



## PC16/2008 – EXPANDED USE OF FEMALE APPROVED PREMISES

**IMPLEMENTATION DATE:** Immediate

**EXPIRY DATE:** 30 June 2011

**FOR ACTION:** Chairs of Probation Boards, Chief Officers/Executives of Probation, Secretaries of Probation Boards

**FOR INFORMATION:** Board Treasurers, Improvement and Development Managers, Regional Offender Managers, Director's of Offender Management

### CONTAINS MANDATORY ACTIONS

**AUTHORISED BY:** Gordon Davison, Head of Public Protection Unit

**ATTACHED:** Annex A: Equality Impact Assessment Form  
Annex B: Resource Impact Assessment Form

### RELEVANT PREVIOUS PROBATION CIRCULARS

PC 37/2005 – The Role and Purpose of Approved Premises

### CONTACT FOR ENQUIRIES

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## PURPOSE

To advise Areas of a revised approach to the use of Approved Premises for female residents.

## MANDATORY ACTIONS

*Chief Officers and Chief Executives are asked to note the contents of this Circular and to ensure that it is brought to the attention of relevant members of staff, particularly offender managers, managers of female Approved Premises, and ACOs or equivalents with responsibility for female APs at Area level. The Circular is being distributed separately to AP Voluntary Management Committees.*

## SUMMARY

This Circular encourages Areas to make greater use of the female AP estate for women who do not necessarily present a high risk of harm to others, and sets out factors to be considered when considering referrals.

### **Female Approved Premises - current position**

There are seven Approved Premises for female residents, with 141 places between them. All but one of the mixed-sex APs have converted to all-male. The female APs are geographically scattered and are generally acknowledged not to be the optimum provision for female offenders.

The current resident profile in the female APs is different from the general AP profile. There are very few residents assessed as very high risk of harm and disproportionately large numbers of residents who are medium-risk. At the same time, occupancy in the female APs is relatively low. Although some are at over 85%, the average is lower and some are at around 50%. While there are various explanations, it is clear that the valuable resource that APs provide is not necessarily being used to its fullest extent.

Experience from the female estate shows that the staff skills and interventions available in APs can be of benefit not only to higher-risk offenders, but also to others who may present a relatively low risk of harm to others but who may themselves be vulnerable and at risk. It has also proved possible to house higher- and lower-risk residents in the same AP, so long as care is taken over ensuring that the AP and its residents are safe for more vulnerable women.

Both the recent Corston review and the HMIP Thematic Inspection of APs concluded that the current female AP estate was unsatisfactory and recommended change. For the longer term, Public Protection Unit will be conducting a survey of the need for AP places, which will pay particular attention to the need for APs for female offenders. However, in the short term, we want to make greater use of the current female estate, within the limits of what is safe and appropriate for female offenders.

### **Revised approach to referrals to female APs**

All Areas are therefore encouraged to consider the suitability of residence in one of the current female APs for a wider range of women offenders. In addition to the current focus on high and very high risk of serious harm, PSR writers are encouraged to consider the suitability of a residence requirement in one of the female APs for women who present a medium risk of serious harm, who have suitable needs profiles, and whose offences cross the custody threshold. In particular, an AP placement may be appropriate as part of a community order for women who could benefit from the structured environment and the range of interventions that APs provide. Report writers should, however, be mindful of proportionality and the risk of a woman receiving a sentence that is not commensurate with the seriousness of the offence. They should therefore ensure that residence requirements in APs are considered only where the court will be considering a custodial sentence.

We recognise that the nature of APs and their residents means that an AP placement may not be suitable for many women offenders. Although the overall levels of risk of harm to others are relatively low, some residents in female APs do pose a high risk of harm to others. It will often be inappropriate to place vulnerable women in such an environment. The following factors, which have been developed in consultation with the female APs, should be borne in mind when considering placements:

- APs are more likely to be suitable for women who present a medium risk of harm than a low risk of harm, and referral decisions should be taken accordingly.
- All referrals to APs must be based on a thorough risk assessment, taking into account both the offender's needs and the current profile of the AP's resident population. In all cases the AP will, as now, be able to decline a referral on risk grounds.
- Both referring Areas and APs themselves should take into account a potential resident's risk of self-harm and should consider appropriate safety measures where necessary. We recognise that in some cases vulnerable residents should not share rooms with others, and PPU will give credit to reflect the loss of shared room spaces.
- It is acknowledged that the present female APs are not conveniently located for many parts of the country, and that distance from home and family connections can be a

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significant barrier to resettling offenders. Nevertheless, we encourage Areas to consider AP placements:

- where problems of distance are relatively small or can be managed; or
- where, although such problems may exist, an AP placement would still be a more effective solution than custody.
- Effective mental health, drug and alcohol treatment are often key to helping more vulnerable women. APs and their host Areas are urged to explore whether services can be improved in this area and to learn from best practice where it is available. The recent Offender Management Guide on Women Offenders contains useful advice on the use of APs.
- Residents who present a lower risk of harm to others may be able to benefit from regimes that are less restrictive than the normal AP rules. APs and offender managers are encouraged to consider allowing rules to be relaxed where appropriate, alongside the planning of purposeful activity and resident diary plans (as recommended in the recent Service Review of APs).

### **The female Approved Premises estate**

The female APs to which this Circular applies are:

- Bedford - Chaucer Road, Bedford (22 places)
- Crowley House - Selly Oak, Birmingham (20)
- Ripon House - Clarendon Road, Leeds (25)
- Adelaide House - Edge Lane, Liverpool (20)
- Hopwood House - Manchester Street, Heywood, Lancs (14)
- Elizabeth Fry - Coley Avenue, Reading (22)

Crowley House and Adelaide House have high occupancy, so it is less likely that additional space will be available in these premises, but they should be considered alongside the rest.

*Kelley House* in London is the seventh female AP, but its location means that it should not be considered for the expanded use envisaged in this Circular. Nonetheless, it can still be considered for higher-risk female offenders.

*Ashley House* in Bristol is the last mixed-sex AP. Its six female places are not expected to continue to be available in the long term, so it should not be considered for this expanded use.

### **Funding**

All APs, including the female estate, are funded for full occupancy and so should be able to take more residents (where space allows) without significant additional calls on resources. Accordingly, Areas considering referrals should not in normal circumstances need to provide extra resources to facilitate placements, and should not feel discouraged by cost considerations from making referrals.



<b>EQUALITY IMPACT ASSESSMENT</b>
NOMS
Probation Directorate
Public Protection Unit

**PRELIMINARY SCREENING**

<b>Date of Screening</b>	24 June 2008
<b>Name of Policy Writer</b>	Seán Langley
<b>Director General</b>	<b>Phil Wheatley</b>

<b>Name of Policy</b>	<input type="checkbox"/>	This is a <b>new</b> policy
	<input checked="" type="checkbox"/>	This is a <b>change</b> to an existing policy
	<input type="checkbox"/>	This is an <b>existing</b> policy

**Policy Aims, Objectives & Projected Outcomes**

The aim of the policy change is to expand the use currently being made of the seven female Approved Premises. It is expected to lead to a small increase in the APs' occupancy, particularly by female offenders who present a relatively low risk of harm to others but who may themselves be vulnerable and at risk, and who would benefit from the structured environment and interventions that APs can provide.

Will the policy have an impact on national or local people/staff?	NO
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy	NO
Are there any aspects of the policy that could contribute to equality or inequality?	NO
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	NO
If this is an amendment of an existing policy, was the original policy impact assessed?	NO

If your answer to any of these questions is **YES**, go on to the full EIA.

If you have answered **NO to any particular questions**, please provide explanatory evidence.

*Impact on people or staff*

The Circular is expected to result in a small increase in the numbers of women being housed in Approved Premises, on licence, on community sentences, or possibly on bail. This will benefit some female offenders if it means they are diverted from custody or can be released earlier from custody. It is in line with the general thrust of the Corston review and has been requested by Ministers. However, because of the relatively small scale of the benefit - estimated at 15-25 more women placed in APs - we do not expect it to have a significant

impact on female offenders as a whole, and we believe that conducting a full EIA would be disproportionate to the likely benefit.

This PC provides a short-term change to the usage of female APs. Both the Service Review of APs and the HMIP Thematic Inspection identified a need to review the need for and the provision of female AP places more systematically. Work on that is under way and the resulting recommendations will be underpinned by a full equality impact assessment.

*Particular communities or groups' different needs etc*

Only one group - female offenders - will be affected by the policy. It does not apply to male APs and so will not affect male offenders. There are thus no groups who are likely to have different needs in respect of the policy.

*Aspects that could contribute to equality or inequality; aims in conflict with equal opportunity etc*

The policy should result in a better matching of interventions to offender need for some female offenders (as well as more efficient use of AP resources). This will have some effect on reducing inequalities in the way female offenders are treated compared with male offenders, but the scale of the likely change means that the effect will not be significant.

*Original policy*

The original policy on the use of APs was set out in the 2005 Circular, *The Role and Purpose of Approved Premises (PC 37/2005)*, which was not subject to the EIA process.

If you have answered **NO to all of these questions** then you must also attach the following statement to all future submissions that are related to this policy and ensure it is signed off by senior management. You must also include this statement within any regulatory impact assessment that is related to this policy.

**“This policy was screened for impact on equalities on 24 July 2008. The following evidence [as above] has been considered. As a result of this screening, it has been decided that a full equality impact assessment is not required. “**

## Probation Resource Impact Assessment Template

### A. SCREENING DETAILS

#### 1. Title of Probation Circular (PC)

PC16 2008 - Expanded use of Female Approved Premises

#### 2. Notes on the reliability of the costing below and issues for the Probation Coherence Group to consider.

The PC encourages all Areas, whether or not they have female Approved Premises, to make greater use of the female AP estate for housing women offenders in appropriate cases. It has been drawn up because Ministers have identified that the estate's current capacity is not being used to its fullest extent. All the APs are resourced and staffed on the assumption that they have a full resident population. So where unused capacity exists, it will be possible to make more use of it within existing resources. APs cannot be operated above their agreed capacity. This means that where female APs currently have high occupancy, new referrals will be fewer, the APs will not go over-capacity, and extra resources should not be needed. The result is that the policy aims behind the Circular can be achieved within existing resources. Offender managers may make different decisions about whether to refer female offenders to APs but the policy will not require them to make more decisions, or to handle more offenders, than they currently do.

In addition, neither of the tasks identified below can be reliably costed, for two reasons. First, the number of new offenders for whom AP placements may be suitable cannot be estimated. Second, while the main effect will be on AP staff, the precise work they may need to do with individual offenders depends on the offenders' circumstances and, again, cannot be predicted.

#### 3. Method

Identification of Task	(a) Additional /Reduced Time to Perform Task (hours)	(b) Number of Times Task Performed Annually Nationally	(c ) National Increase /Decrease in Hours (a x b = c)	(d) Hourly Cost (determined by grade of staff) £	(e) National Annual Total Cost/Saving (c x d = e) £
Offender managers to consider Approved Premises placements for a wider range of female offenders and to arrange referrals with APs					
AP staff to provide appropriate regime and interventions for wider range of female residents					
<b>Total for PC</b>					

