

## Police and Crime Committee

Written evidence received by the London Assembly Police and Crime Committee as part of its investigation into probation services in London. All written evidence was received by the Committee in July 2022.

### Contents

London Prisons Mission .....	2
Magistrates Association .....	6
Richard Oldfield.....	10
Probation Institute.....	11
Senior Probation Officer .....	14
St Mungo’s .....	16
Transition to Adulthood.....	23
Women in Prison.....	29
Working Chance.....	35
Appendix: call for written evidence.....	39

## London Prisons Mission

### Introduction

The Safe Homes for Women Leaving Prison initiative (SHI) welcomes the London Assembly Police and Crime Committee's Call for evidence on how the London Probation Service is working in partnership with statutory agencies and voluntary sector organisations since re-unification, to support people under probation supervision and reduce their risks of reoffending.

Although the Probation Service has responsibilities for both sexes, our submission focusses only on women in and leaving prison, responding to Question 5 and Question 8. We encourage this committee to have regard to the simultaneous Housing Committee inquiry into women's housing, and to that end we include our evidence to that Committee (Appendix). London probation services need to give much greater priority and sustained attention to improving housing support for women on release from prison – working closely with London's specialist women's organisations and services as well as with the Ministry of Justice and HMPPS.

The profile of women in prison is different from that of men and this profoundly affects their resettlement needs including the kind of housing support that should be provided.

Women are:

- more likely to be a primary carer so requiring accommodation that enables them to be reunited with their children on release
- more likely to be at risk of domestic and sexual abuse and may therefore need to relocate for safety
- more likely to have been in care as a child and therefore have less family support
- more likely to have significant physical and mental health problems, often deriving from past abuse and trauma, for which access to health and social support services is critical.
- less likely than men to be rough sleeping and are often described as 'hidden homeless' - rather than put themselves at risk on the street they will tend to 'sofa surf', exchange sex or risk exposure to abusive and coercive relationships for a roof over their heads.

### Background

The London Prisons Mission (LPM) began in 2012 to provide opportunities for suitable volunteers to undertake work in support of multi-faith Prison Chaplaincy Teams, with appropriate support and guidance. It became an independent registered charity in 2021.

In 2019 LPM volunteers working inside HMP & YOI Bronzefield, the largest prison for women in the UK and Europe, became aware that about 50% of women released each month had no suitable home from which to begin the process of resettlement. Most of the women were seeking to return to London. Without safe accommodation, these women were exposed to risk of abuse, violence and destitution. Such women were also likely to reoffend and be returned to prison.

Later that year in partnership with organisations leading the field on these issues - the Prison Reform Trust ([Home Truths](#)), the Church of St Martin-in-the-Fields ([The Connection](#)) as well as HMP & YOI Bronzefield - the Safe Homes for Women Leaving Prison initiative (SHI), was formed with the purpose of ensuring that no woman is discharged from prison to homelessness or unsafe accommodation. This requires recognition of women's distinct needs and dedicated women's support services.

After nearly two years of extensive consultation with relevant pan sectoral organisations and involvement since its launch with MOPAC's London Blueprint for Women in contact with the Criminal Justice System we published our [Report and Recommendations](#) (October 2020) on accommodation for women leaving prison and have continued to campaign subsequently for necessary change.

### **HMP & YOI Bronzefield**

Bronzefield is the largest prison for women in the UK – in January 2022 468 women were in custody. 90% of women at Bronzefield are sent from courts in London and expect to resume residence there on release. In June 2021 in our [submission](#) to the Justice Committee's Inquiry into Women in Prison we warned that re-commissioning of services at Bronzefield with the creation of the London Probation Service did not appear to include accommodation support for women released to London and that "If so, support for women leaving the main women's prison in the UK is set to deteriorate rather than improve, which is a shameful state of affairs."

In its most [recent report](#) (May 2022) on Bronzefield HM Inspectorate of Prisons found that:

- 65% of sentenced women did not have a safe or suitable home to go to on release; and
- National changes in the way probation services were commissioned in mid-2021 led to the withdrawal of two full-time housing workers, and a severe reduction in the size of the resettlement team. The four workers who remained, were doing the work formerly carried out by a team of 10.

*"Far too many women left the prison without safe and stable accommodation and this meant that some were reluctant to leave, preferring prison to the uncertainties of freedom. One had even slept in the gatehouse for two nights because she had nowhere else to go. Finding adequate housing and support for the many women with complex needs leaving Bronzefield must be a priority for the mayor of London, probation services and local authorities. Without stable, safe accommodation many women are liable to have mental health relapses, return to substance misuse and become involved in crime on release, creating more victims and, at great cost to the taxpayer, repeating the cycle and undoing the good work of the prison."* Charlie Taylor, HM Chief Inspector of Prisons

At the time of the Inspectorate's attendance in January 2022 an average of 114 women were released each month. This amounts to the equivalent of 74 individual women each month who did not have safe or suitable accommodation - two to three for each London borough. Sandra Fieldhouse who led the inspection [sets out](#) the case most effectively.

**London's [blueprint](#) for a whole system approach to women in contact with the criminal justice system 2019-2022**

The Blueprint consists of a Statement of Shared Commitments formally adopted by all partners. As a result of these commitments MOPAC developed an Action Plan for joint work by the Blueprint Delivery Group in implementing a whole system approach. SHI has been a member of the Blueprint Delivery Group since its inception. Signatories to the Blueprint made the following commitment regarding housing:

We will work towards establishing a shared approach across London, working closely with local authority housing departments and London Councils, to address the housing needs of women in contact with the criminal justice system, including preventing homelessness and resettlement on release. This will include:

1. Working together to intervene earlier and more effectively to prevent women being made homeless, in line with the Homelessness Reduction Act 2017 and Code of Guidance;
2. Aiming to ensure that all women are resettled into safe and suitable accommodation, either long term or including a realistic plan for achieving long term accommodation; and
3. Aiming to ensure that all women have access to tailored wrap around support to meet their emotional, health and practical needs upon resettlement.

The Probation Service has a key role to play in ensuring these aims are achieved across London.

**Women's prison release protocol for London**

As part of the Blueprint Delivery Group Action Plan, SHI have produced a draft Protocol to ensure women in contact with the criminal justice system in London have safe and suitable accommodation. Developed through consultation with frontline agencies in London it is designed to spur and support progress in joined up working embodied in the whole system approach.

The Protocol has been produced at a time of transition: not only the creation of the London Probation Service but also the recent introduction of the Offender Management in Custody (OMiC) system in women's prisons and with further changes ahead in the commissioning of services in late 2022. It will be reviewed alongside forthcoming Supporting Guidance for Homelessness Prevention Teams & Practitioners: Accommodation Services for Women from HM Prisons and Probation's (HMPPS) National Women's Team, once published. (When is this expected?)

The Protocol reflects the leading role of local authorities in ensuring vulnerable women have safe and suitable accommodation on release from prison, and prisons and probation services' statutory role in making referrals. It emphasises the value to be gained by all agencies working closely with third sector women's specialist services to support women in contact with the criminal justice system, while recognising that statutory responsibilities remain with statutory agencies.

The Protocol acknowledges that success depends on all key partners fulfilling their roles and working effectively together. This includes central government providing leadership and

guidance, and investment in accommodation and frontline services that reflects the full cost of meeting need.

The Protocol is not intended as an operational guide, but as a resource that gives an overview of what should be considered when commissioning or delivering services to women in contact with the criminal justice system. It explains why a distinct approach is needed for this client group; sets out relevant agencies' roles and responsibilities; provides examples of good practice; and summarises the Signatories' over-arching aims to improve outcomes and governance for assessing progress. The Protocol should be useful for anyone with an interest in this work, including commissioners, prison governors and resettlement leads, local authority housing teams, housing providers, police officers, probation practitioners, third sector women's specialist services and government departments.

The Protocol has been presented to the BPDG and is in the final stages of consultation with the members. We would, however, be pleased to provide the Police and Crime Committee with a copy of the latest Draft if this would be useful.

Endorsement of the Protocol formed part of the [Safe Homes Motion](#) unanimously approved at the GLA Plenary Event on 3rd March and we welcome the Mayor's [response](#), in particular his support for the Protocol and his emphasis on the need for co-ordination of key partners in London.

The Safe Homes initiative is optimistic that MOPAC's Women's Blueprint Delivery Group on Women in Contact with the Criminal Justice System will progress and support implementation of this draft Protocol, but we urge the Police and Crime Committee to recommend the resourcing of this project to ensure its success.

### **Conclusion**

SHI and many CJS agencies had looked forward to the re-unification of the Probation Service following the seriously adverse consequences of previous fragmentation and part privatisation. We are however disappointed that women's distinct housing needs seem to have received short shrift in the new arrangements with a marked deterioration of accommodation outcomes for sentenced women leaving London's largest prison. This is at least partly due to the lack of active engagement and consultation with the women's voluntary sector.

By now all women's prisons should employ, or host, specialist housing advisors whose job is to arrange satisfactory housing for women on release. We urge the Police and Crime Committee to seek further details from the London Probation Service about the resettlement support currently being commissioned for women and to ask the Ministry of Justice when the new Community Accommodation Service will be available to women returning to London (given that it is available to the far fewer women returning to Kent, Surrey and Sussex).

Without safe and suitable accommodation women leaving prison are 'set up to fail' in their rehabilitation to society and we believe our proposed Women's Prison Release Protocol for

London will aid the joined-up working required in a whole system approach to achieve that aim - one that could be replicated at national level (HM Inspectorate of Prisons [Annual Report 2021-2022](#) documents homelessness issues on discharge at five other women's prisons).

We would be happy to provide any further information that the Committee would find helpful, including the latest draft Protocol, and look forward to the Police and Crime Committee's report.

## Magistrates Association

### About the Magistrates Association

The Magistrates' Association is an independent charity and the membership body for the magistracy. We work to promote the sound administration of the law, including by providing guidance, training and support for our members, informing the public about the courts and the role of magistrates, producing and publishing research on key topics relevant to the magistracy, and contributing to the development and delivery of reforms to the courts and the broader justice system. With 12,000 members across England and Wales, we are a unique source of information and insight and the only independent voice of the magistracy.

### Background

Generally, it has not been a normal year to judge how reunification of the probation service is working. This is especially given the impact of Covid-19, but even before reunification, the effectiveness of probation was difficult to measure for two reasons: Magistrates have told us they rarely, if ever, see recidivism statistics; Magistrates themselves don't get involved in probation supervision unless people breach or issues arise with requirements attached to orders, which they review if they become unworkable e.g., requiring a change to curfew conditions.

This submission is a thematic compilation of contributions from members of the MA, who sit in adult courts across London. We hope it will be of benefit of the Committee. Further queries on the content of the submission should be sent to the email address above.

### National and policy context

The probation inspectorate's annual report<sup>1</sup> contained a survey<sup>2</sup> of 1,534 probation staff on attitudes to reunification - a question on how well changes have been implemented saw London receive one of the lowest measured satisfaction rates (31%) of all probation service regions.

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<sup>1</sup> HMI Probation, '2021 Annual report: inspections of probation services'

<https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/02/Probation-Staff-Survey-2021-report-v1.0.pdf> (November 2021)

<sup>2</sup> HMI Probation, 'The views of frontline probation staff about unification: a survey by HM Inspectorate of Probation' <https://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/02/Probation-Staff-Survey-2021-report-v1.0.pdf> (November 2021)

Some of the issues in our submission below - such as recruitment difficulties and lack of on-the-day reports - are common elsewhere but were observed to have been experienced before reunification. It would not be right to suggest they are the result of this. For example, HMI Probation's 2019 report on the previous structure of probation "Transform Rehabilitation" outlines various similar issues connected to the previous split system.

The Transforming Rehabilitation (TR) programme itself saw some programmes that were previously run by probation (such as "Think First") being run by CRCs under RAR provisions, while NPS retained management of higher risk offenders on other accredited programmes. Some CRCs introduced very good innovative programmes but others less so. National consistency was lost though, there were opportunities during TR to address local need.

Some areas saw very good communication of what was carried out under RAR while in others, confidence in RAR as a sentencing requirement was low as courts were given no indication of what work may be carried out.

It is not of course for courts to decide what is done on a RAR requirement. A 2019 report from the then Chief Inspector of Probation Dame Glenys Stacey on Transforming Rehabilitation<sup>3</sup> also made this point. The report found that purposeful activity provided by CRCs in connection with a RAR was unpredictable and often lacking. As a result, that report states that "magistrates are not clear what CRCs do in implementing and enforcing RAR provision, and their confidence in RAR provisions has been undermined". It is the experience of our members that some indication of the expected work really helps to demonstrate the value of the proposed sentence; increased confidence in RARs is a welcome goal for the new service.

Good practice learned from CRCs should not be lost but instead needs to be integrated into the reunified probation service so that there is national consistency at the highest levels previously achieved by private companies.

### **Staff shortages**

A key theme among responses was the chronic shortage of staff in the London probation service, which was observed by a south west London magistrate to be "struggling" and "desperately short of staff". They added:

"A few weeks ago, at Wimbledon, we had no probation officers available at court not even for the remand court, because with sickness and other unavailability they had no-one available neither in the building nor remotely". (south west London magistrate)

Another aspect of the issue was the loss of experienced probation officers to similar roles elsewhere in the criminal justice system;

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<sup>3</sup> HMI Probation, 'Chief Inspector's Report' <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2019/03/HMI-Probation-Chief-Inspectors-Report.pdf> (March 2019)

“They have lost many of their experienced probation officers to the Youth Offender teams, where they are paid more, and they are struggling to recruit.” (south west London magistrate)

“[T]he London Weighting has not risen for 20 years, and regional pay would benefit London. It has lagged not just as public sector pay has been capped but vis other similar sectors within social work/criminal justice” (west London magistrate)

The churn of staff was seen to lessen the effectiveness of having one professional to work with someone over time, a point made by a west London magistrate.

Staff shortages were observed to have various undesirable knock-on efforts by all magistrates who fed into this submission:

*i) Sharing staff*

One respondent, who sits in central London, said

“[i]t is common for probation at the moment to be covering more than one court (including remand and GAP courts) and some days recently there have been no or only one officer available to all the courts - due to sickness.” (central London magistrate)

Another from south west London added that her area had to share a senior probation lead manager with the neighbouring Croydon, because they are struggling to recruit and retain at the senior management level.

*ii) Impact in court*

Staff shortages created real impacts for magistrates:

“On a couple [of cases] we could still sentence, as the probation officer in court was able to assist, but most had to be adjourned again.” (central London)

One magistrate said:

“I have sat in an all-day sentencing court twice in the last two weeks. There were a significant number - maybe a quarter - of non-reports - not because the defendant hadn't turned up, but because either there had been no probation officer to see them, or no appointment had been made in the first place because there were no staff available to do the report.”

Stretched so thinly, members say that court-based support is not felt to be as great a priority as other areas of work, including offender management. It was felt that less work was being done with medium- and low-risk offenders as a result:

“The Probation service is basically too busy to take them on, so cannabis users and lower-level alcoholics/binge drinkers get no help at all”.



One magistrate (central London) commented that offender management is usually prioritised, which comes at the expense of the availability of court-based officers to advise the court and complete reports.

A London-based bench chair agreed with the assessment above, saying that “[r]isk assessment is paramount to what is offered, and it seems that less work is being done with medium and low risk offenders”.

### Quality of reports

Responses on the quality of reports were mixed. On the issue of their content, a central London magistrate said that they were “unsure” that the quality of reports at Westminster is always of the highest standard. They highlighted instances where probation had, in assisting the bench with an appropriate sentence, failed to analyse the sentencing guidelines correctly, and had suggested inappropriate community orders.

Another, based in south west London, conversely felt the content was high-quality, commenting that the structure “produce[s] better quality reports with a stronger handle on range of available interventions”. This magistrate qualified this by saying that, without sufficient resource, reports are becoming more and more difficult to produce at all. Logistical issues with their production was an ongoing issue:

“They are also having to ask more often for three weeks to produce reports, and the availability of on-the-day reports is minimal. This requires more adjournments, and therefore court time”. (south west London)

Another magistrate had observed a number of reports not being done because they haven’t been allocated, with very few on -the-day reports, and had experienced “continual requests of 4 weeks to complete a report”. (central London)

### Resulting impact on the rehabilitative offer

Where mentioned, it was generally felt that unpaid work (UPW) programmes were working well. Another south west London magistrate visited an unpaid work unit in Wimbledon in January and commented that magistrate attendees were impressed at how well it was organised. They were reassured that, whilst there are significant backlogs, UPW as a sentencing option is viable and that they’re tackling the backlogs in an organised manner.

Since reunification, HMI Probation has raised concerns about the availability of rehabilitative interventions for the new organisation.<sup>4</sup> This was a concern similarly reflected in contributions from members, who felt the impact of the narrowing down of available programmes. A south west London magistrate felt - despite saying the quality of reports was generally good – that a large number of the programmes that they had available to them to

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<sup>4</sup> HMI Probation, ‘2021 Annual report: inspections of probation services’ <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2022/02/Probation-Staff-Survey-2021-report-v1.0.pdf> (November 2021)

complete under Rehabilitation Activity Requirements (RARs) seem to be being discontinued and not replaced:

“This is limiting the work they can do. Most of the reports had some reference to "x would have benefitted from the y programme, but it's no longer available". (south west London magistrate)

The rationalisation of programmes occurring since unification was observed by some to be to the detriment to the variety of programmes. One magistrate member who sits in central London had seen similar “limitations in the programmes being offered”, with “little put in place of withdrawn programmes”.

## Richard Oldfield

This response is to the request by the London Assembly Police and Crime Committee (‘Committee’) for submissions in relation to its investigation of the London Probation Service. In June 2021, I provided a report to the Ministry of Justice on the Dynamic Framework (‘DF’) of the probation service (‘PS’), following a request by the Minister (initially Lucy Frazer MP, subsequently Alex Chalk MP). My comments relate mainly to the PS and DF nationally.

The DF was intended in part to make it easy for the voluntary sector, often the natural partner for the PS in its efforts to reduce reoffending, to collaborate with the MoJ and PS. But the design and processes of the DF made it extremely difficult for most of the voluntary sector. A standard contract with over 900 pages was used – a contract design intended for contracts of more than £20 million, of which in the DF there were none. The schedule of definitions alone had 71 pages.

The result was that in Day 1 awards (June 2021) a narrow list of organisations made it through to the end of the bidding process. There were 110 contracts. Only 34 organisations made bids, and only 26 were successful. In 58 competitions, more than half the total, the number of bidders initially was either one or zero. The element of competition which is a principle of procurement was lacking. The great majority of contracts did go to the voluntary sector, but mainly to big organisations. Medium-sized and smaller organisations, many of them offering highly specialised, often very personalised services likely to be the most effective in reducing reoffending, could not cope.

Contracts do not have to be long and complicated: they could be simplified but I recognised that it is usually hard in practice to row back much on legal documents – this has proved to be the case and the MoJ has acknowledged that they have not made much progress in contract simplification. To change the mindset, I recommended a more radical change, a move to using grants rather than contracts. Grants can be as complicated as contracts but are likely not to be. The MoJ accepted this recommendation for widespread use of grants, particularly in personal wellbeing and in recovery and dependency.

It is too early to see whether this decision in principle to use grants has been put into effect because the number of awards in the DF since the Day 1 awards of June 2021 is still small; the test will be when Day 1 awards expire and are re-run, in 2023-4. I recommended in my review that the Minister should require reports which showed not just the breakdown between voluntary sector and non-voluntary sector, but the breakdown between grants and contracts; and between large entities and small and medium-sized entities (and in each case voluntary and non-voluntary sector). Reports should also show the time taken to agree contracts and grants, both in terms of the period from start to finish and in terms of MoJ/PS person-hours spent on the process. I suggest that the Committee request sight and discussion of these reports. The Committee will then be able to see whether the shift to grants takes place.

Before the scrapping of Transforming Rehabilitation the London probation service had a contract with a social enterprise, Make Time Count, whose app enables the progress of every offender to be tracked so that a magistrate, probation officer, or an organisation given the responsibility to help, can follow this progress online. MTC now has contracts with the Metropolitan Police and Kent Police, among others. I have no axe to grind for MTC, but there are two important principles in the use of this sort of system. First, data-based decisions are likely to lead to a better result in reducing reoffending. The use of tech solutions enables decisions to be data-based. Second, data management allows a focus on outcomes – what programme works best, which organisations seem to get the best results – rather than on outputs – what course does the offender go on, how many meetings should he have with whom. I recommend the Committee try to shift the focus to outcomes and to properly technology-driven data management.

In summary, my conclusion, during my review and since, is twofold: grants and outcomes. The overarching theme is, in the old slogan, trust then verify. The objective of reducing reoffending would benefit if those making awards in the DF were bolder in focussing on outcomes and then trusted organisations to deliver them, verifying in a continual iterative process to see what and who work best. We all know what the prize is: if the number of offences committed by those who have already been found to have offended were reduced by half a percent the savings nationally in government spending would be £65 million, more than half the cost of the DF in its first year.

## **Probation Institute**

The Probation Institute is pleased to submit evidence to the London Assembly Review of London Probation.

We are firmly of the view that work in partnership with different, appropriate organisations is essential to all aspects of effective supervision in the community. The role of the probation practitioner is to build a relationship with the service user which is capable of both managing the risks presented, offering relevant, accessible help towards desistance and rehabilitation including through wider services in the community.

We touch below on a number of aspects of current probation activity in London. The aspects we address are intertwined and each contributes to a very challenging current situation in which progress in the areas reviewed is slower than hoped for.

The Probation Institute has prepared a [Position Paper](#) on Probation work in the courts which the review may find helpful.

The Probation Institute has developed a [Position Paper](#) on the relationship between probation and the voluntary and community sector which may assist the review.

### **1. Unification of Probation**

It will be understood that there is now one National Probation Service combining the former national service and all 22 Community Rehabilitation Companies (CRCs) - following unification in 2021. The privatisation of 50% of the previous service in 2014 under Transforming Rehabilitation (TR) was undoubtedly the most damaging strategy ever enacted in this occupational field. H.M. Inspectors have confirmed this view. The effect has recently been described, in June 2022, by Dr Gwen Robinson in her lecture at the Cambridge Institute for Criminology – as “organisational trauma”. It should be included in the review, alongside the understanding of unification, that recent serious incidents in the community involving individuals under supervision, including in London, have further damaged the current standing of probation.

Unification is slow and challenging. Very significant recruitment issues, retention and consequently increasing workloads contribute to the challenges. Trust has to be built between staff from the preceding organisations. Skills must be developed and shared across both former types of practitioners.

All geographic areas of the new service are struggling to meet the agreed aspirations set down in the Target Operating Model in 2021, to meet the needs of service users. The target Operating Model is firmly focussed on effective rehabilitation and the Probation Institute is very supportive of the model.

We must also state that in the experience of the Probation Institute bringing the Probation Service within the Civil Service has been an inappropriate and unhelpful step. Probation work should be close to communities where desistance and rehabilitation can be supported and facilitated, not located within the closed environment of the civil service. There is increasing concern about top-down rules and constraints which undermine the professionalism of practitioners. To this end, we are also very firmly of the view that accreditation, and registration of probation practitioners should be managed by an external, independent organisation (a regulatory body) fostering true professionalism, researched evidence-based practice and an open dialogue about the work of the service. We believe that this would strengthen confidence and credibility.

The current projection of 20% cuts in civil service staff presents a serious risk to the improvements needed in Probation.

## 2. London - size and complexity

London is the largest and most complex of the Probation Regions. The London Boroughs are managed locally to the extent that there is evident difference – particularly in respect of the partnerships have been commissioned or developed. Differences between boroughs are also reflected in the perspectives and commitment of local borough councils to the provision of services essential to rehabilitation eg access to accommodation, housing, mental health.

The size of London also means that integration into a single management structure requires relatively long chains of command. Caseload sizes are unevenly spread across boroughs. Where caseloads are high and cases are predominantly complex we identify difficulties in maintaining the balance between managing risk and providing help towards desistance.

With regard to access to accommodation, we also note that there has been a shortage of Approved Premises for people under supervision in the community but that two new hostels have recently been opened.

## 3. Recruitment and Retention

London and the South East face the most difficult recruitment challenges. The Regional Deputy Director advised in June that 300 new staff were required in London. There is a strong commitment to increasing the numbers of trainees, but training takes time and it should not be undercut in this field of work.

The current difficulties, current public sector pay levels, the cost of living in London, and the demands of higher proportions of very complex cases can undermine energy and morale such that there is little capacity to research the benefits of collaboration, new services, and partnerships. This is in our view a particularly unhelpful situation and we propose a model below which might help to facilitate the effective contribution of partnerships.

The diversity of both staff and service users service is greater in London. The London service should use this strength to help to build stronger relationships across communities.

## 4. Commissioning and the management of partnerships

It will be known to the London Assembly that the arrangements for commissioning the services of partner organisations under the “Dynamic Framework” in 2021 was, as predicted by many, largely unsuccessful in securing partnerships with local voluntary organisations. Larger providers were able to win the contracts and are providing services under structured arrangements. Many local voluntary organisations are still offering very valuable services to probation service users but are doing so without any funding from HMPPS/MOJ. The Review prepared for the Audit Commission in 2021 strongly advises that in the next round of partnership seeking HMPPS/MOJ should use grant aiding arrangements instead of highly bureaucratic and lengthy contracting arrangements. In our view grant aiding is a sensible way forward but must turn on the development of local knowledge of needs and provision.

It has been noted that Probation hitherto appointed *regional partnership managers* whose responsibility was to develop local knowledge about needs and provision, and to establish

structures whereby practitioners could be readily informed of available local service. The Probation Institute would regard this as a very positive step forward in meeting planned targets..

#### **5. Further areas of practice reviewed:**

##### *Pre-release planning and resettlement support*

The Report of HMI Probation Inspection of Resettlement Planning in 2020 for black and minority ethnic service users raised very serious concerns about lack of planning and preparation particularly for release for these groups. Training and confidence are required to encourage practitioners to focus more clearly on pre-release planning as a priority.

##### *Sentence management, accredited programmes and structured interventions.*

The aspirations of the Target Operating Model 2021, for sentence planning and interventions are excellent. Delay in meeting the target operating model is attributable to staff shortages, excessive workloads and the lack of effective partnership. Practitioners need more time and more help to gain a useful and workable understanding of how partner agencies can assist in the delivery of interventions.

#### **6. Delivery of Unpaid Work**

We would recommend the recently published report [The Future of Unpaid Work](#) from the Centre for Justice Innovation for a sound assessment of the current position and potential for the future for unpaid work across Probation. We particularly welcome the proposals for return to greater engagement with communities in planning and implementing unpaid work.

#### **7. Learning and Development**

There are always gaps in learning and development. At the current time it is difficult for probation to meet all the demands for learning – unification has required high levels of new skills training and refreshing skills. Significant gaps in learning for work with drug misuse and mental ill health are critical training examples that have been recently identified and each contributes to a less effective use of interventions. Race Equality has also been identified as an urgent need for improvement across the service.

The Probation Service still lacks a formal professional development scheme through which to focus ongoing learning and development. An external, independent regulatory body would be able to address this need.

## **Senior Probation Officer<sup>5</sup>**

As an experienced practitioner and manager within the London Probation Service, due to the limited staff available, there has been an impact on the quality, timeliness and ultimately the service provided to People on Probation following the reunification. This has been due to a number of factors;

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<sup>5</sup> This evidence was provided by a Senior Probation Officer. We have removed their name.

Staffing – impacted by salaries and ability to attract and to retain high quality staff in Practitioner positions

Recruitment – the recruitment process is poor, limiting access to potential recruits to those that have criminal justice or equivalent degrees and instead of having a ‘calling’ and a vocational approach to the work, the recruitment has attracted individuals who approach the work from an academic and distance perspective, where engagement skills are secondary or unimportant to the overall approach to the work. This has also attracted a disproportionate workforce based upon class and ethnicity as a consequence. This has also permeated into the management structure and mentality and has demotivated staff of differing backgrounds.

Departments have ballooned under the civil service integration and expertise has grown in the ability of departments ability to excuse or to explain away the failing to deliver effective services. There is too much ‘make-work’ and positions that serve little purpose to the overall delivery of services to people on probation. These positions exist exclusively at managerial level and are paid at levels completely disproportionately to the frontline workforce.

The quality, timeliness has deteriorated substantially as a result of the above.

Partnership work has also deteriorated due to the lack of funding for resources that are regularly needed by people on probation;

- Housing
- Employment
- Keywork support
- Intel obtained from Police

All of the above are integral elements required to undertake work with people on probation to reduce risk to the public and help rehabilitation of individuals. Housing support is non-existent and is totally dependent upon local authorities. This is not fit for purpose and presents regular headaches for frontline staff attempting to source accommodation for homeless People on probation of which there are a substantial number.

Employment support is likewise disjointed and instead of forming a backbone to support and rehabilitation, is instead a side note amongst other poor-quality outcomes. There is no keywork support i.e., people on probation who require more regular contact by people other than their offender managers do not receive this following the removal of engagement officers.

Intel obtained from police is limited and unhelpful and does not assist in understanding the risks presented by people on probation, their interaction with others in the community and their contact with police. This undermines the purpose of our work.



Volunteers could be used to help support frontline staff by way of key workers but vetting processes limit the ability to organise this, as does the management structure which is bloated.

There are a small number of women on probation and a disproportionate amount of services available to support them in contrast with minority groups who represent a more significant number.

New Frontline staff lack knowledge, experience and expertise in working with ethnic groups due to the recruitment process which has attracted and promoted ostensibly middle-class white women to positions of power within the organisation. Ethnic minority staff as a whole in particular black male British staff have little involvement or influence on the power structure and therefore the direction of the probation service in addressing historic issues related to disproportionality. This has a knock-on impact on the quality of services provided to BAME people on probation. This is a long-standing issue and efforts to address this are papering over cracks that will likely result in a situation similar to the MET Police due to a lack of proactivity and urgency in this matter. Programmes such as Let's Talk are poorly and intermittently delivered and in any event are not fit for purpose and instead act as a tick box. The current head of diversity has been promoted with no prior experience in this area, and instead is a Brazilian white woman who comes from a privileged background in a colour prejudiced society and is unfit to serve in such a position. This is symptomatic of the issue.

As stated, and inferred by the answer above: The London Probation Service is only avoiding the same level of scrutiny due to the lack of the same public profile that the MET holds. However, in my estimation is similarly discriminatory toward black staff and to Black Pops statistically and has no motivation to change. Embedded within the management structure is white privilege and lip service to addressing this. The pay scale for front line staff is driving away good quality staff and attracting under age and inexperienced practitioners and the service lacks the resources to properly train them. This is a recipe for disaster and is avoided only due to the lack of interest that the general public have for people on probation.

## St Mungo's<sup>6</sup>

### **Are people being released from prison receiving better resettlement support following the reunification of probation services? In what practical ways has it changed?**

There are a number of changes that we are now required to act under as part of the contacted activities for the new housing services under the probation reforms.

The contract stipulates that we are no longer able to work with anyone unless they are referred by the probation practitioner (PP) through a new probation owned system called refer and monitor (RAM). This means that we are no longer able to take direct referrals from inmates in custody or from other agencies of Prison staff who may already be working

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<sup>6</sup> St Mungo's provided this written evidence as it was unable to attend the Police and Crime Committee meeting on 22 June 2022.



with a prisoner. This change has probably been the most impactful on our ability to deliver services and has presented with many challenges that have been outside our control. Examples of which are;

- Many PP's are not making referrals while someone is in custody and are waiting until they are released, meaning we have an under used resource in custody and a stretched community service, and an increased likelihood of people being released without accommodation.
- The requirement to use the RAM and meet activity deadlines is very admin heavy and process driven which has an impact on resource and impacts on staff moral, making staff retention challenging.
- Another challenge is that we are receiving more than 3 times the volumes of referrals that had been indicated in the contract, but are only measured on starts. Before a start can be achieved, there is a number of checks, activities, admin and chasing information that we are required to for all referrals. We then have to draw up an action plan with the service user for each referral, and this has to be sent back to the PP who is then required to sign this off before we are permitted to start work with the service user to address housing. In some cases, we have found that the PP does not respond to action plan sign off requests, or we discover after significant work that the person is an inappropriate referral, which is time consuming for our staff.
- We receive a high number of inappropriate referrals, referrals for people who are not eligible (ie women or out of London) and we receive duplicate referrals, which adds to the admin pressure on the service
- Risk information required for appropriate housing referrals is often lacking or missing, meaning we are unable to complete referral processes

We are now required to work with all London returns regardless of what prison they are released from. This is a problem because it was an unquantified number in the contract, and we could not have predicated the large number of referrals we get from Prisons outside London, which is difficult to manage. Because many of these prisons are a very long way away it is not possible to provide face to face access, indeed we would not be able to security clear all our staff to access all prisons across the country anyway, this means we have to provide a remote service to out of London prisons, and we often meet barriers such as prisons not having a lead in the prison to facilitate our access to the prisoner or to provide information that is needed to make a housing referral.

The service is currently not able to offer any service to Remand prisoners. In previous contracts we were able to offer a service to those on remand who had existing accommodation at risk, but this has not been permitted under the new contract to date. Negotiations are under way to address this which is positive, but we are concerned that the Authority do not fully understand the activity required and the resource needed to address this area adequately.

The new contract does not include a requirement or resource to provide Through The Gate services (TTG), which was provided to vulnerable prisoners in the past to support them on

the day of release to access accommodation and other support service immediately on release. Not having this element of the service available means that there is an increase of service users leaving custody with housing appointments but they do not attend them once released. There is also increased risk that those we believe to have a duty as a property with the LA are turned away on the day of release because they are not able to advocate for themselves once they are in an appointment.

Under the new contract providers are better monitored and accountable, however more focus is given to process and meeting deadlines for activities than to achieving quality outcomes. Staff often feel that they are penalised for not offering an appointment within a certain timeframe, and little consideration is given to the considerable work that goes into achieving one housing outcome which is appropriate and tailored to an individual.

Under the new contract we are not permitted to complete Duty referrals to the local Authority (DTRs). Previously we undertook this activity, but it is now the responsibility of the PP. The result is that LAs have seen a drop in the quality of referrals, and are receiving a lack of information. Another challenge is that we are required to follow up the DTR with the LA, the LA refuse to engage with us because we did not complete the DTR, which means we have to chase the PP. We find this to be a very inefficient process.

The staffing Crisis within Probation means that many people in prison who are eligible for a service are not being referred and there is no alternative way of offering them a service (without the referral coming from probation).

We are seeing many people losing accommodation that could otherwise be saved had they been seen, whether that is due to them not being referred pre-release or them not receiving a service whilst on remand.

In previous contracts we had access to OASys and NDelius meaning we were not reliant on probation to provide us with risk information as we were able to access the information directly. Not having direct access to OASys and Delius is causing significant delays and impacting the quality of housing applications.

The provision of support was negatively impacted by the reunification of probation services in the protracted aftermath of the CRC closures. In addition to staffing issues within probation, the introduction of new referral protocols (such as R&M) and closures elsewhere across the footprint (due to funding losses after Covid-19) meant that, by and large, our client group found it far more difficult to access support. However, as these referral pathways are becoming more stable and better understood, it has become easier for services to establish multi-agency approaches to their client's recovery journeys. There remains though a consistent shortage of affordable accommodation options and available funding (especially for our U35s).

**What challenges are you continuing to face in the provision of accommodation for people leaving prison?**

There continues to be an extreme lack of affordable accommodation available to prison leavers across London.

There is a growing focus on Private rented accommodation as an avenue to address prison leavers housing needs, but our experience is that a large proportion of those leaving prison we see, have complex and high support needs and do not have the independent living skills required to access and maintain PRS. There is little to no supported accommodation for prison leavers and they are often being set up to fail by being moved into housing that is inappropriate to their needs.

Where a prison leaver does have the skills to live independently, entitlement to benefits, HB caps for under 25s and under 35's means that there is no accommodation available to them that they can afford.

Landlords are asking for a year in advance as well as a deposit and incentives, meaning our service users cannot complete for available properties.

What accommodation is affordable is often very poor quality or substandard, and there are high number of rouge landlords underrating illegal evictions.

Many commissioners and officials do not sufficiently understand the amount of activity that is required and the time it takes to achieve one housing outcome for someone who is at risk of homelessness on release or who has accommodation at risk. We find there can be an over focus on unrealistic expectations on resource to manage and navigate admin heavy and process driven services rather than focussing on quality outcomes, but that the work to achieve outcomes is not taken into account either. An example of this would be a commissioner recently highlighting that they had modelled 1.5 hours per client to address housing need, when the reality is that most outcomes can take days even weeks to resolve, particularly in London.

Not everyone who presents as homeless or having a housing need requires a housing intervention. We receive a high number of referrals from people who are dissatisfied with where they live, don't like the area, are under the impression that they will be housed in their own flat. We also see a lot of referrals from people who although are homeless on release, are just not at a point in the journey where housing is a priority, and despite appointments and viewings made, they do not engage or turn up once released.

There needs to be more cross department / cross commissioning research and joint thinking when new services are commissioned. We are regularly seeing new services being funded that cross over or duplicate or are poorly defined. This causes tension and confusion for staff on the ground other agency staff as well as for the service users.

There is still a huge amount of stigma and prejudice faced by ex-offenders trying to access accommodation and we see this not only in the private rented sector but also with in some LAs.

People in prison being able to attend viewings, liaise with landlords etc and going straight into PRS on release is rarely possible.

However, some of the best landlords we come across are small independent landlords, often not landlords by choice but maybe are partners who have come together as a couple and moved in together and then renting out one of their property. These tend to be the fairer priced, more sympathetic and supportive and accessible Landlords. However, not enough support is made available to protect these landlords from issues when it goes wrong, and too many inappropriate placements are being made because of the lack of options. With not enough or no supported and appropriate housing available to support the large number of those leaving prison who have very chaotic lifestyles and high support needs, (often with substance use and or mental health issues and unaddressed criminogenic need), more and more prison leavers are being placed in PRS inappropriately. Without the support required things inevitably go wrong, with damage to property and large rent arrears often being unmanageable and life changing for many small landlords. This can result in costly and stressful evictions with lengthy legal proceedings and eventually the landlord will refuse future referrals. More needs to be done to provide appropriate housing to reduce the need to place people inappropriately, support vulnerable tenants from rogue landlords and support small independent Landlords who would be willing to provide accommodation if it didn't put them at risk.

The predominant issue facing our clients when leaving prison is not having relevant documentation (especially ID). We've found that nearly all Local Authorities are gatekeeping clients until they are able to produce ID (even when their eligibility can't reasonably be doubted) and landlords are unable to accommodate clients without proof of their right to rent. Secondly, short-staffing (and working from home) across probation and Local Authorities has impacted our channels of communication, referral times, and so the continuity of our support for clients.

**Are local authorities meeting their requirements for housing people, and in particular women, on release from prison?**

We currently only deliver to adult males in London. The Women's delivery contract came to an end last year and is yet to be re commissioned.

Engagement with LAs varies from borough to borough. We have been successful in setting up links with a number of key boroughs for some of the larger prisons with planned pathways for referrals and engagement with the local AFEO programs.

The AFEO programs have at times been a challenge to access and to achieve a successful housing outcome over all. However there have also been really positive steps forward recently, especially for people who would otherwise not be priority.

Partnership working with LA has been very successful in some areas, with some good examples of joint working, engagement and support. Some Boroughs have worked with us to be innovative in how they address providing assessments pre-release and engage with our services to ensure provision of support.

We are still coming across some boroughs who struggle to offer an accessible service to our client group with no face to face service on release, poor or little out of hours service access and in the worst cases we have come across what seems to be obstructive behaviour towards the client group, or at the very least could be described as a lack of training and understanding of the service users needs.

Local Authorities and housing providers will not assess someone for accommodation pre-release and instead ask the person to make an approach on their day of release. This causes people who have in some cases been in prison for a long time still walk out of the gate with no address to go to.

Where LA are engaging with us and we have pathways in place and good joint working there is no issue. However, there are still a large number of LAs, where we often experience slow/no responses to DTRs, so constant chasing is needed.

Many people in prison have no ID and whilst there is some good work going on to address this, such as the ID Letter, it is not adequate and is causing delays in people accessing accommodation on release.

Housing applications are now on line and require the person applying to log on to a system to complete forms. People in prison do not have access to this even where limited access to the internet is provided.

A few local authorities have agreed formal / informal processes whereby they will fund rent in advance/deposits where we are able to source the accommodation. This means that we have been successful in finding accommodation for some prison leavers this way and support the work of the AFEO in areas where it has struggled to find resource.

Generally engagement and support provided by LAs vary greatly across the 33 London boroughs. As above, we find most Local Authorities tend to gatekeep clients on grounds of eligibility which disproportionately impacts clients with itinerant lifestyles (who are less likely to retain their documents whilst rough sleeping) and survivors of domestic abuse (who are less likely to have access to their documents).

**Are you aware of the Government's Community Accommodation Service Tier 3 (CAS3) pilot nationally, and do you have any thoughts about its coming rollout in London at the end of this year?**

We are aware of the tier 3 accommodation provision and have been actively involved in providing information and support in the development of this area. We see this as a positive move to addressing accommodation needs of prison leavers, however we have a number of concerns regarding this;

The staging post model of providing accommodation for a number of months on release while more suitable accommodation is sought, is something we are very familiar with as this was our model for delivery under accommodation pilot funded by the MOJ 3 years ago. Our concern however is that while move on in to the PRS will be suitable for some prison

leavers, there is not enough provision of supported accommodation for the high number of prison leavers with high and complex support needs. For some of these service users, there is not enough support available even in the tier 3 accommodation.

Without investment into support for move on and without support for funding rent deposits, rent in advance ect, move on from CAS 3 in London will be problematic and we envisage bed blocking very quickly.

We have raised a concern with the MOJ about what type of tenancy will be used for the CAS 3 accommodation and the impact this could have on entitlements and rights.

We have raised a concern with the MOJ regarding how they envisage the CAS 3 accommodation linking into providers of the housing advice services in custody and the community, as we feel this has not been made clear yet. Our concern is that PPs could refrain from referring to us because they think the service user will be housed by CAS, only to find this is not the case and we then become overwhelmed with late referrals just prior to release, which we are unable to address and will impact on our ability to meet activity targets.

We are also concerned that PPs will just refer to CAS when they could have referred to us in custody for a more stable solution. If service users are just referred into CAS this will mean that we are then asked to provide a move on solution in the community, putting additional pressure on our community services and underutilising our custody delivery.

If under 35s (with no exemptions) are placed into self contained accommodation under CAS, it will be a struggle to then move them into shared accommodation as a result of their expectations after having time in a self-contained property. Also our experience with Local Authorities with similar models is that they are reluctant to or refuse to engage with someone placed in this type of accommodation until they are made homeless, and so it would have been easier to have them placed directly from custody in some circumstances.

**Your organisation has an ongoing contract with the London Probation Service to deliver day-one services. How is this going? Are you benefiting from a more joined-up service in commissioning and managing the contracts? Can you give us any examples of the changes in practice?**

There are definite improvements and benefits to being commissioned directly by the MOJ and HMPPS. As we found in previous contracts, our voice as the expert in our field was often lost or over looked as a subcontractor, whereas now we have a direct voice, and we are in a better position to try to advise and influence from our expertise and experience.

It is still relatively early days in regards to contracts and there are still areas being commissioned. The RAM still has regular issues and problems that are yet to be addressed, and probation are still struggling with an enormous staffing crisis, so it is difficult to say at this time if we will see a benefit in more joined up service delivery.

Here are some examples of ways we have been trying to support the probation delivery more widely in addressing housing issues;

- Delivered pan PDU DTR briefings to PPs so they understand the process as they are now responsible for completing them
- Delivering training to all PDUs on the housing market in London to educate PPs and encourage higher quality of referrals.
- Setting up a help line just for PPs for emergency housing advice and queries
- Links with the Probation Homeless Prevention Team and page on Probation Intranet highlighting our service and relevant contacts.
- We have issued fact sheets on certain housing processes for PPs to use across London

There is a concern regarding the difficulties in two separate monitoring processes i.e. CMT and OSAG, and that there doesn't appear to be a joined up approach to this which makes it difficult for us to navigate.

## Transition to Adulthood

### Introduction to T2A

The Transition to Adulthood (T2A) Alliance evidences and promotes effective approaches for young adults (18-25) throughout the criminal justice system (CJS). It is an alliance of 15 leading criminal justice, health and youth organisations (listed on our [website](#)), convened and funded by the Barrow Cadbury Trust, it has been making the case for a distinct approach for young adults in the criminal justice system for over a decade based on an irrefutable body of evidence from neuroscience that the brain is not fully formed until at least the mid-20s.

We have responded to the questions for which we have evidence.

### **Question 4 - What further action could MOPAC and the London Probation Service take to access voluntary sector expertise in the design and delivery of services aimed at reducing reoffending?**

The planning and establishment of the Young Adults' Hub in Newham is an excellent example of accessing voluntary sector expertise in the design and delivery of services aimed at reducing reoffending. The project, which is a partnership between the Ministry of Justice, the Mayor for London's Office for Policing and Crime (MOPAC) and other government departments and agencies, including the probation service. It is a three-year pilot designed to meet the needs of young adults (18-25) and 17-year olds transitioning from youth offending services to adult probation services in London. The aim of the pilot is to create smoother transitions for young adults and focus on maturity throughout their journeys by co-locating youth offending services, probation staff and other support services. There is an opportunity for London Probation to go further and use the model to establish hubs across London with partnership funding from central and local government.



The Barrow Cadbury Trust and voluntary sector organisations it is funding through its Criminal Justice Programme were consulted and their views taken into account prior to the pilot commencing. In particular we would like to draw your attention to MOPAC's work with Revolving Doors and Leaders Unlocked to understand how the lived experience of young adults shaped the design of the service.

There are particular challenges related to post-prison resettlement particularly into London from prisons outside the region. There are opportunities for probation, MOPAC and local authorities to strengthen voluntary sector relationships with greater funding to widen their capacity to provide support. T2A is concerned that post-prison support will become a greater need for young adults following the government's recent significant change to sentencing policy which extended the custodial portion of prison sentences of between 4 and 7 years to two-thirds (from a half) under the Police, Crime, Sentencing and Courts Act which correspondingly reduces the period of supervision and the benefits of probation support while readjusting to life in the community.

#### **Question 5 - Are the specific needs of women being met under the reunified probation service?**

The Barrow Cadbury Trust has funded several projects focused on understanding the needs and experiences of young adult women in the criminal justice system. Our evidence illustrates that young women find it hard to positively engage with criminal justice services due to prior experiences of interactions with the agencies concerned which results in distrust and the ripple effects of criminal justice involvement which too often increases their vulnerability. This includes worsening mental health, poverty, stigma and isolation, increasing the risk of future offending and worsening their life outcomes. T2A advocates for specialist approaches to be taken to supporting young adult women in contact with probation services. This should include practical support by voluntary sector organisations working in partnership with probation to address structural barriers which hinder desistance, including access to leaving care entitlements, housing, benefits and childcare, for example. An example of this is the Minerva approach, developed by the charity Advance.<sup>7</sup> The model focuses on the importance of young women building relationships with keyworkers who focus on their strengths and achievements, aim to build their self-esteem and encourage them to care for themselves. Minerva also provides practical support, peer support and advocacy.

Our publications include:

- AGENDA's research on young adult women, most recently through the [Young Women's Justice Project](#), which has included a literature review and research on both the double disadvantage faced by women who are both young and Black, Asian, minoritised or migrants and young women's experiences of violence, abuse and exploitation.

We are awaiting the publication of Her Majesty's Prison and Probation Service's Young Women's Strategy which should provide a comprehensive policy framework to respond to

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<sup>7</sup> <https://www.advancecharity.org.uk/what-we-do/criminal-justice-services/the-minerva-approach/>



and prioritise investment in young women at all stages of the criminal justice system. We hope that London Probation will be supported by the Assembly in implementing this framework.

**Question 6 - Are there particular challenges facing Black, Asian and/or minority ethnic people under probation supervision in London?**

T2A would like to see more explicit acknowledgement of the role that racial injustice plays in involvement in the criminal justice system. We are very concerned by the growing disproportionality of Black, Asian or minority ethnic young adults in the CJS which appears systemic. Racial disparities have continued to increase and local agencies, including local authorities and probation services, have failed to hear the lessons from several reviews regarding the CJS—the Lammy Review, the Young Review, and the Macpherson Review in particular—where potential reasons for racial disparities have been explored and the need for more systematic research to understand the causes has been identified. Research on young adults as part of the T2A programme has contributed to this evidence and we recommend that the Assembly reviews the implications of our publications for probation practice.

Our evidence illustrates the extent to which BAME young adults find that they are perceived through a narrow lens as a perpetrator and can find it challenging to move on from their offence and rebuild their lives. In 2014, Baroness Young highlighted the significance of the ways in which young black and/or Muslim men experience and perceive the intensity of negative stereotyping and its impact on outcomes for these individuals and identified that this is yet to be fully grasped by criminal justice professionals. T2A’s recent work with Leaders Unlocked, Maslaha and Revolving Doors Agency demonstrates that seven years later, this remains the case. Racialised stereotyping has a profound impact on young people in terms of the way they and their communities were perceived and the effect of such attitudes on their own perceptions and behaviour.

Our publications include:

- Baroness Lola Young of Hornsey’s research on how to improve outcomes for young black and/or Muslim men in the CJS, known as the [Young Review](#).
- Maslaha’s [research](#) on the impact of Islamophobia on criminal justice decision making
- Leaders Unlocked’s [report](#) based on interviews with Black, Asian or minority ethnic young adults on their experiences of engagement with the CJS
- Revolving Doors Agency’s work on young adults in the revolving door of the CJS, including a briefing on [Racial bias](#). For example, they found that Black young adults are more likely to be pulled into the revolving door of the CJS than any other ethnic group but highlights gaps in the data which make it challenging to understand their trajectories.

David Lammy MP called on the government to “explain or reform” the known disproportionalities and we have since seen neither being done adequately. Sadly, there are examples in which the opposite has happened, and the effect of recent legislative changes has been to “ignore and deepen” disparities. The progress that needs to be made by the probation service was well evidenced in Her Majesty’s Chief Inspector of Probation’s March

2021 thematic report.<sup>8</sup> Until these matters are addressed the criminal justice system cannot have the legitimacy required to function effectively for every citizen, no matter what their race, ethnicity or age. Campaigns or creative projects for probation staff are needed to shed light on the daily lives of Muslim, Black and other ethnic minority communities. This is different to diversity training and would involve understanding the lived experience of young adults from religious and racially minoritised communities.

In criminal justice and safeguarding responses to Black girls, for example, research identifies a process of ‘adulthoodification’ whereby they are viewed as older than their age and more ‘adulthoodlike’, with professionals assuming that they have greater levels of maturity and less ‘innocence’ than their white peers.<sup>9</sup>

**Question 7 - Are the specific needs of other groups of Londoners being met under the reunified probation service? For example, disabled people, people who are LGBTIQ+, older people etc.**

Age is an important element to consider as part of equalities duties. The maturational status of young adults (in terms of their stage of brain development) affects their planning and problem-solving skills as well as their capacity to manage emotions, handle risks, respond to relationships, and engage in treatment, work, and employment. By virtue of their stage of development young adults may have low frustration tolerance, negative attitudes, and poor responses to authority. This also means that they are at greater risk of breaching any criminal justice sanction.

**Neuro-scientific evidence<sup>10</sup>**

The brain remains in an active state of development until between approximately 25 and 30 years of age. The control centre of the brain (prefrontal cortex) which governs prosocial behaviour, successful goal planning and achievement only reaches full biological maturity at 25 years or older. The last region of the brain to develop is that responsible for executive function.

As a result, young adults may not have fully developed the cognitive abilities which are necessary for **prosocial behaviour, successful goal planning and achievement**. They are likely to have **immature and compromised core cognitive abilities** including **poor impulse control** (thinking before acting) and **challenges in evaluating risks**, including **dealing with unanticipated challenges and adapting to changed circumstances**. This, coupled with an increased motivation to achieve rewards which develops in adolescence and young adulthood is thought to be the most likely underlying mechanism contributing to **poor problem solving, poor information processing, poor decision making and risk-taking**

<sup>8</sup> [Race equality in probation: the experiences of black, Asian and minority ethnic probation service users and staff](#) A thematic inspection by HM Inspectorate of Probation, March 2021

<sup>9</sup> <https://weareagenda.org/wp-content/uploads/2021/04/Falling-through-the-gaps-YWJP-transitions-briefing-paper.pdf>

<sup>10</sup> See for example, Scottish Sentencing Council (2020) [The development of cognitive and emotional maturity in adolescents and its relevance in judicial contexts](#), University of Edinburgh.

**behaviours.** This is important due to the impact on them understanding of complex social situations.

This typical maturation may be hindered or compromised by several factors including **traumatic brain injury, alcohol and substance use, psychiatric and neurodevelopmental disorders and adverse childhood experiences.**

Criminal behaviour typically decelerates rapidly in the early 20s, importantly including among those who had hitherto been persistent offenders. Those who persist in criminal behaviour into adulthood are more likely to have neuropsychological deficits, including cognitive difficulties with thinking, acting, and solving problems, emotional literacy and regulation, learning difficulties and language problems associated with attention deficit hyperactivity disorder (ADHD), autism, learning and language disorders and head injuries. These deficits, particularly ADHD and acquired brain injury (ABI, an impairment to the brain from an external mechanical force or strangulation), are associated with more violent offending. Neuro-disabilities are distinct from mental disorders or psychiatric illnesses or diseases which appear primarily as abnormalities of thought, feeling or behaviour, producing either distress or impairment of function, although they may co-exist. The prevalence of these disorders is also thought to be high in young adults and there is some overlap in how they manifest themselves behaviourally. The government recently committed in the Sentencing White Paper to work with local courts to target the delivery of fuller pre-sentence reports for cohorts of offenders identified with more complex needs, including young adults aged 18-25.<sup>11</sup> We welcome this and advocate for this approach to be adopted by London Probation as it will enable the court properly to take maturity into account on suitable and deliverable sentencing options.

Some young adults involved in serious offending may not be significantly more mature than under 18s who are typically more likely to be considered vulnerable (or indeed victims of modern slavery under s.45 of the Modern Slavery Act 2015) and/or are more clearly vulnerable by virtue of their age. T2A is aware that young adults who may now be involved in relatively serious offending activities may themselves have been exploited as children before child exploitation became a policy priority. Consequently, they may now have reached the current position they occupy within offending groups (in which they might be seen as having a significant or leading role) because they were not identified as having been exploited and 'rescued' at a younger age. In addition, young adults may themselves be more susceptible to intimidation and coercion by virtue of their psycho-social maturity. It is of utmost importance that probation staff understanding these dynamics fully but this will not be straightforward when the prevailing approach is one of risk management. The impact of this is illustrated in recent statistics from MOPAC in London which show that only 22% of referrals for support are aged 18-25 years despite that age cohort making up 69% of all children and young adults known to be involved in 'County Lines'.

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<sup>11</sup> [A Smarter Approach to Sentencing](#), Ministry of Justice, September 2020, para. 158.

We also consider that special attention should be paid to the issue of how probation services should best manage young adults who turn 18 during the progression of a criminal case against them, some of whom will mature significantly over what can amount to several years before cases come to trial and/or to sentencing. T2A has supported Just for Kids Law to explore the impact of this which includes the significant shift in practice between youth offending teams and probation services, for example.<sup>12</sup>

There is growing evidence about the kinds of approaches which are needed to promote desistance from crime by young adults. Their focus needs to be on developing a stable, pro-social identity; building resistance to peer influence; developing self-sufficiency and independence; increasing future orientation; and strengthening bonds with family and other close relationships. The Beyond Youth Custody programme demonstrated the importance of agencies providing both structural and personal support to children and young adults in reducing the chances of future offending. When labels, judgements and opinions are imposed on young adults through their contact with the criminal justice system this hinders such development.

It is important for probation practitioners working with young adults to avoid reinforcing involvement in the criminal justice system and to facilitate a shift to a positive, “pro-social”, identity through a practice paradigm that looks to create a shift in the way that a young person sees themselves, from an identity that promotes offending to one that promotes a positive contribution to society.<sup>13</sup> T2A has worked with NACRO and Professor Neal Hazel of the University of Salford to develop the research evidence on this. They found that using an identity lens in professional criminal justice practice assists young people in their development of a positive identity and the creation of a new narrative for how they relate to others. Crucially, this approach also recognises young adults as the central agent in their own rehabilitation, rather than being ‘done to’ as they are in typical probation practice. Professor Hazel is working with prison and probation practitioners in Greater Manchester, Merseyside and Cheshire to test different approaches to embedding practice focused on shifting identity in sentence planning and sentence management.

#### *Young adult courts*

T2A considers that there is scope to develop a young adult court in London through collaboration between the local authority, MOPAC and the courts service. The Centre for Justice Innovation (CJI) [found](#) that young peoples’ perception of their sentence has the largest influence on their views of the overall legitimacy of the justice system, even when controlling for the outcome of their case. CJI examined for T2A the feasibility of dedicated courts delivering distinct arrangements for young adults without legislative change. They proposed that:

- All young adult cases could be allocated to specialist youth magistrates and judges who currently deal with 10- to 17-year-olds and who are already eligible to hear adult cases.

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<sup>12</sup> [Turning-18-Briefing.pdf \(t2a.org.uk\)](#)

<sup>13</sup> See Nacro (2020) [Using an identity lens: constructive work with children in the criminal justice system](#)

- These courts could apply existing adult legislation but would receive pre-sentence reports with additional focus on levels of maturity and information about the context of the offence.
- The principles of ‘procedural fairness’ would be applied and sentencers would be made aware of disposals locally that would suit young adults (such as Attendance Centre Requirements, Intensive Community Orders, and involvement of mentors alongside supervision).

We advocate the piloting of young adult courts which have been adopted in some US states. In other jurisdictions, notably Germany, young adults can be sentenced either in the youth or the adult system in accordance with their maturity.

### **Question 8 - Do you have any other thoughts in relation to probation services in London not covered by the questions above?**

Investment in cost-benefit research with respect to young adults on probation should be a greater priority. [Research](#) for T2A demonstrates that investment in more positive and tailored approaches to young adults would produce savings in respect of lower reoffending and resulting costs to criminal justice agencies which have been calculated as savings of £33 million over two Parliaments. Given the very poor outcomes of imprisonment in relation to mental health, and employability, more constructive and effective diversionary approaches are likely to yield greater savings in terms of lifetime demands made on health and social services.

Investing in measures which improve the process of desistance from crime are also likely to have the support of many victims of crime. Evidence suggests that in cases of low-level offending, they can be more satisfied with out of court disposals than with court processing. Victims are also broadly open to the use of community sentences and the principles that underpin them. Many want more effective measures that support desistance more effectively than the current system whose outcomes are very poor.

## **Women in Prison<sup>14</sup>**

**Women in Prison (WIP)** is a national charity which provides independent, holistic, gender-specialist support to women facing multiple disadvantage, including women affected by the criminal justice system. We work in prisons, the community and ‘through the gate’, supporting women leaving prison. We run Women’s Centres and ‘hubs’ for services in Manchester and London, and working in partnership with Woking Women’s Support Centre, including diversion schemes for women at an early stage of involvement in the criminal justice system. Our combined services provide women with support and advocacy, relating to domestic and sexual abuse, mental health, harmful substance use, debt, education, training, employment, and parenting.

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<sup>14</sup> Women in Prison provided this further written evidence following its appearance at the Police and Crime Committee meeting on 22 June 2022.

Our campaigning is informed by our frontline support services for women, delivered at every stage of a woman's journey through the criminal justice system. The experience and knowledge of staff working directly with women affected by the criminal justice system enable us to see first-hand the effects of policy in practice and strengthen our recommendations for change.

### **Overview**

This is Women in Prison's written evidence to the London Assembly Police and Crime Committee on the Committee's investigation relating to probation services in London, one-year on from the reunification of probation services and the creation of the London Probation Service. The aim is to assess the performance of the London Probation Service following reunification; as well as establish what more is needed from MOPAC, the Metropolitan Police and other criminal justice partners to support people under probation supervision in London, in order to reduce reoffending and keep Londoners safe.

On 22 June 2022, the Committee held a panel discussion at City Hall with voluntary organisations delivering services to, or advocating for, people under probation supervision in London. The aims of the meeting were to hear about the experiences of organisations working with or alongside the London Probation Service; to examine whether MOPAC and the London Probation Service are working effectively to reduce reoffending; and to assess whether the London Probation Service and MOPAC are doing enough to harness the potential of voluntary sector and community organisations in the delivery of probation services.

Dr Kate Paradine, CEO (now outgoing) of Women in Prison gave evidence alongside other panellists:

- Dez Brown, CEO and Founder, Spark2Life;
- Ana Caldeira, Senior Operations Manager, Catch22;
- Dr Philip Mullen, Research Manager, Revolving Doors;
- Maithreyi Rajeshkumar, Head of Policy, EQUAL;
- Niki Scordi, CEO, Advance;
- Monique Williams, Head of Delivery, Switchback.

### **Answer to question asked by Sem Moema: Views on the situation facing Black boys and men in the Criminal Justice System**

At the end of the session, Assembly Member, Sem Moema, asked the London Assembly panel contributors their views about the situation facing Black boys and men in the criminal justice system. The question is an absolutely vital one and we welcome it.

The majority of children imprisoned are from Black, Asian and minoritised communities. Black women, girls, men and boys are disproportionately impacted by criminal sanctions, as was set out in detail by the Lammy Inquiry. All of these statistics are part of the whole system failure that starts with school exclusions, the failings of the care system and the route into the criminal justice system which is too often the result of multiple state failures beginning in childhood, including with the practice of 'adultification', which is a major issue

in the criminalisation of Black boys and girls.

The London Blueprint for Women could, and should, be replicated for Black men and boys who are drawn into the system in much greater numbers. This needs to include clarity about the complex root causes of offending and of criminal justice involvement (experience of racism, poverty, mental ill health, harmful substance use). Like women and girls, boys and men often need advocacy support to access the support services they need and to have multiple needs addressed together.

In a partnership led by Hibiscus (along with partners Muslim Women in Prison Project, Zahid Muberek Trust, Agenda, Criminal Justice Alliance) we have recently published the Double Disadvantage Ten Point Action Plan<sup>15</sup> to address the double disadvantage that Black, Asian, minoritized and migrant women face. We believe a similar format would be beneficial in addressing the impact on Black boys and men (and their families and communities) of discriminatory treatment and racism. We would recommend bringing together specialist agencies such as some of those represented on the panel, Zahid Mubarek Trust and others to guide this work. The focus needs to be on practical action and holding agencies and individual leaders to account, rather than more reports to highlight the problems and facts that are already well known.

We know from our work with women that the discriminatory impact of the criminal justice system in terms of racism affects whole families and communities across London and it is vital that the London Assembly consider what cross-agency action is needed to make the difference.

### **1) The impact of reform and reunification of Probation services in London and performance so far**

The ‘women’s lot’ is welcome and women’s specialist services are now contracted across most of England and Wales. We continue to deliver our services in London (primarily in South London but also with pan-London projects, included those wholly or partly funded by independent trusts and foundations, such as City Bridge Trust and National Lottery) enabling us to provide gender-specific, trauma informed support. We have been delivering these services alongside Probation whilst retaining our independence as an organisation and there is a deep understanding by statutory organisations and women we work with that we are different to a statutory service. This is essential for us to maintain relationships of trust with the women we work with.

The ‘whole system’ works because different agencies have different roles, and organisations like ours have no enforcement powers. Independent, women-led services are essential in this space because so many women have lost faith in state services and many will have experienced or observed racism by criminal justice agencies, including against partners and family members.

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<sup>15</sup> Hibiscus Initiatives, Muslim Women in Prison, Zahid Mubarek Trust, Criminal Justice Alliance and Women in Prison (2022) [Tackling Double Disadvantage 10 Point Action Plan for Change](#)



The new referral IT system (Refer, Monitor and Intervention – RMI) is working well in terms of increases in numbers of women referred from Probation but there have been a number of issues with the new IT system and process, some of which are ‘teething troubles’, and some are taking a long time to be addressed, as is common with large national IT system roll outs.

Across the country there is a major issue with volumes and as pathways for referral are being rebuilt the issue of numbers and demands on services will become better understood. It is really important that there are clear arrangements for waiting lists and the management of cases when numbers are too high for the service commissioned.

Probation teams have gone through a great deal of change in the last year, which we know can be challenging. We have seen our Probation colleagues respond positively to this challenge. We have a good working relationship with Probation teams and generally feel listened to when we raise issues or give feedback – both locally and nationally. We can see there is a really proactive effort to avoid the worse excesses of top-down contract management.

A major issue of the reunification is that we do not believe that sufficient account was taken of service delivery in prisons and the prison/probation interface. The contracts did not initially cover the specification for housing support in prisons. This was a significant oversight which was only acknowledged late in the commissioning process. This had major impact in HMP Bronzefield where provision by two in-prison housing workers ended under the new contracts and there was impact across the prison estate. This is addressed further in question (3).

## **2) Delivering the functions of the London Probation Service (eg, quality of sentence management following reunification and London Probation Service staffing and caseloads)**

Probation staff are under real staffing pressure and under resourced which affects their ability to manage caseloads and to have a thorough understanding of every case. We are concerned about the dangers of women being breached as there is perception of an increased risk they might offend or their safety is at risk, without putting adequate support measures in place. We are deeply concerned about the impact this has on women under probation supervision. In some cases women have been subject to breach actions following behaviour in their supported housing which could have been resolved with the support of specialist organisations like ours.

We have seen some positive practice where we are brought in to provide advice and support and multi-disciplinary meetings have been coordinated. We believe that often we are able to advocate for women and support to provide understanding of the context of any breach, including by supporting women at various appointments, but, this advocacy must be seen as an essential part of decision-making by probation professionals. We are still concerned that there are not current safeguards against information on the RMI system being used as the sole evidence to justify a probation officer’s decision about breach, when there needs to be a much more in depth understanding and multi-disciplinary plan to prevent breach.



It is vital that there is a clear distinction between probation with their enforcement powers and independent agencies without these powers. Our role is often to provide important information, and/or support a woman to provide this herself, which puts an apparent breach in context so that probation officers understand why enforcement action is not an appropriate course of action. We are concerned that too often women are being ‘set up to fail’ with enforcement actions, like breach, and return to prison, makes their situation worse (and makes it harder to provide support). The current model should make it easier for women to link into women’s services as a matter of routine and address the support needs they have. We welcome the efforts of Probation to build those pathways to support.

### **3) Prison leavers and resettlement support under the reunified model, provision of accommodation for prison leavers and specific challenges facing women leaving prison**

As soon as the detailed provision in the new model of a reunified Probation Service came to light, we, alongside other organisations, raised our concern about the lack of housing support available in women’s prisons following the reunification. We collectively provided feedback and suggested some urgent changes to rectify this issue, however, this was not well received, and the changes were not implemented. We believe this has had a negative impact on women’s ability to access sustainable accommodation options on release. Voluntary agencies need to be properly consulted, listened and responded to when they raise concerns such as we did. If these had been addressed properly a year ago the situation in relation to housing for women in prison may not have been in such a desperate state by now.

The recent Inspection report from HMI Prisons of HMP Bronzefield shows that about 65% of sentenced women did not have sustainable accommodation on release.<sup>16</sup> Adequate provision of in prison housing specialists in HMP Bronzefield are a vital part of resettlement. The current attempts to fill the gaps are not adequate and given the continued uncertainty about the delivery of women’s support services from December 2022, we have concerns about the adequacy of provision going forward.

Accessing prisons by staff teams to provide support is a notoriously difficult due to vetting and key training waiting times, but this has been especially acute during Covid-19. This is a major issue which supports the case for preventing imprisonment in the first place, because accessing support for any root cause of offending, including homelessness, is more difficult in prison than the community.

It is vital that the issues facing women in prison and the works of organisations like the London Prisons Mission and Housing 4 Women are taken account of in multi-agency work to address women’s homelessness and housing needs across London.

### **4) Partnerships with other providers following reunification (including experience of bidding for contracts and grants, delivering probation contracts, harnessing voluntary sector expertise in the design and delivery of services)**

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<sup>16</sup> HM Inspectorate of Prisons (2022) [HMP Bronzefield](#)

We cannot speak highly enough of the officials from MOPAC and partners, such as Lambeth Council, for the painstaking way they have worked alongside the deeply complicated probation changes with a constant focus on the need to provide support for women, and making best use of specialist charities.

During the process of temporarily extending contracts around Spring 2021, there were some complex contractual issues and real problems were presented with, for example the application of TUPE. This was when organisations like ourselves and Advance were effectively continuing a current contract and this had unfair implications for us and for individuals because there was so much lack of clarity about the appropriate application of TUPE and how the reunification of Probation affected this.

The RMI IT system has been a challenge and, as a relatively small organisation compared to other providers, is another system we have had to invest disproportionate time and resource into. It takes considerable time to respond to any issues/change requests with the system, even if the changes are relatively simple and there have been occasions where our teams have been more familiar with the system than probation staff.

Contract management requirements have been onerous, excessive and bureaucratic, including the recent tendering process under the Dynamic Purchasing Framework (DPF). This favours very large charities, because the process from tender to exit assumes a team of ‘contract managers’ whose sole role is to manage this bureaucracy. That is neither realistic nor ethical given the size of the specialist charities that are often key to success.

We support the co-commissioning approach and recommend that the most streamlined and efficient commissioning process, which focuses on front line delivery of support rather than the bureaucracy of contract management is the one adopted going forward. Contracts in this space are extremely ‘tight’ (sometimes not enabling full cost recovery) and there is a real concern about the dangers of setting up organisations to fail and/or assuming some level of subsidisation by charities. To overlap onto this expectation, ever expanding and excessive bureaucracy and disproportionate contract management is unsustainable. However, we do feel that locally and nationally our concerns and suggestions are being listened to and acted upon where possible. It is vital that this continues.

Grants are a key part of the solution. As women’s organisations and those led by and for Black, Asian, minoritised or migrant women, are generally smaller specialist providers (eg, Hibiscus, Muslim Women in Prison Project), the availability of grants can enable delivery of the flexible services that women need. We recommend the availability of grants is increased.

Overall we think London is starting to demonstrate much stronger trusting relationships with charities in promoting and building a truly ‘whole system’ as part of its blueprint vision, but needs to be sustained through new contracting arrangements (the current tender is out six months after we were told it would be) and there is desperate need for central government to invest in reducing the women’s prison population by ensuring local commissioners have the funding they need.

### **5) Supporting different cohorts of people on probation in London, specific challenges, needs and responses for women and Black, Asian and minority ethnic Londoners on probation.**

Ring-fenced grant funding needs to be provided for small, specialist organisations working with people who are Black, Asian and racially minoritised and we have provided a fuller answer to the question asked by Sem Moema above.

Although they are not technically people on probation, the issues facing unsentenced women are a key challenge in the system because their often complex and multiple support needs are effectively overlooked. The recent HMIP Report found that in a two year period the courts had sent 86 women with acute mental ill health to HMP Bronzefield due to lack of mental health facilities in the community.<sup>17</sup> This is an example of the reality of failing to invest in community-based support which then has a knock on effect on the decisions of the courts (including on remand, supposedly for ‘own protection’).

We understand that the Probation Service and new delivery contracts are trying to address the issue of providing support services for women on remand and who are unsentenced. Unfortunately, this appears to be with inadequate resources and unrealistic expectations of what is possible in terms of staffing support services and the challenges which women on remand face.

This is particularly concerning given the Government has dedicated £200m for an additional 500 prison cells for women, a plan that has been widely condemned. This plan should be stopped and the funding redirected to community-based support services – an investment which could transform one corner of the criminal justice system which harms women, families and communities.

## **Working Chance**

Working Chance is the UK’s only employment charity solely for women with convictions. We support women to develop the confidence, skills and self-belief they need to overcome any barriers to their employment, find jobs and build careers.

Employment is one of the surest ways of preventing reoffending. We work in the community with women – regardless of how long ago their conviction was – to support them into work.

Our aim is to deepen our working partnership with probation to ensure that women coming through the probation service know about us, and that our support is free and easy to access. Working Chance’s services are free to clients, and free to refer to, and so we are not part of probations commissioning contracts: we recommend that women who come to the

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<sup>17</sup> HM Inspectorate of Prisons (2022) [HMP Bronzefield](#)

end of their license conditions are signposted to further support to aid their rehabilitation, including to Working Chance to support them with their employability, and find them a job.

As Working Chance is not a provider for the probation service, we have not addressed every question, but we are looking at questions 1, 3, 4, and 5.

**1. What, if any, improvements have there been in the delivery of probation services in London one-year on from reunification? Please refer to any aspect of probation delivery you have knowledge of, i.e.**

- **advice provided to court**
- **pre-release planning**
- **resettlement support**
- **access to accommodation**
- **sentence management**
- **delivery of Unpaid Work, accredited programmes and structured interventions.**

For the women's sector, the Commissioned Rehabilitative Services contracts are a year behind the men's and are currently being tendered. What we do know at this stage, however, is that unification has seemingly made engagement more problematic, with access to Probation Practitioners impossible. Reasons we are being given include:

- caseloads are as high as 80-100
- poor staff retention
- the service being generally understaffed

**3. Has the experience of those bidding for contracts or applying for grants to deliver services under the new model improved, either through the London Probation Service or MOPAC?**

Working Chance has not received any grant funding from MOPAC or the London Probation Service, nor has it bid for a contract under this model.

However, a comment on the model as it stands would be to ask London Probation Service to consider that women on license are not a homogenous group – yet the options of onward referrals (to Women in Prison and Advance) leave a relatively limited scope in what kinds of support they can receive. Both organisations are fantastic and do exemplary work, but we know that a one-size-fits-all approach does not work for everyone, and where a woman has specific needs, eg. around her employability – the model must be flexible enough for referrals to be made to other voluntary organisations, and signposting so that women can refer themselves to services that fit their needs.

**4. What further action could MOPAC and the London Probation Service take to access voluntary sector expertise in the design and delivery of services aimed at reducing reoffending?**

Unless a voluntary organisation is a contracted provider, the voluntary sector is wholly excluded from the sharing its expertise with the services aimed at reducing reoffending. As our aims and objectives are intrinsically aligned, Working Chance would be delighted to be able to offer our services to more women in probation.

We have been making attempts to build relationships with the London Probation Service to improve partnership working and raise awareness of our free service. We have found the Probation Directors to be very sympathetic and action-focused and have been genuinely keen to build mechanisms to refer women from probation to our employment support.

In contrast, staff at other levels within the structure have been more difficult to reach, and it has been extremely difficult to add value. This is likely due to staff having an overwhelming workload, and very little time to take on extra conversations or activity. We have not been able to get in touch with the frontline practitioners to share what we do, even when feel that our employability service could be a huge help to women in the probation service and take some of the strain off their probation officers and their heavy caseloads. We exist to complement existing provision, not to compete or to duplicate.

We believe this stems from internal challenges for the service – probation colleagues have told us that it is difficult to share external information with teams, unless it is ‘directly operationally related’. We are told that sometimes managers cannot even share information directly with their own teams.

Another issue that presents itself is that the CRS used for monitoring and making onward referrals is extremely limited and closed. Probation Practitioners are understandably mandated to use it, but the mechanism for making referrals is automated, so it becomes impossible to provide tailored care, and removes choice from the client. Within this system, there is no scope for probation officers to make a judgement on what support would best suit the needs of the client, or to look for the best services to meet their needs.

Our recommendation would be to improve lines of communication to those who could be making referrals – we undoubtedly share common aims, objectives and values.

##### **5. Are the specific needs of women being met under the reunified probation service?**

With such a large caseload, work supporting women cannot be fully gender or trauma informed – women need more time and tailored support for their needs to be met. We are concerned that the specific needs of women cannot be met with probation services in their current state.

Our experience with clients shows that many women get forgotten or overlooked by their probation officer, the paperwork goes missing, appointments are missed. One client’s probation worker left their role, and was not replaced for months. The client was anxious she would breach her license conditions but did not have anyone to contact. Another client received a letter saying that probation would be in touch once an officer had been

allocated. She never heard from them again, which was incredibly distressing given she has community hours still to complete. That said, we also know that when a probation officer is able to give a client the time and support she deserves, the experience is transformational.

In the wake of the pandemic, we are seeing that the proportion of cases that are judged as high complexity, or high risk, is higher than in previous years. This puts other services under an incredible strain. Our relationships with probation colleagues are showing that clients' OGRS (offender group reconviction scale) scores, judging the percentage likelihood of reoffending or being deemed 'high risk' are much higher than one would hope. We are hearing that the bulk of referrals from women's estate are medium-high complexity, and that women have a multitude of needs. This means that we must increase the range and level of support that women receive, if they are to have their needs met and move on from the criminal justice system, instead of being trapped in a cycle of reoffending and criminalisation.

We recommend that every woman coming to the end of their licence conditions be given materials that signpost to further support. Currently, we are told, they do not receive anything. There are a multitude of voluntary providers who could be of assistance at this point in a woman's journey, as a woman leaves the criminal justice system. Working Chance's employability support is not always best-suited to prison leavers, or those who are earlier in their journey. However, when a woman finishes Unpaid Work, or comes to the end of their licence conditions, employment might be the best possible 'next step' for her and her family. We would advocate for better information sharing and onward referrals, so that we can best serve the needs of this cohort of women.

## Appendix: call for written evidence

The London Assembly Police and Crime Committee has launched an investigation into the London Probation Service. We will consider how the London Probation Service is working in partnership with statutory agencies and voluntary sector organisations since reunification, to support people under probation supervision and reduce their risk of reoffending.

The Committee would like to invite you to submit views and information to the investigation, giving you the opportunity to inform our work and influence our recommendations.

### Background

In June 2021, the London Probation Service was established, signalling a major change in how probation services are delivered across London.

The creation of the London Probation Service was part of wider reforms to the delivery of probation services across England and Wales. These reforms brought to an end the previous *Transforming Rehabilitation* model, which split the delivery of probation between privately-operated Community Rehabilitation Companies and the state-run National Probation Service. In its place, the Probation Service was established, with London as one of its 12 regional units across England and Wales. The reunified service is responsible for the delivery of all sentence management, Unpaid Work, structured interventions and the commissioning of rehabilitative and resettlement services from third party providers.

One-year on from these reforms, the London Assembly Police and Crime Committee will consider how well the reunified model is operating and whether it is working as effectively as it can with partner agencies such as the Mayor's Office for Policing and Crime (MOPAC), the Metropolitan Police (the Met), London Boroughs, voluntary organisations and community sector organisations, to reduce reoffending.

### Key questions

1. What, if any, improvements have there been in the delivery of probation services in London one-year on from reunification? Please refer to any aspect of probation delivery you have knowledge of, i.e.
  - a. advice provided to court
  - b. pre-release planning
  - c. resettlement support
  - d. access to accommodation
  - e. sentence management
  - f. delivery of Unpaid Work, accredited programmes and structured interventions.
2. How have changes to probation services affected partnership working between the London Probation Service, MOPAC and the Met?

3. Has the experience of those bidding for contracts or applying for grants to deliver services under the new model improved, either through the London Probation Service or MOPAC?
4. What further action could MOPAC and the London Probation Service take to access voluntary sector expertise in the design and delivery of services aimed at reducing reoffending?
5. Are the specific needs of women being met under the reunified probation service?
6. Are there particular challenges facing Black, Asian and/or minority ethnic people under probation supervision in London?
7. Are the specific needs of other groups of Londoners being met under the reunified probation service? For example, disabled people, people who are LGBTIQ+, older people etc.
8. Do you have any other thoughts in relation to probation services in London not covered by the questions above?

### **How to respond**

Submissions should aim to address any of the questions outlined above, and other issues that are relevant to the investigation. We are keen to hear from probation practitioners, campaigners, voluntary sector organisations, London boroughs and anyone else with an interest in this topic.

We also particularly welcome evidence from service users and those with lived experience of probation services in London and are open to receiving evidence in different formats, such as videos or voice recordings if that makes it easier for someone to respond.

To contribute, please send submissions to the committee by the deadline of Monday 18 July 2022 using the details below. If you have any queries, please get in touch.

Please note: We will usually publish written submissions online unless they are marked as confidential or there is a legal reason for non-publication. We may be required to release a copy of your submission under the Freedom of Information Act 2000, even if it has been marked as confidential.

### **About the London Assembly Police and Crime Committee**

The London Assembly consists of 25 elected London Assembly Members, who publicly examine the policies and programmes of the Mayor of London and relevant agencies through committee meetings, plenary sessions, site visits and investigations.

The Police and Crime Committee examines the work of MOPAC, which oversees the Met. It also investigates key issues and other matters which the Assembly considers to be of importance to policing and crime reduction in London, and it routinely publishes the findings and recommendations of its investigations.

The members of the committee are:

Marina Ahmad AM



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Unmesh Desai AM (Deputy Chair)

Tony Devenish AM

Neil Garratt AM

Susan Hall AM (Chair)

Sem Moema AM

Caroline Pidgeon MBE AM.

Keith Prince AM

Caroline Russell AM

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