was updated to move the prediction of indirect contact offending into the scale with indecent image offending. All new OSP assessments now produce two new scales – OSP/DC which predicts direct contact sexual offending such as rape and sexual assault and OSP/IIC which predicts indirect child contact and indecent images of children offending. This process of updating the tool is based on recent reoffending data, which therefore addresses the underprediction that had been caused by proven sexual reoffending rates changing over time.

### **Data on programmes for offenders – specifically relating to waiting lists.**

The Home Office and His Majesty’s Prison and Probation Service (HMPPS) both offer domestic abuse perpetrator programmes to different cohorts of perpetrators.

#### Home Office perpetrator programmes

Since 2020 the Home Office have made funding available via the Domestic Abuse and Stalking Perpetrator Intervention Fund to Police and Crime Commissioners (PCCs) to fund local programmes including domestic abuse behaviour change and stalking programmes, and to expand effective domestic abuse perpetrator programmes such as Drive. Perpetrator interventions aim to help change or disrupt offenders’ behaviour and they can help to stop offenders from committing a crime or from reoffending. The funding covers a range of programmes targeting three areas – domestic abuse, stalking, and child to parent abuse.

The programmes delivered through the fund are for perpetrators not engaged in the criminal justice system. Voluntary programmes delivered in the community provide the only opportunity to intervene with perpetrators who can be made to recognise the harm caused by their behaviour. This is crucial as unfortunately; many domestic abuse cases do not result in a conviction. The Crime Survey for England and Wales year ending March 2023 found that 19% of partner abuse victims aged 16 and over reported telling the police about their abuse in the previous year. These voluntary, community programmes are vital for ensuring that perpetrators and victims are not left without support until harm has escalated to the point of criminal justice involvement.

We are clear that funding for perpetrators should be as well as funding for victims' services, and not instead of. These programmes provide a vital opportunity for support services to engage with victims and their children. All bids to the fund were required to include provision for victim support alongside perpetrator interventions. The ultimate aim of the fund is to improve the safety, and feeling of safety, for victims and their children, by reducing the risk posed by perpetrators.

We have collected monitoring data on the programmes within the fund since it began in 2020 and are currently working with an external evaluator to progress further evaluation of projects within the fund.

#### Accredited programmes

Under the provisions set out by the Sentencing Act 2020, HMPPS currently offer 11 Accredited Programmes (see Annex A) that address offending behaviour and seek to improve decision-making, problem-solving skills, teach individuals how to self-manage and regulate emotions. The programmes vary in length, complexity, and mode of delivery to match the risk and need profile of distinct cohorts.

All of our work on Accredited Programmes is overseen by an independent panel of experts who attest to the fact that the work aligns to the best evidence of what works.

Accredited Programmes should be offered to those who need them as part of the wider rehabilitative offer. However, Accredited Programmes are not the right answer for everyone. We offer a range of other rehabilitative activity, such as support for accommodation and employment, education and more.

It is important to remember that programmes are not a "silver bullet" solution or "cure" to reoffending.

Beyond the programmes and services currently available, HMPPS are developing the Next Generation of Accredited Programmes (Next Gen) and Building Choices programme.

The Next Generation of Accredited Programmes (Next Gen) is a change programme which aims to reform the current suite of Accredited Programmes to deliver a streamlined and more coherent service that realises important benefits across the system for all. Next Gen is informed by the latest international evidence and co-designed with delivery teams and those with lived experience.

As part of the Next Gen change programme, a new rehabilitative programme provisionally called Building Choices is under development. Building Choices addresses both offence-specific and wider offending behaviour risks and needs to target the versatility of offending behaviour using a person-centred approach.

#### Data on waiting lists

Custodial Accredited programmes are not suitable for all prisoners. Programme teams conduct assessments based on understanding participant need and responsivity factors such as motivation. Programme staff will consider prioritisation principles to allocate to a programme space from waiting lists. Prioritisation principles are used to consider any upcoming relevant dates (such as release date, or Parole Board hearing) and those with the highest risk of reoffending to ensure that in

custody we prioritise places for those with an imminent risk of being in the community to ensure public protection.

Within custody, the number of programme places are finite based on resources available and the wider changes in the prison population. HMPPS will continue to review the prison population and make investment decisions around accredited programmes that serve to best protect the public and achieve positive outcomes for prisoners and will endeavour to offer programme places to those prisoners who are identified as priority for a custodial programme place.

Data regarding referral and waiting lists for programmes is held locally in prisons. We collate data to assist with planning; data collection from November 2023 identified 58 individuals fully assessed and waiting for the Building Better Relationships (BBR) programme, and 52 waiting for Kaizen (Interpersonal Violence). Data shows there were an additional 316 individuals awaiting assessment for BBR and 85 for Kaizen IPV. A proportion of these individuals will not be eligible or suitable for the programmes.

BBR and Kaizen IPV are both accredited programmes which target interpersonal/relational violence. In 2023/24 there were 141 places offered by prisons in England and Wales for Kaizen (IPV) and 200 places for BBR in April 2023. We are in the process of confirming the 24/25 delivery volumes.

#### **The dedicated budget for technical upgrades in the courts?**

Since 2021/22, MoJ has invested £22.7m across our estate through the Digital Audio-Visual Evolution (DAVE) project. This has included upgrades to 46 Crown Court rooms and has been well received by judges and court users. Budgets for 2024/25 are still being confirmed.

#### **Whether making non-consensual intimate image content should be illegal so that internet service providers are required to block the content.**

The Online Safety Act requires all companies in scope of the illegal safety duties to remove illegal content online when they become aware of it. For example, content which amounts to an offence under the new intimate image abuse offences – including intimate images which have been shared without consent. This will enhance protections for victims of intimate image abuse.

#### **Clarification on the definition of a “repost” with regards to non-consensual intimate image abuse.**

Resharing and onward sharing of an intimate image will be caught by the sharing offences where the individual depicted did not consent.

This does not cover intimate images that had already been publicly shared (or which the person sharing the image reasonably believed that the image had previously been shared in public) and where the person who was depicted in the image had provided consent to that previous sharing, or the person (re)sharing reasonably believed that they consented to the prior sharing. For example, the onward sharing of topless photos of a model from a magazine.

It is important to note that the issue of consent relates not only specific consent to the particular act of sharing, but also general consent which covers the particular act of sharing. So, for example, if B gave A permission to share a particular image of them with a specific and private WhatsApp group and A then shared the image on their Facebook account, that would be an offence.

In more serious cases, such as continued harassment online by repeated sharing of images without consent, there are other offences which may also apply, such as harassment.

To note, the definition of sharing includes all behaviours that have made the intimate image available to another. This should include physical posting, showing or displaying, sharing on social media, peer to peer messaging, or making the image available digitally through transferring a file, sending an encrypted file, saving the image at a specific location and enabling someone to access it, sending a link or other instructions on how to access the file from a place where the sender has stored it.

### **Silent prayer and the Public Order Act (Abortion buffer zones)**

The Government is committed to enacting the will of Parliament. However, we recognise that this is new legislation and that determining the appropriate balance between competing interests will not always be straightforward. The Government will therefore publish non-statutory guidance to support the introduction of Safe Access Zones. The Government has recently consulted publicly on the guidance. We are currently analysing all responses to the consultation, which closed on 22 January, and we will publish the final guidance in due course. We anticipate commencing Section 9 of the Public Order Act 2023, which introduces Safe Access Zones, no later than Spring 2024.

Once again, thank you for the opportunity to give evidence to the Committee's inquiry and I trust that this reply is helpful.

Yours sincerely

A handwritten signature in black ink that reads "Laura Farris". The signature is written in a cursive, flowing style.

**Laura Farris MP**  
**Minister for Victims and Safeguarding**

**Annex A – further information on HMPPS Accredited schemes**

- Further information about Accredited Programmes can be found by visiting <https://www.gov.uk/guidance/offending-behaviour-programmes-and-interventions>.
- The latest published data (2022 – 2023) for Accredited Programme participation in Prisons can be found by visiting [https://assets.publishing.service.gov.uk/media/6515a1e87c2c4a001395e1ee/Education\\_Publication\\_tables\\_2022\\_23.ods](https://assets.publishing.service.gov.uk/media/6515a1e87c2c4a001395e1ee/Education_Publication_tables_2022_23.ods). Specifically, ‘Starts’ data is on tab 3\_1, and ‘Completions’ data is on tab 3\_2. Data for 2023 – 2024 is due to be published in September 2024 here: <https://www.gov.uk/government/statistics/announcements/prison-education-and-accredited-programme-statistics-2023-to-2024>.
- The latest published participation data for Probation is from 2016 – 2017 and can be found by visiting <https://assets.publishing.service.gov.uk/media/5a9fbd6aed915d07a3b5dcb7/supplementary-tables-mdt-data-tool.zip> (file ‘6. Accredited Programmes revised’).
- Availability of Accredited Programmes in Prisons and Probation varies by programme.
- A summary of IS’ Accredited Programmes is provided in the table below:

Accredited Programme	Description	Offence Cohort	Available in
Becoming New Me Plus (BNM+)	Designed for high or very high-risk adult men who have learning disabilities or learning challenges (LDC) and have been convicted of a sexual, Intimate Partner Violence (IPV) or general violent offence. It supports participants to develop optimism and skills to strengthen their pro-social identity and plan for an offence-free life.	Domestic Abuse (DA) / Intimate Partner Violence (IPV) Sexual Offending (SO) General Violence  LDC equivalent of the Kaizen programme	Prisons only
Building Better Relationships (BBR)	Designed for adult male perpetrators convicted of an Intimate Partner Violence (IPV) related offence against a female partner who present with a moderate or high (moderate only in custody) risk of committing future IPV offences. BBR acknowledges that IPV is a complex problem that is likely to have multiple causes and is responsive to the needs of individual participants.  Support for the victims and current partners of men who attend BBR in Probation is available via a Domestic Abuse Safety Officer (DASO). This service is not routinely accessible to the victims of perpetrators who access Kaizen and the LDC suite in custody.	Domestic Abuse (DA) / Intimate Partner Violence (IPV)	Prisons and Probation
Healthy Sex Programme (HSP)	Designed for adult men who have been convicted of a sexually motivated offence, and who have a strong offence-related sexual interest (also referred to as “paraphilia”). HSP helps participants to manage offence-related sexual interests by strengthening sexual self-regulation skills for living constructive crime-free lives. It responds to the needs of individuals with learning disabilities and challenges and is delivered one to one.	Sexual Offending (SO)	Prisons only
Horizon	Designed for medium and above risk adult men who have been convicted of a sexual offence. It supports development of skills to strengthen	Sexual Offending (SO)	

OFFICIAL

	pro-social identity and plan for an offence-free life.		
iHorizon	A version of Horizon for men whose sexual offending is internet only. Offences involve possessing, downloading, and/or distributing indecent images.	Sexual Offending (SO)	Probation only
Healthy Identity Intervention (HII)	Available for men and women to support an individual in addressing the factors which led to their involvement in a group, cause, or ideology that led to them being convicted of a terrorist or terrorism-connected offence. Where a participant is identified as having a history of violent behaviour towards women or displays misogynistic attitudes or behaviour, this will be identified prior to the intervention and subsequently considered in intervention planning. The HII contains exercises which encourage participants to reflect on their values and beliefs, which would include the discussion of views which legitimise violence against women and girls. The HII provides the opportunity to consider these values and beliefs within the context of terrorist offending.	Extremism-related offending Eligibility dependent on underlying motivation and offence	Prisons and Probation
Identity Matters (IM)	A one-to-one programme for adult men in custody whose offending and harmful behaviour is motivated by their identification with a gang or group.	Group- / Gang-Affiliated Offending Eligibility dependent on underlying motivation and offence	Prisons only
Kaizen	Designed for high or very high-risk adult men who have been convicted of a Sexual, Intimate Partner Violence (IPV) or general violent offence. It supports participants develop the skills to strengthen their pro-social identity and plan for a life free of offending.	Domestic Abuse (DA) / Intimate Partner Violence (IPV) Sexual Offending (SO) General Violence	Prisons only
Living as New Me (LNM)	LNM is an accredited skills maintenance (booster) programme for those individuals who have already completed NMS or BNM+ and may require further additional support. LNM is suitable for individuals with an identified risk of reoffending of Medium and above.	Domestic Abuse (DA) / Intimate Partner Violence (IPV) Sexual Offending (SO) General Violence	Prisons and Probation
New Me Strengths (NMS)	Designed for medium and above risk adult men who have learning disabilities or learning challenges and a conviction(s) for any offence. It supports development of skills to strengthen pro-social identity and plan for an offence-free life.	Domestic Abuse (DA) / Intimate Partner Violence (IPV) Sexual Offending (SO)  LDC alternative for the Thinking Skills Programme (TSP), Horizon, and Building Better Relationships (BBR)	Prisons and Probation
Thinking Skills Programme (TSP)	Designed for adult men and women aged 18+, who are assessed as having a medium risk of reoffending, or above. It develops skills in pro-social problem solving, perspective taking, developing and managing relationships, and self-management, and encourages pro-social attitudes, behaviour and goals for the future. TSP has been designed to incorporate	All offence types	Prisons and Probation

	maximum responsivity and flexibility of delivery format.		
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