



## **Prison Reform Trust response to NOMS Commissioning Intentions, June 2013**

1. National commissioning poses a challenge, directly contradicting localism initiatives, including the introduction of Police and Crime Commissioners and local Health and Wellbeing boards. We recognise the need for consistency in services and standards but have a number of concerns.
  - a. New probation service local delivery units, responsible for feeding their priorities up to the national level, will need time to embed themselves.
  - b. Effective commissioning involves strategic planning, procurement and review and it is essential that civil servants have the highly developed skills and knowledge base necessary to set contracts and objectives.
  - c. Aligning nationally commissioned services with the priorities of key local providers such as police and crime commissioners, health and local government will be complex.
  - d. National commissioners will ultimately have the final say in what services are commissioned within contract package areas, limiting local accountability.
  - e. Smaller VCS organisations may not have capacity to be significant participants in the planning and commissioning arrangements.
2. For key delivery partners we would encourage greater use of strategic partnership funding arrangements, such as Toe by Toe and Samaritans.
3. Outcomes delivered by providers will need to be closely monitored, and contracts reviewed accordingly to ensure that performance targets are met.
4. Below we have identified a number of areas where we have specific concerns.

### **Women**

5. The Transforming Rehabilitation Strategy does not give sufficient priority to women only services. All rehabilitation services, including those for women, will be commissioned under a single contract, rather than competing out services specifically for women offenders.
6. We are unclear how the forthcoming review of the women's custodial estate will "strengthen services for women released from prison".<sup>1</sup> We advocate

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<sup>1</sup> Ministry of Justice (2013) Transforming Rehabilitation: A strategy for reform, London: Ministry of Justice

decommissioning a number of women's prisons in the closed estate and reinvesting savings into alternative community provision, including women's centres, to tackle reoffending.

7. Large contract package areas mean that existing providers of women's services will have to become part of a supply chain, due to their small and specialist nature. We are concerned that their success may be dependent on the outcome of whichever prime provider's bid they align themselves with, irrespective of their own past performance. We seek assurances on how specialist services, including those for women, will be effectively commissioned.
8. Commissioned services should take full account of any childcare or primary care responsibilities that a person has, and should not preclude them from carrying these out. Whilst this will affect men, it is particularly relevant for women.

### **Liaison & Diversion**

9. We fully support the government's commitment to divert people with mental health problems and learning disabilities into supportive services and treatment. However, its success will be dependent on a number of key factors.
  - a. Development and utilisation of effective screening tools while in police custody to identify individuals with learning disabilities and other care and support needs and, where necessary, timely assessment procedures.
  - b. Effective relationships with Health and Wellbeing Boards, Police and Crime Commissioners, CCGs and other local partners; as well as relationships, referral routes and information sharing protocols with local service providers, including community learning disability teams, adult social care and housing.
  - c. Substance misuse teams should be commissioned to work with individuals with dual diagnosis, learning disabilities, personality disorder and other care and support needs.
  - d. Services should be able to demonstrate appropriate provision for protected characteristics, including women, people with disabilities and people from black and minority ethnic groups.

### **Indeterminate sentenced prisoners**

10. Despite the publication of PSI41/2012 NOMS needs to commission appropriately to ensure that people serving indeterminate sentences, including life sentenced prisoners, have access to services and interventions, which allow them to progress through their sentence and satisfy the Parole Board that they are suitable for release. They will need to take account of any mental health problems, learning disabilities, and intellectual ability.

## **Restorative Justice**

11. We welcome the progress government is making towards mainstreaming the use of RJ within the criminal justice system. Use of RJ within NOMS is increasing, and there has been a significant award of Government funding towards capacity building training within NOMS. We are concerned however that this emphasis is not yet reflected within the NOMS Business Plan.
12. There is further scope for extending availability of RJ as a community sentence requirement and as part of the new rehabilitation period post-sentence. Peers are trying to introduce this into the Offender Rehabilitation Bill and we would urge the government to support it.

## **Resettlement**

13. There is a huge potential for prisoners to do voluntary work which benefits the prison or the community. Such opportunities are available to very few prisoners, and should be expanded alongside opportunities for skills development and paid work. Prisoners should be encouraged to take responsibility for practical challenges they will face on release, and prisons should support their efforts to prepare.
14. Family ties can motivate an offender towards desistance, negotiate their return home, and provide links for housing and jobs. The Commissioning Intentions should give greater emphasis to maintaining family relations.