



## DEBATE PACK

Number 2015/85, 26 October 2015

# The Transforming Rehabilitation Programme

## Westminster Hall Debate 28 October 2015, 0930hrs

A debate on the implementation of the Transforming Rehabilitation programme will be held on Wednesday 28 October at 0930hrs.

The member in charge of the debate is Stephen Kinnock.

By Benjamin Politowski

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The House of Commons Library prepares a briefing in hard copy and/or online for most, but not all, non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

### Summary

Transforming Rehabilitation is a programme of reform which began under the previous Coalition Government. It seeks to change the way in which offenders in England and Wales are managed in the community to bring down reoffending rates whilst ensuring public protection.

The reforms included the creation of a new National Probation Service, a reorganisation of the prison system to include resettlement prisons for offenders soon to be released and the privatisation of prisoner rehabilitation by contracting 21 Community Rehabilitation Companies (CRCs).

Pilot schemes, known as 'test gate 4' and 'test gate 5' were run towards the end of 2014, and the CRCs began running on 1 February 2015. The reforms continue to be implemented and certain resettlement services are now up and running. According to the Ministry of Justice's original strategy document, all reforms should have been implemented by the end of 2015.

More detail on the Transforming Rehabilitation policy background is available in the previous government's policy paper:

[Reoffending and Rehabilitation – Appendix 4: transforming rehabilitation](#)

Government documents in relation to the Transforming Rehabilitation programme are available on GOV.UK:

<https://www.gov.uk/government/collections/transforming-rehabilitation>

### Debate Pack

The purpose of this debate pack is to provide some background information to the Transforming Rehabilitation programme in advance of the debate. It also includes a selection of Parliamentary business – including written statements, Parliamentary Questions and recent debates – and links to Government reports and media articles. More information on the issues and debates surrounding reforms to the prison and probation system is available from the briefing papers and other documents listed in section 5.

# 1. The Transforming Rehabilitation Programme

The Transforming Rehabilitation programme, developed under the Coalition Government, was announced in the Ministry of Justice's strategy document, *Transforming Rehabilitation: A Strategy for Reform*.

According to the Ministry of Justice, the aim of reforms was to ensure offenders were not only punished but then better rehabilitated by offering them greater support in the rehabilitation process. This would reduce reoffending rates whilst continuing to ensure public safety. The reforms were scheduled to be implemented across England and Wales by the end of 2015.

## 1.1 The Main Reforms

There were five main reforms announced as part of the Transforming Rehabilitation programme:

- 1 The creation of a new [National Probation Service](#) with direct responsibility for managing high risk offenders.
- 2 Statutory supervision was extended to those who serve a custodial sentence of fewer than 12 months, the majority of whom hitherto received no statutory supervision on completion of their sentence.<sup>1</sup>
- 3 A reorganisation of the prison system in order to create 70 local resettlement prisons so that offenders due for release could be relocated close to their community three months prior to the end of their sentence.
- 4 Organisations from the private, voluntary and social sectors were to be invited to bid for contracts to create 21 new Community Rehabilitation Companies (CRCs).
- 5 The introduction of "Payment by Results", a proportion of a provider's payment would be decided by the measureable reduction in reoffending they achieve.

More information about the specifics of these proposed reforms is in the House of Commons Library Briefing Paper, *Probation Reforms 2014*.

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<sup>1</sup> This was introduced under Part 1 of the *Offender Rehabilitation Act 2014*, which came into force on 1 February 2015.

## 2. Parliamentary Business

### 2.1 Written Statements

#### Criminal Justice Update [[HCWS242](#)]

##### **Made by Chris Grayling, SoS for Justice, on 2 February 2015**

I am delighted to announce that I have now signed a commencement order that brought into force the remaining uncommenced provisions of the Offender Rehabilitation Act 2014 (ORA) on 1 February 2015. This marks another significant step in implementing the Transforming Rehabilitation reforms which will reduce the stubbornly high rate of reoffending which has been far too high for far too long.

For the first-time we will be giving virtually all offenders a proper chance at rehabilitation. The most significant change the ORA makes is to extend statutory supervision to the 45,000 offenders a year who are released from short prison sentences of less than 12 months, the majority of whom currently receive no statutory supervision after completing a custodial sentence. This group of offenders have the highest reoffending rates of any group: almost 60% of adult offenders released from short prison sentences in the year to March 2013 went on to reoffend within the next 12 months.

The changes the ORA makes mean that any offender whose offence was committed on or after 1 February, and who is sentenced to a custodial term of more than 1 day, will in the future receive at least 12 months of supervision and support after release.

The ORA also makes a number of changes to the sentencing and release framework set out in the Criminal Justice Act 2003, including expanded drug testing powers for offenders released from custody and the creation of a new Rehabilitation Activity Requirement that can be imposed on offenders serving sentences in the community.

Along with the provisions of the ORA coming in to force, on 1 February the new providers have also taken ownership of, and begun running, the 21 Community Rehabilitation Companies which will manage low and medium risk offenders.

In addition, I have published revised National Standards for the Management of Offenders and national training guidelines in line with the requirements of the Offender Management Act 2007. The standards and guidelines apply to all providers of probation services engaged in the management of offenders and delivering the sentence of the court.

The standards set out the minimum requirements for the effective management of offenders subject to community and suspended sentence orders, supervision on licence and/or the new post sentence supervision period. I have placed a copy of these standards in the House Libraries.

A Competent Workforce to Transform Rehabilitation provides a set of guidelines for the qualifications, training and experience of officers involved in delivering probation services and is available on line.

Document: [National Standards for the Management of Offenders](#)

## Transforming Rehabilitation Update [[HCWS146](#)]

**Made by Chris Grayling, SoS for Justice, on 18 December 2014**

I am today signing contracts with the new owners of the 21 Community Rehabilitation Companies (CRCs). This is another major step towards implementing the government's probation reforms.

Despite almost £3billion a year investment in prisons and just under £1billion in delivering sentences in the community, overall reoffending rates have barely changed over the last decade.

The very highest reoffending rates are among prisoners sentenced to custodial sentences of under 12 months. The current system is simply not addressing this problem – many of these prolific offenders, with a host of complex problems, are released on to the streets with little or no support.

For the first time in recent history, these reforms will mean that virtually every offender released from custody will receive statutory supervision and rehabilitation in the community. The Offender Rehabilitation Act 2014 will extend this statutory supervision and rehabilitation to all 45,000 of the most prolific group of offenders sentenced to less than 12 months in custody.

We are also putting in place an unprecedented nationwide 'through the prison gate' resettlement service to support offenders from custody into the community.

This is the most diverse market we have ever had for any competition in the Ministry of Justice. The contracts that I will be signing today demonstrate how we are bringing together the best of the public, voluntary and private sectors with a wide range of skills and experience to improve rehabilitation provision.

In nearly all of the 21 areas, a mutual or voluntary, community and social enterprise (VCSE) organisation is involved at Tier 1 or as a strategic partner, and 6 of the CRCs will be run with the involvement of a probation staff mutual. All new owners have included VCSE organisations in their proposed supply chains and 75% of the 300 subcontractors named are VCSE or mutual organisations.

Our Transforming Rehabilitation reforms are part of a programme across the whole justice system, making it ready to meet the challenges of the future. We are creating a justice system that produces more effective and more efficient services for all – reforming offenders, delivering value for the taxpayer and protecting victims and communities.

I have placed a copy of the final list of new owners in the House Library.

Document: [New owners of Community Rehabilitation Companies](#)

## Transforming Rehabilitation [HCWS64]

### **Made by Chris Grayling, SoS for Justice, on 5 December 2014**

Following the announcement of Preferred Bidders on 29 October, the Ministry of Justice has taken another step towards completing the government's probation reforms.

Following further negotiations with Preferred Bidders, I have today announced that I am awarding contracts to the successful bidders for the 21 Community Rehabilitation Companies (CRCs).

I have placed a copy of the list of successful bidders in the House Library and all bidders are receiving formal notification today.

After formal notification of bidders, we will enter the standstill period at the end of which we intend for contracts to be signed with new providers.

Document: [Transforming Rehabilitation - Successful Bidders](#)

## Transforming Rehabilitation [HC 6 Feb 2014 c36WS]

### **Made by the Lord Chancellor and SoS for Justice, Chris Grayling**

I would like to update the House about the fact that we have now moved into the next phase of the competition to award new regional rehabilitation contracts. Engagement continues with around 50 providers who make up the 30 bidders involved in our probation reforms and we have now formally invited them to submit bids.

Alongside this, an updated version of the target operating model for the reforms will be published shortly. The target operating model explains how the new system will work on the ground, and what the respective roles of the national probation service and community rehabilitation companies (CRCs) will be, including where CRCs will have the opportunity to innovate in how they rehabilitate and support offenders, including through mentoring.

I will also shortly publish a revised list of designated resettlement prisons following a review undertaken as a result of changes to the prison estate and discussions with criminal justice partners.

Copies of the revised targeted operating model and list of resettlement prisons will be shortly made available in the Libraries of both Houses. Copies of the draft contracts will be made available in the Libraries of both Houses later this month.

## Transforming Rehabilitation [HC 9 Jan 2013 c18WS]

### **Made by the Lord Chancellor and SoS for Justice, Chris Grayling**

This Government are committed to an ambitious programme of social reform, even at a time of financial constraints. Major changes have already been delivered in welfare and education to tackle the challenge of endemic welfare dependence and educational underperformance, particularly in deprived areas. In the coalition agreement, the Government also promised, 'to introduce a rehabilitation revolution', to tackle the unacceptable cycle of reoffending, and today I am publishing a consultation paper entitled "Transforming Rehabilitation: a revolution in the way we manage offenders".

This publication describes my proposals to reform the way in which offenders are rehabilitated in the community through a new focus on life management and mentoring support. I am also planning, for the first time, to extend rehabilitation to those released after serving sentences of less than 12 months, who currently get no support but have the highest reoffending rates.

Reoffending has been far too high for far too long. Despite significant increases in spending on probation under the previous Government, there has been little change in reconviction rates over the past decade. In 2010, nearly half (47.5%) of prisoners were reconvicted within 12 months of release. Failing to divert offenders away from crime has a huge impact. The cost to the Ministry of Justice of dealing with these offenders is considerable, with total expenditure on prisons and offender management standing at £4 billion in 2011-12. But it is not only expenditure on offender management; the National Audit Office estimated that the wider economic cost was as much as £13 billion in 2007-08.

The proposals in this paper extend provision to a greater number of offenders and increase the focus on rehabilitation. Given the challenging financial context, we will need to increase efficiency and drive down costs to enable us to do this. I therefore intend to begin a process of competition to open up the market and bring in a more diverse mix of providers, delivering increased innovation and improved value for money. To ensure that the system is properly focused on reducing reoffending and deploying more effective interventions, providers will in future only be paid in full when they reduce reconviction rates in their area.

We will not take any risks in protecting the public and the public sector probation service will retain ultimate responsibility for public protection and will manage directly those offenders who pose the highest risk of serious harm to the public—this group will include MAPPAs. They will also continue to carry out risk assessments for each offender, advise the courts and Parole Board and handle breach cases. The probation service performs a vital role in protecting the public and managing risk—I am determined to preserve that.

The great majority of community sentences and rehabilitation work will, however, be delivered by the private sector and voluntary organisations,

which have particular expertise in this area. I am also keen to ensure that probation professionals currently within existing structures have scope to play a full role in the new rehabilitation provision. Providers will be commissioned to deliver community orders and licence requirements for most offenders in broad geographic areas, and will be paid by results to reduce reoffending. They will be expected to tackle the causes of reoffending and help offenders turn their lives around, for example, by providing mentors and signposting to housing, training and employment, and addiction and mental health services.

Our reforms will make use of local experience, and integrate with existing local structures. We want to introduce a system which allows for closer alignment of the variety of services which offenders use, through co-commissioning with other Government Departments, police and crime commissioners, and local authorities. Potential providers will have to evidence how they would sustain local partnerships in contracts.

These proposals will make a significant change to the system, delivering the Government's commitment to real reform. Transforming rehabilitation will help to ensure that all of those sentenced to prison or community sentences are properly punished while being supported to turn their backs on crime for good—meaning lower crime, fewer victims and safer communities.

This paper includes the Government's response to the March 2012 consultation "Punishment and Reform: Effective Probation Services".

Copies will be available in the Vote Office and the Printed Paper Office and online at:

<https://consult.justice.gov.uk/digital-communications/transforming-rehabilitation>



## 2.2 Westminster Hall Debates

The following previous Westminster Hall debates have been held in which there was reference to the Transforming Rehabilitation programme:

### Prisons: Planning and Policies

**[HC Deb 15 October 2015 c187WH]**

The motion of this debate was that, 'this House has considered the Ninth Report from the Justice Committee of Session 2014-15 on Prisons: planning and policies, HC 309, and the Government response, Cm 9129.'

The member in charge of the debate was Robert Neill. Andrew Selous, the Minister for Prisons, responded on behalf of the Government.

### Safety in Prisons

**[HC Deb 17 June 2015 c81WH]**

The motion of this debate was that, 'this House has considered safety in prisons.' The member in charge of the debate was Rachael Maskell.

Andrew Selous, responding on behalf of the Government, made reference to reforms being made under the Transforming Rehabilitation programme, saying that people who had received custodial sentences of under 12 months were now given probation supervision which was not the case in the past.

## 2.3 Parliamentary Questions

The following is a selection of recent PQs (written and oral) asked in relation to the Transforming Rehabilitation Programme. To search for more parliamentary business relating to this, or any other topic, please use [Parliamentary Search](#).

### Community Rehabilitation Companies: Charities [11973]

#### Asked by Mr Andrew Smith on 14 October 2015

To ask the Secretary of State for Justice, what steps Community Rehabilitation Companies are taking to engage with local charities to prevent prisoners from reoffending.

#### Answered by Andrew Selous on 21 October 2015

Charities and the voluntary sector have long played an important role in rehabilitating offenders and continue to do so under the Government's reforms to rehabilitation services. Under the Transforming Rehabilitation reforms, we opened up the market in order to get the best out of the public, private and third sectors. 19 out of the 21 CRCs are being run with assistance from staff mutual or VCSE, and all contracted probation providers have included VCSE organisations in their supply chains.

### Prison Education [HC Deb 8 Sep 2015 c204]

**Jenny Chapman:** That is probably the best answer I have had from a Secretary of State on the issue of prison officer safety, on what must be the 20th time of raising it, and we will hold him to the moves he has promised to make. But what happens inside prisons is only half the story. Will he ensure that the review examines continuity of learning on release? I ask that because I am concerned that, following the chaotic sell-off of probation, offenders are not being adequately supervised, risk-assessed or monitored. He knows that Sodexo has already laid off 600 staff, many of whom had good experience in providing offenders with suitable skills and learning placements.

**Michael Gove:** The hon. Lady is absolutely right to say that the transforming rehabilitation programme needs to be scrutinised very closely. I have had the benefit of talking to the trade unions that represent not just Sodexo employees but employees from across probation, and they have raised a number of genuine concerns, which I hope we can meet. More broadly, the opportunity to appoint a new chief inspector of probation, and indeed a new chief inspector of prisons, arises—the closing date for applications is this Friday. The current incumbents of both posts have done an excellent job, but it is really important that we have high-quality people who will hold to account the organisations responsible for the fate of offenders and ex-offenders.

## Rehabilitation Services [[HC Deb 17 Mar 2015 c624](#)]

**Gareth Johnson (Dartford) (Con):** What assessment he has made of the performance of new providers of rehabilitation services in the rehabilitation of short-term prisoners. [908084]

**The Minister of State, Ministry of Justice (Simon Hughes):** The coalition is committed to transforming rehabilitation in order to reduce reoffending and, consequently, to reduce the number of people who are victims of crime. Since 1 February under the new system, providers from the public, voluntary and private sectors have been providing the new transforming rehabilitation services. The crucial thing is that all those people who are currently sentenced to less than a year in prison will have support when they come out. They are the people who reoffend most and who cause the most victims. Payments to providers will be dependent on results.

**Mr Speaker:** I realise that the Minister is not a prisoner, but I am not sure that being forced to answer so many questions will aid his rehabilitation when he is obviously struggling with a very sore throat. That seems to be a considerable unkindness.

**Gareth Johnson:** I welcome the measures that the Ministry of Justice has taken to work with short-term prisoners. I think that this is the first time we have ever seen that happening, and it has become possible only because of the pioneering approach of the Ministry. Does my right hon. Friend agree that it is vital to work with short-term prisoners, who often have more deeply rooted offending behaviour than many other types of offenders?

**Simon Hughes:** I am grateful to you for your concern, Mr Speaker. The Secretary of State offered me the chance to opt out, but I volunteered to come here and do my duty, so I hope I am forgiven. I might have to curl up and hide in the corner in a minute, however.

I would say to the hon. Member for Dartford (Gareth Johnson) that in the year ending last March, 57% of all adult offenders released from custody after serving a sentence of less than 12 months reoffended within a year. They are the largest group of reoffenders. They are the people who cause the most victims the most grief and the criminal justice system the most cost. We have never had a Government who have dealt with this issue, but we have been determined to do so and I believe that the way in which we rehabilitate those people will be transformational.

**Mr Speaker:** The Minister's virtue is not in doubt.

## Policy [226779]

### **Asked by Paul Flynn on 9 March 2015**

To ask the Secretary of State for Justice, what policies contained in the 2010 Coalition Agreement and falling under his Department's responsibilities have not yet been implemented; and what the reasons are for each such policy's non-implementation.

### **Answered by Andrew Selous on 16 March 2015**

Since 2010 MoJ has delivered major changes by reducing costs in the services we provide and seeking to improve the way we provide them. Our extensive reform programme, covering all areas of the justice system, including back office functions, has reduced net spend by £1.7bn, or 19% in real terms, in 2013-14 compared to 2010-11, and is expected to reduce by a total of over £3bn or 34% in real terms by 2015-16.

The Ministry of Justice has been working hard to deliver its commitments from the 2010 coalition agreement including major programmes such as Transforming Rehabilitation, which is now changing the lives of offenders.

We have met our commitment to revolutionise rehabilitation by establishing a new National Probation Service and 21 Community Rehabilitation Companies, which are now up and running, supervising offenders. We have changed the law to ensure that every offender will receive rehabilitative support for at least a year after release from prison. The Offender Rehabilitation Act 2014 also introduces a new Rehabilitation Activity Requirement to aid in the rehabilitation of offenders in the community.

We are reforming the prison system to create a fit-for-purpose, modern estate which provides accommodation at a much lower cost to the taxpayer. We are ensuring that the sentencing framework operates as efficiently and effectively as possible and delivers appropriate punishment of offenders, without compromising on public safety. We are continuing to transform the prison system, and we have announced the construction of a new prison in Wales. The construction of four new house blocks at established prisons will provide modern accommodation at a lower cost to the taxpayer, and three of these have already been completed.

We are transforming youth custody to create a more cost-effective system which ensures that young people are appropriately punished, while at the same time receiving the support and education required to turn away from a life of crime. We have legislated to create Secure Colleges and we have awarded new education contracts in Young Offender Institutions that will more than double the number of hours education young people receive.

We are creating a more affordable and sustainable Legal Aid system. The Legal Aid Transformation Programme was put in place after the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act came into force on 1 April 2013. Its aim is to examine the possibilities of

further legal aid savings, including the concept of tendering to be a criminal legal aid provider, and to identify ways in which public confidence could be improved.

We have met our commitment to provide greater transparency by extending the scope of the Freedom of Information Act (FOIA) to Academy schools and the Association of Chief Police Officers amongst others.

Only one policy from the 2010 Coalition Agreement, as set out in the 'Programme for Government' document, has not been implemented. The Coalition government made it clear from the outset that it would only extend anonymity in rape cases to defendants if there was clear and sound evidence to justify it. The proposal was not progressed. An announcement to this effect was made in November 2010.

## **Community Rehabilitation Companies [226854]**

### **Asked by Sadiq Khan on 9 March 2015**

To ask the Secretary of State for Justice, with reference to his Written Statement of 18 December 2014, Official Report, columns 134-5WS, on transforming rehabilitation, whether any of the winning bidders for the running of the 21 community rehabilitation companies were not involved when the contracts went live on 1 February 2015.

### **Answered by Andrew Selous on 12 March 2015**

Contracts were signed on behalf of the Secretary of State for Justice with the new owners of the 21 Community Rehabilitation Companies (CRCs) on 18 December 2014 and on 1 February 2015, new owners assumed control of the CRCs and delivery of probation services to low and medium risk offenders. On 1 February, all providers who signed contracts on 18 December 2014 assumed ownership of the CRC for which they had successfully bid.

## **Probation [217027]**

### **Asked by Chris Evans on 3 December 2014**

To ask the Secretary of State for Justice, what assessment he has made of the effectiveness of out-sourcing probation services in reducing re-offending rates.

### **Answered by Andrew Selous on 8 December 2014**

Our Transforming Rehabilitation reforms will tackle the problem of persistently high reoffending rates by opening up the delivery of rehabilitation services to a diverse range of public, private and voluntary sector providers. Providers will only be paid in full if they are successful at reducing reoffending. We are also putting in place an unprecedented 'through the gate' resettlement service giving most offenders continuous support by one provider from custody into the community. Rehabilitation support is also being extended to an extra 45,000 offenders on sentences of less than 12 months, who currently get no support on release and have the highest reoffending rates.

As part of the reforms, transition to new probation structures took place on 1 June 2014 and the National Probation Service and 21 Community Rehabilitation Companies are now live. The 21 Community Rehabilitation Companies remain in public ownership while the competition to establish their new owners progresses. We will be able to assess the impact of the reforms on reoffending rates once we have transitioned service provision to the new providers.

A significant step towards completing these reforms was taken on 5 December as we awarded contracts to the organisations that will lead a new approach to rehabilitation. There was strong competition for each of the 21 Community Rehabilitation Companies, with bids showing real innovation. Nineteen of the 21 contract areas will be led by new partnerships and joint ventures between private sector firms and some of Britain's biggest and most successful rehabilitation charities. Six will be run with the involvement of a probation staff "mutual". We expect new providers to be in place by early next year, in line with the Government's commitment to introduce these reforms by 2015.

## **Reoffenders [213393]**

### **Asked by Chris Evans on 4 November 2014**

To ask the Secretary of State for Justice, what recent estimate he has made of the reoffending rate for prisoners who serve custodial sentences of (a) less than 12 months, (b) between 12 months and two years and (c) more than two years.

### **Answered by Andrew Selous on 11 November 2014**

The latest re-offending rates available were published on 30 October 2014 in the 'Proven Re-offending Statistics Quarterly Bulletin' at the link below: [www.gov.uk/government/statistics/proven-reoffending-statistics-january-2012-to-december-2012](http://www.gov.uk/government/statistics/proven-reoffending-statistics-january-2012-to-december-2012)

This gives re-offending figures for adult and juvenile offenders, including those released from custody, between January and December 2012. The figures given below are taken or derived from table 19a of this publication.

For adult offenders who were released from serving a custodial sentence of less than 12 months in 2012 the proven re-offending rate was 57.6%, for those released from serving a sentence of between 12 months and less than two years the proven re-offending rate was 37.5%, and for those released from serving a sentence of two years or more (including determinate and indeterminate sentences) the proven re-offending rate was 31.1%.

The Government is undertaking the Transforming Rehabilitation Reforms to reduce re-offending, particularly among short-sentenced offenders. The Offender Rehabilitation Act 2014, which received Royal Assent on 13 March will, once commenced, change the law so that all offenders released from short prison sentences will receive 12 months of supervision in the community.

We will introduce the provisions of the Act and transition services to new providers in line with the Government's commitment to complete these reforms by 2015.

Document: [Adult proven re-offending rates](#) (Excel SpreadSheet)

## **Community Rehabilitation Companies [210602]**

### **Asked by Toby Perkins on 14 October 2014**

To ask the Secretary of State for Justice, how many different organisations made applications to be approved as community rehabilitation companies to date.

### **Answered by Andrew Selous on 21 October 2014**

The Government has established 21 Community Rehabilitation Companies (CRCs) to deliver rehabilitation services in England and Wales. These companies, which began operation on 1 June 2014, are currently being managed within the public sector. Last year, we announced a competition to establish the future owners of the 21 CRCs.

We have over 80 bids and look to have a healthy competition in all contract package areas, with an average of four bidders per area. All Tier 1 bidders have experience in working with offenders or across the wider criminal justice system. More than half of the bidders contain Voluntary, Community and Social Enterprise or mutual components as part of the top tier or an equity holder – and in nearly every contract area there is at least one such bidder. The successful bidders will be announced by the end of 2014 and we are on track to implement these important reforms by 2015.

Thirty out of a potential 35 lead bidders passed the first stage of the competition – the Pre Qualification Questionnaire.

This list of bidders can be found at the following link: <https://www.justice.gov.uk/transforming-rehabilitation/competition>

## 2.4 Justice Committee

In the previous Parliament, the Justice Committee held an [inquiry into prisons](#), specifically considering the policies of the Coalition Government in relation to prison planning and programme of reforms and efficiency savings.<sup>2</sup>

### Oral Evidence

As part of this enquiry, on 2 December 2014, the Committee heard [oral evidence](#) in relation to the Transforming Rehabilitation programme.<sup>3</sup> The witnesses who gave evidence were Chris Grayling, then Secretary of State for Justice, and Michael Spurr, the Chief Executive of the National Offender Management Service.

### Report

The ninth report of the Justice Committee, *Prisons: planning and policies*, was published on 4 March 2015. The report included a consideration of the reforms made under the [Transforming Rehabilitation programme](#), including resettlement prisons, and issues in relation to Community Rehabilitation Companies supporting offenders moving from custody into the community.<sup>4</sup>

## 2.5 Letter from the PUS for Justice

On 8 October 2015, the Parliamentary Under Secretary of State for Justice, Andrew Selous, wrote to the Chair of the Justice Select Committee, Bob Neill, providing an update of the progress in implementing the Transforming Rehabilitation programme.

The letter details the Payment by Results process, responds to the HM Inspectorate of Probation findings, and explains how the Ministry of Justice intend to measure the performance of Community Rehabilitation Companies (CRCs). In relation to performance management, Mr Selous wrote that the Management Information in relation to CRCs will be published quarterly beginning on 29 October 2015.

This letter has been deposited with the House and may be viewed through the following link:

[Transforming Rehabilitation and Payment by Results \[MoJ 26463\]](#)

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<sup>2</sup> Justice Committee Inquiry, *Prisons: planning and policies*, [accessed 26 October 2015].

<sup>3</sup> Justice Committee Oral Evidence: *Follow up session on crime reduction policies and Transforming Rehabilitation*, HC 848 Tuesday 2 December 2014.

<sup>4</sup> Justice Committee 9<sup>th</sup> Report, *Prisons: planning and policies*, especially: 'Working prisons, resettlement prisons and the Transforming Rehabilitation reforms'.



### 3. Newspaper Articles

The following is a small selection of recent press and media articles relevant to this debate.

*Please note: the Library is not responsible for the views expressed in, nor the accuracy of, external content.*

**Guardian, 30 July 2015**

[Charities better than private companies at reducing reoffending, report finds](#)

**Doncaster Free Press, 28 July 2015**

[Dozens of jobs to go at South Yorkshire offender rehabilitation service](#)

**Guardian, 7 July 2015**

[Probation officers feel betrayed by 'shambolic' part-privatisation](#)

**Independent, 3 May 2015**

[Probation service 'staffing crisis' leaves public at risk from violent criminals](#)

**Guardian, 9 April 2015**

[Probation service split: 'staff are staring into the abyss'](#)

**Independent, 31 March 2015**

[Probation service faces job cuts under Sodexo](#)

**Independent, 31 January 2015**

[Falls in reoffending rates undermine private probation service, campaigners claim](#)

## 4. Press Releases

The following two press releases were produced by HM Inspectorate of Probation (HMIP) in conjunction with their reports on the Transforming Rehabilitation programme. Both are available, with the full reports, on the HMIP website (see section 5).

### Early implementation of Transforming Rehabilitation 2 – challenges remain, says Chief Inspector

**HMIP, 19 May 2015**

Adult probation services under the government's *Transforming Rehabilitation* programme presented a mixed picture, said Paul Wilson, Chief Inspector of Probation. Today HM Inspectorate of Probation published a second report on the early implementation of the government's *Transforming Rehabilitation* programme.

The report, *Transforming Rehabilitation – Early Implementation 2: an Independent Inspection of the Arrangements for Offender Supervision* by HM Inspectorate of Probation relates to findings from inspections undertaken between December 2014 and January 2015. Inspectors looked in more detail at the Risk of Serious Recidivism tool which helps inform whether cases are allocated to a Community Rehabilitation Company (CRC) or remain with the National Probation Service (NPS).

Prior to June 2014, probation services in England and Wales were delivered by 35 Probation Trusts working under the direction of the National Offender Management Service (NOMS). The Ministry of Justice (MoJ) introduced a programme, *Transforming Rehabilitation*, to change the way those services were delivered. A newly created National Probation Service was set up to focus on work with high risk of serious harm offenders and providing advice to courts on sentencing. Most other work with low and medium risk of serious harm offenders is now delivered by Community Rehabilitation Companies.

Overall, inspectors found that many of the challenges identified in the earlier inspection remain. There is still the need for IT systems to better support the way adult probation services are ordered and delivered. A number of tasks at the pre-allocation stage are time consuming and not streamlined. There are now effectively two risk screening tools, the Case Allocation System and the Offender Assessment System. Many of the NPS and CRC staff interviewed expressed doubts about the value of completing the Risk of Serious Recidivism tool at the pre-allocation stage for certain categories of offenders who were automatically going to be earmarked to one or other of the organisations.

However, inspectors were pleased to find that:

- most cases were allocated to the correct organisation in a timely way;
- where risk escalation processes were started these were generally carried through swiftly; and
- the small sample of offenders who were interviewed gave positive comments, despite the changes of supervisor experienced by some of them as a result of the NPS/CRC reorganisation.

In order to drive improvements, inspectors made a further 20 recommendations, including suggesting that NOMS streamlines its processes for completing Risk of Serious Recidivism, and considers reviewing its guidance so that the tool does not need to be completed for cases that will automatically be retained by the NPS. This would save time at court where NPS staff already have to undertake additional tasks as a result of *Transforming Rehabilitation*.

Paul Wilson said:

“Given that we are still in the early stages of the implementation of *Transforming Rehabilitation*, it is not surprising that we found many of the challenges identified in our original report still remain. In what is clearly a fast moving and complex programme of reform, this inspection confirmed that it will take time for a number of the issues to be resolved. It is also true to say that some of the challenges identified by our inspections pre-dated the introduction to *Transforming Rehabilitation*, and some of the issues are in the process of being addressed. On the ground too, National Probation Service and Community Rehabilitation Company staff are working collaboratively to ensure a good standard of delivery of services.

“There is much still to do to streamline processes and reduce bureaucratic burdens that could stifle innovation. There remains too the need to continue to review and improve IT systems and processes, so that this supports the business of delivering effective, quality services to offenders that contribute to reducing reoffending and the protection of the public.”

## Early implementation of Transforming Rehabilitation – a mixed picture says Chief Inspector

**HMIP, 15 December 2014**

Changes to probation services under the government’s Transforming Rehabilitation programme had exposed and created a number of challenges in information-sharing, IT and processes that needed close attention, said Paul McDowell, Chief Inspector of Probation. He added that the speed of its implementation had in itself caused operational problems, and the changes had also exposed some pre-existing flaws. Today HM Inspectorate of Probation published a report on the early implementation of the government’s *Transforming Rehabilitation* programme.

The report, *Transforming Rehabilitation – Early Implementation: an Independent Inspection setting out the Operational Impacts, Challenges*

*and Necessary Actions* by HM Inspectorate of Probation relates to findings from inspections undertaken between April and September 2014. In particular, inspectors looked at the newly created interface between the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs).

Prior to June 2014, probation services in England and Wales were delivered by 35 Probation Trusts working under the direction of the National Offender Management Service (NOMS). The Ministry of Justice (MoJ) introduced a programme, *Transforming Rehabilitation*, to change the way those services were delivered. A newly created National Probation Service was set up to focus on work with high risk of serious harm offenders and providing advice to courts on sentencing. Most other work with low and medium risk of serious harm offenders is now delivered by Community Rehabilitation Companies. The NPS came into existence on 1 June 2014. The CRCs were also set up at that point as companies in public ownership. Staff who had previously been employed by probation trusts were assigned to the two new organisations and all existing cases were allocated to the two organisations as well.

Overall, inspectors found that, as in any business, splitting one organisation into two separate organisations had created process, communication and information-sharing challenges that did not previously exist. Many of those issues will remain a challenge for some time to come and need close attention. A number of the findings relate to issues that already existed before 1 June 2014 and the process of implementing change had exposed existing shortfalls in systems, processes, practice quality, consistency, leadership and management. Those probation areas that had been struggling to deliver a quality service prior to TR are now finding it hardest to adapt and cope with the challenges brought by the reforms.

Inspectors were also concerned to find that:

- there remain significant challenges in getting the court end processes working as they should;
- the lack of staff in some areas of the NPS was having a detrimental impact on the delivery of some of the services being provided;
- the relationships between the two new organisations in each area varied in terms of the extent they worked together to resolve communication issues;
- IT continues to provide a predictable challenge and the complexities of a number of new tasks and the lack of integration of IT systems was frustrating;
- the matching of staff resources to the workload has been challenging and there were significant gaps, especially in courts, in the early weeks; and
- often when staff have looked to their senior leaders for reassurance, support and guidance during this period of change, this has been lacking, and the nature of communication and staff engagement from the top to the bottom needs urgent attention.

However, Inspectors were pleased to find that:

- the assignment of cases to the new organisations had been achieved in good time for the 1 June 2014 go live date in the vast majority of cases, despite concerns raised about support from the MoJ;
- the quality of reports provided by the NPS to courts supported sentencing proposals appropriately; and
- credit should go to staff in CRCs and the NPS for the efforts they have put into implementing new processes.

In order to drive improvements, inspectors made over 60 recommendations.

Paul McDowell said:

“The speed of this implementation has in itself caused operational problems that could have been avoided or mitigated. We sometimes found that new processes were being communicated by email to staff for implementation the next day, with little or no time for training or instruction. It is important to recognise the impact that this has had on staff morale, and potentially on the efficiency of the service they were providing. Further process development needs to be handled more efficiently, with each step anticipated, planned and communicated in a timely way.

“This report highlights the complexity of the challenges for probation, the operational impact of the Transforming Rehabilitation changes to date, and progress made in addressing them during early implementation. It also exposes the reality of the inconsistency in application of the changes and the shortfalls in quality of service provision, some of which already existed prior to implementation of Transforming Rehabilitation. The evidence points to a mixed picture on the ground.

“There is no doubt at all that there remains more to do. There is now an urgent need for operations and processes to reach a ‘steady state’ in order for managers and staff to be able to think, plan and deliver effectively. What happens in this next period is crucial to ensuring the longer-term development of quality and innovation in Probation that the public expects.”

## 5. Further Reading

### 5.1 HMI Probation Reports

HMIP, *Transforming Rehabilitation – Early Implementation*, 15 December 2015

HMIP, *Transforming Rehabilitation – Early Implementation 2*, 19 May 2015

### 5.2 Clinks

Clinks is a charity which aims to assist and support voluntary sector organisations who work with offenders. In August this year, they published the following report in conjunction with the National Council of Voluntary Organisations and the Third Sector Research Centre:

*Early Doors: The Voluntary Sector's Role in Transforming Rehabilitation*

### 5.3 London CRC

London Community Rehabilitation Company is just one of the CRCs which operate in England and Wales. The owner MTCnovo, a joint venture of charitable, public sector and private organisations.

More information about their structure is available on the [London CRC website](#).<sup>5</sup>

### 5.4 Parliamentary Briefing Papers

House of Commons Library, *Contracting out of probation services: what's happened so far?*, SN06894

House of Commons Library, *Probation Reforms 2014*, SN06974

House of Commons Library, *Introducing "Payment by Results" in Offender Rehabilitation and Other Reforms*, SN06665

Parliamentary Office of Science and Technology, *Trends in Crime and Criminal Justice*, PN0507

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<sup>5</sup> <http://www.londoncrc.org.uk/who-we-are/transforming-rehabilitation/> [accessed 26 October 2015].

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