



Ministry of Justice

**Lord Chancellor and Secretary of State for Justice
Rt Hon Chris Grayling MP
World Congress on Probation
9 October 2013**

Introduction

- Thank you for inviting me to speak to you today, at what I believe is something of an historic occasion. I understand this is the first time such a large gathering probation experts from all around the world has come together to exchange ideas.
- Enabling offenders to turn away from crime and make a new life for themselves is what might be called a classic win-win situation. Everybody benefits – the public, from a safer society, and the offenders themselves, from the chance to make a useful and productive life for themselves.
- The commitment and skills of probation professionals can therefore make a huge difference to the well-being of society. So it was an excellent idea to bring you all together to pool that experience and expertise and I congratulate you, Mr President, as well as our own Sue Hall from the Probation Chiefs Association, for making it happen.

Some Context

- Indeed to Conference has come to London at a time when we're currently embarking on radical reforms of the way in which offenders get rehabilitated: I want to talk about that in just a moment.

- But first I thought it worth briefly giving an overview of the history of probation in England and Wales.
- It was in the London Police Courts, towards the end of the 19th century, that probation was first attempted in England & Wales.
- At that time probation was a truly revolutionary idea. Instead of simply punishing offenders, the courts began to look for opportunities to give them the chance to reform.
- After fairly informal beginnings, in 1907 arrangements became more formalised when the Probation of Offenders Act established the probation order as a sentence available to the courts.
- The next big development came in 1938 when what had been purely local arrangements acquired a national dimension under the oversight of the Home Office.
- Since then, there have been further re-organisations, seeking to adapt the arrangements to changing social conditions and I'm going to speak in a moment about how we, in England and Wales, are taking probation reforms to the next stage.

Successes

- The last few years have seen a major advance in the United Kingdom in our expertise in finding ways of managing offenders and re-assimilating them into society.
- Integrated Offender Management, for example, is a new way of seeking to prevent re-offending and promote rehabilitation. Governments from around the world are coming to us for assistance on justice matters, looking to take advantage of the knowledge, skills and expertise we have developed.

- We are committed to supporting those countries in the development of their criminal justice systems, working in liaison with UK Trade and Investments, the Department for International Developments and the Foreign and Commonwealth Office.
- In response to this interest from around the world, we are setting up Just Solutions International – a social enterprise – to enable this service to be delivered in a commercial manner.
- It will be able to make available knowledge and expertise relating to offender management services to organisations in other countries that work with offenders.
- The new body is currently being piloted and we are looking to launch it in April 2014. Our intention is that Just Solutions will be able to provide you with access to all the services you will hear about during this conference, including, to name but a few:
 - development and improvement of probation services;
 - prison estates, prison design, prison building and procurement;
 - cutting-edge electronic monitoring systems; and
 - payment-by-results and reducing re-offending mechanisms.

The current problem

- However, despite these developments, there is always more that we can do. Currently, in England and Wales, crime is falling year on year. In 2012/13 police recorded crime was down 7% on the previous year. That's obviously good news for our communities.

- The problem is that re-offending rates have barely changed over the last decade; the same faces come back through the system time and time again.

- That's why, since becoming Justice Secretary in September last year, I've made reform of our rehabilitation services my top priority. Crime does not just ruin lives, it's also a poor deal for the taxpayer in England and Wales. We currently spend about **£3 billion a year on prisons**, and almost **£1 billion annually on delivering sentences in the community**.

- That's why we've embarked on radical reform to rehabilitation services in England and Wales.
 - We're introducing a minimum of 12 months supervision and rehabilitation for all offenders on release from prison – including for the first time those released from short prison sentences;

 - We're creating a nationwide network of 70 resettlement prisons, so that for the first time nearly all offenders are released into the area in which they will live and be supervised, allowing for continuous support;

 - We're creating a new public sector National Probation Service tasked with protecting the public from the most dangerous offenders;

 - And last month we've launched a competition, opening up the market for delivering rehabilitative services to a much broader range of providers. That means we can embrace the best of the voluntary and community and private sectors, as well as utilising the established professionalism currently contained within our 35 public sector Probation Trusts. We will give these new providers the flexibility to use their expertise to do what works to

reduce re-offending, and our contracts with lead providers will see them only paid in full if they are successful at reducing re-offending, making taxpayer's money work harder.

Extending rehabilitation

- The first step was to consult on the principles behind our proposals, which we did earlier this year. That got a great response: almost 600 formal responses to the consultation, on top of 14 consultation events attended by over 800 stakeholders. We had responses from Probation Trusts, Police and Crime Commissioners, private and voluntary and community sector organisations, members of the public, many of whom worked with offenders, and even offenders themselves.
- We got really strong support for one of the core parts of our proposals – extending rehabilitation. In England and Wales, the very highest re-offending rates are among that group of 60,000 offenders sentenced to prison terms of less than 12 months. Well over half of those released [58.5%] in the year to September 2011 went on to re-offend within 12 months.
- But the incredible thing is that up till now, it's that group that doesn't get any help with rehabilitation. Under the current rules, they're seen off at the prison gate with £46 to see them on their way and very little else.
- Our reforms will extend rehabilitation services to those serving less than 12 months in this country for the first time. That's being done with the Offender Rehabilitation Bill, which is currently before Parliament. It reflects my commitment to extending the positive work in the community and before release from prison to include this hitherto neglected group of offenders.

Through the gate

- But another problem faced by offenders leaving prison is that, even where there is provision to look after them, and help them get back on track, it can be fragmented and un-joined-up. Part of the point of prison, beyond punishment, is that it rehabilitates from the start.
- So we are changing the way we organise the prison estate. What we're putting in place is an unprecedented nationwide 'through-the-prison-gate' resettlement service, meaning most offenders are given continuous support by one provider from custody into the community.
- I'm doing something else at the same time. For too long our prisons were places where offenders whiled away their time in their cells, their time used completely unproductively. We have a system of what we call "incentives and privileges" in our prisons, but traditionally this has rewarded offenders just for staying out of trouble.
- What I've done is linked privileges with prisoners actively working towards their own rehabilitation and those of their fellow inmates. If they don't do that, they won't earn access to privileges like in-cell TV and wearing their own clothes.
- This is a significant change that should contribute to a reduction in re-offending, year on year.

Opening the market

- So how is the extension of rehabilitation services going to be paid for? What we're doing right now is opening up the market to a diverse range of new rehabilitation providers. That means that we'll really get the best from all sectors: the public, private and voluntary at the local as well as national level.

- When you attempt something like this, it's important to ensure that the market isn't simply cornered by the big players. We've specifically made sure that the smaller players are equipped to compete. That's why we've launched a package to help those smaller voluntary and community providers. We've set up:
 - a financial modelling tool to let voluntary, community and social enterprises (VCSEs) assess sub-contract offers;
 - a central legal function to check VCSE organisations' contractual terms and conditions with main providers;
 - a database of VCSEs and mutuals involved in the rehabilitation of offenders to help organisations form partnerships and consortia; and
 - we ran a Mutuals Support Programme providing intensive one-on-one support to prepare the first cohort of seven fledgling probation mutuals for competition.

- We've also set up something called the 'Justice Data Lab'. That provides information to rehab providers, helping them assess the impact of their work on reducing re-offending.

- Of course, at the heart of all probation services is public protection. So the new **national public sector probation service** we're establishing, populate with highly experienced probation officers, will retain the management of offenders who pose a high risk of serious harm to the public and who have committed more serious offences. New providers will be contractually obliged to work with the national probation service to manage those offenders at risk of causing serious harm.

Conclusion

- This programme is very much under way now. The formal procurement process has started and the whole system will be up and running by 2015.
- On the domestic front we've been told the pace is challenging, that the reforms are too radical. I can only respond that while we continue to tolerate so many offenders passing through the justice system and going on to commit more crimes, we are tolerating more victims, greater cost to the taxpayer, and further damage to communities.
- As I always say to opponents of our scheme, we can't afford not to act now. This would be the right thing to do at any time. But, like most countries, at a time when we're facing tough financial constraints, it becomes even more important that the money spent on rehabilitating offenders has the greatest possible impact.
- My aim is simple: year-on-year, incremental reductions in re-offending rates. We need to take this next big step, if we are not to see offenders passing through the system again and again.
- Thank you, and I look forward to taking any questions you have.