

<b>Safer Stronger Communities Select Committee</b>		
Title	National Probation Service (NPS) and Community Rehabilitation Company (CRC) update	
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Class	Part 1 (open)	14 May 2015

## **1. Purpose of report**

- 1.1 To update the committee following the implementation and “go live” on the Government’s proposals on Transforming Rehabilitation.

## **2. Recommendations**

- 2.1 Members of the Safer Stronger Select Committee are asked to note the contents of the report.

## **3. Background**

- 3.1 Since the Committee last received a report in July 2013 the government’s Transforming Rehabilitation programme has been completed. Key developments include:

- London Probation Trust ceased to exist in June 2014
- The National Probation Service established to undertake all assessment, case allocation and management of high risk and multi-agency public protection arrangement (MAPPA) offenders
- London Community Rehabilitation Company established to manage low and medium risk offenders.
- Contract awarded to MTC Novo to deliver Probation services to low and medium risk offenders in London
- All cases allocated to the relevant Probation Provider (NPS/CRC)
- All staff transferred to new Probation Providers (NPS/CRC)
- Implementation of the Offender Rehabilitation Act, which came into force on 1<sup>st</sup> February 2015

- 3.2 The National Probation Service was established on 1<sup>st</sup> June 2014 and is part of the National Offender Management Service NOMS. It is organised into 6 divisions in England and there is a National Probation Service for Wales. Each division is split into clusters comprising two or three boroughs. Lewisham and Southwark is one cluster comprising two Offender Management sites, one in Lewisham and one in Southwark, plus four Court teams all based in Southwark. In addition the Cluster has two Approved Premises, one in each borough (See attached maps).





3.3 The National Probation Service is responsible for the following:

- Advice to Courts and the Parole Board
- Allocation of offenders to the correct Probation provider
- Management of all offenders assessed as posing a high risk of harm.
- All relevant MAPPA subjects
- Foreign National Offenders
- Deferred Sentences
- Approved Premises
- Victim Liaison
- Sex Offender Treatment

3.4 At the time of writing Lewisham is managing 762 offenders, most of whom are assessed as posing a high risk of serious harm, or are MAPPA subjects. Between one half and two thirds are in custody, with the remainder serving their sentences in the community.

### 3.5 **Offender Rehabilitation Act (ORA)**

ORA brings about two significant changes:

Firstly in respect of Community Orders and Suspended Sentence Orders Supervision and Specified Activity Requirements have been replaced with a single Rehabilitation Activity Requirement. This requirement allows for greater flexibility in

delivering a community sentence as activities can be tailored to an individual's offending related needs. Both the NPS and the CRC are developing new programmes to be delivered under the auspices of this requirement.

Secondly ORA has brought about changes to custodial sentences. For any offender who has committed an offence on or after 1<sup>st</sup> February 2015 and is sentenced to custody of more than one day, there will be a period of supervision on licence which will last for at least 12 months regardless of the length of sentence. Previously only those sentenced to 12 months or more were supervised on licence.

ORA will mean that both Probation providers will see an increase in workload. At present for the NPS most of the additional work is in the Court as staff are now required to ensure that all sentences are appropriately assessed, logged and allocated. NPS has allocated additional resource to Courts to undertake this work. NPS also expects to see an increase in caseload, although this is likely to be fairly small as most NPS offenders would be serving longer sentences due the seriousness of the offences or the risks posed.

### 3.6 **Partnership working**

NPS is committed to working in partnership and there is representation on the following:

- Safer Lewisham Partnership
- Safeguarding Children and Adults' Boards
- YOS Management Board
- IOM
- MASH
- MARAC

The National Probation Service is also one of the Responsible Authorities, alongside Police, in respect of MAPPA.

- 3.7 The National Probation Service is a new organisation; we are committed to delivering a high quality service to offenders, victims and the wider community to help to continue to make Lewisham a safer place to live and work.

## 4. **Community Rehabilitation Company - CRC**

The Secretary of State for Justice signed contracts with the new providers for the 21 Community Rehabilitation Companies (CRCs) in December 2014. This announcement marked another significant step towards completing the government's probation reforms.

The complete list of new owners can be found at:

<https://www.justice.gov.uk/transforming-rehabilitation/competition>

4.1 The new owner of London CRC is MTCnovo: [www.mtcnovo.co.uk](http://www.mtcnovo.co.uk).

MTCnovo is a new organisation comprised of voluntary, public and private sector partners focused on transformational social impact and the evolution of rehabilitation services through unique offender management and strategic partnerships.

MTCnovo is a Joint Venture involving:

- MTC (Management Training Corporation) – a private company
- novo – a consortium with a number of public, private and third sector shareholders including, but not limited to:
  - o RISE – a probation staff community interest company
  - o A Band of Brothers – a charity
  - o The Manchester College (TMC) – a public sector education provider
  - o Thames Valley Partnership (TVP) – a charity
  - o Amey – a private company.

4.2 The transfer of ownership of all the CRCs took place on 1 February 2015, along with the transition to the new service arrangements.

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

4.4 The Ministry of Justice are also putting in place an unprecedented nationwide ‘through the prison gate’ resettlement service. Through The Gate services will commence no later than May 2015 and, once implemented, will mean that most offenders will be given continuous support by one provider from custody into the community.

4.5 the CRC has been facilitating direct engagement between their new owner and key local stakeholders to enable them to set out their vision and plans for introducing new and innovative solutions for rehabilitating offenders.

## **5. Legal Implications**

5.1 Section 19 of the Police and Justice Act 2006 places an obligation upon Local Authorities to have a committee which scrutinises crime and disorder within its area.

5.2 Within the context of the powers of this committee, the section provides that it should have the power to “ (a) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities for example, police and other relevant partner agencies of their crime and disorder functions; (b) to make reports or recommendations to the local authority with respect to the discharge of those functions.”

- 5.3 Further, where this committee makes a report or recommendations it shall provide a copy— (a) to each of the responsible authorities, and (b) to each of the persons with whom, and bodies with which, the responsible authorities have a duty to co-operate under section 5(2) of the Crime and Disorder Act 1998 (“the co-operating persons and bodies”).
- 5.4 The Local Government Act 1999 places a duty on the local authorities to secure continuous improvement in the way its functions are exercised having regard to the combination of economy, efficiency and effectiveness.
- 5.5 These statutory duties amongst others are relevant to the production of the Council's Safer Lewisham Strategy.

## **6. Financial Implications**

- 6.1 There are no direct financial implications arising from this report for the Council, however there will be implications for MOJ.

## **7. Environmental Implications**

- 7.1 Specific environmental implications of crime and disorder are reviewed annually through the strategic assessment process and appropriate action taken as required.

## **8. Equalities Implications**

- 8.1 Equalities implications are considered throughout the delivery of this change.

## **9. Crime and Disorder Implications**

- 9.1 Section 17 of the Crime and Disorder Act 1988, as amended, places a duty upon Local Authorities to consider crime and disorder implications and in particular, “to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.” This statutory obligation is the same for the Authorities “responsible partners” too. The level of crime and its impact is influenced by the decisions and activities taken through the day-to-day functions of local bodies and organisations.
- 9.2 Responsible authorities are required to provide a range of services in their community from policing, fire protection, planning, consumer and environmental protection, transport and highways. They each have a key statutory role in providing these services and, in carrying out their core activities, can significantly contribute to reducing crime and improving the quality of life in their area.

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