

## **Transform Justice — Written evidence (JCS0002)**

The effectiveness of accredited offender behaviour programmes delivered by probation

### About Transform Justice

Transform Justice is a charity which campaigns for a fair, open and compassionate justice system. We conduct research and advocate on a range of issues, including the need for a better evidence base on what works to reduce offending. We have published a number of articles on this subject

<https://www.transformjustice.org.uk/news-insight/rehabilitation-programmes-do-we-know-whether-they-work/>; <https://www.transformjustice.org.uk/news-insight/domestic-abuse-programmes-where-is-the-evidence-they-work/>; <https://www.transformjustice.org.uk/news-insight/lets-support-prisoners-to-turn-their-lives-around-not-force-them-onto-courses-which-dont-work/> .

### Background to community orders and programmes.

The rehabilitative element of a community order relies on the power of the relationship with the probation worker and on the interventions delivered by workers and third sector partners. Most interventions are programmes accredited by HMPPS to be run by probation and/or prisons. Accreditation signifies that the design of a course or programme has been approved by CSAAP, a committee of experts consulted by HMPPS

<https://www.gov.uk/guidance/offending-behaviour-programmes-and-interventions>. The courses are usually based on CBT (cognitive behaviour therapy) principles and have often been used successfully abroad.

In principle accreditation should only be a first step - to facilitate a programme being tested. All accredited programmes need to have both process (can they be implemented?) and impact (do they affect recidivism?) evaluations.

### How an impact evaluation can be valuable

One group of people with convictions who would particularly benefit from rehabilitative programmes are those convicted of sex offences. A programme based on a model successfully used abroad was introduced into English and Welsh prisons – the sex offender treatment programme. It was accredited by the CSAAP panel. It took many years before an impact evaluation of the course was started – to check what impact the programme had on reoffending. And the publication seemed to take a long time after the completion of data collection <https://www.gov.uk/government/publications/impact-evaluation-of-the-prison-based-core-sex-offender-treatment-programme>. The impact evaluation found that the programme had a “backfire” effect on recidivism. Prisoners who went on the programme were more likely to reoffend than those who didn’t. The programme was quickly abandoned after the evaluation was published, so no research was done on why it failed – whether the programme was poorly designed or poorly implemented. Unfortunately, a significant number of sexual offences are likely to have been committed as a result of people being forced to undertake this programme. This was a prison programme; there was no probation equivalent.

### The context for offender behaviour interventions in probation

Probation staff are strongly encouraged to use accredited programmes. In fact, they are sometimes criticised by the Inspectorate if they use non accredited programmes. People sentenced to complete a community order may be required to attend and complete an offender behaviour programme. They should be referred to a programme which is designed to address their particular type of offending. If they do not complete the programme, they are likely to be breached and returned to court and convicted of breach. This often triggers a sanction of imprisonment.

### Impact evaluation of accredited probation programmes

Transform Justice is concerned that few of the programmes delivered by probation have an impact evaluation. This is not just a tickbox exercise – it is about whether the programmes work to reduce offending and whether they have a backfire effect. There is no point putting people on programmes year after year if we don't know whether they work or, worse, if they increase recidivism.

It is difficult to pin down exactly which accredited programmes delivered by probation are effective, or if they are delivered at all. Up until 2016/17 the delivery by probation of each accredited programme was monitored and a digest published annually. Since then, the data on completion of probation programmes has not been published though the data on completion of programmes in prison continues to be published

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1107740/Prisoner\\_Education\\_2021\\_22.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1107740/Prisoner_Education_2021_22.pdf).

In the public domain there is a list of accredited probation programmes [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1140979/HMPPS\\_Accredited\\_Programmes.docx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1140979/HMPPS_Accredited_Programmes.docx), but it is not clear when each programme started nor which programmes have an impact evaluation. We have trawled the internet for impact evaluations for the programmes in the HMPPS list, and found few that have.

An example of a programme which has been run for a number of years with no impact evaluation is the Building Better Relationships (BBR) course designed to address the behaviour of those who commit domestic abuse. In 2012 this course replaced a previous IDAP course which did have a positive evaluation. The BBR course content is pretty different to IDAP so there was no guarantee it would work as well. BBR has now been run for over 10 years in prison and probation. Given probation no longer track course starts and completions, we do not know how many have done the course. We highlighted the lack of impact evaluation of the course in 2018 when we published a report on reducing domestic abuse. Five years later, ten years after starting the course, HMPPS has published a document on how it *might* do an evaluation of BBR

<https://www.gov.uk/government/publications/evaluating-the-building-better-relationships-programme-feasibility-study-for-an-impact-evaluation-of-proven-reoffending>, so we still seem years off actually having one. We think this is poor – that no programme should be run for so long without HMPPS checking whether it works. We know that probation referred 15,000 people to the course up to the point data was no longer published and we estimate that 35,000 people altogether have started the course in the community – this excludes thousands who have done it in prison. Some qualitative research by Dr Nicole Renahan suggested that Building Better Relationships did not work well with those who had complex needs and/or were neurodivergent

<https://research.manchester.ac.uk/en/studentTheses/building-better-relationships-interrogating-the-black-box-of-a-st>. We acknowledge the challenge of evaluating programmes but cannot accept that evaluations are too difficult to do, as seems to be HMPPS's view in the cases of BBR. If BBR does have a "backfire" effect, then thousands of people may have been victims of domestic abuse as a result.

The importance of assessing the impact of programmes is demonstrated by the SOTP and by some other recent evaluations of prison programmes. The Healthy Sex programme, designed to change the behaviour of those who commit sex offences, made no difference to offending

<https://www.gov.uk/government/publications/post-release-reoffending-outcomes-for-individuals-with-offence-related-sexual-paraphilias>; the Resolve programme (designed to deal with violent offending

<https://www.gov.uk/government/statistics/justice-data-lab-statistics-january-2021>) had headline one and two-year results which did not show that the programme had a statistically significant effect on a person's (violent) reoffending behaviour, though reoffending in general did reduce for those who completed the programme.

#### How do accredited programmes affect recidivism?

HMPPS guidance on accredited programmes says programmes "encourage pro-social attitudes and goals for the future and are designed to help people develop new skills to stop their offending". It also says that programmes can sometimes increase offending and that accreditation gives confidence that a programme is "evaluated to show the outcomes".

Previous evidence shows programmes can make a positive difference to recidivism, but some seem to make no difference and a few have a negative effect. Examples of (mainly non-accredited) programmes which reduce reoffending can be found via the Ministry of Justice's Justice Data Lab <https://www.gov.uk/government/collections/justice-data-lab-pilot-statistics>

#### Conclusion

We understand that the rehabilitative element of community sentences is often designed to be delivered via interventions or programmes of which the gold standard is the accredited programme. We are convinced that programmes can make a positive difference but concerned that the evidence base is often poor – that too few programmes have an evaluation for impact on reoffending. We also question the assumption that accredited programmes are superior. Accreditation is currently the only stamp of approval for the design of an HMPPS programme. But it says little about its implementation or effectiveness. Whereas other programmes and approaches which do offer good evidence of effectiveness are not accredited.

It is of great concern that people sentenced to do an accredited programme are being punished, and sometimes imprisoned, for breach for non-completion when the government has no idea whether the programme in question would help the person not to reoffend.

#### Recommendations

- 1) Reform the accreditation system so the process of accreditation is more transparent. Remove the accredited status of a programme if an impact evaluation of it has not been published within a set timeframe.
- 2) Where a programme seems to be working poorly, initiate an investigation of why this might be the case. We can learn from failure, but only by understanding why it occurred.
- 3) Evaluate and promptly publish every programme used by probation for its impact on reoffending.
- 4) Collect and publish up to date data on starts and completions of accredited programmes delivered by probation.
- 5) Compare the effectiveness of offender behaviour programmes as a whole with other approaches to reducing offending.

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