

Prison Reform Trust response to the HMIP consultation on inspection framework and programmes 2019–20

The Prison Reform Trust (PRT) is an independent UK charity working to create a just, humane and effective penal system. We do this by inquiring into the workings of the system; informing prisoners, staff and the wider public; and by influencing Parliament, government and officials towards reform. The Prison Reform Trust provides the secretariat to the All Party Parliamentary Penal Affairs Group and has an advice and information service for people in prison.

The Prison Reform Trust's main objectives are:

- reducing unnecessary imprisonment and promoting community solutions to crime
- improving treatment and conditions for prisoners and their families
- promote equality and human rights in the criminal justice system.

www.prisonreformtrust.org.uk

Introduction

We are grateful for the opportunity to comment on this draft programme, recognising the difficulty of predicting the changes probation will face during the period in question.

We note that there is a separate consultation on inspection approach. In our view, it is unfortunate that that consultation specifically excludes “domain two – quality”, and draws the conclusion that the current methodology is performing well in respect of that domain. Our concern is that HMIP’s methodology in general gives far too little attention or weight to the experience of those undergoing supervision. It relies very heavily on the reading of case files and on information recorded by probation staff. The views of service users are therefore at best heavily mediated by the recording process or, at worst, absent altogether.

Our recent study into the recall of women following release from custody, [Broken Trust](#), found that the direct testimony of service users uncovered a fundamental breakdown in the relationships between them and supervising officers, which neither the management information on recall nor the 2018 [HMIP thematic review of recall](#) brought to light.

The absence of systematic and thorough evidence drawn directly from service users represents a major missed opportunity to understand the actual quality of probation work, whether in CRCs or the NPS. It risks producing inspection reports that too readily equate good process with good outcomes. There is a general theoretical acceptance that high quality relationships are crucial to desistance – indeed, HMIP has been particularly vocal on the point – but inspections do not currently use the most obvious means to judge the quality of those relationships, by asking service

users directly and in confidence. So we strongly urge HMIP to consider a radical shift in its approach, investing in the views of service users as a more insightful and meaningful measure of whether probation services are delivering the quality of relationships likely to make a difference to both future offending and public protection.

We are also surprised that this consultation makes no mention of the recommendations of the Lammy review. We acknowledge that HMIP standards make comprehensive reference to diversity, and inspections are therefore likely to produce a rich source of relevant data. Our suggestion is that all thematics and research undertaken by the inspectorate should undertake specifically to examine that data and address relevant issues raised by the Lammy report.

Question one—criteria for selection

It follows that our answer to the first question posed in this consultation is that the views and experience of service users should be a key consideration in the selection of thematic topics. Those service users are likely to have the clearest, albeit possibly the least comfortable, view of where probation is falling short and why. The current criteria relate exclusively to the perspectives and priorities of ministers, policy makers, managers or the inspectorate itself.

Question two—topics for 2020 and beyond

Our work in this field, which is invariably informed by the views of people who are or have been in prison, suggests the following topics deserve consideration as thematics:

- a revisiting of the 2016 joint thematic on IPP prisoners, but with a particular focus on **the failure to support released IPPs**, which is resulting in a disastrously high rate of recall. PRT is currently undertaking research in this area, but the problem is both current and acute
- in the light of the very high rate of recall of **women who have been in custody**, an investigation into the provision of specialist support and the extent to which both CRCs and the NPS are meeting the requirements of section 10 of the Offender Rehabilitation Act 2014
- an investigation of the apparent **absence of trust** in relationships between probation staff and those under supervision, highlighted by our research into the experience of women who have been recalled.

Question three – research projects

We are pleased that service users finally get a mention, but would suggest that “involvement and engagement” are inadequate terms for the research that is required. The desistance relationships which are likely to lead to reduced offending are characterised by the **empowerment** of the service user. Our recommendation would be for research into the relationships between supervising staff and those under supervision, with a particular focus on the extent to which procedural justice policy ambitions actually feed through into day to day practice.