

Probation Association response to the Green Paper *Breaking The Cycle*

March 2010



Probation Association

The Voice of Probation Trusts



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Response to Green Paper

Introduction

1. The Probation Association (PA) is the membership organisation representing the interests of the 35 probation trusts which employ the 21,000 probation staff in England and Wales.
2. Trusts are Non Departmental Public Bodies sponsored by the Ministry of Justice (MoJ). They comprise a non-executive chair and at least five other non-executive members appointed by the Secretary of State. Each trust board is contracted by the Secretary of State to deliver services within a defined geographical area. Trusts are expected to demonstrate leadership and good governance, take a commercial approach to their business and hold the chief executive to account.
3. At any time approximately 240,000 offenders are being supervised by probation staff in the community and in custody.
4. PA:
 - undertakes national collective bargaining on terms and conditions of employment for employees of probation trusts
 - promotes the interests of trusts to central government, the Welsh Assembly Government and others
 - provides advice and guidance to trusts on their employer and governance responsibilities.
5. In this submission we address those questions which reflect trusts' prime interests as:
 - employers of all probation service staff
 - local strategic leaders for probation with governance, policy and strategy development, capacity building, budgetary and performance scrutiny responsibilities.

Unfinished business – the Offender Management Act and the role of probation trusts boards: essential pre-conditions

6. The Offender Management Act was intended to create enterprising, innovative and results orientated probation trusts. Chairs and members of probation boards were selected for their experience and skills, e.g. at senior levels in business, public or charitable sectors, which would enable them to lead arms' length bodies in a competitive environment. Trusts were to be allowed freedoms and flexibilities to be successful as business-like entities delivery high-quality, low-cost public protection, offender rehabilitation and punishment.
7. In practice trusts have remained constrained within a line-management relationship with MoJ. Whilst there has been little incentive or enabling flexibility from the centre to think independently in pursuit of better outcomes, many proactive trusts have introduced innovative practices within local partnership arrangements and forged strong local alliances with both private and third sector organisations. They are nevertheless subject to a weighty regulatory framework that requires compliance with centrally-set standards, instructions, targets, reporting, inspection and audit. Trust contracts focus on inputs and process and there is virtually no differentiation between the 35 contracts: the intended role of trust boards leading the delivery of differentiated, locally relevant services has not materialised.
8. The Green Paper signals a clear opportunity for positive change and we welcome this Government's approach to regulation, outcomes and innovation. In support, underpinning pre-conditions for delivery of the aspirations of the Green Paper are set out below and these inform our responses throughout this submission:
 - i. The Secretary of State should contract with trusts to deliver all probation outcomes in order to retain a safe and cohesive system.
 - ii. Trusts should competitively test all provision (other than court services) including core services in pursuit of value for money.
 - iii. Trusts should be incentivised financially in order to achieve best outcomes at lowest cost.
 - iv. Regulation should be as light as possible in order that trusts can be innovative and efficient.
 - v. National requirements, including contracts between the Secretary of State and trusts, should reflect the converging and overlapping relationship between probation, local authorities and others at a local level.

- vi. All trusts, local authority and private and voluntary sector partners' crime reduction performance should be measured against a flexible, outcome-focussed, national performance matrix which reflects both national and local priorities¹.
9. Much of the content of the Green Paper relates to the English context. The new Wales Probation Trust (WPT) will of necessity deliver its services aligned with Welsh Assembly Government (WAG) community safety and social policy priorities and will be subject to Welsh local authority scrutiny arrangements. Whilst currently WAG is consulted on the MoJ business plan, the implications of emerging WAG Localism policies and the implications for the WPT contract should be the subject of separate consultation.

Context and Overview (1)

Probation in a New Place

10. We commend the statement of intent in paragraph 299 “Working in partnership across government” as a clear acknowledgement of the reality of probation delivery. Trusts are now in a “new place”, adapting to a swiftly changing relationship between national Government departments and local delivery organisations. To maximise the contribution of trusts to the rehabilitation agenda, a sea change in strategic orientation, capacity, freedoms, de-regulation and skills will be required.
11. At a national departmental level, the modelling of effective inter-departmental partnership initiatives will send a strong signal to localities of a new orthodoxy in relationship between the centre and localities. Exactly how this transformational relationship between national departments and local “places” connects with what we perceive to be an increasingly complex local commissioning terrain and delivery terrain will be an important feature of post Green Paper policy development.
12. There is a need for a new order of relationships between MoJ/NOMS, the leadership of the probation service and other government departments to deliver innovative integrated policy initiatives such as Community Budgets.
13. NOMS as commissioner and contract manager must recognise trusts as having significant co-commissioner and provider relationships with local authorities and other local partners that are separate from their role as a provider to the Secretary of State. The advent of Police and Crime Commissioners (PCCs) will require a radical review of strategic relationships

¹ *PA and the PCA have published “**Contract Outcomes – Facing the Right Direction?**” a Briefing proposing a radically new approach to probation performance measures, assessable at www.probationassociation.co.uk.

between local statutory and provider partners. While core policy should be set centrally, delivery should increasingly be determined and accounted for locally and national requirements of probation must reflect this. Direct intervention by the centre in local activity should be reduced and trusts able to account locally without reference to national constraints.

14. The contract between Secretary of State and trusts must be flexible enough to capture and legitimise trusts' work with and for local partners. A spectrum of opportunities now exists for larger scale innovative commissioning by local authorities - from expanding current partnership working arrangements within Local Delivery Units (usually coterminous with local authority boundaries) to a single contractual line of accountability from commissioning local authority to provider probation trust to deliver the totality of its reducing reoffending responsibilities.

Context and Overview (2)

Chapter 1 – Punishment and Payback

15. The Offender Management Act was designed to deliver value for money through competition. We support competition as a means to drive efficiencies and effectiveness in the management of offenders. Effective local commissioning depends on trusts actively testing whether all aspects of work (other than court services) might be delivered more effectively by another organisation. Even core services should be tested in this way.
16. ***Thus our starting point is that we support competition but it must be managed at local level.***
17. We advocate a commissioning model in which the Secretary of State contracts with trusts for the delivery of all probation services which trusts then commission locally. Trusts are therefore primarily commissioners, though act as providers to the Secretary of State and, in future, to local authorities. This is congruent with the role for which they were created by the Offender Management Act 2007. The advantages of this approach are that it:
 - enables probation services to remain totally integrated at local level, managed as a cohesive, inter-related whole
 - reflects and supports a place-based, multi-agency approach to public protection, reducing reoffending and community safety
 - leaves intact existing arrangements for the sharing of sensitive information around high risk offenders, which depend on mutual trust developed over time.

18. The disadvantages of a model in which the Secretary of State commissions from multiple providers are that:

- extra systems have to be created to join up the resulting fragmented provision e.g. re offenders subject to supervision by more than one provider, or between public sector offender managers and providers in other agencies contracted by the Secretary of State
- it introduces new players into the sensitive area of public protection with the risk that police and other Responsible Authorities may be cautious about sharing information with them
- trusts will become weaker strategically and financially if they lose business, less able to engage as strong local partners in the often complex multi-agency environment, and less flexible internally. Many trusts are involved in complex, inter-dependent local arrangements for service delivery. Transferring responsibility for one contracted aspect to another provider may cause collateral damage in other aspects of local service delivery. There is a tension, especially relevant to smaller trusts, between the evolving “localism” agenda and the perceived benefits of “going to scale” evidenced in the recent decision to out-source Community Payback.
- Trusts experience of NOMS management expertise in the delivery of national contracts at local level. e.g. facilities management and building maintenance has been, and remains poor. Trusts need a more localised and flexible framework for commissioning such services to be able to respond swiftly to changing local circumstances and obtain best value for money.

19. **The State should be responsible for the delivery of justice and the implementation of court orders.** Therefore trusts should hold all court orders and licences: it follows that trusts must commission all probation services – see above point:

- by holding an order or licence the trust has *de facto* authority to determine how it is supervised
- all orders and licences, whether face-to-face supervision is in-house or by a sub-contractor, should be held by a professionally qualified “responsible officer” in the trust whose duty is to ensure the requirements are carried out
- requirements set out in Probation Circulars about the supervision of various tiers of offender according to staff members’ level of competence / qualification should be adhered to

- the reservation of court services to probation trusts or other public bodies should remain
 - training and qualification requirements set out in the Offender management Act 2007 should not be amended.
20. Instead of investing in competition at national level, resources should be devoted to helping trusts continuously develop as local commissioners, including creating a regime of incentives to drive the efficient achievement of better outcomes. An effective local commissioner model depends on trusts taking an active commissioning stance in relation to all aspects of work (apart from services to courts).
21. Trusts need support to create new models of delivery particularly on mutual or social enterprise lines. A facilitative approach by NOMS, in partnership with PA, is recommended in order to accelerate the development of modern arrangements for providing local services. Current funding arrangements are perceived to be inflexible and deter trusts from adopting a more risk-taking approach to innovation at a larger scale.
22. Trusts will respond positively to the Government's call for more "robust and demanding" community punishments by seeking efficiency improvements in the management of community orders.
23. PA fully endorses the Government's proposal of increasing working opportunities for prisoners. Much will depend on a reduction in the demand for prison places which mitigates against these proposals. Incentivising rather than forcing prisoners into work is more likely to produce constructive outcomes. Prisoners need to see the point of what is offered: work and education should be part of the offender management or sentence plan, integrated into prisoners' total experience of the sentence, to be capitalised on after release.
24. PA fully supports greater integration of victim services into mainstream criminal justice processes, particularly the principles and practice of Restorative Justice (RJ). RJ principles and practices are now sufficiently validated to justify inclusion of RJ as a formal aim of sentencing. PA proposes the existing power in the 2003 Act (purposes of Sentencing) to "the making of reparation by offenders to persons affected by their offences" should in future become mandatory. Courts will sentence with this purpose in mind which would result in RJ activities becoming a necessary feature of sentence plans.
25. There are significant implications, not in terms of skills and experience which probation staff already possess, but in the overall resourcing necessary to take RJ activities to scale. We urge the development of a business case to identify and cost the implications for probation and its partners of widening the scope of RJ activities.

Chapter 2 – Rehabilitating offenders to reduce crime

26. The 7 Resettlement Pathways and successive initiatives such as Integrated Offender Management (IOM), Total Place (TP), Place Based budgets and, more recently Community Budgets underwrite the benefits of a shared approach to reducing reoffending. The maturing of the IOM approach has contributed significantly to the development of the “localism” agenda for trusts which are fully committed to commissioning and providing services.
27. PA endorses the government’s commitment to divert as many offenders with mental health and substance misuse problems from the criminal justice process and trusts will collaborate in local arrangements to facilitate such programmes. Progress will be commensurate with resources allocated to what has hitherto been a low priority and an under-resourced policy backwater.
28. Our sister organisation the Probation Chiefs Association will be commenting in the submission on professional practice issues. Our only comments are that:
- research evidence about “desistance”, i.e. what works best in helping offenders to stop offending, should inform National Standards and practice guidance. A major conclusion from the Total Place pilots was that the design, quality and impact of public services are best determined by reference to and involvement of consumers. MoJ / NOMS should accelerate its policy development function, currently expressed through the Offender Engagement Programme, to examine how desistance principles can more quickly be embedded in practice guidance
 - we advocate the immediate implementation across all trusts, via the reformed contract, of the Surrey & Sussex Probation Trust (SSPT) Professional Judgement Project, combined with the introduction of revised National Standards. Both of these reforms will provide probation staff with the opportunity to use their professional skills to focus on outcomes rather than process.

Chapter 3 – Payment by Results (PBR)

29. We support the Government’s direction of travel and are keen to test how a reward system might work.
30. We are interested in exploring the possibilities to reward trusts in order to incentivise them to be business-like and entrepreneurial in pursuit of their priorities to protect the public and reduce reoffending. PBR for trusts as well as other organisations should operate through a “core plus” model in which the Secretary of State pays a guaranteed sum to ensure trusts can meet central costs and agreed baseline performance against outcome targets plus “top up”

payments for additional volume and outcomes. Payment by results for trusts should be supported by:

- the ability for trusts to achieve a commercial return and retain income earned from other sources
- the ability to carry forward unspent money
- a business environment of maximum freedom and flexibility and a light-touch regulatory regime (see next paragraph).

31. We welcome the emphasis in recent Green Papers on reducing the regulatory burden. Increasing the percentage of time staff spend with offenders from the current average of 24% is as important as rising to the policy and practice challenges presented in this Green Paper. We endorse the observation at paragraph 8 of the Green Paper that “the Whitehall knows best” approach has stifled innovation at both national and local level”. PA has recently published *Hitting the Target, Missing the Point*, a critique of the bureaucratic burden on staff and managers available at www.probationassociation.co.uk.

32. Trusts are clearly well placed to commission or co-commission local services using PBR where appropriate. PBR is radical and innovative and PA urges a cautious approach to its deployment until the experiences of the Payment by Outcomes pilots have been assessed. Because it is new we advise thorough testing of this approach, and the closest involvement of the associations representing trusts and chief officers, as well as trades unions.

33. We draw attention to our earlier comment under the heading “Essential Pre-conditions” that PBR contract “outcomes” must be features of any national/local matrix of performance measures.

Chapter 4 – Sentencing Reform

34. PA advocates RJ activities become a mandatory aim of sentencing. We apply the same principles to the proposal to create a positive duty on courts to consider a compensation order.

Chapter 5 – Youth Justice

35. The multi-agency model of Youth Justice has been a forerunner of successive partnership initiatives. The abolition of the Youth Justice Board (YJB) presents opportunities for more efficiencies between probation trusts and local Youth Offending Teams (YOTs). As local authorities commission more services from trusts, the benefits of trusts providing expert oversight of YOTs on behalf of local authorities is worth exploring in more detail. Probation and YOT staff share common professional objectives, attend the same courts and prisons and can be involved in the same families and peer groups.

Chapter 6 – Working with communities to reduce crime

36. In the recent past probation was a national service working almost exclusively to a Whitehall agenda with boards, now trusts accounting vertically to Home Office (and later to the MoJ). Now trusts must also account horizontally to local authorities and others through their new identity as Responsible Authorities. The advent of a new duty on local authorities' to "reduce re-offending" produces an overlapping and convergent "crime" agenda for both organisations:-

- opportunities are opening up for more innovative commissioning by local authorities. There is scope to commission trusts to provide any or all of their reducing reoffending responsibilities. We welcome the potential reflected in the Green Paper to widen the probation agenda into policy areas which have historically not featured in MoJ/NOMS performance requirements but which are nevertheless important to local authorities, such as anti-social behaviour, youth justice and family work
- sponsorship by the Department for Communities and Local Government (DCLG) and Treasury of the Total Place methodology and its mainstreaming into Community Budgets reinforces the direction of travel for trusts towards a less rigid, more flexible *modus operandi* within local communities. The involvement of 11 probation trusts in the 16 Community Budget pilots this year will, for example, require close(r) relationships with local authorities and strategic partners and a more flexible performance framework.
- probation trusts are now subject to local accountability through Overview and Scrutiny Committees (OSCs). Our proposal for Trust membership of OSCs presents an opportunity for trusts to demonstrate local democratic accountability.
- trusts should be represented on the new Policing and Crime Panels. Both organisations will have responsibility for local commissioning and a collaborative approach will reap benefits.

37. Whilst PA welcomes opportunities for competition between providers, we are concerned that competition between commissioners may become an unintended consequence of the new rehabilitation landscape. With the prospect of four organisations commissioning local services - Police and Crime Commissioners (PCCs), probation trusts, local authorities and Community Safety Partnerships (CSPs), there is potential for duplication, overlap and inefficiencies in a crowded local commissioning landscape.

Questions:	Answers:
<p>Q7. How should we seek to deliver Community Payback (CP) in partnership with organisations outside government?</p>	<ol style="list-style-type: none"> 1. This question has been overtaken by events as a mini-competition for CP has been announced. A national commissioning process is inappropriate for achieving Big Society and Localism objectives 2. We will be supporting trusts to win but we believe there are better ways of delivering probation services, including CP. 3. CP is currently delivered collaboratively with a range of beneficiaries many of whom are small, local organisations of exactly the type Government wants to nurture through Big Society. Arrangements should support and develop this approach. 4. Key components are: <ul style="list-style-type: none"> • all commissioning should be undertaken by trusts • a culture in which trusts test all provision competitively • incentives for trusts to deliver best outcomes.
<p>Q8. What can central government do to help remove local barriers to implementing an integrated approach to managing offenders?</p>	<ol style="list-style-type: none"> 1. Reduce the regulatory burden. 2. Reform the contract between the Secretary of State and trusts so that it focuses on outcomes, freeing local partners to develop best ways of delivering them. 3. Help trusts develop their commissioning role and new forms of delivery such as social enterprises. 4. Create a common performance framework. 5. Underline the “duty to co-operate” of Responsible Authorities. 6. Substantiate the “localism” agenda by encouraging the embedding of Total Place methodology.
<p>Q10. How can we ensure that providers from the voluntary and community sector can be equal partners in the delivery of this integrated approach?</p>	<ol style="list-style-type: none"> 1. Principal national and local VCS organisations should be invited to contribute to high level planning and local policy development. Unless they are at these tables, their contribution is unlikely to be heard. 2. The development of social enterprise models of local delivery lend themselves to involvement of a variety of types of organisation as equal partners. 3. Some smaller organisations may need support to develop the business capability to be competitive and be paid by results.

<p>Q12. What potential opportunities would a payment by results approach bring to supporting drug recovery for offenders?</p>	<ol style="list-style-type: none"> 1. In principle, PBR can be applied to any offender group. The key is to express required results in a way that reflects the realities of the offender group in question. 2. This category (drug misusers) is a difficult and volatile client group and some providers may feel the transfer of risk unattractive. Attrition rates are amongst the highest with relapse a common theme and an outcome performance orientation problematic. Therefore, any PBR approach may need to include more activity and output than outcome criteria, eg finding employment, remaining drug free for specific periods, etc..
<p>Q15. How could we support the Department of Work and Pensions (DWP) payment by results approach to get more offenders into work?</p>	<ol style="list-style-type: none"> 1. National initiatives must focus on local delivery. We support a holistic approach to Education, Training and Employment (ETE) which has been evidenced in many local initiatives. 2. Local authority “Reducing Reoffending “strategies invariably contain ETE pathways with DWP staff sometimes seconded to local partnerships. 3. Offender education, training and employment would be a logical focus for the next round of Community Budget initiatives. 4. Joint targets.
<p>Q16. What can we do to secure greater commitment from employers in working with us to achieve the outcomes we seek?</p>	<ol style="list-style-type: none"> 1. Local partnerships are best placed to target local employers and to negotiate packages of support for those prepared to take more risks and employ ex offenders. 2. If trusts are incentivised to deliver outcomes and free to actively co-commission at local level they will be able to play a full part in engaging with local employers (as many already do) to help offenders into work. 3. Trusts should be incentivised to engage with Chambers of Commerce with a view to influencing local employers.
<p>Q22. Do you agree that the best way of commissioning payment by results for community sentences is to integrate it within a wider contract which includes ensuring the delivery of the</p>	<ol style="list-style-type: none"> 1. Yes, so long as this is done through trusts. 2. The State should be responsible for the delivery of justice and the implementation of court orders. Therefore trusts should hold all court orders and licences and be held responsible for the overall delivery of the sentence: it follows that trusts must commission all probation services. As we set out above, we believe trusts should be incentivised to deliver results and that they should also apply the PBR methodology to outcomes they

sentence?	commission (ie sub-contract) or co-commission.
Q23. What is the best way of reflecting the contribution of different providers within a payment by results approach for those offenders sentenced to custodial sentences and released on licence?	A common performance framework which reflects national and local accountabilities is essential and all PBR outcomes should be specified from within such a framework. PA and PCA attach great importance to this issue and have published <i>Contract Outcomes – Facing the Right Direction?</i> , a briefing on measuring probation (and partner) performance accessible at www.probationassociation.co.uk
Q24. What is the best way of developing the market to ensure a diverse base of providers?	<ol style="list-style-type: none"> 1. Markets are local and so only local commissioners can undertake this effectively. The key is to support the continuous development of trusts as commissioners: they need to be able to refine their skills in identifying the products and services required in the future and commission confidently from the widest range of local providers. Market development is one of the skills trusts may need to develop. 2. There is a role for NOMS, through its contract management function, to work with PA and the MoJ sponsored Academy for Justice Commissioning to provide commissioner development resources to trusts, including market development.
Q25. Do you agree that high risk offenders and those who are less likely to reoffend should be excluded from the payment by results approach?	<ol style="list-style-type: none"> 1. Although in principle no category of offender should be excluded from PBR, on balance we consider that public protection at MAPPA level should not be subject to a PBR approach. The public need to be assured that their safety is the unambiguous priority and practice is not being driven by a profit motive. 2. No two offenders are alike in either their presenting needs or in the way they respond to services offered. The key is to design PBR specifications and measures in ways that reflects the needs of the offender group in question. Thus there is no reason why an appropriately constructed contract could not apply to those less likely to reoffend – the rewards would be calibrated to take account of the lower risk of failure.
Q26. What measurement method provides the best fit with the principles we have set out for payment by results?	<ol style="list-style-type: none"> 1. PBR measurement criteria should reflect national or locally agreed measures. Commissioned services, whether PBR or using other incentives, should all reflect outcomes specified in a consistent core framework. 2. Measures of success in criminal justice are of three types. Each is measured in relation to individual offenders and data

	<p>aggregated to report results for chosen populations:</p> <ul style="list-style-type: none"> • the headline outcome measure of <u>reduced reoffending</u>. This is problematic to measure absolutely so the proxy measure of reduced rates of reconviction (usually after 12 months following the end of a community order or licence) is used instead. Refinements include reduced seriousness and/ or reduced frequency • probation staff regularly measure offenders' <u>progress against those factors known to have a causative association with offending and desistance from it</u>, e.g. educational or vocational qualification, employment, accommodation, substance misuse • <u>changes in attitude</u> measured through self-reporting and/or professional assessment. <p>3. Probably only the first two are capable of measurement through PBR. There are technical challenges with all approaches in converting largely proxy measures into results robust enough to be included in a commercial contract of the type envisaged in the Green Paper.</p> <p>4. Thus, a mix of distance-travelled outcomes (reoffending rates, offence severity and frequency over time) and proxy or interim indicators (outputs) based on the Seven Pathways, assessed regularly throughout any community order or licence, provide a clear, assessable and continuous, (i.e., capable of measuring progress) framework. PBR performance should be designed against these criteria.</p>
<p>Q27. What is the best option for measuring reoffending and success to support a payment by results approach?</p>	<p>1. See above.</p>
<p>Q29. What are the key reforms to standards and performance management arrangements that will ensure that prisons and probation have more freedom and professional discretion</p>	<p>1. The key and overarching principles are that trusts should:</p> <ul style="list-style-type: none"> • work to outcomes based contracts • be freed from unhelpful regulation <p>2. Many of the requirements in the Probation Trust Rating System (PTRS) should in future be designated as internal (to trusts) routine management information and used for those purposes, not national performance indicators or measures.</p>

<p>and are able to focus on the delivery of outcomes?</p>	<p>3. As currently constituted, the PTRS is “unfit for purpose” in the sense it is irrelevant and incomprehensible to the public and does not measure reductions in crime “outcomes”. MoJ/NOMS should urgently review its contents and introduce the recommendations in the PA/PCA briefing <i>Contract Outcomes – Facing the Right Direction?</i> by trialling the new “outcome” measures during 2011/12 with a view to full implementation in 2012/13.</p>
<p>Q30. What are the key reforms to financial arrangements that will support prisons and probation in delivering outcomes at less cost?</p>	<p>1. The critical over-arching principle is that trusts must be free to be business-like and entrepreneurial so that they can make most effective use of taxpayers’ money. This will require:</p> <ul style="list-style-type: none"> • end of year flexibility • ability to retain (reinvest) earned income • financial incentives to achieve • deregulation • allowing trusts to retain efficiency gains • a revision of the financial rules to enable a more risk-taking approach to innovation • an effective client function for trusts in relation to Estates, Facilities Management (FM) and Information and Communication Technology (ICT) contracts.
<p>Q31. How do we involve smaller voluntary organisations as well as the larger national ones?</p>	<p>1. Trusts already have extensive experience of using small voluntary sector organisations to deliver CP and rehabilitation. Trusts take an eclectic approach based on cost, quality and previous experiences.</p> <p>2. By supporting the principle of the trust as the local commissioner, by freeing and incentivising trusts to produce results and by helping support continuous development of trusts as commissioners, MoJ will help create an environment in which trusts are spurred to find best value providers, including small local organisations.</p> <p>3. No organisation can in the future expect to be funded without engaging in a competitive process and they must be prepared to be subject to greater scrutiny against outcomes. Trusts should approach commissioning of all services on a basis of “who does what best?” against cost and quality criteria. Trusts should therefore be supported by MoJ to provide developmental services to small local organisations so that they can meet the challenges of a competitive environment.</p>

<p>Q53. How can we deliver a performance management and inspection regime that achieves our aim to reduce burdens and increase local accountability?</p>	<ol style="list-style-type: none"> 1. Although this question relates to the youth justice system it applies equally to adult work. 2. The overarching principle is that objectives should be expressed as outcomes and monitoring, audit and inspection should focus on these. 3. Overview and Scrutiny Committees (OSCs) should be used to provide local accountability. 4. As is envisaged with probation national standards following the evaluation of the SSPT pilot, YOT National Standards should be revised to reduce bureaucracy and encourage more professional discretion.
<p>Q55. How can the functions of the Youth Justice Board best be delivered by the Ministry of Justice?</p>	<ol style="list-style-type: none"> 1. The transfer of the YJB function to the MoJ presents an opportunity to extend the concept of offender management to cover youth as well as adult offending. Co-ordinating policy at a national level between the juvenile and adult offender management functions of MoJ would bring dividends in efficiencies and the effectiveness of services and practices at a local level, as well as simplifying the integration of cross departmental “partnerships” outlined in chapter 6. 2. At local level YJB functions include synergies, overlaps and duplications with the roles and responsibilities of local probation trusts. Probation and YOT staff pursue similar objectives and share professional approaches to their work. Trusts and local authorities are increasingly working together both as co-commissioners and with trusts as providers of “reoffending” services which in future, can include YJ services. 3. We propose this is tested in volunteer local authority / trust areas to develop implementation guidance for those other areas that wished to adopt such an approach.
<p>Q57. What are the other ways in which we can work effectively across Government to increase local flexibility to tackle offending?</p>	<ol style="list-style-type: none"> 1. Achieve agreement across government of a simplified, flexible performance matrix and an aligned common inspection framework. Many offending outcomes are predicated on partnership working so should be evaluated using “shared” measures. 2. Moving from numerous, single organisation, input and process, centrally-set targets towards a more permissive, outcome based performance regime will provide a solid foundation for measuring local partnership initiatives and facilitating PBR specifications.

<p>Q58. What more can be done to support family relationships in order to reduce reoffending and prevent intergenerational crime?</p>	<p>PA welcomes the prioritising of Families with Complex Needs as the focus for the 16 community budget pilots as probation caseloads include many offenders from such families. Implicit in the introduction of community budgets is the application of the Total Place methodology. We suggest the following:</p> <ul style="list-style-type: none"> • include the criterion of “family work” into trust contracts and within the performance framework proposed in our response to Q57 above • widely promote the learning from those TP pilots focussing on the theme of “families”.
<p>Q59. What more can we do to engage people in the justice system, enable and promote volunteering, and make it more transparent and accountable to the public?</p>	<ol style="list-style-type: none"> 1. Volunteers/mentors have historically played a significant role “befriending” offenders and their families under the supervision of the offender manager. The concept of “Big Society” reaffirms their value. 2. Trusts are well able to manage local recruitment processes to attract suitable volunteer mentors. 3. The appropriate way to demonstrate transparency and accountability is through independent inspection by H.M. Inspectorate of Probation (HMIP) and local scrutiny through Overview and Scrutiny Committees (OSCs). 4. The success of Local Crime Community Sentence (LCCS) initiatives provides a proactive example of both demonstrating accountability and engaging local communities.

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