

# WHAT SHOULD THE 'INDEPENDENCE' OF IAPS LOOK LIKE?



A personal viewpoint piece by Andrew Bridges,  
Strategic Director, NAPA

*(views not necessarily shared by every NAPA Associate)*

Governments (Conservative ones) have sometimes privatised - outsourced - public services for principally ideological reasons: railways in the 1990s, and probation (partly) in the 2010s, are two strong examples of this. In contrast, however, as I have described in a longer version of this article - see [napacic.org](http://napacic.org) - Government's desire to encourage the development of independently managed APs (Approved Premises, onetime probation hostels) is driven almost entirely by 'business pragmatism'. HMPPS wants to expand the AP sector, and the providers of independent APs - local charities or specialist service providers - are better placed, and better able, to open new APs and expand existing APs, even though over 85% of APs continue to be directly state-run.

HMPPS's dilemma is then how far does it want the independent APs (IAPs) to be completely consistent with the state-run ones, and how far should it accept or even promote some differences? The good news, for the independent providers, is that in principle HMPPS values the creativity and innovations that the IAPs sometimes bring. The bad news is that HMPPS does not know in practice how to define the distinction between where there should be national consistency and where there should be local creativity. (Of course, the same problem affects how HMPPS attempts to manage all other aspects of front-line probation practice too.) In fairness to HMPPS, it has to be acknowledged that there does need to be a high level of consistency in the way that the IAPs function as



**Andrew Bridges**

Strategic Director

National Approved Premises Association

part of the 'national AP system': standards of building security, drug testing arrangements, being part of whatever case allocation systems that HMPPS establishes, and operating the same national case management, and email and IT systems. Accordingly, HMPPS already acts almost as direct management for IAPs when it comes to such matters of 'national infrastructure', including direct arrangements for providing upgraded security equipment in IAPs. When it comes to 'national infrastructure', there is very little scope for 'local creativity', and therefore for good reasons 'consistency' is the dominant consideration.

However, when it comes to local front-line service delivery, the picture should be quite different. The principle that should be applied is: Prescribe *what* is to be achieved, but only advise how it should be achieved:

- The commissioner should specify, wisely, what it wants to see achieved (operational outcomes), and how this will be measured, and then Prescribe that this is *what* it requires from its independent providers -
- But although it might offer advice, it should avoid prescribing *how* those outcomes should be achieved, because working with individual residents is - of course! - an individualised service.
- For example: You commission the taxi, the destination and the agreed price, but you don't then 'backseat drive' the driver through every step in the journey.

The difficulty is in the application of this principle within the 'messy reality' of the AP world - indeed in probation work generally - especially while MoJ/HMPPS continues to make a poor job of defining and managing the outcomes it wants probation to achieve overall. I have previously illustrated, both in principle and in my own past practice, how the core outcomes of mainstream probation work - the three purposes of probation - can be defined, managed, implemented and even inspected.<sup>1</sup>

The three purposes are: Reducing Likelihood of Reoffending, Implementing the Sentence, and Containing Risk of Harm to others. I have also set out<sup>2</sup> how these should be measured as **outcomes** (and have done so in practice myself in the past). It is difficult to operate this, but it can be done, though it requires a determined focus.

For APs, the further additional complication is trying to focus on just one, relatively 'short', stage in the rehabilitation journey that is being undertaken by each person on Probation, such as a period of residence in an AP. (Individuals deemed to be of High Risk of Harm to others will normally stay at an AP for no more than 12 weeks on their release from prison.) APs should therefore make their contribution to the rehabilitation journey by facilitating specific 'stepping stones' of tangible progress that the resident has made on that journey while at the AP - though at least some of those stepping stones will need to have been specified by the commissioning HMPPS. But those 'stepping stones' must be specified as *what* is to be achieved, and not *how* - that is the proper boundary between consistency and creativity.

The same principle applies with Quality of Practice generally. Don't try to promote Quality by specifying HOW it must be carried out - issuing ever more detailed stipulations, guidance, checklists, forms and formats - all with the best of intentions and often designed by skilled current or former practitioners. A single format, such as OASys (Offender Assessment System), cannot cope with every eventuality - the fallacy of 'comprehensiveness' - which is why it runs the great risk of becoming 'a long form that just needs filling in' rather than an opportunity to engage with and think about the unique features of the individual they are working with. This 'comprehensive stipulation' approach is a classic example of Prescribing the *how* which is both time-consuming and stifles creativity.

<sup>1</sup> Bridges, AM, 'An Introduction to Modern Probation Theory', [https://www.andrewbridgesprobation.com/files/ugd/b9d8fa\\_d2d294f19f694189a1dccc0ed73e95d.pdf](https://www.andrewbridgesprobation.com/files/ugd/b9d8fa_d2d294f19f694189a1dccc0ed73e95d.pdf) (2022)

<sup>2</sup> Ibid

Instead, Prescribe the *what*. You define what you want the individual to have experienced as a result of the interaction: the resident will have been assessed well before arriving, is inducted well on arrival, and is managed well during their stay. Doing each of these things “well” can be made more specific, e.g. For induction, “The resident will have experienced a humane and respectful face-to-face interaction in which she/he has been made aware of her/his rights, responsibilities, constraints and opportunities while at the AP.”

Prescribing the WHAT instead of the HOW enables skilled practitioners to undertake and write their assessments, plans and reviews in way that is focused, succinct and appropriate to the needs of the case, rather than as a series of ‘answers’ on a long form that was designed to meet some external ideal of comprehensiveness. In short, practitioners could be freed to be more creative.

HMPPS will continue to find it difficult to define the line between the WHAT and the HOW while it remains insufficiently clear about the overall outcomes it wants from probation work overall. While that overall strategy remains unclear at the macro level, its managers and commissioners will find themselves composing increasingly detailed procedure manuals, guidance documents and forms in their efforts to stipulate how Probation work should be carried out.

It is not the purpose of this paper to set out the full case for how probation work overall could and should be much better managed - that has been done elsewhere<sup>3</sup>. But in a nutshell, a clear focus on the core three purposes of probation would make it clear to Parliament and to the public what probation work is aiming to achieve. At the same

time this provide a framework within which the various elements of the ‘probation world’ should **make their contributions towards** the achievement of those three purposes. In the case of APs - both state-run and independent - although they generally keep a resident for no more than 12 weeks, they can still be expected to make their contribution towards that person becoming less likely to reoffend, complying with their sentence, and having their risk of harm to others contained and managed. When successful, a period of AP residency serves as a ‘stepping stone’ on an individual’s desistance journey.

A commissioned service, such as an independent AP, should certainly expect to work within a centrally managed national infrastructure as it aims to achieve the outcomes that have been specified (“prescribed”) by the commissioning authority: it should not expect to be able to decide, ‘independently’, to aim for different outcomes. However, what an IAP *should* be able to do - independently - is exercise its creativity in how it goes about achieving the prescribed outcomes. Accordingly, **the commissioning authority should prescribe WHAT outcomes are to be achieved, but should do no more than advise how those outcomes should be achieved.**

It is understandable that MoJ/HMPPS, the commissioning authority, finds it difficult to carry out this approach in practice because it does not yet focus clearly enough on the core three purposes of probation supervision. Once that focus is reached, it will become a little easier to specify the interim outcomes - the “stepping stones” - that IAPs need to be aiming for in order to demonstrate that they are making their contribution towards making more likely the achievement of the Three Purposes.

<sup>3</sup> Ibid