

Response to Ministry of Justice consultation: *Transforming Rehabilitation: a revolution in the way we manage offenders*

February 2013



About Revolving Doors Agency

Revolving Doors Agency is a charity working across England to change systems and improve services for people with multiple and complex needs, including poor mental health, who are in repeat contact with the criminal justice system.

The multiple problems experienced by this group often include common mental health problems, drug and/or alcohol misuse, homelessness, learning difficulties, physical health problems, poor relationships with family, poverty and debt.

Each problem feeds into and exacerbates the others, and the combination of several lower level problems results in an overall high level of need. However, each individual need is usually not severe enough to meet the threshold for specialist statutory services. Many of our public services, which focus on single issues, are poor at responding to multiple and complex needs. Without effective support, people experience a downward spiral into chaotic lives and crisis that brings them into repeat contact with the criminal justice system.

This causes harm to communities and is costly to the public purse. However, there is a growing evidence base that shows how services can engage and transform the lives of men and women in this group within the local community with strategic support and coordination.

This response to *Transforming Rehabilitation: a revolution on the way we manage offenders* combines insight and evidence from our work with partners, our research, and from members of our service user forum.

Summary

Revolving Doors strongly welcomes the government's proposals to extend rehabilitative support to prisoners released from short prison sentences of less than 12-months. Many in this group experience multiple and complex needs, with high reoffending rates reflecting, in part, the current lack of support on release and the disruption of housing and community support caused by the sentence itself.

Extending support to this group represents a significant opportunity to break what for many can become a 'revolving door' of crisis and crime. Nevertheless, we do raise some concerns and suggestions about how this could best be implemented. In particular, we suggest that the rehabilitative support offered to all short sentence prisoners should not be mandatory. Offenders are far more likely to voluntarily engage with support provided by a trusted, consistent lead professional who they regard as being "on their side", while extending mandatory supervision could be counter-productive in driving up prison numbers due to non-compliance.

We also welcome the recognition in the document of the range of health and social care needs faced by many offenders, and the emphasis on promoting rehabilitation for all offenders. As the consultation document rightly acknowledges:

"Offenders often lead chaotic lives: Broken homes, drug and alcohol misuse, generational workless, abusive relationships, childhoods spent in care, mental illness and educational failure are all elements so very common in the backgrounds of so many of our offenders. And right now, we are failing to turn their lives around" (MOJ, 2013, p.5).



An approach built on coordinated responses in the community, which are well linked into the criminal justice system and available to all offenders, is the best way to turn these individuals' lives around. As such, we welcome the recognition of the need for partnership working and joined-up responses in the consultation document. We particularly welcome the emphasis on the need to encourage co-commissioning within the new structure, and the intention to ensure that new contract areas are as coterminous as possible with Police and Crime Commissioner and local authority areas. It is important that both government departments and local agencies work together in a more integrated way and pool resources to ensure an effective response to the rehabilitation of offenders which also makes the most effective use of public funds.

We question, however, whether the current proposals are configured in the best way to encourage this. The proposed structure of 16 large contract areas may not be conducive to local innovation and partnerships, and it would be beneficial to resolve the issue of the number of contract areas with a more localist solution. Moreover, while we recognise the intention of the government to use outsourcing and payment by results to drive both savings and innovation, it is important to recognise that there are a range of dangers in taking this approach and reforms must be pursued with great care.

First, there is a danger that substantial knowledge, skills, and extensive local partnerships that probation services have currently built up could be lost in the rapid changeover to the new structure. The current proposals to retain a level of public sector oversight around those assessed as highest risk while splitting the bulk of offender management services to be run by the independent sector could also lead to confusion and inconsistent support should an individual's risk level change.

Second, the proposed expansion of payment by results models carries its own risks. While we

welcome greater emphasis on outcomes, these payment mechanisms have never been applied to the rehabilitation of offenders on this scale, and many of the pilot schemes that might have informed the roll-out have been abandoned. It is vital that payment structures and the measures that define a 'result' take full account of the complex process of desistance, and that providers are incentivised to invest in the intensive and often difficult work required to turn around the lives of offenders with multiple and complex needs, who can be among the most prolific low-level offenders.

This is not to say that there are not also opportunities in the government's proposed approach, and we strongly welcome the underlying intention of the reforms to both extend and improve the rehabilitation of offenders, and to drive down reoffending by stimulating innovation and partnerships. All of this links closely with the government's broader aims, outlined in the strategy *Social Justice: Transforming Lives* of creating a 'second chance society' by achieving substantive life-change among the most disadvantaged adults.

Our response takes a solutions-driven approach, based on our experience and research as well as the views of members of our service user forum. It considers how the concerns we have raised about the proposals can be overcome, and how the system can be made to work for offenders with multiple and complex needs.

Key Points

- We strongly welcome the government's renewed emphasis on rehabilitation and reducing reoffending. To make the best use of resources, this should go alongside a strategy for prevention and diversion. As such, we encourage improved alignment and coordination of cross-government expenditure on offenders and those at risk



of offending. Officials should also continue to work with other departments, including the Department of Health, the Department for Communities and Local Government, to ensure coordination of responses for people with multiple needs.

- To achieve a real rehabilitation revolution, the government must recognise that the multiple and complex needs of many repeat offenders can only be addressed through effective, integrated and coordinated services in the community. Reforms should create clear statutory responsibility for drawing up and delivering a local strategy to tackle reoffending. This should bring together criminal justice agencies with local authorities, health and other partners to ensure that services work together to deliver coordinated services and integrated pathways. Without clear local accountability and joint strategic responsibility there is a danger of fragmentation of effort and a failure to address the underlying causes of reoffending.
- While we recognise the potential value of Payment by Results (PbR) and its focus on outcomes, contracts will have to be designed carefully to ensure that this model works for people with multiple and complex needs. We support a frequency over a binary measure of reoffending, and suggest a segmented cohort approach to contracts which would incentivise providers to work intensively with the most prolific offenders and those with multiple and complex needs.
- Consideration should be given as to how to integrate existing PbR schemes across justice, health, welfare-to-work, drugs and alcohol and other areas. Police and Crime Commissioners (PCCs) could play an

important role, bringing partners including local authorities and Health and Wellbeing Boards together and finding ways to link these schemes together locally.

- We urge a balance towards greater localism in the design of the contract areas. Designing the system so that it enables and encourages local innovation and joint commissioning to solve shared problems would improve outcomes, and make the best use of declining resources across the public sector. We welcome the government emphasis on co-commissioning and coterminosity, and urge as much consistency as possible with PCC, local authority and health boundaries.
- It is vital that changes do not disrupt existing local partnerships arrangements, including Integrated Offender Management (IOM). Providers must show how they would maintain and build on existing partnerships, and should be required to complete a comprehensive current-state analysis of services and partnerships within their contract area. This should also include a comprehensive needs analysis, informing local delivery.
- We welcome the extension of rehabilitative support to those released from a short prison sentence of under 12-months. However, this support should be on a voluntary basis and should be separate from punitive elements of the sentence. Extending mandatory supervision to this group, many of whom lead chaotic lives, could prove counter-productive in creating high levels of breach and prison-recall. We also maintain that the extension of support to short-sentence prisoners on release should not take place at the expense of



promoting robust community sentences as a more effective alternative.

- Service user involvement needs to be embedded throughout the reformed system with both commissioners and providers listening and responding to the views of those who use the service. There could be a strong role for the voluntary sector in facilitating this. People with direct experience of using services should be involved in the planning, commissioning and delivery of those services.
- The public sector's role in managing offenders must be designed extremely carefully to avoid disruption in support if an offender's risk level changes. Current proposals would lead to disruption in a package of support at the point when the individual most needs continuity and stability.
- The Probation Inspectorate should take on a strong role in sharing evidence of best practice. This is particularly important to overcome potential problems in sharing of data and best practice in a competed environment. Given the public interest in ensuring that offenders do not go on to reoffend, commercial contracts with rehabilitation requirements must not be designed so as to inhibit the evaluation and sharing of best practice.
- We welcome recognition of the need for the reforms to work for people with complex needs, as well as other groups, such as women offenders, BME groups and young adults, who require a distinct approach. Consideration should be given to including some specified activities within contracts to ensure that these groups are protected within the new structure.

Responses to Questions

B1: How can we maximise the results we get from our collective government and public sector resources?

B2: How can we use the reform of offender services in the community to enhance the broader range of social justice outcomes for individuals?

People with multiple and complex needs are poorly served by mainstream public services, which often work in silos and are designed to meet single needs rather than multiple problems at once. Each individual need, such as a mental health problem, may not meet the threshold for secondary services, but when taken together the multiple and mutually reinforcing problems faced can lead people into a cycle of crisis and crime. This cycle is costly both to communities and the public purse. Furthermore, the burden falls particularly on emergency services and other public services, such as the police and criminal justice sector, which are unable to refuse access.

Given the nature of multiple and complex needs, tackling this problem requires a greater coordination of efforts across government departments, and across services at a local level. Joined-up solutions at both levels are crucial, and so we strongly agree that *“improving the alignment and co-ordination of cross-Government expenditure on offenders, and strengthening incentives for joint working, could lead to improved rehabilitation outcomes”* (MOJ, 2013, p. 29). Moreover, taking this approach has the potential to maximise results on other health and social justice outcomes beyond reducing reoffending, while making the best use of limited government resources.

Prevention, diversion and justice reinvestment

The government's emphasis on rehabilitation and reducing reoffending is welcome, and



presents an opportunity for cost-savings to justice services through reduced demand if the proposed approach is successful and reoffending rates are cut. However, to use resources in the most effective way while improving outcomes, **the government must explore how different departments and services can work together to reduce demand on the criminal justice system by better dealing with multiple and complex needs. In particular, reducing reoffending must go alongside a strategy for prevention and for diversion.**

Other agencies working in the community, such as local authorities, Police and Crime Commissioners, Directors of Public Health and Health and Wellbeing Boards, also hold budgets and responsibility to reduce reoffending, as well as improving health and wellbeing outcomes for offenders. A better coordinated strategic approach with these agencies could enable support to be located as early as possible in an offender's journey, and focused on more preventative work in the community, rather than using the criminal justice system as a route to support and incurring substantial cost before an offender's problems are dealt with. **The government should consider how criminal justice agencies and service providers could be incentivised to work with these wider partners and better integrate their approach to both preventing further crime, and dealing with offenders' health and social care needs.**

As acknowledged in the consultation document, there is a high prevalence of health and social care need in both the prison system and the general offender population. Effectively diverting, where appropriate, those with mental health and other problems away from custody and into healthcare settings or community alternatives is one way of reducing demand while achieving improved health and social

justice outcomes. Those for whom diversion from custody is inappropriate can nonetheless be better supported from point of arrest through to custody and resettlement when their needs are identified and this information passed on through the criminal justice pathway. Following the recommendation of the Bradley Report (2009), **Mental Health Liaison and Diversion schemes are being rolled out nationwide by the Department of Health, subject to business case. It is important that this work is considered and supported in the *Transforming Rehabilitation* proposals, while the MOJ must consider how to ensure that providers link with these schemes, sharing information and ensuring that the support and sanctions provided take into account need and cognitive ability.**

Given the acknowledgment that the criminal justice system cannot reduce crime or indeed cut reoffending alone, it is also important to consider how other agencies are incentivised to contribute to reducing demand on the criminal justice system. Justice reinvestment is a promising approach in this regard, with savings for the justice system ploughed back into further preventative initiatives which can reduce both offending and reoffending. We welcome the continuation of the justice reinvestment pilots in London and Greater Manchester, which have made savings of £950,000 and £2.6 million respectively in their first year.¹ Given this success, and growing evidence from elsewhere for justice reinvestment, **the MOJ should give further consideration to how justice reinvestment could work alongside these proposals, and potentially be rolled-out in the future.**

Overall, working effectively across government and silos could have the dual benefit of using resources more efficiently and improving broader social justice outcomes. A more

¹ [http://www.justice.gov.uk/information-access-rights/transparency-data/justice-reinvestment-](http://www.justice.gov.uk/information-access-rights/transparency-data/justice-reinvestment-pilots-first-year-results)

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detailed consideration of how partnerships should be maintained and further integration pursued at a local level is provided below in the response to question C13 & C14 below.

Offender Services and Social Justice

In the government's strategy *Social Justice: Transforming Lives*, the government pledged to create a 'second chance society', stating that "Lives can go off course – and when they do, we want to ensure that responses are as effective as possible, and that people always have a second chance in life" (HM Government, 2012, p. 48). **It is clear that MOJ proposals which aim to transform the lives of the most prolific offenders are a key part of this vision, and MOJ officials should work closely with the Social Justice team in the Department for Work and Pensions to consider how their efforts can be coordinated with them and other government departments.**

Recognising the position of the reforms within this framework would also provide useful insights into how best to improve broader social justice outcomes for the most prolific offenders. The social justice strategy recognises that many of the most excluded suffer multiple and complex needs:

"When problems combine and compound one another individuals can struggle to access the right support. The worst affected can become socially excluded, living chaotic lives and shut off from the sources of support and services they need to start to recover – incurring large human and financial costs both to themselves and to society" (HM Government, 2012, p. 48).

While we acknowledge that punishment is an important function of the criminal justice system, it is also important that responses to this group move beyond punishment and offender management to include a greater balance on improved wellbeing and rehabilitation. As the *Social Justice Strategy* states, responses need to be "both well-timed and well-coordinated", and should address "the root causes of problems and aim to bring about

long-term change in people's lives" (HM Government, 2012, p. 48).

Our experience of what works for this group to enhance broader social justice outcomes closely reflects the views of NOMS on the importance of reducing reoffending through a "whole system approach" (NOMS, 2012, p. 14-15). The reform of offender services should aim to provide strong and coordinated community-based interventions which enable holistic, personalised support to the individual, while working closely alongside criminal justice services to ensure continuity of care. Services should also ensure that they provide wider emotional support. As one member of our service user forum stated:

"A lot of people reoffend and it's all to do with stress and not being able to cope, a lot of people turn round and reoffend it's because of a lack of coping mechanism".

Characteristics of effective services working with people with multiple needs include (Anderson, 2010; Revolving Doors Agency, 2010):

- Services that are supported by strong strategic partnership arrangements within a locally coordinated approach
- An assertive approach to engagement
- Building positive relationships with clients, which engender trust and confidence, as well as prioritising emotional wellbeing and ensuring support to address past trauma
- Broad screening and assessment, covering a wide range of needs relating to drugs, alcohol, mental health, learning difficulties and disabilities, family and past experience of service engagement
- Good knowledge of and links with other services



- Flexibility: ability to vary services according to individual need and react quickly in a crisis
- Consistency, maintaining contact over transition points and offering a flexible length of engagement
- Brokerage, navigation and advocacy, both at an individual level helping people to understand and access services at a systemic level, improving communication and joint-working between agencies
- Development of integrated pathways for those who require treatment for addictions and mental health problems including safe and secure accommodation
- Providing opportunities for service user involvement
- Being culturally sensitive to particular needs of specific groups, including women, black and minority ethnic groups and young adults.

Given this emphasis on the need for joint-working and facilitating access to a variety of services, we welcome the consultation's recognition that the work of providers "*will often mean facilitating access to a range of public services provided by other Government departments and agencies*" (MQ), 2013, p. 29). **Officials and providers should learn from existing approaches, such as the link worker approach, to inform how the reforms could improve broader social justice outcomes for offenders with multiple and complex needs.** There is also much that could be learned from the Troubled Families agenda. This sees access to a range of support facilitated for families with multiple context needs, and **there may be scope for extending local Troubled Families work to include individuals with multiple and complex needs.**

The Link Worker Approach

The Link Worker model attempts to link clients through dedicated workers with services to address their needs, particularly practical and health based needs. A team of link workers will help clients access health services including General Practitioners, psychiatric practitioners, and drug and alcohol detoxification services. The aim of the intervention is to move service users from at risk stages, including repeat offending, unplanned discharge from NHS treatment, non-engagement with services and accommodation problems, to more structured engagement.

There is no punitive element to the service and no restriction is placed on the number of times a client can enter and leave the service. There is an open and flexible referral route, including self-referrals. Role modelling is used to demonstrate positive behaviour to clients, and the Link Worker provides practical and emotional support to clients.

The Milton Keynes Linkworker + scheme used this approach as part of the ACE programme. The project is a partnership between charity P3 and Milton Keynes Community Safety partnership. Further information, including an evaluation, is available here:

<http://www.revolving-doors.org.uk/partnerships-development/projects/link-worker/>

B3: Should any additional flexibility be built into the community sentencing framework to strengthen the rehabilitative impact of community orders, and the reintegration of offenders into society?



We welcome recognition of the need for flexibility in the community sentencing framework. While we define a ‘revolving door’ group of offenders with multiple and complex needs, each individual’s experience is different and it is important that sentencers have a flexible range of options to tailor rehabilitative support around the needs of the individual. We particularly welcome greater flexibility being given to offender managers, who given the speed of the court process will develop a greater understanding of the individual’s needs than those passing the sentence.

Many of these issues are dealt with more fully in our response *Punishment and Reform: Effective Community Sentencing* (available here: <http://www.revolving-doors.org.uk/documents/effective-community-sentences/>). However, key issues raised that are particularly relevant include:

- Inadequate provision of programmes – While the current community sentencing framework already offers a range of options to sentencers, a larger problem is the inadequate availability of rehabilitation requirements across different areas. Specific Activity Requirements are already being used creatively in a number of areas; however ensuring that rehabilitative provision is genuinely available to the courts is crucial, as is ensuring that sentencers have can access to information on what is available and “what works” locally.
- Flexibility in dealing with non-compliance and breach – Offenders with multiple and complex needs often have chaotic lives that make a rigid system of dealing with failures to comply inappropriate. Desistance is a complex process, which is likely to involve lapses and relapses. Offender managers should be allowed to exercise their professional judgement around whether it is

necessary to breach an offender, and support should be extended to facilitate compliance with punitive aspects of their orders. This support must be tailored to individual need, recognising that offenders may fail to comply for a variety of reasons, from childcare problems to depression and anxiety or difficulty understanding the terms of the order due to a learning disability.

It is important to note that effective community sentencing has great potential to contribute to the issues raised in B1 and B2 above, providing effective rehabilitation in the community for lower-level offenders while providing a cheaper alternative to short-prison sentences and thereby reducing demand on the system.

While we welcome the extension of support for those on release from short sentences, robust and effective community sentences can still be seen as more effective and conducive to rehabilitation for less serious offenders.

CI: We are minded to introduce 16 Contract Package Areas. Do you think this is the right number to support effective delivery of rehabilitation services? Do you have any views on how the Contract Package Area boundaries should be drawn?

We welcome the consultation’s emphasis on the need to preserve and develop strong partnership working at a local level, and on achieving as great a level of coterminosity with Police and Crime Commissioner and Local Authority Boundaries as possible in the new arrangements. We welcome in particular the ambition “to introduce a system which allows for closer alignment and integration of the variety of services which offenders use through co-commissioning” (MOJ, 2013, p. 24). **Designing the system so that it enables and**



encourages local innovation and joint-commissioning to solve shared problems would improve outcomes, and make the best use of declining resources across the public sector.

While we recognise the rationale of large contract areas in terms of reducing costs, we question whether a national commissioning approach based on 16 large contract package areas is the best way to achieve the above aims. In general, we support a more local commissioning approach, which is both responsive to local need and better facilitates the local innovation, partnership working and joint commissioning across a range of sectors that is a key part of building an effective system of rehabilitation for offenders with multiple and complex needs. As such, **while recognising the need for efficiencies, we urge a balance towards greater localism in the design of the contract areas, and as much coterminosity as possible with PCC, local authority and health boundaries.**

A more detailed consideration of how the proposed changes can encourage local partnerships and joint commissioning is below in the response to questions C13 & C14.

C2: What payment by results payment structure would offer the right balance between provider incentive and financial risk transfer?

C3: What measurements and pricing structures would incentivise providers to work with all offenders including the most prolific?

As the consultation document recognises, one potential problem with a payment by results model is that it could create perverse incentives whereby providers will 'cream' or 'cherry-pick' the easiest to work with to achieve the results for which they will be paid, and 'park' those more difficult to work with. We are concerned

that the proposed measures and pricing structures will fail to address this issue, and leave offenders with multiple and complex needs with little support to address their problems and stop offending.

We know what works for this group, but these solutions require an intensive approach that recognises the complexity of individual need as well as the complexity of the journey to desistance. As mentioned above, people facing multiple and complex needs require holistic and consistent support. An approach whereby a trusted individual provides support and links between a range of services can be a crucial part of the individual's journey (Anderson, 2010).

There is no reason why private providers could not include others in their supply chain, including voluntary sector agencies, and provide this kind of support to this group, who are among the most challenging to work with but among whom there is great potential to achieve substantial reductions in reoffending. However, it is important that they are incentivised to do so, and that the potential for perverse incentives is minimalised. This could be achieved by addressing some key issues with the current proposals.

Measuring success

As was mentioned by a range of responses to the 'Punishment and Reform: Effective Probation Services' consultation, there is a substantial risk that a simple binary measure of reoffending in PbR contracts will lead to providers concentrating their efforts on the offenders least likely to reoffend.

We recognise the need to keep measurement as simple as possible, and acknowledge that "the binary measure aligns most closely with our aim of complete desistance". However, a simple binary measure does not reflect the reality of the path that offenders with multiple and complex needs often take to desistance. Desistance is a process, which often involves relapses and setbacks (McNeill et al, 2012, p.8). Moreover,



the binary measure would fail to reward genuine progress in the decreased frequency and seriousness of reoffending.

A more subtle frequency measure of the overall volume of offences committed by a cohort has been used in other contexts. The Social Impact Bond at HMP Peterborough measures the mean number of reconviction events in the cohort rather than a binary of the number of people reconvicted (Disley et al, 2011, p. 33-34). The Troubled Families initiative also includes a PbR aspect which includes a 33% offending rate reduction by all minors and a 66% reduction in anti-social behaviour across the family among the outcome measures (DCLG, 2012, p.9).

Consideration should be given to including a frequency measure of reoffending in payment structures. This measure is far more appropriate when applied to the most prolific offenders. Firstly, it acknowledges that complete desistance is less likely within a given timescale for someone who is further from achieving this life change. Secondly, it offers providers a realistic target, incentivising them to reduce offending in a way that will provide a stepping stone to complete desistance. Where a binary measure is likely to lead to providers targeting those who are most likely to desist altogether to achieve payment, a frequency measure could see them put more resources towards the most prolific offenders in order to deliver larger reduction in offending overall.

Segmentation & differential payment

A further way to avoid 'parking' and 'creaming' would be to segment the target cohort in contracts according to the risk of reoffending and pay different rates for different groups of offenders. This would strengthen the incentives for providers to work with the most prolific offenders by paying a higher rate for those

offenders that are deemed most likely to reoffend. It would also be possible to define success differently for different groups, recognising that some groups require more intensive and longer term work than others, including linking them into a wide range of services.

The likelihood of reoffending is already calculated using the Offender Group Reconviction Scale (OGRS3). This could be used to split the offender cohort into groups, for example a low, medium and high risk group suggested elsewhere (Chambers, 2013, p. 33; Nicholson, 2011, p. 31-34). Such an approach would incentivise investment in turning around the lives of the most prolific offenders, as the rewards in the outcome based portion of the payment would be higher. It would also lead providers to view more prolific offenders as a distinct group, and encourage them to design and target the more holistic and intensive support packages required.

Other models of differential payment are also available, which could be implemented without splitting the cohort or applied within a defined range for each group suggested above. An 'accelerator payment model'², for example, could be introduced whereby payment incentives increase incrementally as reoffending is cut by larger amounts. This would further increase the sensitivity of the measure to good performance, and encourage providers to innovate to succeed with those who are harder to reach. A further interesting approach was suggested in a recent Policy Exchange report, suggesting that a basic tariff could be multiplied by the OGRS score of the offender when determining the level of the outcome-based payment (Chambers, 2013, p.33). This would see much higher reward for reducing the offending of the most prolific offenders.

² See <http://www.russellwebster.com/no-parking-tackling-one-of-payment-by-results-biggest-challenges/> for brief history of its use in welfare-

to-work.



If a binary measure of reoffending is to be retained, a pricing structure of this sort that either segments the cohort or increases payment incrementally will be vital to reduce the risk of ‘parking’ and ‘creaming’, and to encourage both the investment and incentives for providers to cut reoffending among prolific offenders facing multiple and complex needs. These measures would be at their strongest, however, if used alongside the more subtle frequency-based outcomes measurement suggested above.

Rewarding progress

Central to both areas above is the contention that when dealing with the most prolific offenders, and especially those with multiple and complex needs, it is vital that the PbR approach recognises progress or ‘distance-travelled’, rather than relying purely on a distant, cliff-edge outcome measure. Finding some way of rewarding progress towards the eventual outcome of full desistance is important because the substantial life-change that the consultation acknowledges is required for many of the most prolific offenders may take some time, and often longer than the 12-month reconviction rate will measure.

A frequency measure would reward reductions in reoffending, which is an important stepping stone towards eventual full desistance, while some form of differential payment would recognise the level of investment and intensive working required to achieve outcomes with the most chaotic individuals. However, it should also be noted that a range of other factors are also crucial to desistance. NOMS recognises nine such “reoffending factors” (NOMS, 2012, p. 11-13):

- Drug misuse
- Alcohol misuse

- Impulsivity/low self-control
- Attitudes that support crime
- Social networks also engaged in crime
- Family/marital relationships
- Work
- Lack of positive recreation/leisure activities
- Homelessness.

All of these factors, as well as past trauma and underlying mental health problems, are commonly experienced by offenders with multiple and complex needs. As such, while we recognise the importance of simplicity and the overriding focus on reducing reoffending, **consideration should be given to including measures of those factors which are part of the prolific offender’s journey to desistance.** The outcomes measured need to recognise the complexity of the problems that people face. As one member of our service user forum commented:

“There’s no such thing as tick-boxes in life, you’ve got to look at the whole situation.”

The payment structure adopted by the government’s Troubled Families PbR measures across a range of outcomes, reflecting the multiple needs of the clients, and could be instructive in this regard.³ Another more fundamental means of achieving this would be to find ways of pooling different forms of PbR funding. **The government should certainly consider how the various different PbR schemes being pursued by different departments could be better integrated in the future.** The simplest way of achieving this may be at a local level, with PCCs for example bringing local partners together to pool resources around a range of outcomes. This will

³ See Department for Communities and Local Government (2012) *The Troubled Families Programme: Financial framework for the Troubled Families programme’s payment-by-results scheme for*

local authorities Available here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11469/2117840.pdf



be considered further in the response to C13 and C14.

Provider risk and data

While the above suggestions could incentivise providers to work with these groups, it is important that the risk to which the provider is exposed is managed such that they are not discouraged from innovating and working with the most difficult offenders. One factor here would be the proportion of the contract which is paid on a PbR basis. **We suggest, as with the work programme and Troubled Families programme, that there is a service or attachment fee at first, and an element to reward ongoing engagement with the service, with only a smaller portion subject to payment by results.** This could increase later, however loading too much risk too quickly onto providers could lead to a conservative approach focused on risk management rather than ‘turning around’ the lives of the most prolific offenders.

In terms of measurement, it will also be important to ensure that the data used for baselines is as robust and reliable as possible. The measures for reducing reoffending, particularly among those with multiple and complex needs, are susceptible to a range of factors beyond the control of the provider. This could include changes in the employment environment, availability of housing, or changes in policing and crime priorities and policing cuts which could lead to higher or lower conviction rates in the cohort. **The impact of these issues needs to be recognised and minimised. This is important not only in terms of managing provider and public sector risk and ensuring payments are fair, but also in gaining a genuine picture of what is working and should therefore be replicated.**

The quality of data and evidence available is important to this. Where there is limited data and evidence, the risk to providers is higher. As such, we welcome the pledge to launch a ‘Justice Data Lab’ to give providers access to

high quality reoffending data (MOJ, 2013, p. 27). There is often specific difficulty in gaining accurate data around multiple and complex needs, due in part to the fact that this group often have limited and ineffective contact with mainstream services. **The government should give thought to how the ‘Justice Data Lab’ could build evidence around some of the hardest to reach groups, where data around needs and “what works” can be scarce.**

One further concern regards the pricing of outsourced contracts. While we understand the imperative to cut costs in the current environment, paying too little for interventions could lead providers to avoid working with the most difficult offenders where the most intensive work is required. As a recent report by Make Justice Work (2012, p.6) states:

“A cost-cutting/under-pricing agenda could seriously undermine PbR, as it could create incentives to think conservatively and minimise risk...if a PbR agenda is to avoid ‘parking’, ‘cream-skimming’ and ‘cherry-picking’, it needs to be accompanied by a broader debate about the balance of resources currently allocated between custodial and non-custodial justice.”

It is important that there is a focus on quality and value for money, not just efficiency, in order to avoid ‘parking’ and ‘creaming’.

Contract specification

As well as ensuring providers work with the most prolific offenders, it is important that the particular needs of specific groups are protected and supported within the new structure. It must be recognised that women offenders, as well as black and minority ethnic groups and young adults, often face distinct problems and require a distinct approach. Much work has already been done in ensuring that these interventions are available. Women’s centres, for example, can provide effective



holistic support to women offenders and have been shown to have an impact of reoffending (Duffy, 2011).

We endorse the responses from Women's Breakout and Criminal Justice Alliance, which both provide further details on how the system can be made to work better for women offenders.

Furthermore, we suggest that consideration be given to how intervention for these groups should be specified in contracts drawn up with providers. While we understand the government's aims to stimulate innovation by taking a 'black box' approach to commissioning and providing a minimum of level of contract specification, it is important to recognise that PbR mechanisms alone may not incentivise providers to take a specific approach to these groups. Given that women make up just 5% of the prison population, it is possible that providers could achieve their full targets without making any improvements for women offenders.

Officials should consider how protections for certain groups could be placed into contracts without stifling the innovation that is intended through the 'black box' approach. Specific interventions could be provided for in the service payment part of the contract, as a broad, one-size-fits-all PbR approach will not be appropriate for all groups.

C9: How can we ensure that the voluntary and community sector is able to participate in the new system in a fair and meaningful way?

Ensuring that the new system includes the voluntary and community sector is a key part of ensuring the diverse supply-chain of providers

which can drive innovation and provide the range of support required by offenders facing multiple and complex needs. We welcome the support for VCSE involvement in the consultation document, and support the responses to this consultation of Clinks and Criminal Justice Alliance which detail the best way to facilitate this.

One key area where VCSE agencies could add significant value is through facilitating the involvement of service users and ex-offenders in the system. Revolving Doors is committed to improving the involvement of 'experts by experience', and we suggest that **the Transforming Rehabilitation proposals should be developed in a way that facilitates service user involvement, and that ensures ex-offenders can be fully involved in delivering the services.**

However, while we recognise that the Secretary of State has shown some recognition of the value of involving former offenders in championing the St. Giles mentoring model, **we stress that service user involvement should go beyond this in the reforms.** The experience of service users can play an important role in developing and improving services, while evidence from the desistance literature suggests that the most effective interventions work *with* offenders not *on* them (McNeill et al, 2012, p.9). Becoming engaged in service user involvement can help former offenders to build skills and aid their recovery. **All contracts should therefore provide for service user involvement in the planning and delivery of services.**

We are currently working on a programme, commissioned by MOJ/NOMS, to build capacity for service user involvement in prisons and probation. The learning from this could help to inform how service user involvement could be ingrained into the new system. We have also jointly published a guide to service user involvement alongside Clinks.⁴ This provides

⁴ Available here: [http://www.revolving-](http://www.revolving-doors.org.uk/documents/service-user-)

[doors.org.uk/documents/service-user-](http://www.revolving-doors.org.uk/documents/service-user-)



advice on how agencies working within the criminal justice system can include service users in project delivery, and also provides sample service user involvement policies which could provide useful information for future providers (Ramrayka, 2010).

If officials from the MOJ would like to meet members of our service user forum to discuss proposals at any point following the consultation period, we would be happy to facilitate this.

C10: How can we best use statutory supervision on release from custody to ensure that offenders engage with rehabilitation effectively?

C11: How can we ensure consequences for non-compliance are effective, without building in significant additional cost?

We strongly welcome the extension of rehabilitative services to short-sentences prisoners, many of whom experience multiple and complex needs and currently receive no support on release from prison. These combined factors lead to very high reoffending rates among this group, who are in many ways the classic example of the ‘revolving door’ group of offenders. While we support the use of more effective community sentences as an alternative to short prison sentences in the long run (see B3 above), it is important that more support is available for those that do find themselves receiving this sanction.

While this extension of support is an important and welcome development, there are a number of issues when considering how best to implement this change which touch on questions C10 and C11.

Mentoring approach

We welcome the emphasis on mentoring that has been present in recent speeches from the Secretary of State. Mentors can provide important emotional support as prisoners make the often difficult transition back into the community, and can be important role models when this service is provided by former offenders themselves, as in the St. Giles Trust model.

It is important to stress, however, that mentors should only form one part of a broader resettlement package. As the consultation document recognises, “Offenders often lead chaotic lives: Broken homes, drug and alcohol misuse, generational workless, abusive relationships, childhoods spent in care, mental illness and educational failure” (MOJ, 2013, p.5). Our research shows that short-sentence prisoners in particular have high levels of health and social care need (Anderson, 2011). These can include:

- **Accommodation** – 10-21% had an accommodation need prior to imprisonment, and accommodation was often lost following imprisonment.
- **Employment, training and education** – Unemployment is the norm for this group. One survey has suggested that almost half have no qualifications and 13% had never worked.
- **Drugs and alcohol** – Estimates of alcohol problems ranged from 20%-45%. Drugs were a particular problem, with estimates ranging from, 40%-50%, with high levels of heroin and cocaine use.
- **Mental health** – Short-sentence prisoners exhibit high levels of mental disorder, notably anxiety and depression – particularly among women offenders.



Almost 2/3 suffered from personality disorder.

Mentoring alone will not overcome these problems, and it is crucial that the precise role of the mentor is well-understood and defined. A more holistic package of support is required to ensure these issues are addressed, and reoffending is reduced.

HMP Lewes to Brighton

The HMP Lewes to Brighton project is run by Brighton Housing Trust and targets short-sentenced prisoners in HMP Lewes from the city of Brighton and Hove who have multiple unmet needs.

It was established following a needs analysis which identified a cohort of prisoners serving repeat short sentences at the prison. These prisoners were 'in contact' with a large number of community support agencies, but engagement was often poor and links between the agencies and the prison were weak.

The project coordinator, based at HMP Lewes, assesses needs of referred prisoners and ensures links are made with all relevant agencies so that joint care planning can take place. The coordinator initially adopts a lead professional role but seeks to identify an appropriate agency within the community to act as the lead agency on release. This handover is managed carefully and the project coordinator retains post-release involvement until the handover has been successfully completed. In this way, the offender receives a sustained and integrated post-release support service.

For further information, including evaluation, see: <http://www.revolving-doors.org.uk/partnerships--development/projects/hmp-lewes-to-brighton/>

Statutory supervision

As noted above, many short-sentence prisoners are living chaotic lives and face multiple and complex problems. This can make overly strenuous supervision conditions difficult to maintain, especially as there is likely to have been limited time for any effective rehabilitative work in prison. The proposed penalties for non-compliance, including "the option of custody as a last resort" (MOJ, 2013, p.19), could therefore lead to a rise in short-term prison numbers due to a rise in the numbers breaching statutory supervision requirements. Not only would this incur significant additional cost, it would further disrupt any moves towards rehabilitation that had been achieved.

It is not clear that the extension of rehabilitative support to this group of offenders necessarily needs to be underpinned by statutory supervision and criminal justice sanctions for non-compliance. The two most developed PbR pilots in this sector, the Peterborough Social Impact Bond and Catch 22 Doncaster prison pilot, both engage with their cohort of short-sentenced prisoners on a voluntary basis and have achieved 70% and 60% engagement respectively⁵. Moreover, individuals are far more likely to engage successfully if they do so voluntarily.

As such, **consideration should be given to dropping the statutory basis for supervision / intervention.** There remain substantial benefits to simply extending the offer of rehabilitative support to this group and ensuring this is offered to all offenders, rather than mandated for them and backed up by sanctions. If providers offer a comprehensive and attractive package of support (including, for example, housing support) then rates of voluntary engagement are likely to be high.

⁵ See evaluations <http://www.catch-22.org.uk/Files/hmp-doncaster-payment-by-results-pilot.pdf?id=275e92a7-3ce6-4604-8760-a118010ebb54> &

<http://www.justice.gov.uk/downloads/publications/research-and-analysis/moj-research/social-impact-bond-hmp-peterborough.pdf>



If the decision is taken to continue with mandatory supervision or support, it is important that there is a high level of flexibility built into the system of dealing with non-compliance. Measures must be taken to limit the use of recall to custody for non-compliance, if not removing it altogether. It is also important that support is extended to those with multiple and complex needs to ensure that they are able to comply with any requirements. Members of our service user forum reported that managing the numerous appointments and navigating services is a huge challenge. Lack of coordination and communication between services can lead to people having clashing appointments, for example, with the Job Centre to arrange benefits or with drug treatment agencies. A substantial number of breaches are likely to be the result a chaotic lifestyle or difficulty understanding terms and keeping appointments, rather than wilful disengagement.

Similar considerations are important for offenders on community sentences. For further information, see question B3 above and our response to the government’s previous consultation *Punishment and Reform: Effective Community Sentences*, which is available here: <http://www.revolving-doors.org.uk/documents/effective-community-sentences/>

reoffending (MOJ, 2013, p. 29). Improving joint-working practices and partnership arrangements at a local level is particularly important for offenders with multiple and complex needs, who are often poorly served by existing community services working in a ‘silo’ culture.

The proposed model has potential to improve this situation, with ‘prime’ providers commissioning a range of smaller providers, including VCSE services, to create a diverse supply-chain of options providing holistic support to this group of offenders. However, they will also need to work closely with a range of statutory partners, including PCCs, prisons, health and wellbeing boards, mental health trusts, drug and alcohol treatment services and housing agencies, to ensure that the multiple needs of clients are met and in order to effectively cut reoffending.

It should be recognised that Probation Trusts have already been working effectively in a range of local partnerships for some time. These include MAPPA arrangements, Youth Offending Teams, Community Safety Partnerships and Integrated Offender Management (IOM) schemes. While there is clearly room for improvement, it is also crucial that progress made in existing partnerships is not lost in the substantial and radical change that this major outsourcing of probation services represents.

Reforms should also create clear statutory responsibility for drawing up and delivering a local strategy to tackle reoffending. This should bring together criminal justice agencies with local authorities, health and other partners to ensure that services work together and are jointly commissioned to deliver coordinated services and integrated pathways. Without clear local accountability and joint strategic responsibility there is a danger of fragmentation of effort and a failure to address the underlying causes of reoffending.

CI3: What else can we do to ensure the new system makes best use of local expertise and arrangements, and integrates into existing local structures and provision?

CI4: Police and Crime Commissioners will play an integral role in our reforms. How best can we maximise their input/involvement and that of other key partners locally?

We welcome the recognition in the consultation document that services outside of the criminal justice system are vital to reducing

Existing Partnerships

We welcome the assertion in the consultation document that the MOJ “will design this system to



make best use of local expertise, and to integrate into existing local structures” (MOJ, 2013, p. 26). Some IOM schemes in particular have been successful in bringing partners together to effectively manage locally determined cohorts of offenders. These cohorts have often included short-sentence prisoners, or built on prior Prolific and other Priority Offender (PPO) schemes, and as such we particularly welcome the emphasis that “the redesigned system will support the effective operation of local IOM arrangements” (MOJ, 2013, p. 26).

Seeing as many IOM schemes have been built on strong partnerships between police and probation services, **it is critical that the outsourced provider is able to slot into these arrangements with minimal disruption.** We strongly support the proposed requirement for providers to “evidence how they would sustain and develop local networks and partnerships and in particular existing IOM arrangements” in the bidding process (MOJ, 2013, p.26). **It is vital that providers are able to show how they will fit into existing arrangement, but more than this they should be encouraged to demonstrate their vision for IOM in their area.** For all the success of many IOM schemes, there is still room for innovation and improvement, especially strengthening partnerships with health agencies.

Good practice in Integrated Offender Management (IOM)

The first Key Principle underlying IOM emphasises that “local partners, both criminal justice and non-criminal justice agencies, encourage the development of a multi-agency problem-solving approach by focussing on offenders, no offences” (Home Office, 2010, p.2). It is important that a range of providers and agencies are involved in IOM arrangements locally so that interventions can be tailored to individual circumstances.

It is also important to emphasise that IOM is a strategic partnership as much as an operational one. Key partners will include mental health, drug, alcohol and housing agencies, and it is

important that these are brought around the strategic table to ensure the full profile of issues relating to offending behaviour can be matched with the interventions on offer. Where possible, a single lead professional within an IOM team should be identified to coordinate the interventions, and interventions should also move beyond the specific causes of offender behaviour and consider how to build on strengths and existing support networks.

For more information see our briefing, *Integrated Offender Management: Effective alternatives to short sentences* available here: <http://www.revolving-doors.org.uk/documents/iom/>

Aside from IOM and statutory partnerships such as MAPPA and CSPs, there is likely to be a range of other partnerships and innovations locally. It is vital that these are not lost in the transition, and that new providers are able to sustain and build on these services. As such, **providers should be required to complete a comprehensive current-state analysis of services and partnerships within their contract area, and should show how they would continue existing partnerships.** Part of this current state analysis informing local delivery could also be a **comprehensive needs analysis**, which should include health and wellbeing as well as offending information in order to ensure providers have the information to tailor services to local need.

Of course, we also hope that by following the incentives created by PBR providers will move further than existing partnerships and seek out new, more effective and efficient forms of joint-working and integration, and foster a range of partnerships in order to bring about significant reductions in reoffending by turning around the lives of offenders in a cycle of crisis and crime.

Police and Crime Commissioners

We agree that Police and Crime Commissioners (PCCs) will be a key partner, and that they “bring an opportunity for collective local leadership to galvanise police, local authorities,



the Crown Prosecution Service and courts to work together to prevent crime and reduce reoffending” (MOJ 2013, p. 26). Crucially, PCCs are also important local budgets holders, and while the bulk of their funds will go directly into policing services they are also responsible for broader reductions in crime and reoffending in their area and can commit resources to this end.

We welcome efforts to provide some level of coterminosity between PbR areas and PCC areas. This will be critical for effective partnerships between providers and PCCs, and could also facilitate a shift towards PCCs taking on more responsibility for the commissioning of offender management services at a later date, providing a more localised model than the 16 contract areas and central commissioning model currently proposed. In the meantime, PCCs will still have an important role in bringing partners together. Key local partners include:

- **Offender Health Commissioners** – responsible for commissioning healthcare services in prisons, while police custody healthcare is also being transferred to the NHS. They will also commission the mental health liaison and diversion services mentioned above, which will be operating in all police custody suites by 2014, subject to business case.
- **Health and Wellbeing Boards (HWBs)** – will have an overlapping interest in the health of offenders in the community as part of their duty to reduce health inequalities. They will also determine the content of local Joint Strategic Needs Assessments (JSNAs), and develop a joint health and wellbeing strategy.
- **Directors of public health** – will need to have due regard to the health needs of offenders to fulfil their responsibility to ensure that “disadvantaged groups receive the attention they need, with the aim of

reducing health inequalities” (Department of Health, 2012). Their role includes working with strategic partners to deliver “holistic solutions to health and wellbeing” (Department of Health, 2010).

- **Mental health trusts** – Given high levels of mental health need in the offender population, mental health trusts will be important strategic partners.

Pooling funds and community budgets

Linked to the above, we strongly welcome the intention that the “new market model will facilitate co-commissioning with PCCs”. While we understand the need for economies of scale and the reasons for larger scale commissioning, taking advantage of these opportunities to pool budgets and set up community budgets is an important way to achieve local responsiveness. It could also stimulate a more holistic approach, tackling multiple problems and breaking out of silos to achieve shared outcomes.

Tri-Borough Whole Place Community Budget

The tri-borough whole-place community budget was originally one of four pilots as part of the Department for Communities and Local Government scheme. Community budgets have been developed as a way to stimulate innovative and joined-up local solutions to problems, and to change how public services are resourced, commissioned and delivered.

The tri-borough is made up of three London boroughs: Westminster, Hammersmith and Fulham, and Kensington and Chelsea. The approach has now been developed to tackle reoffending by short-sentenced prisoners. Pooling funds spent by a range of agencies on reoffending in the tri-borough, an innovative new approach has been developed including a custody referral team and reducing reoffending unit alongside a commissioning budget to commission other support services. The project aims to build a cost/benefit case which will



demonstrate savings to the Ministry of Justice through reduced reoffending.

In particular, PCCs could find ways to use their commissioning and partnership-facilitating role to tie different PbR schemes together. PbR is being expanded into a range of different policy areas. As well as the Work Programme, PbR elements are present in the Troubled Families agenda and increasingly applied in the drug and alcohol sector, local government commissioning and in some instances to tackle rough sleeping.⁶

Given that many of the clients of offender services will also be involved in other programmes, it makes sense to explore how funding can be pooled by different PbR schemes. This would provide a more holistic focus on a range of outcomes, and ensure the most efficient use of funds. Some attempts have already been made to integrate Work Programme delivery and PbR delivery (Chambers, 2013, p. 38-39). **We strongly encourage the MOJ to give further consideration as to how they could encourage providers to ‘pool’ PbR approaches at a local level, and integrate their services with existing schemes.**

CI5: How can we ensure that professional standards are maintained and that the quality of training and accreditation is assured? A professional body or institute has been suggested as one way of achieving this. What are your views on the benefits of this approach and on the practicalities of establishing such arrangements, including how costs can be met?

One major concern over the outsourcing of offender management services could be the loss of valuable expertise and practices from the probation service. As such, we appreciate the intention behind the suggestion to maintain a

role for the probation service in managing risk of harm, and the observation that *“the public sector deserves recognition for the professional standards it has demonstrated in protecting the public from serious harm, and we intend to maintain and build on that expertise”* (MOJ, 2013, p. 21).

However, the precise nature of this role needs to be given more thought. We support a role for the public sector in managing offenders who pose a risk of serious harm. We also support a strong role for the public sector in risk assessment, which would fit well with their role in providing advice to courts around sentencing. However, the proposed structural split of offender management between the public and private sector has the potential to cause confusion, and to be detrimental to the rehabilitative process.

As the consultation recognises, the risk level posed by offenders is fluid and dynamic. It is unclear how effectively the public sector probation service will be able to assess any changes in risk when they will have had limited contact with the offender. Of even more concern is what might happen should an offender’s risk level escalate. This situation calls for a continuity in the package of support and management around the individual, and in particular continuity in relationships with staff. A disruptive transfer from private to public sector management at this stage could prove detrimental both in terms of getting the offender back on track in their journey towards desistance, and in terms of public protection.

If the government are to continue with the proposed split in the provision of offender management, it is vital that the strong protocols around the proposed public/provider partnerships account for the issues raised above.

In terms of professional standards in the outsourced part of the proposed structure, we

⁶ See <http://www.socialfinance.org.uk/homelessness>

for information on London’s Homelessness SIB.



welcome the intention to ensure that standards are maintained, and the aim “to retain the wealth of experience that currently resides within the Probation Service” (MOJ, 2013, p.9). Keeping this individual expertise within the new structure is crucial. While we are not necessarily best placed to offer views on how a system of training or accreditation should be provided, some of our recent work improving frontline responses by developing “Communities of Practice” in local areas has provided a valuable insight into the kind of skills required to achieve positive outcomes with offenders with multiple and complex needs.⁷

In particular, this work has highlighted how working within a web of complex and intertwined health, housing and social care needs is a ‘knowledge-intensive activity’. Failure to up-skill staff and ensure that they are qualified to deal with this challenge may lead to workers feeling increasingly ‘out of their depth’ and unable to make sense of the considerable practice challenges they face (Anderson, forthcoming). **It is crucial that the transfer to private providers and the emphasis of driving down costs across the does not have a detrimental effect on the knowledge and skills of staff delivering offender management and rehabilitative services.**

CI16: What role can the Inspectorate of Probation best play in assuring effective practice and a high standard of service delivery?

It is important that a strong role is retained for the Inspectorate of Probation in ensuring that standards are maintained under the new system. Private providers delivering public services must

⁷ For more information on the Communities of Practice project see <http://www.revolving-doors.org.uk/partnerships--development/programmes/improving-frontline->

be subject to the same standards of scrutiny, accountability and transparency that the public sector would be, and the Probation Inspectorate must be free to hold failing areas and contractors to account.

Beyond this, **we suggest a broader role for the inspectorate in spreading evidence of good practice, and making comparable performance data available.** They should take on a similar role in the new system as Her Majesties Inspectorate of Constabulary have moved towards since the introduction of PCCs, where greater emphasis has been placed on their role sharing and demonstrating good practice, providing evidence of “what works” and providing comparable data.⁸

This role could be particularly important given concerns around the level of data and information sharing that will occur in a competed environment. It is important that providers are compelled to share evidence and information of what works so that approaches can be replicated. In general, it is important that data and information sharing is not inhibited by the rules around commissioning and competition.

CI17: How can we use this new commissioning model, including payment by results, to ensure better outcomes for female offenders and others with complex needs or protected characteristics?

This whole response has been focused on the issue of complex needs, and we welcome the recognition of the need to ensure better outcomes for this group. As the *Breaking the Cycle* green paper originally stated, “a significant

[responses/](#)

⁸ <http://www.hmic.gov.uk/about-us/what-we-do/>



proportion of crime is committed by offenders who have multiple problems” (MOJ, 2010, p.7), and so improving outcomes for these individuals across the whole range of their problems will be crucial to reducing reoffending rates overall.

We also welcome recognition of the need to ensure better outcomes for female offenders. The need profile of women offenders is often different to that of men, while the fact that women are a minority in the criminal justice system further warrants a distinct approach. Alongside our suggestions in C3 above around specifying interventions for women in contracts, we endorse the responses to this consultation by women’s breakout and Criminal Justice Alliance which give further suggestions on this issue.

Other groups that should be considered include:

- **Black and Minority Ethnic groups** – People from ethnic minority communities are overrepresented across the criminal justice system. There is a need to find ways to address this disproportionality, and develop services that better support the rehabilitation of black and minority ethnic offenders. All providers should be required to work closely with organisation with particular expertise in this area to ensure the specific needs of this group are met.
- **Young Adults (18-25) in the Transition to Adulthood** – Revolving Doors is a member of the Transition to Adulthood Alliance, and we endorse their response to this consultation. Young Adults are over-represented in the criminal justice system. They make up less than 10% of the population, but more than one-third of those commencing a community sentence, one-third of the Probation Service’s

caseload and almost one-third of those sentenced to prison each year. Young adults have distinct rehabilitative needs, and currently often fall through substantial gaps in the transition between youth and adult justice. This no doubt contributes to high reoffending rates among this group. The Ministry of Justice should consider how best to incorporate specific measures related to young adults in the development of payment by results. The Transition to Adulthood alliance has produced a substantial evidence-based case for including specific provision for this group at all stages of the criminal justice system, as well as developing pilot projects which have reduced reoffending and improved outcomes for this group (T2A, 2012; Clinks, 2012).⁹

⁹ For further information see

<http://www.t2a.org.uk/publications/>



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