

Switchback Written Evidence

Justice Select Committee inquiry: The future of the Probation Service

07-09-20

About Switchback

Switchback is an award-winning resettlement charity enabling young Londoners to find a way out of the justice system and build a stable, rewarding life. Through intensive 1-to-1 support on both sides of the prison gate alongside real work training after release, we support young men to change their relationship with society. We share what we've learned to inspire change across the justice system and beyond.

Switchback is submitting evidence to [this inquiry](#) based on our 12 years of successfully supporting young adults – Switchback Trainees – to live life differently after prison. Through transformative relationships with a dedicated Switchback Mentor beginning in prison and lasting for as long as it takes, we ensure that only 8% of Switchback Trainees reoffend and two thirds move into long-term employment.

While Switchback works closely with probation services, we have never delivered any formal contracts and are funded predominantly through independent trusts, foundations, individuals and corporate supporters. Find out more at www.switchback.org.uk.

Response summary

- Switchback welcomes the new probation model's prioritisation of resettlement work and the focus on Probation Practitioners providing "trusting relationships" with individuals to enable people to build stable lives away from crime. Switchback's 12 years' experience delivering intensive 1-to-1 support through-the-gate shows the effectiveness of this relational approach.
- However, our experience is clear that this aim cannot be achieved without a radical shift in probation staff capacity, local integration and the guarantee of basic resettlement essentials which are not evident within the planned model. As a result, there is a serious risk that prison-leavers will continue to be denied any meaningful resettlement support through-the-gate.
- The aim of the Dynamic Framework is welcome, however the segmented approach does not provide space for holistic voluntary sector resettlement services like Switchback, while the administrative and financial burdens remains significant. As a result we have so far opted out.
- To resolve these issues we make **eight key recommendations** for MoJ/HMMPS to:
 1. Publish a **target caseload level** to achieve the radical reduction in caseloads needed for Probation Practitioners to build effective "trusting relationships" as proposed in the model.
 2. Introduce **training in motivational relationship-building** for NPS staff, drawing on decades of expert voluntary sector and lived expertise in this area.
 3. Develop an **outcomes framework based on 'stability'** across all areas of life, drawing on voluntary sector expertise in measuring distance travelled towards desistance.
 4. Enable **NPS Regional Directors to engage flexibly with local voluntary sector resettlement providers** to complement the new focus on supporting 'change' in the short and long term.

5. Require every NPS Region to **create regional multi-agency plans** to improve local integration and co-location of services including local housing, health and employment.
 6. For the longer-term, create a cross-departmental **National Resettlement Strategy** to coordinate local services, charities and business around people leaving prison.
 7. Create a cross-departmental plan to **guarantee the basic essentials for resettlement** including access to housing, ID, finance and technology upon release.
 8. Supplement the segmented Dynamic Framework with more **flexible funding of holistic voluntary sector services** through grants responding to local need.
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Full response and recommendations

The model

Q3: What are your views on the new model of probation?

Q5: The new model aims to strengthen integration between prisons and probation by integrating through-the-gate roles, processes and products with sentence management. What is your view on this?

Q7: How will the National Probation Service ensure that it maintains the innovation and best practice achieved during the Transforming Rehabilitation Reforms?

1. Switchback welcomes the ambition within the new probation model to “raise the priority of resettlement work” and for Probation Practitioners to “build a positive, collaborative and trusting relationship” with individuals under their supervision.¹ The idea that supportive relationships should be “the principal means of supporting the journey to desistance” marks a welcome shift in emphasis towards the evidence of what works. Switchback’s 12 years’ experience delivering intensive 1-to-1 support through-the-gate shows the effectiveness of this relational approach.
2. However, an effective relational support model cannot be achieved without (a) a radical shift in probation staff capacity, (b) greater local integration including with the voluntary sector, and (c) the guarantee of basic resettlement essentials. This radical shift is not evident within the planned model and so there is a serious risk that prison-leavers will continue to be denied any meaningful resettlement support through-the-gate.
3. While the new model represents a step in the right direction, the highly centralised, managerial and administrative approach of Transforming Rehabilitation, which restricts any space for supportive relationships, remains intact. As a result, the same issues of piecemeal resettlement support and a squeezed out voluntary sector will likely persist without further changes.

(a) Probation staff capacity: caseloads, training and support

4. We particularly welcome the new Draft Target Operating Model’s recognition of many key features of effective relational, person-centred practice that Switchback has, for 12 years, shown to be effective. These include the commitment for Probation Practitioners to “sustain hope” and “maintain motivation”, encourage self-efficacy, “build on strengths” of individuals and to “be realistic that it can take time to change life-long patterns of behaviour”.²

¹ HMPPS, [A Draft Target Operating Model for the Future of Probation Services](#) (Mar 2020), p.33

² HMPPS, [A Draft Target Operating Model for the Future of Probation Services](#) (Mar 2020), p.34

5. The new model rightly recognises that this work is “highly-skilled, long term and iterative”. However, Switchback’s experience of delivering such highly-skilled work through-the-gate shows that staff capacity, training and support needs to be radically different from the current status quo in probation.
6. For example, Switchback’s highly-skilled, fulltime Switchback Mentors each work with a caseload of no more than 5-10 individuals at a time, who they support weekly in prison before release and then for at least two hours per week after release (but usually daily). In our experience, a caseload of over 10 makes it very difficult, if not impossible, to maintain the necessary levels of trust, care and attention to support desistance.
7. In contrast, HMIPP found that more than two thirds of CRC staff have average caseloads of over 50, with contact often limited to a fortnightly phone call.³ NPS staff in the new system will need to have radically smaller caseloads to stand any chance of building trusting, transformative relationships – particularly given the model’s exclusion of holistic resettlement support from the voluntary sector (see paragraph 14).

Recommendation 1: Building “positive, collaborative and trusting relationships” with individuals under their supervision will require radically smaller caseloads for Probation Practitioners; HMPPS should publish a clear caseload target level to drive this change.

8. Switchback Mentors further receive three months of intensive initial training, fortnightly clinical supervision, ongoing professional development, and a high degree of flexibility to build consistent relationships through-the-gate. This intensive and ongoing training and support is vital for the type of change work proposed by the new probation model.
9. While the new Probation Workforce Strategy includes some positive proposals around staff wellbeing, there is a lack of emphasis on relationship-building skills, and a lack of overall detail on staff training and development.⁴ Training in relationship-building will be a vital part of giving the new model a chance of success, and should draw on the expertise of the voluntary sector which have decades of expertise in building positive relationships.

Recommendation 2: Introduce training in motivational relationship-building for all NPS staff, including within the revised Professional Qualification in Probation (PQIP), drawing on decades of voluntary sector expertise in this area as well as the experiences of people with convictions.

10. There needs to be an understanding that the starting point for probation makes building effective relationships with people under supervision particularly challenging – and the requirement for a radical shift in capacity, training and support even more acute. These include:
 - A starting point of deep mistrust and resentment towards probation among prison-leavers.
 - The new requirement for probation to ‘reach-in’ to prisons to provide pre-release support, which Switchback shows can be highly effective but is also very resource-intensive.
 - The expectation that Probation Practitioners will build transformative, trusting relationships while also being effective ‘enforcers’ of license conditions and wield powers of recall. For this balance to ever be achieved (which is uncertain) it will require significant levels of time, skill and resource not proposed within the new model.
 - The significant loss of experienced staff under Transforming Rehabilitation and an administrative culture fixated on ‘risk management’ that currently pervades.

³ HMIP, [2018/2019 inspections of probation services: summary report](#) (Oct 2019), p.20

⁴ HMPPS, [Probation Workforce Strategy](#) (Jul 2020)

- A highly centralised operational model which lacks integration with local services vital for resettlement, for which Switchback often has to join the dots.
11. These are some of the reasons why Switchback Mentors, independent from ‘the system’, with very small caseloads and benefiting from Switchback’s high level of local integration in East London, are able to achieve significantly higher impact at present.
 12. It is also worth considering that how success is measured will have a significant impact on where resource and efforts of probation are focussed. While model’s commitment to rebalance performance measurement “from processes to quality delivery” is welcome, there is a lack of detail about what this will mean in practice. The voluntary sector has much expertise to inform this process which the MoJ should draw from, such as Switchback’s Stabilities Framework which measures ‘distance travelled’ in terms of stability across 10 areas of life.

Recommendation 3: MoJ should develop an outcomes framework for probation based on stability across different areas of life, drawing on voluntary sector expertise in measuring distance travelled towards desistance.

(b) Local integration of probation – including with the voluntary sector

13. The new probation model makes a new distinction between the central, trusting relationship between Probation Practitioners and individuals on their caseload, and the function of specialist voluntary sector providers which is confined to addressing specific “criminogenic needs” such as accommodation or the needs of particular “cohorts” via the Dynamic Framework.⁵
14. This model therefore depends largely on the success of Probation Practitioners in providing transformative relationships to enable desistance – yet without the necessary shift in capacity and training to do so (see part (a)). Moreover, constraining the role of the voluntary sector to deliver services only in certain defined categories will exclude those, like Switchback, who provide holistic resettlement support and do not fit into such a segmented commissioning framework. Switchback’s whole-person approach supports Switchback Trainees to build stability across all areas of life, from housing and health to employability and family relationships, recognising how these areas interlink and support (or inhibit) one another.⁶ This person-centred approach is why it is effective. Yet the proposed model provides no room for such services.
15. As such there is an urgent need to ensure a retained role for the voluntary sector in providing holistic resettlement support both in the short term and longer term. In the short term, it is unlikely that Probation Practitioners will have the capacity and local integration needed to provide the central supportive relationship intended, and so specialist voluntary sector services will be needed to fill this gap as the new model beds in. In the longer term, it is likely that relational resettlement support from the voluntary sector, separate from the ‘system’, will remain a necessary part of the picture by adding an element of independence and local connectedness that statutory services often struggle to provide – particularly for more marginalised groups.

Recommendation 4: MoJ should enable NPS Regional Directors to engage with local voluntary sector resettlement providers on a flexible basis from Day 1, to complement and enhance the relational support function of NPS staff in the short and longer term.

16. While the new probation model provides an opportunity for more strategic regional planning and commissioning by regional NPS divisions, it does not provide a framework for the deeper level of local integration and multi-agency working needed to enable successful resettlement.

⁵ HMPPS, [A Draft Target Operating Model for the Future of Probation Services](#) (Mar 2020), p.34

⁶ <http://www.switchback.org.uk/what-we-do/>

17. Switchback's locally embedded model of through-the-gate support in East London works because it allows a high level of integration and strong working relationships local voluntary sector partners, local housing services, local probation offices, employers and training colleges. Supporting prison-leavers to build relationships with these institutions is essential to reintegration. Yet at present, while there is some good practice and co-location, probation offices largely operate in administrative silos.
18. In the short-term, the NPS Regions should be incentivised to build stronger local links to support resettlement, through partnership working with local services, business and civic society. Good practice of local multi-agency working could be drawn from successful examples of CRC community hubs,⁷ and should include co-location and strong connections with Jobcentre staff, housing services and employment services.

Recommendation 5: HMPPS should require every NPS Region to create a regional multi-agency plan to improve local integration and co-location with prison, housing, health, employment support and other vital services.

19. In the longer term, for real change in outcomes, it needs to be recognised that probation, and the MoJ, cannot alone solve the problem of reoffending, the causes and solutions of which mainly lie outside of the criminal justice system. Other government departments need to assume mutual responsibility for resettlement policy and funding alongside the MoJ. Recent successful work to coordinate with DWP on benefits, and with MHCLH on housing, and plans for the cross-departmental Prison Leavers Project pilot, are positive steps and should be built upon.
20. At the same time, the problem of reoffending is one of human lives and relationship breakdown which cannot be 'managed' through centralised commissioning models and transactional service delivery. A cross-departmental National Resettlement Strategy, therefore, is needed to pave the way for regions and local places to coordinate local statutory, voluntary sector, business and education services around people, rooted in relationships and tailored to the specific needs of each area.

Recommendation 6: MoJ should lead the creation of a cross-departmental National Resettlement Strategy setting out an overarching strategy to localise the reintegration of prison-leavers and coordinate local statutory, voluntary sector, business and educational services around people to support change.

(c) Addressing the lack of basic essentials for resettlement

21. The proposed model risks being undermined by the lack of access to basic essentials for resettlement including housing, ID, finance and technology.
22. Switchback is increasingly seeing young adults leave prison without these basic foundations for resettlement, and Switchback Mentors are having to spend an increasing proportion of their time filling these gaps rather than providing the relational support they are most skilled in. Switchback is also having to provide Tesco grocery vouchers, basic smartphones with credit and weekly travelcards from our core budget and hardship funds to fill these gaps.
23. For example, so far in 2020, 67% of young prison leavers supported by Switchback were released to London homeless, a large increase from 42% in 2019. 32% of Trainees had no ID, while 49% had no bank account, up from 33% in 2019. While the new dedicated Universal Credit phone line for prison-leavers was a welcome initiative that has helped improve access to benefits, delays remain common particularly for those without a bank account.

⁷ Phillips, J, Albertson, K, Collinson, Band Fowler, A (2020). [Delivering desistance-focused probation in community hubs: five key ingredients.](#)

24. The new probation model should make clear who is responsible for sorting these basic essentials, with clear metrics to drive performance, and a cross-departmental plan to ensure their provision. This should include review of the Discharge Grant, which has remained at £46 since 1996, and its replacement with a revised Discharge Pack including a higher grant alongside Discharge Vouchers for shopping, a Travel Warrant and 1-week Travelcard, and a basic smartphone with data package. Switchback’s August 2020 briefing, *Review of the prisoner discharge policy*, provides further detail and calculations for this proposal.⁸

Recommendation 7: MoJ should create a cross-departmental plan to guarantee the basic essentials for resettlement, including an accommodation guarantee, ID, and a revised Discharge Pack providing sufficient funds, vouchers, travelcard and a basic smartphone.

Commissioning: Dynamic Framework

Q8: Does the new model offer a level playing field for small and specialist voluntary and third sector organisations in regard to the commissioning?

Q9: What is the anticipated effect of procuring resettlement and rehabilitative services using a dynamic framework? Do you foresee any problems with this model?

Q10: What progress has been made so far in the commissioning of services through the dynamic framework?

25. We welcome the intention of the Dynamic Framework (DF) to “encourage participation of smaller suppliers” by “providing simpler contracting arrangements”. However, in Switchback’s experience the design of the DF model presents both structural and administrative barriers to achieving this aim.
26. As explained in paragraph 14, by segmenting provision into ‘service categories’ linked to specific criminogenic needs or particular ‘cohorts’, the model squeezes out any room for holistic, person-centred resettlement organisations such as Switchback. A more effective approach would provide the flexibility to fund and engage a range of local voluntary sector organisations providing a wide variety of support, from targeted interventions through to holistic, relationship-centred support, based on evidence of impact and local connectedness.
27. There are also significant administrative barriers in place for small charities inherent to a centralised model such as the DF. Switchback’s experience of qualifying for the MoJ’s Dynamic Purchasing System for prison education and employment services, on which the Dynamic Framework was modelled, was a bureaucratic, time-consuming process that required a large and costly amount of staff time and resource, including through the use of external consultants to advise on contractual details. Switchback received no funding through the DPS.
28. While we appreciate there has been efforts from officials to address some of these barriers presented by the DPS for small charities, the changes do not appear sufficient to warrant Switchback engaging with the DF at this stage. Switchback is instead pursuing more flexible arrangements with probation providers which can allow Switchback to stick to our model, incur less bureaucracy and pursue up-front grant funding. However, while we have made progress in agreeing pilots with probation in London, the system is not built to enable this level of flexibility. Such flexibility should be made a feature, rather than an exception, of the system.

Recommendation 8: The MoJ should allow an element of flexibility for NPS Regions to engage and fund local voluntary sector organisations through grant agreements rather than centralised commissioning frameworks, in order to respond to local need.

⁸ <https://switchback.org.uk/wp-content/uploads/2020/09/Switchback-briefing-Discharge-Policy-review-Aug-2020.pdf>

Covid-19

Q17: What impact has Covid-19 had on the probation service?

Q18: What lessons have been learnt from this period of Exceptional Delivery, that should be taken forward into the new model of probation delivery?

29. Positive steps were taken during Covid-19 to provide additional discharge funds (the Subsistence Grant) and access to mobile phones for prison-leavers released under the End of Custody Temporary Release (ECTR) scheme. These steps represent a positive acknowledgement that a lack of basic essentials hinders resettlement, particularly during a pandemic, and should be extended to all prison-leavers (see Recommendation X).
30. The introduction of a dedicated Universal Credit phone line for prison-leavers, and the provision of emergency accommodation, were also positive changes that should be extended permanently – albeit with a focus on sustainable housing rather than unstable temporary hostel or hotel accommodation.
31. The pandemic has shown that an enhanced element of remote support can be effective in certain circumstances and for certain individuals with good access to technology and lower needs. However, Switchback’s experience from this period is clear that remote support cannot be a substitute for face-to-face contact when it comes to building meaningful relationships.
32. The current policy of near-24 hour confinement of prisoners is not conducive to preparing people for effective reintegration. Switchback is still unable to access prisons to provide pre-release support, and through our work with recent prison-leavers we are aware of the severe mental health impact of the current regimes. Suggestions from the Prison Officers Association that prisoners may prefer confinement is simply a reflection of how chaotic and violent prisons had become before Covid-19, not an excuse to maintain those punitive conditions.
33. During the initial phase of lockdown in March 2020, Switchback welcomed renewed efforts from MoJ officials to engage with the voluntary sector to respond to the crisis. However, after a request from MoJ to present a detailed model for providing rapid remote support for prison-leavers during the pandemic (at significant cost), communication from the department declined, and Switchback’s offer of support was eventually turned down without explanation. Going forward, there is a need for MoJ to review the way it communicates, respects and values the expertise of the voluntary sector throughout its policy development and implementation, recognising that charities know and work successfully with the communities they are serving.

Switchback would be glad to provide further evidence to the Committee on any of the issues raised in this submission. Please contact sam@switchback.org.uk for further information.

www.switchback.org.uk

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