Justice reforms – ‘Transforming Rehabilitation’

‘Transforming Rehabilitation’[[1]](#footnote-1) is the government's programme for how offenders are managed in England and Wales since February 2015. Major reforms introduced under programme:  
  
**A fee at the point of conviction** was introduced to make criminals contribute towards the costs of running the courts system – this has since been abolished due to widespread condemnation and the resignation of more than 50 magistrates in protest.  
  
**The maximum penalty for prisoners who fail to return from a period of temporary release increased from 6 months to 2 years in prison.**

The **35 Probation Trusts have been replaced by a single National Probation Service**, responsible for the management of high-risk offenders **and 21 Community Rehabilitation Companies** (CRCs) responsible for the management of low to medium risk offenders. For the first time, **those sentenced to less than 12 months in prison are subject to supervision in the community upon release**. CRCs are also responsible for supervising these short-sentence prisoners after release.

**60% of the probation service has been outsourced/privatised**: contracts were put out to tender and from 1 February 2015 the successful bidders in the competition took ownership of and began running the 21 CRCs.  
  
CRCs receive funding in two parts: a fee for some services, including TTG services[[2]](#footnote-2) and delivering the court sentence and licence conditions. By December 2017 **they will receive Payment by Results payments if they achieve statistically significant reductions in reoffending**.  
  
A shift in attitude has been foreshadowed to focus on punishment rather than rehabilitation. The Ministry of Justice’s impact assessment of the proposals acknowledges that, “given a limit on the overall level of resources available for probation services, and the need for sentences to remain proportionate to the seriousness of the offending, **delivering top end community orders may cause a number of primarily rehabilitative requirements to be substituted for primarily punitive ones**.”[[3]](#footnote-3)

1. Bills and legislation: The Offender Rehabilitation Act 2014; The Legal Aid, Sentencing and Punishment of Offenders Act 2010-12; The Crime and Courts Act 2015 [↑](#footnote-ref-1)
2. The CRCs started providing new Through the Gate (TTG) resettlement services to short-term prisoners from 1 May 2015. A network of resettlement prisons which house prisoners in the last weeks of their sentence was established and the CRCs provide resettlement services in those prisons. [↑](#footnote-ref-2)
3. Ministry of Justice (2012), Impact assessment: Consultation on sentences in the community and the future shape of probation services, London: Ministry of Justice [↑](#footnote-ref-3)