

Working with probation to protect the public and reduce re-offending

**Summary of responses to
Restructuring Probation to
Reduce Re-offending**

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FOREWORD

In February 2006 the Government set out its Five Year Strategy for Protecting the Public and Reducing Re-offending. This strategy sets out how we are making sure that the criminal justice system is as effective as it can be in keeping the public safe, in assessing and managing risk, and in stopping people offending again.

At the heart of our strategy is the development of more effective end to end management of offenders throughout their sentence. Reform is essential in order to deliver the two parts of this programme: the management of risk of every individual offender, based not on their crime but the danger they pose to the public and potential to re-offend; and the delivery of the most effective interventions to support offenders who are willing to make the effort to stop re-offending. Every offender will have a named offender manager who will be responsible for making sure that they are both punished and properly rehabilitated, and that the public are protected. They will manage the offender, often from before they are sentenced, throughout any prison sentence, and then during time on a community sentence or on licence in the community.

We must build the capability of our Offender Management and Correctional services in order to achieve this vision. Our agenda is one of partnership and collaboration – with links to health, drug, mental health, education, accommodation, behavioural and training interventions which are essential to the National Offender Management Service's success in reducing re-offending.

Between 1997 and 2006 the number of probation staff has increased from 14,000 to 21,000. The protection of the public is paramount in their roles and we acknowledge the contribution they make to managing thousands of offenders on a daily basis. We must, however, do more to reduce the risk offenders pose to the public. The current legal framework allows the Home Office to act as a commissioner for prison services – but not for probation. This consultation was designed to test opinion of our approach to reducing re-offending.

It is clear from responses to this consultation that the proposals we suggest for improvement and change in the system, through which we can assess risk, protect the public and rehabilitate offenders, are contentious.

Many within the Probation Service challenge the need for such fundamental change. They point to the creation of the National Probation Service, and the benefits derived from greater co-operation and the partnership working between the criminal justice system agencies achieved in the last 3 years.

These are indeed a good start. Some have said that this progress suffices and no further change of structure is needed, that they are meeting the needs of victims and offenders, embroiled in the day to day challenges which face the criminal justice system. We do not agree. We accept that there has been significant improvement with the dedication and application of good practice, which in many areas has been commendable, and there is much to be applauded.

However, whilst we have a re-offending rate which means that almost 60% of those who enter the criminal justice system re-offend within 2 years, we cannot deem the process a success nor can we accept that further change is not needed.

We are fortunate in having been able to identify the factors which are likely to deliver the significant change we need: operational partnerships which enable us to draw on the expertise which rests within the public, not for profit and private sectors. These must now work together to assess, identify and manage risk, and to enhance the opportunities to reduce re-offending, both in the community and whilst in prison. The complex nature of victim and offender need is such that no one sector can meet all the challenges on their own. We must change in order to facilitate a new form of inclusive partnership working.

Delivery of high quality professional offender management is a key component in delivering the change and improvements we seek. The public sector will remain a fundamental part of the delivery of that change and the skills currently held by and invested in the Probation Service will rise as opposed to diminish in importance and value.

Both during and after this consultation it has become increasingly apparent that in order to manage the risk posed by offenders on supervision far-reaching action must be taken. Our vision is to join up offender management from custody into the community. We must, therefore, bring forward legislation to allow for the improvements to our services which victims deserve.

I am grateful to all the respondents whose contributions are summarised here. All of them are committed to supporting us in our endeavours to protect the public and reduce re-offending, which is in everyone's interests. This document represents an important stage in our ongoing dialogue on how best to achieve it and the Government will pursue our agenda of collaboration with all our partners as part of our contract to protect the public.

BARONESS SCOTLAND QC

EXECUTIVE SUMMARY AND NEXT STEPS

- 1.1. The Home Office published its consultation paper on *Restructuring Probation to Reduce Re-offending* on 20 October 2005, with responses requested by 20 December. During the consultation period we met key stakeholders and received 748 written submissions.

The need for a major programme of change

- 1.2. Some respondents queried the **justification for change**, particularly given the improved performance of the National Probation Service since the recent changes in the Criminal Justice and Court Services Act 2000. The Government acknowledges those improvements but believes that there is much further to go in order to achieve its target of a 10% reduction in re-offending by the end of the decade, as well as to keep the public safe. We believe that effective offender management is critical to achieving these aims, and that the changes we are proposing to legislation are critical to making the vision of joined-up offender management a reality. In the meantime we will introduce as a matter of urgency an enhanced performance regime for probation. This is necessary both to improve performance further under the existing legal framework and to prepare the ground for effective use of the new powers.
- 1.3. Concern was expressed about the **scale and timing of change**. We acknowledge this concern. Legislation is being brought forward and following Parliamentary scrutiny will result in a timetable of change which will take account of future operating environments. We are fully committed to the principle of co-terminosity and we will work to maximise the benefits it can bring for partnership working.

A duty on the Secretary of State

- 1.4. The main proposal in the consultation paper was to replace the statutory duty on Probation Boards with a duty on the Secretary of State to make arrangements with others to provide probation services. This is designed to permit the Home Office, through the National Offender Manager and the Regional Offender Managers, to commission the services currently reserved to Probation Boards from a range of different providers in a contestable market environment.

- 1.5. There was some support for **commissioning** as a way of driving up standards, but views on whether the proposed structure is the right one to deliver this were polarised. Respondents from the Probation Service thought that commissioning should take place through Boards, while some voluntary and community sector respondents thought the new proposals would offer them better chances for participation. The Government believes it is essential to move from a system in which services are rigid and based on historical provision to one where they are commissioned according to need and risk.
- 1.6. The Regional Offender Managers must ensure that specific local requirements are identified and addressed. We may need to do more to meet the concerns which have been expressed. We will, therefore, consider whether there should be a specific statutory duty on the Secretary of State to consult on how he proposes to commission prison and probation services.
- 1.7. There was general support for the increased involvement of alternative providers in delivering probation services. However, many respondents from the Probation Service saw the proposed forms of **contestability** as privatisation. The Government welcomes the enthusiasm for a range of organisations to join us in partnership working. We believe that some of the concern expressed by the Probation Service may be based on a misunderstanding of what is proposed. We have massively increased investment and staff numbers in probation services since 1997 and we have not done this in order to “sell them off”. As with the Prison Service experience we see a clear future for a strong public sector in this area. However, if the required standard is not met the work will be put out to competition.
- 1.8. We asked a specific **question about the support which Regional Offender Managers might need** and we received a range of constructive responses which are summarised in this document. These will be fed into further discussions.
- 1.9. There was some concern that important issues such as concern for **victims** and **diversity** might fall off the radar as new providers concentrate on targets. This will not be allowed to happen, as there will be clear expectations that both are an integral part of targets and hence part of the outcomes demanded of our providers.

From Boards to Trusts

- 1.10. Some respondents, including some Boards, welcomed the greater independence of the proposed Trusts. There were many questions on practical matters, such as how the transition would be managed and how much financial freedom Trusts would have. The change to Trusts is an essential element of the Government’s reform package. We are committed to working closely with the Probation Service, unions and staff to ensure a smooth transition during which delivery does not suffer.
- 1.11. We asked **three specific questions about Trusts** and we received a range of constructive responses which are summarised below. These will be fed into our further discussions.

Partnership working

- 1.12. Concerns about partnership working were raised by respondents from both the Probation Service and other local criminal justice bodies. There was uncertainty about who would represent probation locally and whether providers operating in a competitive environment would be willing to invest in partnership working. We agree that partnership working is critical to the successful delivery of our objectives and that, as such, the commissioning process must reinforce it, not undermine it. We expect many future providers to be partnerships of organisations working together. Commissioning represents an opportunity to strengthen partnership working and ensure the availability of the best possible quantity and quality of interventions.
- 1.13. We asked a specific **question about partnership arrangements** and we received a range of constructive responses. Needs based assessment is essential if we are to succeed. All current data indicate success is dependent on multi agency working - no one sector is able to meet all the identified needs of victims and offenders who want to cease offending. In order to meet and satisfy those needs the commissioning process will need to facilitate the partnership approach. Any competition will be about how best to meet those identified needs together, and how together to reduce re-offending. Reducing re-offending is what this is all about.

Implications for staff

- 1.14. Many members of probation staff emphasised that they had joined a public service and were concerned at the prospect of being transferred to a private company. In the event that a Probation Trust did lose a competition, any staff who wished to transfer to new employers would be entitled to protection of their pension, pay and other terms and conditions. Training was mentioned in the responses of many members of staff. The Government is clear that everyone who works with offenders will have clear standards to meet and reinforced this commitment in our Five Year Strategy. We wish to improve the increasingly high standards of professional care and delivery provided to victims and offenders so as to reduce risk and increase public safety.
- 1.15. We do not underestimate the value of probation officers' commitment to the ethos of the Probation Service, and we recognise the difficult and often complex nature of their jobs. Our proposals are designed to give staff the tools to do their jobs even better, and see the outcomes they wish to attain in reducing re-offending more often achieved.

Wales

- 1.16. Some respondents from Wales argued that probation services should be devolved to the Welsh Assembly Government. Probation will remain a reserved matter but we will take into account the need to work with other services, many of which are devolved.

Next Steps

- 1.17. We will continue discussions with our stakeholders about the detail of our proposals. We are reviewing the range of consultative forums and other channels of communication to make sure the right arrangements are in place to move forward together.
- 1.18. We will introduce legislation to restructure the Probation Service as soon as Parliamentary time allows. The legislation will reflect the proposals outlined in the consultation paper but take into account the responses received.
- 1.19. We will consider placing the Secretary of State under a duty to consult on how he proposes to commission prison and probation services. This consultation would be conducted on a regional basis by the Regional Offender Managers and on a national basis for those services commissioned nationally.
- 1.20. We will publish an Estates Strategy in May. It will set out how NOMS intends to plan its estate so that, in the long-term, there is a secure national estate for the most serious offenders, that we also ensure that more prisoners, particularly women and juveniles, are closer to home, and that we develop fresh thinking around community prisons to have the biggest impact on reducing re-offending.
- 1.21. We will publish our Contestability Prospectus, also in May. This Prospectus, which will be updated annually, will set out our intentions for commissioning and contestability over the next five years as well as giving an indication of the pace and scale of change envisaged.
- 1.22. We will introduce as a matter of urgency an enhanced performance regime for probation. This is necessary both to improve performance further under the existing legal framework and to prepare the ground for effective use of the new powers.
- 1.23. Over the next 12 to 18 months we are proposing to carry out a rigorous performance assessment/inspection of each probation service area. Providing it meets the standard we would expect, the public sector will be awarded a contract to deliver offender management services in the first instance. Where failings are identified we will work with the area to improve performance in order to protect the public and reduce re-offending. However, if the required standard is still not met the work will be put out to competition. Interventions will be progressively competed once Trusts are in place.

INTRODUCTION

- 2.1. The proposals in *Restructuring Probation to Reduce Re-offending* were:
 - to give to the Secretary of State the statutory duty to make arrangements with others to provide probation services; and
 - to create new bodies, replacing local Probation Boards, with whom he may contract to deliver probation services.
- 2.2. The paper asked for views on five specific questions:
 - the support which Regional Offender Managers might need in identifying local needs
 - the competencies required by, and the size of, the new probation bodies
 - how the relationship between the judiciary, the providers and the Regional Offender Managers as commissioners can best be developed
 - views on the terminology of 'Probation Trusts' for the new probation bodies
 - how local partnership arrangements could best be managed
- 2.3. The paper was sent to the 42 local Probation Boards, probation trade unions and associations, Youth Offending Teams, sentencers and their representative organisations, Local Criminal Justice Boards, and other interested organisations. All government Regional Offices received a copy and were asked to forward these to the Crime and Disorder Reduction Partnerships in their region. The consultation document and partial Regulatory Impact Assessment were also made available on the National Offender Management Service website, along with the Strategic Business Case.
- 2.4. During the consultation period ministers and officials met representatives of the trade unions, the judiciary, local government, the voluntary and community sector, private contractors, parliamentarians, and held events to discuss the proposals with Chairs, Chief Officers, senior probation officers and local criminal justice partner agencies.
- 2.5. A total of 748 replies were received during the eight and half week period of consultation. A full list of those responding can be seen at Annex A and a breakdown of respondents by category at Annex B. All respondents were asked if they were content for their views to be made public.
- 2.6. We are grateful for all the responses received, many of which were detailed. The meetings and workshops held were also of considerable value. Both have influenced further work on the proposals.

- 2.7. Over the consultation period Ministers received a large number of letters from MPs, reflecting correspondence from constituents on the issue. These were not counted formally as responses to the consultation but were all seen by the consultation team, and the views expressed were noted and are acknowledged here. In addition, many of these correspondents sent separate responses to the consultation.
- 2.8. There was some limited media coverage of the consultation. In Parliament, two Early Day Motions were tabled and the proposals were debated in Westminster Hall on 13th December 2005 and in the House of Lords on 12th January 2006.
- 2.9. This document sets out who replied, summarises the responses received, and addresses the questions arising from these by setting out the Government's position.
- 2.10. We expected and are pleased that the responses submitted addressed wider issues than the specific questions posed. Some respondents felt that the specific questions in the paper focused on marginal issues, rather than on the key proposals. Many responses also criticised the eight and a half week consultation period as being too short. The purpose of the consultation was to give stakeholders the opportunity to shape how our proposals for the implementation of commissioning and contestability were implemented. It did not purport to be a consultation on the principles of contestability and commissioning, which were accepted by the Government in its response to the Carter review, *Managing Offenders, Reducing Crime*.
- 2.11. An electronic copy of this report, along with the consultation paper, partial Regulatory Impact Assessment and Strategic Business Case can be seen at www.noms.homeoffice.gov.uk. Copies are available on request from

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THE NEED FOR A MAJOR PROGRAMME OF CHANGE

Justification for change

- 3.1. Many responses questioned the evidence base to support the proposals. Responses from the probation trades unions, probation staff, the Probation Boards' Association and most Boards cited the Probation Service's recent record in meeting performance targets. Many respondents linked this performance improvement to the 2001 changes which established the 42 local Probation Boards as part of the National Probation Service and asked why further, more far-reaching change was being proposed now.
- 3.2. However, other respondents, including some Probation Boards and voluntary organisations, noted that re-offending levels remained far too high and that this indicated a need for further change.

Government response

- 3.3. We acknowledge that the National Probation Service has performed well against recent targets. However, we believe that re-offending rates are still too high and that they will not fall far or fast enough when those responsible for reducing re-offending – in both custody and the community – are constrained by current structures and services. We also believe that we must do more to protect the public against dangerous people, and that levels of confidence in the ability of the Probation Service to do this are worryingly low. We are to introduce an enhanced performance regime for probation services as a matter of urgency. We acknowledge that the protection of the public must remain the critical priority in managing offenders and risk in the community.
- 3.4. Critical to our approach is offender management, because it places an uncompromising focus on individual offenders and what is needed to both reduce the chances of their re-offending, and manage the risks they pose. We want every offender to have a single, named, offender manager who will be responsible for planning his or her sentence and making sure that they receive the interventions and support which they need to help reduce re-offending. The offender manager needs to be able to draw upon a range of programmes provided by those best able to deliver them and based upon an assessment of the needs of offenders in particular areas, rather than relying upon historical patterns which may no longer be relevant. We need to make sure that these services are provided across the community/custody divide so that there is continuity when offenders are released from prison.

- 3.5. Both the delivery of custodial services and the public sector Prison Service have benefited from competition, a view endorsed by the National Audit Office. This is not to say there have been no problems with alternative provision of prisons. But it is clear that :
- Competition has brought improvements in standards and raised quality of prison services. The National Audit Office report (*The Operational Performance of PFI prisons, 2003*) illustrated considerable improvements that alternative providers have brought, for example in the decency agenda. Innovation has been evident, particularly in staffing structures and prison design
 - Market testing has improved the competitiveness of the Prison Service, with public sector bids being successful in recent years at Buckley Hall, Blakenhurst, and Manchester
 - There have also been significant financial savings: the annual cost of providing market tested prisons has fallen from £82m to £75m, a saving of 8.5%. The estimated savings of privately built and managed prisons are £15.9m, or about 6%, and outsourcing of Prisoner Escort Services has enabled us to reinvest £3.8m
 - Where such savings are made, they will be reinvested back into services for offenders
 - The Youth Justice Board have been commissioning all secure custodial places for juveniles for some years. There have been significant improvements during this period

Scale and Timing of Change

- 3.6. Boards and Chief Officers in particular expressed concern that the reforms involved in restructuring would coincide with other changes, such as police restructuring and the introduction of Custody Plus. Many responses also referred to the unsettling effect on staff of large scale changes.
- 3.7. There was general agreement about the benefits that have been brought about by co-terminosity, although there was no consensus about whether probation area boundaries should follow the new police force structures. There is anxiety about the future landscape of criminal justice more generally and the implications of police force restructuring for other agencies.
- 3.8. A number of respondents, particularly Probation Boards, recommended that if probation areas were to merge this should happen at the same time as the change from Boards to Trusts, to avoid two separate disruptive adjustments.

Government response

- 3.9. Our proposals for change are part of a wider agenda of reform across the whole of the criminal justice system. Change in line with police restructuring in particular could be of huge benefit to the delivery of services and partnership working. The fact the police and other parts of the system are also reforming is an advantage, not a disadvantage, because it means that we are not necessarily constrained by existing approaches and boundaries. However, we think that it is sensible to await final decisions on police force boundaries before deciding exactly how probation areas should relate to them. In the meantime we will be considering whether there is any case for some of the smaller probation areas merging prior to determination of final police boundaries.
- 3.10. We also acknowledge the concerns about the possible destabilising effect of introducing too much change in a limited time. Contestability for services currently delivered by the Probation Service will be introduced on a phased basis, focusing mainly on interventions in the first instance. Our intentions on this will be set out in more detail in the Prospectus which we will publish in May.
- 3.11. We do not underestimate the value of probation staff's commitment to the ethos of the Probation Service. To this end, we want to assure staff that we are committed to the future of probation, and that we want these reforms to help staff to work even more effectively. We appreciate that there has been much uncertainty, but our vision of the future of probation will be presented with far more clarity over the next few months for all to see and play their part in achieving.

A DUTY ON THE SECRETARY OF STATE

Commissioning

- 4.1. There was some acknowledgement that commissioning could help to drive up standards. Some responses fully endorsed separating the function of commissioning from that of providing services. Others thought this would make the integrated management of offenders more difficult. There was some support for separating 'offender management' and 'interventions' as a means of sharpening the focus upon particular aspects of service delivery. Commissioning across organisational and area boundaries was welcomed by some as a chance to provide seamless offender management.
- 4.2. Views on whether the proposed structure is the right one to introduce commissioning were polarised. Some voluntary and community sector organisations felt that Probation Boards had not shown enough commitment to sub-contracting to their sector, and considered the new structure to offer them better chances for participation. The identification of needs at a regional level and the Regional Offender Manager's role in co-ordinating provision of services in custody and in the community were both cited as having the potential to benefit attempts to reduce re-offending.
- 4.3. Others, notably from within the Probation Service, thought that commissioning should take place through Boards rather than through a separate, regionally-based commissioner. This reflected both opposition to the removal of Boards' exclusive duty to provide probation services and a lack of confidence in the Regional Offender Manager being able to identify local needs accurately. Many respondents queried the costs that would be incurred by a separate commissioning function, and a number of Boards argued that contestability was not a prerequisite for innovation.
- 4.4. The responses from the private sector contained a number of points about how to make commissioning work effectively, including a need to ensure size and length of contracts were sufficient to justify the costs and risks of bidding. There was a strong message that commissioning should allow for innovation and vision – commissioning for 'what could be' rather than 'what is'. This was echoed by one response from a think tank, which emphasised that commissioning needed to be outcome-based, buying results rather than activities. The opportunity to develop services spanning custody and community was welcomed by the private sector as a chance to create seamless services.
- 4.5. There was some concern that important issues such as services for victims might 'fall off the radar' of providers when they are performing against targets based on reducing re-offending.

Government response

- 4.6. Given our objectives of reducing re-offending, and continuously improving the way we protect the public, it is critical that services provided for offenders are properly targeted to meet their needs and manage the risks they pose. That is why it is important to move from a system in which services are determined by the providing organisation to one where they are commissioned according to need. This is one of the key advantages of the commissioner/provider split, alongside driving up performance. We do not believe commissioning would be successful if undertaken through the existing Probation Boards. Alternative providers would be reluctant to enter into contracts managed by public sector competitors.
- 4.7. While the process of commissioning will incur some costs, the benefits of contesting services will exceed the cost of introducing commissioning, as the Regulatory Impact Assessment shows. We are also reviewing our headquarters functions to ensure the centre of NOMS is more tightly focused on its key strategic role.
- 4.8. We will be able, through outcome-based contracts, to incentivise providers to deliver. We agree with many respondents about the importance of retaining the local links and responsiveness which currently exist. If the public are to have confidence in community penalties it is essential that we address local needs, risk and patterns of offending. The Regional Offender Managers will be tasked with ensuring that specific local requirements are identified and addressed. We will in addition consider whether there should be a specific statutory duty on the Secretary of State to consult on how he proposes to commission prison and probation services.
- 4.9. By April 2007, we will have a more developed commissioning system in place, with purchasing decisions starting to be made on the basis of need rather than historic provision. We will develop new ways of specifying services, crossing current prison and probation boundaries, in order to make a reality of end to end management of offenders. We will work on turning these service specifications into outcome focussed contracts and service level agreements which will be used to drive performance and service delivery.

- 4.10. We will not lose sight of our important commitments on issues such as victims, diversity and race, and these will form a key part of the rigorous pursuit of improved standards and outcomes. A great deal of work has been done on these issues but we recognise the importance of discussing the practical implications with those who will be most directly affected. We are very keen to develop our thinking and plans in partnership. We are organising a series of regional events centred around the introduction of commissioning on 1 April 2006. The events will be led by the Regional Offender Manager and will:
- Transfer knowledge and skills between the regions and the centre
 - Share best practice
 - Contribute to building a unifying culture, language and set of understandings between purchasers and providers in the regions
- 4.11. In cases where an offender is sentenced to 12 months or more in prison for a sexual or violent offence, there is currently a statutory duty on Probation Boards to inform and consult victims or their families about release arrangement and conditions, allowing them the opportunity to make representations about these. This work will continue to be done. The Secretary of State will be under a duty to make appropriate provision for it in the contracts agreed with providers of probation services
- 4.12. HM Inspectorate of Probation will continue to have a statutory role to report on the performance of probation providers and identify areas of concern. This responsibility will transfer in due course to the new Inspectorate for Justice, Community Safety and Custody (provision for which is included in the Police and Justice Bill currently before Parliament).

Contestability

- 4.13. There was general support for the increased involvement of alternative providers in delivering probation services. Responses from the probation unions, many staff, and the voluntary and community sector noted the benefits of greater involvement of voluntary organisations in providing services, and some stressed the benefits of involving the private sector. Private sector respondents were unanimous in believing that they were well placed to bring about real improvements in the delivery of services.
- 4.14. However, there was a strong body of opinion amongst respondents from the Probation Service against the introduction of competition between Probation Boards and alternative providers. These respondents saw contestability as 'privatisation', and argued that increased involvement of the voluntary and community sector should be developed through partnership rather than competition. NAPO suggested the introduction of a requirement for Boards to spend a given percentage of their budget on partnership projects. Many are ideologically opposed to the involvement of profit-making companies in an important public service that deals with the liberty and management of vulnerable individuals, some of whom can pose a threat to public safety.
- 4.15. Responses from NAPO and others within the Probation Service saw competition as a barrier to co-operation and partnership, which they believe to be important tools in achieving better offender management
- 4.16. In addition to the need for a 'level playing field', which was stressed by many respondents from the public and voluntary sectors, probation interests expressed concern that contestability would result in the private sector 'cherry-picking' the most profitable and less difficult services to provide. A few responses suggested that if Trusts were to compete as business units there was a risk that no providers might be willing to provide some particular services.
- 4.17. Views on the experience of contestability in the prison sector were mixed. Some responses agreed that contestability in the Prison Service had helped to raise performance and bring down costs. Many probation respondents, however, felt it had not been a success and should not be applied to the Probation Service. It was also argued that the differences between the two services had not been fully appreciated and that savings found in the Prison Service would not necessarily translate to the Probation Service.
- 4.18. Many responses expressed the opinion that 'core' probation services – generally defined as offender management and providing advice to courts – should continue to be provided by the public sector even if other services were contracted out. A number of probation respondents thought there were risks to public protection from contracting out the management of dangerous offenders. Many sentencers and others expressed concern about the ability of private providers to write objective court reports if their company has a financial interest in providing the sentences recommended.

Government response

- 4.19. Responses from the private and voluntary and community sectors demonstrated that these organisations are keen to become more involved in delivering services. We were pleased to note that many felt they could contribute more to probation in a better way as a result of these proposals.
- 4.20. Over 1,200 different providers already work within the prison and probation services. We want this to continue, and are engaging in constructive dialogue with the voluntary and community sector to explore the enhanced role they might play in the provision of services to offenders. Commissioning and contestability will encourage providers to work in partnership and through consortium arrangements.
- 4.21. We believe that some of the concern expressed by respondents from within the Probation Service may be based on a misunderstanding of what is proposed. Contestability is not simply the process of bringing in alternative providers in place of existing ones. It has a number of forms beyond the better known market-testing and outsourcing, many of which are already being used across NOMS. These are tools to drive up standards, support purchasing choice and give commissioners scope to buy the most effective services available, and include sub-contracting and benchmarking performance. We see all of these tools as having an important role to play in driving up performance.
- 4.22. We have invested heavily in probation services since 1997. In 1997, the probation budget was £439m; in 2005, it was £874, an increase in real terms of 55%. In 1997 we had 14,000 staff: today it is 21,000. We have made this massive degree of investment to achieve the aims of increasing quality of services and protecting the public. We believe our reforms will enable us to get the best possible value from this investment. Any savings from contesting services will be reinvested into services for offenders.
- 4.23. We appreciate that particular concern was expressed about the ability and appropriateness of providers outside the public sector taking on core offender management work, particularly in relation to dangerous offenders. Offender management lies at the heart of our strategy. We need to make the most of the opportunities which are available to ensure that the best service possible is provided. We are equally clear, however, that we need to adopt a phased approach while at the same time driving up performance.

- 4.24. We will introduce a phased programme of competitions for prison and probation services (on the probation side focusing on interventions in the first instance), and will publish our Prospectus for this in May. The Prospectus will be updated annually and will set out our intentions for commissioning with contestability over the next five years, as well as giving an indication of the pace and scale of change envisaged. The Prospectus offers a further opportunity for dialogue with stakeholders, and will:
- set out the aims of contestability, and how we will approach contestability to support our objectives
 - detail an indicative programme of contests, for the period 2006-2011, giving greater certainty to current and prospective providers about the volume and pace of our plans
 - outline our preferred methods of contracting and how we will make the process effective
- 4.25. Our procurement processes will ensure that there are no artificial barriers to provider participation, and that there is fair competition. The procurement approaches will ensure that smaller providers will continue to have an opportunity to provide services. Further developments in our procurement approach will be linked to major cross-government initiatives, with an emphasis on reducing bureaucracy. We will package contracts so that cherry-picking is not an option and so they require an end to end partnership approach to be demonstrated in the bid.
- 4.26. We do not agree that private companies will have a conflict of interest in writing pre-sentence reports, though we are concerned that sentencers have expressed a lack of confidence in their ability to do so. The writing of reports will be done under the strict guidelines already in place, and if concerns are raised or anomalies noted they will be dealt with by the Regional Offender Manager.
- 4.27. We also do not agree that the private sector cannot be trusted with sensitive data. Private providers deal with sensitive data in many areas of public services, and all normal checks and balances on collection, storage and use of it will be subject to the Data Protection Act.

Question: the support which Regional Offender Managers might need

4.28. We asked for views on the support which Regional Offender Managers might need in identifying the particular offender management and intervention needs in their region. Where respondents engaged with the concept of commissioning, the focus of the proposals on the need for commissioning to be evidence-based was welcomed. Many responses suggested the Regional Offender Managers could make valuable use of the following:

- The wealth of local plans and materials, including Crime and Disorder Reduction Partnership audits, local community safety plans, local policing plans, local youth justice plans, and submissions to Local Area Agreements
- The Offender Risk Assessment System (OASys), which was acknowledged to be able to provide valuable data
- The expertise and knowledge of local Probation Boards
- Some responses suggested a mechanism to capture feedback from offenders would be valuable
- Local commissioning advisory groups, reflecting the diversity of the local area

4.29. Many responses felt Local Criminal Justice Boards would be key in helping Regional Offender Managers identify needs and that, whilst there were reservations about Regional Offender Managers sitting on these Boards (see below), communication would be vital to success.

4.30. The need for ongoing research to ensure services are regularly reviewed and meeting changing needs was stressed.

4.31. The need to distinguish specific local needs and those of defined groups within wider regional needs was highlighted.

4.32. There were some suggestions that Regional Offender Managers should in time develop joint commissioning, eg with local authorities, and the Youth Justice Board

Government response

4.33. We are grateful for these responses and will take them into account as we develop the detail of our plans. Regional Offender Managers will consult as a matter of course as part of evidence-based commissioning, and we will consider placing a duty on the Secretary of State to consult on his plans for commissioning.

FROM BOARDS TO TRUSTS

- 5.1. Some respondents, including some Boards, welcomed the greater independence of the proposed Trusts. A large number of Boards indicated that they felt the existing Board membership already reflected the business experience and expertise which the consultation document suggested Trusts would require.
- 5.2. Some respondents questioned how the transition from Board to Trusts would be managed, and whether this would be linked to the anticipated merger of police forces.
- 5.3. The 'lighter touch' role of the National Probation Directorate was a concern to some respondents, as was the potential discontinuity of service provision if Trusts were to go out of business. Several Chief Officers commented on the difficulty of their position. They felt that the proposed changes, particularly in the light of police force restructuring, left them insecure about their futures whilst asking them to act as leaders of the change who would be critical both to its success and to avoiding falls in performance and negative impact on staff morale.
- 5.4. Many responses commented that they needed more detail about how the Trusts were to operate. For example, questions were asked about how much freedom Trusts will have over pay, over the use and ownership of buildings and over whether they would be able to keep any money they earned. A number of questions were also asked about what 'shadow Trusts' were, including how they would operate and who would comprise them.
- 5.5. There was strong feeling that the new Trusts should reflect local interests. It was argued that the current constitution of Boards (with local and judicial representatives) and their status as the sole, statutory public body with responsibility for delivering probation services, provided an important local accountability that Trusts would be unable to replicate. Added to this, it was felt that Regional Offender Managers based at the regional level could neither properly relate nor be formally accountable to the communities in which probation services were delivered.

Government response

- 5.6. The move to Probation Trusts is an essential ingredient of our reform package. We will work closely with staff in the Probation Service to plan the transition from Board to Trust. In particular, in advance of a Trust taking over the running of a probation area, we will appoint a Trust in shadow form, with powers to approve the contract under which they will be operating on day 1 and to appoint the Chief who will be delivering it for them. During this transitional period, the existing Board will continue to be responsible for the day-to-day running of the area. These provisions will also enable shadow Trusts to be created to bid when a competition takes place.
- 5.7. We think that it is sensible to await final decisions on police force boundaries before deciding exactly how Probation areas should relate to them. In the meantime we will be considering whether, irrespective of future police force boundaries, there is any case for some of the smaller Probation areas merging.
- 5.8. We recognise the important leadership role of Chief Officers of Probation and we want to engage with them more closely as we move forward. We also recognise the importance of having sufficient probation expertise at the centre. While the National Probation Directorate is unlikely to continue in its current form many of its functions will continue to be delivered.
- 5.9. Trusts will - as Boards do now – have powers to borrow money with the permission of the Secretary of State, and to hold reserves (section 13 in Schedule 1 of the Criminal Justice and Court Services Act 2000 will be carried over to Trusts). The Secretary of State will retain a reserve power to approve pay during the transitional period while Trusts are relatively new bodies.

Question: new probation bodies

- 5.10. We asked for views on the competencies required by, and the size of, the new bodies which are proposed to replace Probation Boards. Many 'core competencies' for Probation Trust members were identified, including:
- strategic planning
 - commissioning skills
 - performance management and leadership
 - experience in bidding
 - contract management
 - business expertise
- 5.11. Many responses were concerned that the consultation paper did not mention any need for knowledge of and experience in the criminal justice system, sentencing issues, offenders and rehabilitations. Napo led calls for a statutory requirement for all new bodies to have local links, and this reflected a widespread feeling that local linkages would be important.
- 5.12. The judiciary accepted that it would be inappropriate for judges to be appointed to the new probation bodies. It was suggested that individuals with magistrate or sentencing experience should however be encouraged to join Trusts. Whether this is something the judiciary believe should be encouraged is a matter that merits further consideration.
- 5.13. The appointment of Trust members was not widely commented upon. There were a few suggestions that members of Trusts could be locally elected.
- 5.14. The possible membership size of Trusts was not widely commented upon. Where it was, it was suggested that Trusts should remain a similar size to Boards or be slightly smaller.

Government response

- 5.15. We are grateful for these responses and we will take them into account as we take forward our detailed thinking.

Question: relations with the judiciary

- 5.16. We asked for views on how the relationship between the judiciary, the providers and the Regional Offender Managers as commissioners could best be developed. All are agreed that it is critical to have good links between sentencers, providers and the Regional Offender Manager.
- 5.17. There was a lack of consensus about the most appropriate way to achieve this. Some suggested that the National Offender Management Service should liaise at a national level, eg with the Department for Constitutional Affairs and representatives of senior judges, and that the Regional Offender Manager engage at a regional level to identify strategic needs and issue.

Government response

- 5.18. We are currently seeking to build on liaison arrangements with sentencers at Crown Court, Bench and 42 criminal justice area level to ensure high quality liaison is in place across the country. The Senior Presiding Judge, Lord Justice Thomas, issued a protocol in August 2005 setting out the terms of reference and organisation arrangements for liaison meetings to improve communication between NOMS and sentencers across a range of issues. These arrangements are now being rolled out nationally.

Question: terminology

- 5.19. We asked for views on the terminology of 'Probation Trusts' for the new probation bodies. The retention of the term 'probation' was generally welcomed. There was some confusion over the legal status of 'Trusts' and whether they would be comparable to Trusts in law, or models in the health and education system. This in turn led to uncertainty about powers and freedoms of Trusts, for example over pay.

Government response

- 5.20. The precise legal status of Trusts will be set out in the legislation which we are bringing forward.

PARTNERSHIP WORKING

- 6.1. Concerns about partnership working were raised by some within probation and by all the respondents from local non-probation bodies, which included sentencers, some police forces, Local Authority interests (for example a number of Crime and Disorder Reduction Partnerships and Community Safety Partnerships) and a number of Local Criminal Justice Boards. A particular concern was that commissioning and contestability would result in more providers, and that this 'fragmentation' would complicate the local delivery landscape.
- 6.2. There was uncertainty about who would represent probation locally and be responsible for making partnerships happen, both in the case of a purchaser/provider split and if a multiplicity of providers develops. A number of comments from outside the Probation Service identified the value of a single area probation provider and Chief Officer to whom issues could be addressed. A number of Boards drew attention to the important work done in recent years to establish and sustain complex partnership arrangements. It was generally thought that representation on partnership bodies from each of a multiplicity of providers would be impracticable. There was particular concern about the involvement of a larger number of providers in multi-agency public protection arrangements (MAPPA).
- 6.3. To these concerns was added the anxiety about whether providers operating in a competitive environment would be willing to invest in partnership working unless it was a specific requirement of a contract, and whether the complexity and costs of partnership working could be successfully included in contractual specification. Some questioned how flexible probation providers will be in agreeing to new partnership initiatives requiring resource commitments.
- 6.4. Responses from the private and voluntary and community sectors stressed that Regional Offender Managers should require providers to demonstrate how they will establish and sustain local partnerships. One private sector respondent specifically committed to engaging local provider interests, especially the voluntary/community sector.

Government response

- 6.5. Partnership working is critical to the successful delivery of our objectives and to end to end offender management in particular. We believe that such working will be reinforced and strengthened through the commissioning process, which will encourage providers to work in partnership and through consortium arrangements. We are committed to the ethos of multi-agency public protection arrangements as a strong partnership means to reducing re-offending and will seek to strengthen and ensure the ability of such arrangements to reduce re-offending in our changes.
- 6.6. In addition, we will consider placing the Secretary of State under a duty to consult on how he proposes to commission prison and probation services. This would give regional and local partners a key opportunity to inform and influence commissioning strategy.
- 6.7. The statutory duties which Probation Boards have in relation to partnerships, including multi-agency public protection arrangements, Youth Offending Teams and Crime and Disorder Reduction Partnerships, will transfer to the Secretary of State, and the Regional Offender Managers will be responsible for making appropriate provision for this in the contracts agreed with providers of probation services. In this way we will be able to build upon existing partnership work and encourage it still further.

Question: partnership arrangements

- 6.8. We asked for views on how partnership arrangements could best be managed. This was addressed by written responses and at a workshop for representatives of Probation Boards and Local Criminal Justice Board partners.
- 6.9. It was strongly felt that Regional Offender Managers should not sit on Local Criminal Justice Boards as they are currently formed. Current providers from both probation and partner agencies feel that the strength of Local Criminal Justice Boards lies in their ability to get things done, which relies on the provider being a member. It was widely felt that the provider of Offender Management services would be best placed to sit on Local Criminal Justice Boards in their current form. As outlined above however, concerns were raised about the ability and willingness of partners to work effectively with alternative providers.

Government response

- 6.10. In the period before Trusts are established we expect to have many more discussions with stakeholders about partnership and liaison arrangements and how they will work in practice.
- 6.11. Partnership working is a key tenet of the Government's vision as outlined in the Five Year Strategy. To tackle re-offending we are building strong partnerships across Government and beyond to address the many linked problems that contribute to offending, and in particular health (including drugs and alcohol), education and employment, housing, finance and social and family links.
- 6.12. These partnerships must be reflected at a local level and Regional Offender Managers will take forward the creation and delivery of partnerships at the local level as a key priority.

IMPLICATIONS FOR STAFF

- 7.1. Many members of staff emphasised that they had joined a public service. They objected to the possibility of being transferred to a private company and they were not reassured by legal protections of their pay, terms and conditions and pensions. Many felt that employers in a competitive environment would seek to economise and would be reluctant to invest to ensure work was carried out to professional standards.
- 7.2. There was a particular concern that unqualified staff would be employed to do work that professionally trained Probation Officers currently undertake. Boards, probation staff and Trades Unions, particularly Napo, expressed concern about workforce planning and the maintenance of training. There were also concerns that commitments to diversity would be watered down in a mixed economy, competitive environment, and by alternative providers from the private sector.
- 7.3. Some private sector respondents acknowledged these concerns and stressed their commitment to investing in staff. One private sector respondent stated their commitment to train probation staff to national standards.

Government response

- 7.4. As we have made clear, we believe that our planned reforms will result in the delivery of more effective services and a reduction in re-offending, which is a shared aim of all who work in the criminal justice system. Probation Service staff rightly take great pride in what they have already achieved. Most would, however, agree that there is scope for further improvement.
- 7.5. It is understandable that people are concerned about the impact which changes might have on them and on their jobs. However, it is worth bearing in mind that, at least for the foreseeable future, there will be a growing demand for probation services. We are not, therefore, looking at a contracting market but at an expanding one.
- 7.6. Of course, if a Probation Trust should lose a competition, we understand that staff will be concerned about what will happen to them. In these circumstances, staff who transfer to new employers will be entitled to protection of their pension, pay and other terms and conditions. “Two-tier workforce” protection will apply to new staff recruited by a contractor to work on public sector contracts to ensure we will not see big gaps in pay and conditions opening up between public and private providers.
- 7.7. Training was mentioned in the responses of many members of staff. There is work going on to develop a competency framework across HM Prison Service and the National Probation Service and this work will be carried out in consultation with the trade unions and in partnership with Skills for Justice. Everyone who works with

offenders will have clear standards to meet, and every provider organisation will have to invest in skills and professional development. Providers will be responsible for ensuring they employ the right staff to deliver services to the standards expected by the Regional Offender Managers.

- 7.8. On the question of diversity, which was raised not only in relation to staff but also in relation to the management of offenders, we will publish the Race Equality Impact Assessment for the legislation, which sets out the following safeguards to ensure the continuing importance of diversity in probation services:
- we are working with the Commission for Racial Equality on how to build standards on diversity and race equality into contracts as part of its due diligence verification of the legal obligations on contractors. All providers are obliged to comply with the body of legislation governing race equality.
 - we will use the Commission for Racial Equality's guidance on procurement to ensure obligations on race equality are met by commissioners and potential providers.
 - race-impact assessments on service providers will take place when the commissioning process is in place.
 - capacity building work to ensure the voluntary and community sector are well placed to compete for contracts will take into account the needs of black and minority ethnic organisations
 - the Home Office will monitor, identify and put in place strategies to tackle overarching race equality issues across the criminal justice system as a whole. The appointment of Christine Knott as Diversity Champion for the National Offender Manager Service signals the importance of the diversity agenda.
 - HM Inspectorate of Probation continues to have a statutory role, which will transfer in due course to the new Inspectorate for Justice, Community Safety and Custody.

WALES

- 8.1. The 10 responses from Wales (in addition to those received from Welsh probation interests) were largely opposed to the introduction of contestability and in favour of probation services being devolved to the Welsh Assembly Government. Many responses echoed the main concerns highlighted above in their opposition to competition, though in addition it was felt that contestability was divergent to the Welsh Assembly Government's policy agenda of helping public agencies to work in partnership.
- 8.2. It was noted that any new providers must meet the demands of the Welsh Language Act.

Government response

- 8.3. Probation will remain a reserved matter, but we fully acknowledge the fact that responsibility for many of the services that play a key part in rehabilitating offenders, such as housing, health, adult education and social services, is devolved. The recent reducing re-offending strategy for Wales, *Joining Together in Wales*, and the associated consultation sets out proposals to enable agencies and stakeholders in Wales to work with the Home Office's Director for Offender Management in Wales.

ANNEX A

List of responses to Restructuring Probation to Reduce Re-offending

(i) Organisations / groups

A.T. Kearney Ltd, Consultants
Association of Chief Executives of Voluntary Organisations (Acevo)
American Probation and Parole Association
Association of Greater Manchester Authorities
Audit Commission
Avon and Somerset Criminal Justice Board
Avon & Somerset Probation Board
Barnsley Community Punishment Team, South Yorkshire Probation
Barrow Crime & Disorder Reduction Partnership, Cumbria
Chief Officer & Senior Management Team, Bedfordshire Probation
Bedfordshire Probation Board
Blunsdon Parish Council, Swindon, Wiltshire
Bradford District Staff, West Yorkshire Probation
The British Psychological Society
C-FAR/Life Change UK
Calderdale District of West Yorkshire
Cardigan House, West Yorkshire
Cambridgeshire Probation Board
Cash from Trash Ltd
Centre for Crime and Justice Studies, Kings College London
Centre for Public Scrutiny
The Centre for Public Innovation
Cheshire joint Area/Board
Team of staff based at Chippenham Probation Office, Wiltshire
The Church in Wales
CLINKS
Conway Council, North Wales
Coventry Community Safety Partnership
Crime Concern Trust Ltd
Criminal Sub-Committee of the Council of HM Circuit Judges
Cumbria Local Criminal Justice Board
Cumbria Probation Board
Denbighshire County Council
Derby City Council
Derby Community Safety Partnership
Derbyshire Board
Derbyshire County Council
Devon and Cornwall Constabulary
Devon & Cornwall Probation Board
Devon Forum for Justice
Dorset Probation Board
County Durham Probation Board
Dyfed-Powys Probation Board
Dyfed-Powys Police
Electronic Data Systems (EDS) UK
Probation Team at HMP Erlestoke, Wiltshire
Essex Probation Board
Exeter Homeless Action Group
Fawcett Society
Fleetwood Probation Office, Lancashire
Foundation Housing, Leeds
GMB-SCOOP
Gateshead Community Safety Partnership
Gateshead Community Supervision Team, Northumbria Probation
Gateshead Council
Gateshead Drug and Alcohol Team
Gloucestershire Constabulary
Gloucestershire Probation Area
Greater London Authority
Greater Manchester Board
Greater Manchester Police
Admin Staff, Greater Manchester Probation
Group 4 Securior Justice Services
Gwent Probation Board
Hackney Safer and Cleaner Partnership Board (Combined CDRP/DAT/YOT strategic board)
Hampshire Branch of UNISON
Hampshire Probation Board
HM Inspectorate of Probation, Home Office
Hertfordshire Association for the Care & Resettlement of Offenders (HACRO)
Hertfordshire County Council, Crime and Drugs Strategy Unit
Hertfordshire Local Criminal Justice Board
Hertfordshire Probation Board
Howard League for Penal Reform
Humberside Probation Board
International Centre for Prison Studies, School of

Law, King's College, London University
Justice Unions Parliamentary Group
Kent Criminal Justice Board
Kent Probation Board
Kirkdale Community Team from Merseyside Probation
Lancashire Probation Board
Leeds West District Staff, West Yorkshire Probation
Leeds West Resettlement Team, West Yorkshire Probation
Legal Services Commission
Leicester Local Criminal Justice Board
Leicestershire & Rutland Probation Board
Lincolnshire Probation Board
Local Government Association
Local Government Information Unit
London Local Criminal Justice Board
London Probation Board
Staff of London Probation Leadership Forum
Magistrates' Association
Local activists and practitioners, Merseyside Probation
Merseyside Probation Board
Merseyside Police
Midlands Consortium, National Probation Service
Monmouthshire Community Safety Partnership
NACRO – the crime reduction charity
Nap0 (National Association of Probation Officers)
Nap0: Avon & Somerset Branch
Nap0: Chiltern Counties Branch
Nap0: Dyfed-Powys Branch
Nap0: East Anglia Branch
Nap0: Greater London Branch
Nap0: Greater Manchester Branch
Nap0: Hampshire & Isle of Wight Branch
Nap0: Humberside Branch
Nap0: Lancashire Branch
Nap0: Lincolnshire Branch
Nap0: Northumbria Branch
Nap0: South West Branch
Nap0: South Yorkshire Branch
Nap0: Sussex Branch
Nap0: Thames Valley Branch
Nap0: Trent Branch
Nap0: West Mercia Branch
Nap0: West Midlands Branch
National Disabled Staff Support Network
National Probation Research and Information Exchange (NPRIE)
National Probation Service Human Resources Strategic Board
National Public Health Service for Wales
Neath/Port Talbot Council, South Wales
Neath/Port Talbot Magistrates
Safe Newcastle – joint Crime & Disorder Reduction Partnership /Drug Action Team
Newcastle Crown Court Judiciary
Newcastle Safer Communities Board
Norfolk Probation Board
North East Communities Partnership
North Sefton Bench, Merseyside
North Wales Probation Area Board
Chiefs & Chairs in North West Region
North Yorkshire Probation Board
Staff, North Yorkshire Probation
Northamptonshire Probation Board
Senior Management Team of Northants Probation
Northumbria Local Criminal Justice Board
Northumbria Police
Northumbria Probation Board
Nottinghamshire Probation Board
The Parole Board for England and Wales
Police Federation of England & Wales
Pontefract Bench
Prison Reform Trust
Probation Boards' Association
Probation Chiefs who Chair Local Criminal Justice Boards
Probation Liaison Committee
Probation Manager's Association
Probation Service Christian Fellowship
Public & Commercial Services Union
Reliance Secure Task Management Ltd
Revolving Doors Agency
Ripon House Approved Premises
Safer Neath Port Talbot Community Safety Partnership
Safer Stockton Partnership, Teesside
Salford City Council
Serco Group plc
Shropshire County Council
Shropshire Magistrates' Association
Social Inclusion, Suffolk County Council
Social Market Foundation
Supporting Others Through Volunteer Action (SOVA)
Staffordshire Local Criminal Justice Board
Stafford & Stoke Strategic Partnership, Staffordshire
Staffordshire Probation (Chief Officer and staff)
South Wales Probation Area (Senior managers)
South East Region Human Resources Directors' Group of the National Probation Service
South Wales Probation Board
South West London Magistrates' Association (SWLMA)

South West Region Chief Officers of Probation
South Yorkshire Probation Board
Staffordshire Probation Board
Suffolk Criminal Justice Board
Suffolk Constabulary
Suffolk Probation Board
Surrey Probation Board
Sussex Probation Board
Services for Children and Families, Social Services, City and County of Swansea
Teesside Probation Board
Chief Officers' professional Network and staff feedback, Teesside Probation
Management's response, Teesside Probation
Staff response, Teesside Probation
Telford & Wrekin LSP, Shropshire
Senior Management Team, Thames Valley Probation Area
Thames Valley Partnership
Thames Valley Probation Board
Tomorrow's People
Trade Union side of NOMS Joint Council
Trades Union Congress
Staff in Trowbridge, Wiltshire Probation
Tunbridge Wells Community Safer Partnership, Kent
Turning Point
Umbrella group
UNISON
'Unlock'
Victim Support, Avon
Victim Support & Witness Service, Greater Manchester

Victim Support Derbyshire
Victim Support, London
Wakefield Bench, West Yorkshire
Social Justice and Regeneration Committee, National Assembly for Wales
Warwickshire Local Criminal Justice Board
Warwickshire Probation Board
Warwick and Stratford-upon-Avon Crime & Disorder Reduction Partnerships
Welsh Language Board
West Mercia Courts Board
West Mercia Justices Issues Group
West Mercia Probation Board
West Midlands Probation Board
West Wiltshire District Council
Approved Premises Unit, West Yorkshire Probation
West Yorkshire Probation Board
Finance Section, West Yorkshire Probation
PA Chief Officers' Team, West Yorkshire Probation
Human Resources Section, West Yorks hire Probation
Wiltshire County Council
Wiltshire Criminal Justice Board
Wiltshire Magistrates' Association
Wiltshire Police Authority
Managers, Wiltshire Probation Area
Wiltshire Probation Board
Wiltshire Strategic Board
Youth Offending Team Managers Cymru
Youth Justice and Safer Communities, Leicestershire County Council
Youth Justice Board

(ii) Individuals

A Robson JP, South Tyneside
A W Delaney
A. Ewing, Thames Valley
A.J. Jarvis JP, Northumbria
Adam Turnbull, Devon & Cornwall
Adrian Evans, Humberside
Ahsan Khan
Aine Staite, Dyfed-Powys
Alan Cotterill, Humberside
Alan Garner, Lancashire
Alan Morrison, Notts
Alan Norman, Thames Valley
Alan Yelling, Dorset
Alasdair Sandford, Paris, France
Alex Hearnden, South Wales
Alison Barkley, Derbyshire
Alison Minch, Wiltshire
Alison Trenergy, Staffordshire

Alma Johnston, Lancashire
Amanda Rawson, Humberside
Amy Walden, Thames Valley
Andrew Bush, South Wales
Andrew Cresswell, Devon & Cornwall
Andrew Davies, Gwent
Andrew Ducker, South Yorks
Andrew Hatton, Essex
Andrew Murray
Andrew Patton, Suffolk
Andrew Underdown
Angela Bell, Humberside
Angela James, Dyfed-Powys
Angela Lewis, West Yorks
Anna Blowfield, Thames Valley
Anna Perry, Thames Valley
Anne Abel, South Wales
Ann-Marie Evans, London

Anthony Clarke, Gwent
Anthony Garrett, Humberside
Arik Yacobi, London
Audra Lewis, South Wales
B. Gilbert, West Midlands
Barbara Calvert, Lancashire
Ben Entwistle, Cheshire
Bernard Wiseman, HMP Albany
Bob Berry, Wilts
Bob Schofield, Derbyshire
Brian Cawton JP, Northumbria
Brian Jenkins, Bedfordshire
Brigid Nelson, London
Bryan Robinson, Lancashire
C A May, Thames Valley
C Honeysett, Thames Valley
C. Bonner, Humberside
C. McKendrick, Thames Valley
C.D. Curtis, Humberside
Carlene Kershaw, London
Carol Caine, Lancs
Carol Harris, Thames Valley
Carol Moore, North Wales
Carol Scuffins, Suffolk,
Carole Doherty, Humberside
Caroline Bewley, Lancashire
Caroline de Jongh, Thames Valley
Caroline King, Cumbria
Caroline Morgan, Dyfed-Powys
Caroline O'Donovan, London
Cath Ralston, Lancashire
Catherine Andrews, Thames Valley
Catherine Trimby, Shrewsbury
Charlotte Griffiths, London
Chris Davies, London
Chris Harries, Dyfed-Powys
Chris Hooson, West Yorks
Chris Maxwell, West Yorkshire
Christine Dunn, Thames Valley
Christine Fiddes Northumbria
Christine Johnson, Lancashire
Christine Neville, West Midlands
Christopher Hignett, London
Clare Chambers, Merseyside
Clare Davey, Derbyshire
Clive Blakesley, Berkshire
Cllr. Alan Speake, Carmarthen Town West
Colin Clapinson, Devon & Cornwall
Colin McCulloch
Corinna Stock, Suffolk
D M Warlock JP
D. Marshall, Thames Valley
Daniel Molloy, Lancashire
Daphne Birchall, Leicestershire
Dave Bennett, West Mercia
Dave Reid, West Yorks
David Ashton, Bedfordshire
David Bunting, Greater Manchester
David Chantler, West Mercia
David Colbeck, South Wales
David Harrison, Lancashire
David Hirons, West Yorks
David Jones, Dyfed-Powys
David Moffitt, Surrey
David Oliver, Thames Valley
David Rees, West Midlands
David Sleightholm
David Wood, Merseyside
David Wood, Teesside
Dean Neville, South Wales
Deb Borgen, London
Debbie Holmes, Dorset
Deborah Marshall, Northumbria
Delia Morris, Thames Valley
Delyth Wanklyn, South Wales
Denise White, Derbyshire
Deniz Oztemel, Thames Valley
Dermot Boyle, Hampshire
Diana Fulbrook, Wiltshire
Diana Goodban, West Mercia
Diana Sanderson, Durham
Diane Harcourt, Northampton
Diane Hewett, Devon & Cornwall
Diane Quinnell, Dyfed-Powys
Dino Peros, Devon & Cornwall
Dorothy Henley, Northumbria
Doug Smith, Lancashire
Dr Sarah Proctor, Crewe
E Wells, Thames Valley
E. Wharton JP, Northumbria
E. Wilson JP, Northumbria
Eileen Taylor, Thames Valley
Einir-Wyn Llewelyn, South Wales
Elaine Brignall, Gwent
Elizabeth Connor, Norfolk
Elizabeth Hodder, Thames Valley
Elizabeth Medhurst, Thames Valley
Elizabeth Williams JP, South Wales
Emma Gallo-Snushall, Surrey
Emma Ludewig, West Yorkshire
Emma Sutton, Cumbria
Erin Brass, Gwent
Eve Chester, Lancs
EW Isher JP, South Tyneside
Felicity Held, Humberside
Fiona Johnston

Fiona Titcomb, Thames Valley
Frances O'Kelly, South Wales
Francis Sanders
Frank Holden, Lancashire
G.J. Manshall, Humberside
Gale Murphy, Lancashire
Gary Hockney, Humberside
Gavin Lee, West Yorkshire
Gavin Whitem, Warwicks
Geoff Davis, Thames Valley
Geoff Emerson, Thames Valley
George Walker
Gill Adams, Thames Valley
Gill Emberson, Thames Valley
Gill Melrose, Cambs
Gill Pooley, Norfolk
Glennis Kiff, Thames Valley
Gordon Jackson, Hertfordshire
Gordon Low
Graham Walsh
Grant Evans, Thames Valley
Grant Ritchie, Gwent
H Dewsen, Thames Valley
Hannah Andrews, Gwent
Hannah Harding, Thames Valley
Haroon Patel, Suffolk
Hayley Denis, Warwickshire
Heather Kinch, Thames Valley
Heather Munro, Leicestershire
Heather Phillips
Helen Bicknell, South Wales
Helen Irving, Bedfordshire
Helen Jenkins, Gwent
Helen Oaks, Thames Valley
Helen Ross, West Yorks
HH Judge Merfyn Hughes QC, North Wales
HH Judge Stephen Waime, Northamptonshire
Hilary Greenman, Thames Valley
Hilary James, Kent
Ian Butson, Cheshire
Ian Hankinson
Ian Macarthur, Nottingham
Ian O'Keefe and six other probation officers,
address not known
Ian Scott, Lancashire
Ian Sparks, South Wales
Ian Windows-Yule, West Mercia
J Rees-Jones LL.B. Hons, Gwent
J. Britton, Thames Valley
J. Cummins, Norfolk
J. Heath, Thames Valley
J. Hopley, Humberside
J.R. Brettell, Leeds

Jackie Huggett, Warwickshire
Jackie Jackson, South Wales
Jacqueline Henriques, Thames Valley
Jacqueline Taylor JP, Gateshead
Jade de Souza, Humberside
Jake Gerrard, Sussex
James Cannings, Derbyshire
James Parcell, Suffolk
Jan Desquesnes, Bedford
Jane Adams-Rimmer, Thames Valley
Jane Carmichael, Thames Valley
Jane Foulner, South Wales
Jane Maister-Smith, NW England
Jane O'Hanlon, Norfolk
Janet Alker, Lancashire
Janet Bradley, Lancs
Janet Robinson, Lancashire
Jannette DeFriend, Bedfordshire
Jason Farmer, Crewe
Jayne Rowe, Leeds
Jeannette Black, Suffolk
Jeffrey Stocks
Jenny van der Molen, Warwickshire
Jeremy Lambert, Lancashire
Jessica Vekaria, London
JH, Thames Valley
Jill Thomas
Jim Bryan, West Yorks
Joanne Hill, Devon & Cornwall
Joe Woods, Derbyshire
John Bourton, North Yorks
John Budd, Suffolk
John Colvill JP, West Yorks
John Deering, University of Wales
John Ennis, Thames Valley
John Evans, Nottinghamshire
John Hatchek, Devon & Cornwall
John Hinchcliffe
John Lacy, West Yorkshire
John Low
John Oldham, Greater Manchester
John Wilson, Lancs
Jonathan Rowlands, Thames Valley
Joy Owen, Lancashire
JS Reynolds, Wilts
Judy Green, Nottinghamshire
Julia Livesley, Dyfed-Powys
Julie Edwards, Humberside
Julie Masters, West Mercia
Julie Nuttall Cheshire
Julie Smith, Suffolk
Juliet Ennis, Dyfed-Powys
Karen Glassock, HMP Erlestoke

Karen Grimshaw
Kate Gartner
Kate Murphy, London
Kate Nickels, Bedford
Kate Smith, London
Kath Bristow, Wiltshire
Kathleen Carton, Greater Manchester
Kathryn Alsop, Devon & Cornwall
Kathryn Steele, Devon & Cornwall
Kathy Horne, West Yorkshire
Kathy Trundle, Avon & Somerset
Katie Heading, Humberside
Katrina Glennie, London
Katrina Hill, Humberside
Keith Annison, Devon & Cornwall
Keith Lane, Avon & Somerset
Keith Norman
Keith Stokeld, Durham
Keith Whitton
Keri Heard, Gwent
Kerrie Clague, Surrey
Kevin Bettany MA, Staffordshire
Kevin Morrison, Essex
Kevin Williams, Thames Valley
Kirsten McClymont, Leicestershire
Kristina Edwards, Devon & Cornwall
L Wilkinson, Thames Valley
Lacey Meredith, South Wales
Laraine Cullen, Lancashire
Laura McDouall, Dyfed-Powys
Laurien Broadley, Sussex
Leah Callow, Gwent
Leah Warwick, Thames Valley
Leanne Wood, Wales
Lee Colton
Lee Haskins, Gwent
Leigh Jones, Gwent
Lesley Annison, Nottinghamshire
Lesley Dawson, Devon & Cornwall
Linda D, Gwent
Liz Bates, Humberside
Liz McKay, Lancashire
Liz Stafford, Warwickshire
Liz Watkins, Dorset
Lloyd-Stewart Atkinson, Northamptonshire
Lois Gell, Derbyshire
Lord David Ramsbotham
Louisa Deas, Northumbria
Lucy Jenner
Lynn Jolly, Lancashire
Lynne Elliott, Humberside
Lynne McKay, Essex
M Thompson JP, South Tyneside
M. Daglish JP, Northumbria
M. Shears, Cambridgeshire
M.K. Pratt, Suffolk
Malcolm Howard, Surrey
Malcolm Lacey, Dorset
Malcolm Lee
Malcolm Sawyer, London
Mandy Rosser, Dyfed-Powys
Margaret Baines JP, Northumbria
Margaret Barrow, Lancashire
Margaret Bowler, Leicestershire/Rutland
Marie Roberts, Lancashire
Marilyn Mason, Dyfed-Powys
Marilyn Mawditt, Cambs
Mark Alman, Dyfed-Powys
Mark Brosnan, Dyfed-Powys
Mark Machin, Greater Manchester
Mark Siddall
Mary Fishlock, Wiltshire
Mary Lawton Maxwell
Mary Phillips, Thames valley
Mary Vickers JP, Northumbria
Mary Wells JP, Shropshire
Maryke Turvey, South Yorks
Matthew Egginton, Derbyshire
Matthew Hamblin
Matthew Shirley, Hertfordshire
Maureen Symons
Max la Rocca
Megan Ciotti, Thames Valley
Melanie Haworth Lancashire
Michael Atkinson, Devon & Cornwall
Michael Cape JP, Dorset
Michael Dosanjh
Michael Dunne, Gwent
Michael Kay
Michael Perry, Devon & Cornwall
Michael Poland, West Midlands
Michelle Clough, Lancashire
Michelle Pattinson, North Wales
Michelle Pierce, Cumbria
Mick Walker, Cambs
Mike Aston
Mike Guilfoyle, London
Mike Maiden, Cumbria
Miss A Fisher, Humberside
Mr G Mcallum, Greater Manchester
Mr S.R. Pestell, Suffolk
Mrs K. Amphlett, Devon
Mrs. A. Griffiths, Lancs
Ms C.L. Winters, Humberside
N.G. Pascoe, Devon & Cornwall
Nana Anto-Awuakye, London

Naomi Claxman, Thames Valley	Rachael Nicholson, South Wales
Nariman Dubash, Devon & Cornwall	Rachel Gledhill, Preston, Lancs
Neil Richardson, South Yorks	Rachel Jackson, Dyfed-Powys
Nick Bullen, London	Ralph Cairns, Lancashire
Nick Croxford, Thames Valley	Ralph Prior, Lancashire
Nick Makin, HMP Featherstone	Raymond Smith, Lancashire
Nicky Jay, Suffolk	Rebecca Hall, Lancashire
Nicola Carleton-Gane, Surrey	Rhian Gapper, South Wales
Nicola Harris, Dyfed-Powys	Rhiannon Trotman, Gwent
Nigel Mellor, Merseyside	Richard Bull, Thames Valley
Nigel Tweed, Essex	Richard Clarke, Suffolk
P. M. Price JP, South Tyneside	Richard Heller
P. Stephenson, Humberside	Richard Lowe
P.F. Page JP, Northumbria	Richard Plackett
Pam Hamby, West Yorkshire	Rob Southern, Devon & Cornwall
Pamela Parr, Lancashire	Rob Waterson, Thames valley
Patrick Abbott, Suffolk	Robbie Bourget, Thames Valley
Patrick.Murphy, Nottinghamshire	Robert Ayres, Gwent
Paul Armstrong, Merseyside	Robert M. Armfield JP, Lancs
Paul Breakey, Bedfordshire	Robert Owen, Cardigan
Paul Gotts, Merseyside	Roberta Bourget, Slough
Paul Halsall, London	Roger Kennington, Northumbria
Paul Houghton, Leicester	Roger Peel
Paul Lockett, Devon & Cornwall	Roger Statham, Teesside
Paul O'Farrell	Rosalie Weetman, Thames Valley
Paul Rees, South Wales	Rosanna Lynch, West Yorks
Paul Taylor, Derbyshire	Roz Brown, North Yorks
Pauline Dollimore	Roz McCormick, Derbyshire
Pete Brown, Northants	Rupert Smillie, Notts
Pete Simpson, Lancs	Ruth Beck, Gwent
Pete Stevens, Derbyshire	Ruth Byrom, Cumbria
Peter Hopwood, Lancashire	S Foster, West Yorks
Peter King, Dyfed-Powys	S M Sutherland, Thames Valley
Peter Laycock, Warrington	S. Anderson, Humberside
Peter Maddison, Northants	S. Banks, Thames Valley
Peter Martin	S. Banks, Thames Valley
Peter Nowell, South Yorks	S. Draper, Humberside
Peter Owen, Gwent	S.A. Hetherington JP, Northumbria
Peter Stewart, London	Sally Powell, South Wales
Peter Stewart, London,	Sam Barker, Humberside
Peter Warburton, Durham	Samantha Alloui, London
Petra Chapman Gibbs, North Yorks	Sarah Breed, Bedford
Phil Boothman, Lancashire	Sarah Holland, Thames Valley
Phil Jarvis, Hertfordshire	Sarah Jarvis, West Yorks
Philippa Harrison, Lancashire	Sarah Nelson, Thames Valley
Pipa Clarke, Suffolk	Sarah R, Thames Valley
Prof. Michael Worthington, Northumbria	Sari Pestell, Suffolk
Protestare	Scott Mayren, Lancashire
Quin Hough, Lincolnshire	Sharon Alexander, Gwent
R E Shaljean, Exeter	Shaun Baldwin, Lancashire
R. Fishwick, Humberside	Shaun Buckley Lancashire
R. Gallimore JP,Northumbria	Sheena Bolas JP, South Tyneside
R.W. Jardine JP, Northumbria	Sheila Burgess, Derbyshire

Sheila Smith,, Thames Valley	Unknown name, Thames Valley
Sheree Coleman, Derbyshire	Unknown name, Thames Valley
Sherrie Curtis, Gwent	Val Clifton, Lancashire
Shirley Harrison, South Yorks	Vicki Smith, Thames Valley
Shirley Powell Lancashire	Vicky Abel, Avon & Somerset
Simon Partridge, London	Vicky Boroughs, Gloucester
Simon Rooke, Thames Valley	Victoria Barrett, Suffolk
Simone Williams, South Wales	Virginia E. Burton, Kent
Stacy Gay, London	Vivien Lane, Norfolk
Stephan Hubbard, Cumbria	W.J. Fishlock, Wiltshire
Stephanie Arrowsmith, Dyfed-Powys	Wendy Dale
Stephen Bowkett, Gwent	Wendy Evans, South Wales
Stephen Lee, Humberside	Wes Lacey
Steve Gilbert	William Lindlow, Lancashire
Steve Perry	
Steve Pilling	
Steve Randle, Devon & Cornwall	
Stevie Lishman, Northamptonshire	
Sue Cooke	
Sue Mobbs, South Wales	
Sue Mobbs, South Wales	
Sue Roesner	
Susan Tomsett, Warwickshire	
Susanne Hermiston, South Yorkshire	
Suzanne Holdsworth, South Yorks	
Sylvia Dicken, Devon & Cornwall	
Terry Martin, Norfolk	
Tessa Webb	
Tim Greenslade, Devon & Cornwall	
Tim Pike	
Tony Glover, Derbyshire	
Tony Osborne, West Midlands	
Tony Perry	
Tracey Simpson, Wiltshire	
Tracey Vare, West Yorkshire	
Tracy Lant,, Thames Valley	
Trisha Borrowes, Warwicks	
Unknown name JP, Northumbria	
Unknown name JP, Northumbria	
Unknown name JP, South Tyneside	
Unknown name JP, South Tyneside/Gateshead	
Unknown name, Humberside	
Unknown name, Humberside	
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Unknown name, Thames Valley	
Unknown name, Thames Valley	

ANNEX B

Breakdown of responses received to Restructuring Probation to Reduce Re-offending

RESPONSES FROM INDIVIDUALS	Number of responses	% of Total
Probation staff (includes Board members)	232	31%
Staff using NAPO and other standard lines	230	31%
Other	14	2%
Subtotal	476	64%
RESPONSES FROM INTEREST GROUPS	Number of responses	% of total
Boards/Areas (including responses of groups of staff)	86	12%
Sentencers (includes group responses and 19 from the NE using the same letter)	44	6%
Trades Unions & Napo branches	27	4%
Local Government interests	27	4%
Voluntary and Community sector interests	20	3%
Other interest groups (e.g. Howard League, Prison Reform Trust)	18	2%
Private sector interests (including consultants)	10	1%
Local Criminal Justice Boards (LCJBs)	12	1%
CDRPs / CSPs	12	1%
Police	10	1%
Other	6	1%
Subtotal	272	36%
TOTAL	748	

