



Reducing Reoffending Third Sector Advisory Group (RR3)

12th March 2024, (10:00-12:00pm), hybrid

Attendees:

Anne Fox, Clinks (Chair)
Bronte Jack, Clinks (Secretariat)
Sam Julius, Clinks
Adam Moll, The Social Interest Group
Alasdair Jackson, Recycling Lives
Bernie Bowen-Thomson, Safer Wales
Cara Mohan-Carr MBE, Open Clasp Theatre Company
David Morgan, Entrepreneurs Unlocked CIC.
Dez Brown, Spark2Life
Joanne O'Connor
Josh Stunell, bthechange CIC
Maria McNicoll, St. Giles Trust
Matina Marougka, Together for Mental Wellbeing
Nicola Drinkwater, Women in Prison
Paul Grainge, Recoop
Pippa Goodfellow, Alliance for Youth Justice
Richard Knibbs, Nacro
Steve Matthews, Shelter
Vicki Markiewicz, Change Grow Live

Minister:

The Rt Hon Edward Argar MP, Minister for Prisons, Parole and Probation

Officials:

Andrew Lewin, Senior Manager for Third Sector Partnerships and Programmes Team, HMPPS
Hazel Walsh, System Learning and Innovation Lead, Rehabilitation System Team, HMPPS
Jemma Rix, Senior Manager for Third Sector Partnerships and Programmes Team, HMPPS
Stephen O'Connor, Deputy Director for Probation Policy, Ministry of Justice

1. Welcome and introductions

- 1.1 Anne Fox welcomed members and officials and gave an overview of agenda items.
- 1.2 To outline his priorities as the Minister for Prisons, Parole and Probation, the group was joined by the Rt Hon Edward Argar. The second agenda item focused on the Rehabilitation Strategy and the National Framework for Interventions Policy Framework (NFI), with an update and presentation from Hazel Walsh, System Learning and Innovation Lead at HMPPS.

2. The Rt Hon Edward Argar MP, Minister for Prisons, Parole and Probation

- 2.1. The Minister gave an overview of his background in relation to the Ministry of Justice, including his involvement in youth justice and the women's cohort.
- 2.2. He explained that in terms of public commentary there is often a primary focus on prisons, however he believes probation and parole are equally as important in terms of reducing reoffending.
- 2.3. He noted the reduction in the number of children in the youth justice estate and he would like to see a continuation of this reduction. He recognised that for a small number of children, custody will still be appropriate, hence his interest in secure schools, which provide the element of security, but also safeguarding, taking into consideration that many individuals as victims as well as perpetrators. This can be said for those across the adult offender population, particularly the women's cohort. He stated that we must understand that context if we are going to make a real difference in reducing reoffending.
- 2.4. In relation to the Female Offender Strategy, he maintained his stance on the need to move away from short sentences, due to the issues they bring and asserted that this is not merely a stance of convenience given the current prison capacity issues. He acknowledged that short sentences are not long enough for people to break habits or provide enough support in areas such as mental health, substance misuse, and skills challenges, however, are long enough to disrupt people's lives in relation to accommodation and familial ties.
- 2.5. He stated we have seen reoffending reduce in the last decade, however there is more to do. Essential to achieving this is partnership, bringing together the knowledge, experience, and expertise in what makes a difference in improving outcomes for people. The most effective outcome for individuals and society, is reducing reoffending, and to give people the opportunity to make positive life choices. He noted the importance of tackling substance misuse, enhancing family links, ensuring job opportunities and accommodation, as well the disproportionality present in the system and the differing outcomes for certain groups. He thanked the group for their work and welcomed suggestions on how partnership with the voluntary sector can be made more effective.
- 2.6. The Minister then outlined his priorities within the department. He stated that the first secure school will be opening in a matter of months. The next steps will be to scale up and consolidate achievements on this, and then to assess if it is working as planned and delivering on outcomes. There needs to be time to determine this. Subject to this, he remains of the view that this is the right approach to take in this space. He recognised that children are a unique group, with currently approximately 450 children in custody, which is lower than in 2010, however acknowledged that this could be lower still.
- 2.7. Pippa Goodfellow asked the Minister what his vision is for girls in the youth justice system more generally and in custody. She noted that whilst there has been a reduction in the number of girls involved in the criminal justice system, this is not due to any specific government procedures. In fact, there are no specific measures for girls, and thus their needs are not being met. She was interested in how a gendered approach might be introduced into the youth justice system.
- 2.8. The Minister stated he believes currently there are 8 girls in youth custody, adding that there will always be occasions where magistrates have no alternative but custody. With small numbers comes a challenge, given the limited options on where to place them in the estate, creating issues such as links to family or distance from

home. There is a challenge for secure children's homes, as the authority can refuse to take on individuals, for risk or behaviour concerns, and so this leads to very small numbers in particular institutions. If a girls-only unit was created, this then risks becoming effective segregation due to very low numbers. Placing them in institutions with predominantly boys requires a gendered response, which he is continuing to look at. He welcomed thoughts on this.

- 2.9. Anne Fox asked about issues around capacity, particularly the extension of the End of Custody Supervised License (ESCL) scheme. This is of particular interest to the group given people will be leaving custody without specific things in place for them, which could lead to problems including homelessness. She asked about the Minister's vision for utilising the voluntary sector more in relation to the challenges relating to the prison estate. i.e. self-harm rates, lack of purposeful activity, and lack of space.
- 2.10. The Minister noted the ongoing supply and demand issue. Regarding supply, there is currently prison building underway, reflecting an upward trend in the rising prison population. This trend is linked to rises in the remand population and recalls. To tackle remand, efforts are being made to ensure courts have accurate information to facilitate the use of bail. Additionally, work is being done on Community Accommodation Services (CAS) provision and bail accommodation.
- 2.11. The Minister said the Sentencing Bill is currently in progress, which should address capacity issues more broadly. It seeks to strike a balance between 'tougher sentences for worst offences' while also establishing a presumption against short sentences.
- 2.12. The Minister acknowledged the invaluable contribution of the voluntary sector, recognising that Probation and Prisons rely heavily on their efforts. He emphasised the sector's unique position to best engage with people in prison, highlighting the significant achievements made through partnerships with the sector. He noted the critical importance of addressing issues such as accommodation, employment, and substance misuse in reducing reoffending, highlighting the sector's central role in tackling these.
- 2.13. He noted that capacity issues bring about challenges to operating a full regime and the constraints placed on estates in their ability to achieve purposeful activity. He suggested that new prisons will have purposeful space built in to allow for meaningful activity and interventions to be carried out.
- 2.14. Anne Fox noted this lack of appropriate space having an impact on people in prison's mental health, and asked what changes the Minister would like to see in terms of addressing mental health.
- 2.15. The Minister noted that some Victorian prisons, despite a limited number of classrooms, can make the space work. In relation to mental health more broadly, he noted that mental health provision is commissioned and delivered by the NHS, and not HMPPS or prison governors. He cited the recent HM Inspectorate of Prisons report on this issue, and the need to ensure that prisons are being used as they are intended, and so not as a place of safety, and that there aren't people in prison who should be in appropriate mental health facilities. He assured he is working closely on the mental health agenda for people in contact with the criminal justice system.
- 2.16. Anne Fox asked what the priorities are for the Female Offender Strategy going forward.

- 2.17. The Minister highlighted that the strategy was developed collaboratively and in partnership with the voluntary sector. A key element of this strategy is its implementation, with a focus on assessing performance through the delivery and its ability to deliver designed outcomes. This will involve examining the plan within the context of whether the department are effectively maximising partnerships and collaboration with the voluntary sector.
- 2.18. Anne Fox stated the sector is very pleased to see the proposed measures around against short sentences, and asked what is going to be put in place to support Probation and people on Community Orders.
- 2.19. The Minister acknowledged the high use of short sentences and stated that the new measures should benefit women more, thus supporting the delivery of the Female Offender Strategy. In relation to Probation, he recognises the pressures stemming from reunification. Four thousand more probation officers have been recruited and are at various stages of training, however work is being done to retain the most experienced staff. In relation to caseloads and workloads, work is being done to ensure the activities of a probation officer focuses on the key objectives around reducing reoffending, promoting rehabilitation, and public protection. HMPPS are exploring which tasks could be delegated to other staff members to alleviate the workload of probation offers and free up their time.
- 2.20. Matina Marougka emphasised the importance of addressing mental health issues holistically, prioritising the safety and support of individuals. She stressed the importance of utilising diversion and alternatives to custody, particularly for youth, women and particularly those with mental health needs. She also mentioned the necessity of establishing trauma-informed environments and the necessity of providing adequate training to prison staff. Additionally, she noted the importance of staff getting support for their emotional wellbeing.
- 2.21. The Minister agreed that early intervention is very important, and ensuring courts and police are aware of the range of options available, and the need to address the underlying causes of offending.
- 2.22. Richard Knibbs asked what role the voluntary sector can play in releasing the burden on Prison and Probation staff.
- 2.23. The Minister acknowledged the reach of the voluntary sector across prisons and the community, and the need for a more measured approach to risk. He noted the reality that risk cannot be completely eliminated, and thus Probation staff should be given the confidence in decision-making pertaining to risk management.
- 2.24. Alasdair Jackson mentioned pay structures in prisons and prison workshops. He pointed to organisations that enable people in prison to save money whilst in custody for when they are released, and asked if this is something the department will be looking at.
- 2.25. The Minister added that it is important that people are supported upon release and paid sufficiently within prisons so that they can accumulate adequate funds for their release. He is also looking at what work can be done pre-release in areas such as accessing Universal Credit, personal identification, and continuity of healthcare. He recognised that the early weeks are crucial for reducing reoffending.
- 2.26. Paul Grainge highlighted the growing challenges for the older cohort in prison, particularly health challenges and social care support. He noted the great work being done around peer-support models, however wanted to establish if the Older Persons strategy has lost momentum.

2.27. The Minister added that physical adaptations are needed in the prison estate. Whilst he has no data on the strategy, he recognised the importance to address these challenges given the growing numbers in this cohort and longer sentences.

3. Hazel Walsh, System Learning and Innovation Lead, Rehabilitation System Team, HMPPS.

3.1. Hazel Walsh gave a brief overview of the National Rehabilitation Strategy, which sets out a high-level vision for rehabilitation, ensuring the 'right approach, right person, right time.' To fully deliver on the agreed strategic direction, HMPPS needs to adopt a whole-system approach, with everyone being clear about how they contribute to rehabilitation, as opposed to rehabilitation being seen as something that can only be achieved by specialist staff in group room.

3.2. The rehabilitation strategy provides a set of principles to be applied and help guide decision making across the breadth of rehabilitation.

3.3. The strategy sets out HMPPS' commitment to deliver a whole Agency approach to 'risk, need and responsivity,' which is driving a rehabilitation offer that is more proportionate to an individual's risk and criminogenic need.

3.4. The strategy is driving the need for a simplistic and coherent rehabilitation offer, that reduces duplication and make sense to both the practitioner and the service user.

3.5. Anne Fox asked where the voluntary sector sits within the National Framework for Interventions Policy Framework (NFI).

3.6. Hazel Walsh stated that interventions are one core component of how HMPPS delivers rehabilitation. For the context of the NFI policy, HMPPS has defined an intervention is a 'sequence of sessions or activities which target attitudes, thinking, emotions of behaviour and are informed by psychological methods or content.'

3.7. The NFI provides assurance for this one area of rehabilitation, as the evidence is clear that if interventions are not designed and delivered well, it can cause harm and even increase re-offending.

3.8. An intervention is:

- Pre-planned
- Structured, group or 1:1
- More than 1 session
- Replicable
- Linked activities over time
- Uses and informed by recognised psychological methods or models

3.9. An intervention is not:

- One-off sessions to raise awareness on a topic
- Core education curriculum
- Recreational activities (e.g. choir)
- In-cell activities to alleviate boredom
- General sentence management, e.g. assessment, planning, enforcement, unstructured discussions, or progress reviews

3.10. All interventions that fall within this definition are subject to review by the NFI, regardless of how they are funded/commissioned, including those that are provided at nil cost.

3.11. HMPPS recognises that other strategic partners such as those delivering health and substance misuse interventions may be subject to their own quality

standards. They will work with strategic partners to aid the alignment of those activities to the NFI.

- 3.12. Out of scope activities include interventions delivered under the Offender Personality Disorder (OPD) Pathway (apart from Democratic Therapeutic Communities) and 1:1 work conducted under the supervision of a Registered Practitioner Psychologist.
- 3.13. This NFI is a product of the rehabilitation strategy by:
- Supporting innovation for the right reasons and in the right way
 - Driving consistency in quality and evidence standards applied to interventions delivered across prison, probation and youth custody
 - Enabling good investment decisions and to have a better understanding of the value that interventions offer
 - Minimising potential harm and unintended consequences, including increasing the likelihood of further offending from poorly delivered/designed interventions
 - Providing a mechanism to share learning and good practice from delivery.
- 3.14. HMPPS is working to a position where all interventions are either accredited via the Rehabilitation Board on advice of external academics (CSAAP) or approved by the internal subject matters via the NFI. Interventions for children in custody must be approved via the youth Custody Assurance Board in line with the NFI, including those approved as suitable for adult populations.
- 3.15. The minimum standards for intervention delivery are informed by the 'what works' evidence and are outlined below:
- The intervention is informed by evidence/and or has a credible rationale
 - The intervention addresses factors relevant to reducing reoffending and promoting desistance
 - The design allows it to be replicated
 - It appropriately targets participants
 - It should be designed to motivate, engage, and retain participants, with a focus on developing useful skills (as opposed to raising awareness)
 - Delivered as intended by staff with appropriate skills and quality assured
 - Design shows a commitment to evaluation and learning.
- 3.16. The NFI policy framework was published in December 2023, and is aligned to the expectation in the former processes it replaces; PSO4350 in prisons, the National Effective Intervention Panel (NEIP) in probation, and the Effective Intervention Panel (EIP) in Wales. The NFI is providing a unified process, managed by one central team.
- 3.17. Once an intervention goes through this process, it will receive a kite mark and be placed on a virtual directory, which will be accessible to potential investors.
- 3.18. Current action is then required from prisons and Heads of Reducing Reoffending (HoRR) have been asked to consider interventions across the prison, assessing their intended outcomes and how they fit with the strategic needs assessments carried out to inform regime planning. They are being asked to critique interventions, to determine whether the intervention is still needed and if any interventions they are currently delivering require approval.
- 3.19. Anne Fox vocalised that it is crucial for the voluntary sector to understand how the rehabilitation strategy and the NFI will impact on their work. She reflected

on the evidence threshold for Accredited programmes previously, and stated the money is not there for some organisations to have 'the evidence base.' She asked if there will be any money or support, or even a template, for organisations to demonstrate evidence. She also wanted to establish if the NFI will broaden beyond attitudes, thinking, and behaviour, and how we can help clarify to HoRR what is in scope and what isn't. She pointed towards Hazel Walsh's mention that a choir would not be in scope for an intervention, however argued that such activities encourage individuals to engage prosocially with each other.

- 3.20. Hazel Walsh stated that it is not a case of HMMPS not valuing this type of work, but rather it would not fall within the scope of the NFI and would instead carry on as BAU.
- 3.21. Dez Brown noted that the system has always been deemed as risk averse, he therefore asked how HMPPS looks at systems change whilst managing tension between delivering a whole-person centred approach to rehabilitation and risk management.
- 3.22. In response Hazel Walsh, states this is why the rehabilitation strategy is trying to challenge the current narrow view of rehabilitation and that we should be doing more to enable our staff to have good rehabilitative interactions, regardless of the activity. Adjudications, cell searches, electronic monitoring all present rehabilitative opportunities if done well. We need to get the fundamentals right of how we work with people, whilst also taking a pragmatic approach to evidence, particularly around who receives which services and why.
- 3.23. Adam Moll asked if HMPPS feels there is capacity to assess that many interventions across the prison estate. Previously governors ended up dropping certain interventions, and left organisations in a financial predicament. Secondly, he stated that some interventions that are effective, particularly those that are arts-based, wouldn't necessarily meet this new definition of an intervention. He asked how these will be considered in comparison to the more traditional routine interventions. Finally, he wanted to establish if interventions that have been through the Justice data lab, and have shown effective results, will still have to go through this process.
- 3.24. In response to this, Hazel Walsh stated it is difficult to establish the capacity to review interventions at this stage, however there are hoping to have a forward-looking picture on this. In relation to arts, she clarified that the NFI policy framework solely relates to interventions and thus some activities may not fall within the scope of this policy, however the investment framework more broadly will capture those other 'purposeful' activities outside of interventions. She concluded that going through the Justice data lab will be useful in demonstrating the commitment to learning and evaluation and why an intervention is evidence-based, however it will likely still fall in scope of the NFI.
- 3.25. Vicki Markiewicz asked how a balance would be made between other purposeful activities and more formal classroom-based ones. She highlighted that currently drug and alcohol support access isn't deemed as purposeful activity.
- 3.26. Hazel Walsh responded that these activities will still be considered as interventions. The framework aims to establish a centralised process to provide assurance, so that certain activities that may be causing harm cease to happen. It doesn't mean that other activities are excluded from the holistic prison offer, or the core rehabilitation offer.

- 3.27. Matina Marougka welcomed the principles around evaluation and evidence, and reiterated Anne Fox's earlier point around how the voluntary sector, particularly smaller organisations, can be supported to demonstrate the positive impact of their work. She vocalised her frustrations around robust evaluation work that happens externally, but then the funding doesn't continue despite the good outcomes the evaluation has shown. She asked how commitment can be shown to the voluntary sector to ensure the continuation of services that demonstrate a strong impact.
- 3.28. Hazel Walsh responded that there will be a process to share learning around evaluation, in a place that is accessible, to inform future investments decisions.
- 3.29. Nicola Drinkwater stated that her organisation Women in Prison, currently delivers an HMPPS-funded programme around domestic violence, however they have not got through the triage process. She is concerned around the support for women in prison around this issue, and so asked how HMPPS are taking a gender-specific approach to the NFI process and if they are intending on taking an Equalities Impact Assessment.
- 3.30. Hazel Walsh responded that they are conscious of the gender differences, and an Equalities Impact Assessment has been completed which she can share.
- 3.31. Paul Grainge stated his organisation have people in prison that go through a National Care Certificate standards so that to deliver peer-support. He asked if this is something in scope of the NFI, in light of operational pressures. Can this be linked to other government departments around social prescribing to strengthen where this work sits.
- 3.32. Hazel Walsh stated that peer-support as a concept wouldn't be in scope for the NFI. She did clarify that interventions can be delivered by people other than staff, i.e. people in prison, volunteers, would count if they are trained and supported, and there is a mechanism to monitor them. She stated she would rectify this on the framework document.
- 3.33. To conclude Hazel Walsh stated she is trying to link this work into the regime planning in prisons, but wanted to reassure the sector that this is a transitional process. She could not establish a timeframe until prisons have committed to what they will deliver as part of their regime plans.

4. Close