The Right Honourable
David Gauke MP
Lord Chancellor & Secretary
of State for Justice

Bob Neill MP
Chair, Justice Select Committee
House of Commons
London
SW1A 1AA

Dear Bob,

July 2018

STRENGTHENING PROBATION, BUILDING CONFIDENCE

I am writing to you to continue our conversation regarding the future of probation and specifically the consultation that has been launched today.

As you will know, the Transforming Rehabilitation programme fundamentally reformed the probation system in 2014/15 and we now have a diverse range of providers delivering probation services. While CRCs have reduced the number of people reoffending by two percentage points, and the NPS is performing well in supervising higher-risk offenders, advising the courts and operating approved premises, there have nevertheless been significant challenges, particularly with CRC contracts.

Unforeseen changes in the types of offenders coming before the courts and the sentences they receive have had material impacts on both the NPS and CRCs. In some areas the NPS caseload has increased by more than a quarter, while the volume of offenders allocated to CRCs has reduced. CRC income fell far below the levels originally anticipated when contracts were let, and this affected the ability of providers to invest in the full range and quality of services intended. Her Majesty’s Inspectorate of Probation has consistently reported concerns about CRC performance.

We are proposing to take decisive action to stabilise the probation system by ending CRC contracts in 2020 rather than 2022 and introducing improvements to offender supervision and through-the-gate services in the interim. We then intend to procure new CRC contracts which will address the problems with current contracts and improve the delivery of probation services.

Our consultation exercise, and the market engagement that will accompany it, will be very important in how we formulate our response to your committee’s recent review of the TR arrangements and we feel that it will address many of the issues that your committee has raised.

The main proposals to improve arrangements for the future of the probation system from 2020 are set out in a consultation that we have today published on the Ministry of Justice consultation hub and these include:

- **Introducing clearer minimum standards** that ensure all offenders are seen regularly and core rehabilitation services are consistently available across England and Wales;

- **Working more effectively with partners** to improve offenders’ access to services vital to reducing reoffending, such as housing, health and employment support;
- Improving judicial confidence in the probation system and community sentences by enhancing the quality of advice to court and strengthening the engagement of judges and magistrates with CRCs;

- Engaging with Police and Crime Commissioners to consider how they can play a greater role in shaping rehabilitation services locally, and working with London and Greater Manchester as part of existing devolution deals to co-design future probation services;

- Exploring options for commissioning rehabilitation services which will increase the opportunity for voluntary sector organisations and social finance organisations to contribute to improving rehabilitation and reducing reoffending;

- Aligning CRC and NPS areas in England to promote more joined-up working and enhance the training and development arrangements for probation staff so the workforce is equipped to meet future challenge;

- Developing alternative delivery arrangements in Wales by which better reflect the devolved responsibilities of the Welsh Government and existing partnerships arrangements;

- Simpler CRC contracts which set clearer expectations of the standards of services we want, ensure providers are adequately funded to deliver core services and create the right incentives to improve outcomes for offenders and communities.

The consultation can be found at: https://consult.justice.gov.uk/hm-prisons-and-probation/strengthening-probation-building-confidence

We will now engage with a wide range of stakeholders, providers and practitioners to test our proposals for future arrangements.

The consultation will close in the September and I would suggest that, with your agreement, I provide you with a fuller response to your report in October, drawing on the insights we have gained from the consultation. We can then further update you in the New Year when we are will be have developed more detailed arrangements to be put in place to follow the existing contracts.

I am very grateful for the continued interest and attention that the committee has shown in this area and I greatly value the well-informed and constructive challenges that you and the committee’s members provide.

Yours sincerely,

RT HON DAVID GAUKE MP