

| MAYOR AND CABINET | | | |
|---------------------|---|------------------------|--|
| Report Title | Response to the Comments of the Safer Stronger Communities Select Committee on the Probation Service report 'Transforming Rehabilitation' | | |
| Key Decision | No | Item No. | |
| Ward | All | | |
| Contributors | Executive Director for Community Services | | |
| Class | Part 1 | Date: 13 November 2013 | |

1. Purpose

- 1.1 This report sets out the response to the views and comments of the Safer Stronger Communities Select Committee arising from the probation service report '*Transforming rehabilitation*', which advised the Select Committee on changes affecting the future of the probation service.

2. Recommendations

It is recommended that the Mayor:

- 2.1 Approve the responses from the Executive Director for Community Services to the comments from the Safer Stronger Select Committee.
- 2.2 Agree that this report should be forwarded to the Safer Stronger Communities Select Committee.

3. Policy Context

- 3.1 '*Transforming Rehabilitation – a revolution in the way we manage offenders*' describes the Government's proposals for reforming the delivery of offender services in the community to reduce reoffending rates whilst delivering improved value for money for the tax payer.

- 3.2 The proposals include:

- opening the majority of probation services to competition, with contracts to be awarded to providers who can deliver efficient, high quality services and improve value for money;
- commissioning to be managed centrally, with specifications informed by local delivery requirements within 21 regional contract package areas, to generate economies of scale and deliver efficiencies, whilst responding to local needs; Dividing up the probation services into 1 National Probation Service and 21 Local Package Areas (LPAs) which will be opened up to the market. (London will be 1 LPA)

- New statutory rehabilitation extended to all offenders sentenced to less than 12 months in custody
- contract package areas to align closely with other public service boundaries, to support more integrated commissioning in the future;
- more scope for providers to innovate, with payment by results as an incentive to focus on rehabilitating offenders – we expect to see increased use of mentors and an emphasis on addressing offenders' 'life management' issues;
- A change to the way the prison estate is organised with the aim of establishing a 'through the prison gate' resettlement service, meaning most offenders are given continuous support by one provider from custody into the community
- key functions to remain within the public sector, including the direct management of offenders who pose the highest risk of serious harm.

3.3 The overall vision for Lewisham is established in the Sustainable Community Strategy. The issues covered in this report relate to the strategy's strategic priority - Safer.

3.4 Additionally it links to Council priority 4, Safety, security and a visible presence.

4. Background

4.1 Safer Stronger Select Committee received a report on 29 July which updated them on proposals contained within '*Transforming Rehabilitation – a revolution in the way we manage offenders*'.

4.2 Following the Select Committee a referral was made to the Mayor and Cabinet on the 11 September 2013. A number of concerns were raised and strong opposition made to the Government's proposals.

4.3 Referral 1

The Committee wishes to express, in the strongest terms, its opposition to the Government's proposals for reforming the delivery of probation services and the management of adult offenders.

4.4 Response

The Safer Lewisham Partnership coordinated and responded to the proposals during the consultation period earlier this year. Lewisham's response echoed the grave concerns raised at Select Committee. There are clearly issues about the strategy and the reality of delivering the proposals, and council officers with partners have been working closely to ensure all concerns are raised at the appropriate forums. The Head of Crime Reduction and Supporting People has been involved in a number of round table discussions with key senior officers across government departments and is now a member of the local authority reference group of the Transforming Justice Delivery Team within the Ministry of Justice (MOJ). This will ensure Lewisham's

perspective will be considered in the future plans for managing adult offenders' services.

4.5 Referral 2

The Committee is opposed to the privatisation of provision for rehabilitation of offenders. The Committee is extremely concerned about the suitability of private sector organisations to manage community rehabilitation and probation. It is also concerned about the transfer of offenders between the private and public provision because of the unpredictable level of risk posed by offenders as well as the complicated arrangements of the payment mechanism being proposed.

4.6 Response

These concerns are shared and were raised as part of the Safer Lewisham Partnerships' response to the consultation. Council officers are working closely with probation and police colleagues to ensure that there is every opportunity to raise the issues and to better understand the proposed model and how risks could be managed by the Partnership.

The Head of Crime Reduction and Supporting People gave detailed feedback to the MOJ on the payment mechanism during the consultation and has had lengthy dialogue about concerns with senior officers leading on the transforming justice programme.

As noted above, the Head of Crime Reduction and Supporting People is a member of the local authority reference group for the MOJ and will continue to challenge the proposals. At the same time officers will work to identify how best Lewisham can ensure important processes are safeguarded whilst ensuring that local voluntary and community sector organisations are not overlooked in terms of commissioning and delivering services in the new proposed model.

4.7 Referral 3

The Committee is troubled by the failure of some Government contracts with the private sector to meet the basic standards of transparency and cost effectiveness.

4.8 Response

These are valid concerns and officers will challenge in relation to these issues as appropriate.

4.9 Referral 4

The Committee is concerned about the risks involved in transition from existing provision to the new structure of Services.

4.10 Response

The Safer Lewisham Partnership are supporting probation colleagues in this transition and will continue to do so throughout the changes. Probation colleagues are working closely locally to reassure and support their staff and partners during this difficult time.

4.11 Referral 5

The Committee does not believe that all of the potential risks to the successful implementation of the new model have been fully considered.

4.12 Response

It is agreed that full consideration has not been given to the model and this has been raised throughout the process to date. It is clear that these changes will take place and very quickly, therefore whilst not being fully satisfied that the detail has been thought through, Lewisham is committed to ensuring that services to reduce crime and support victims of crime are delivered appropriately. Officers will continue to have dialogue at all levels both nationally and locally to ensure that Lewisham are managing offenders with a clear public protection remit whilst also seeking to support rehabilitation.

4.13 Referral 6

The Committee believes that further representations should be made by the Council to the appropriate authority setting out the concerns about these changes.

4.14 Response

The Council and the Safer Lewisham Partnership addressed these concerns earlier this year formally through the consultation process.

As also outlined above, Council officers are fully involved in a number of forums nationally where all concerns are being raised.

Officers will continue to support probation colleagues in the changes and work together to minimise any negative implications for Lewisham. It will be critical that appropriate challenge and support continue over the coming few years.

5. Financial Implications

5.1 There are no direct financial implications arising from this response.

6. Legal Implications

- 6.1 There are no specific legal implications arising from this response, save for noting that the Council's Constitution provides that the Executive may respond to reports and recommendations by the Overview and Scrutiny Committee.

7. Crime and Disorder Implications

- 7.1 There are likely to be significant and wide ranging implications from the changes being proposed to the management of offenders.

8. Equalities Implications

- 8.1 The Safer Lewisham Partnership priorities impact on large sections of the community, including the most vulnerable (e.g. victims of Domestic Violence , victimisation of women and young people). The focus on effective interventions in the Criminal Justice System ensures that Human Rights remain essential to the strategy's vision, strategic themes and monitoring processes.

- 8.2 One of the Partnership's key outcomes is to ensure equity in representation and that equality and diversity issues are followed in the work of the partnership.

9. Environmental Implications

- 9.1 There are no environmental implications arising from this response.

Background Papers

[Transforming rehabilitation select committee report - 29 July 2013](#)

[Mayor and Cabinet comments of the Safer Stronger Communities Select Committee on transforming rehabilitation - 11 September 2013](#)

For further information please contact Geeta Subramaniam-Mooney, Head of Crime Reduction and Supporting People on 020 8314 9569.