



RIKSREVISIONEN
The Swedish National Audit Office

RiR 2009:27 Summary

The work of the Swedish Prison and Probation Service
to prevent reoffending

Summary

Riksrevisionen (the Swedish National Audit Office, SNAO) has examined the sentence planning that the Prison and Probation Service (PPS) carries out for prisoners and the cooperation that takes place between the societal actors responsible prior to the release of prisoners. The SNAO's overall finding is that the PPS does not meet the requirements imposed as regards sentence planning for prisoners. There are shortcomings both in the quality, in the documentation and in the follow-up of such planning. Pre-release cooperation is conducted in such a way that prisoners, when released, do not enjoy the same opportunities to obtain support in all parts of Sweden. Taken together, the SNAO finds that the actions taken by the Government and the agencies responsible as regards sentence planning and cooperation are not sufficient.

Reasons for the audit

Sentence planning is an important tool for the PPS in its work to reduce the risk that clients will relapse into crime. The financial-audit branch of the SNAO has previously pointed out that sentence plans are not drawn up to a sufficient extent and that the quality of the existing plans is inadequate. The Riksdag (parliament) and the Government have also stressed the importance of enhancing the quality of the plans.

The period immediately after release from prison is crucial to avoid reoffending. Only if the actions of the PPS are supplemented and carried through by other actors will clients be given the conditions necessary to lead a life without crime. Effective relapse prevention thus requires close and effective cooperation between the PPS and the other agencies and organisations concerned. Incomplete planning or inadequate cooperation may undermine a client's rehabilitation.

In 2008, slightly fewer than 10,000 people were convicted to serve a sentence at a Swedish prison.¹ Of those, about 40 per cent are expected to reoffend within three years.² This entails large costs to society. Each person

¹ Swedish National Council for Crime Prevention (2009), Table 5.16. Persons sentenced to imprisonment and committed to prison, breakdown by main crime, age and sex, 2008.

² Swedish Prison and Probation Service (2008), *Kriminalvårdens redovisning om återfall – Uppföljning t.o.m. 2006* [‘The Swedish Prison and Probation Service’s reporting on reoffending – Follow-up until 2006’]. The figure of 40 per cent reoffending within three years refers to those who are given a new imprisonment sentence; the corresponding figure for all sanctions is 50 per cent.

who can be prevented from reoffending thus represents a gain both to the individual and to society.

Aim and scope of the audit

The aim is to examine two important prerequisites for effective relapse prevention: the PPS's sentence planning and pre-release cooperation. The SNAO examined sentence planning and pre-release cooperation for clients sentenced to imprisonment. However, we did not examine planning and cooperation for clients serving non-custodial sentences.

The audit investigates, among other things, how sentence planning is carried out in practice, how it is coordinated, directed and followed up, and what the planning conditions for PPS staff are like. However, the audit does not evaluate planning outcomes, i.e. what actions are actually performed in favour of a client and how those actions affect the client or the rate of reoffending. Nor did we evaluate the actions taken in favour of clients, such as labour-market training or programmes to prevent crime or substance abuse.

Besides the PPS and the Government, the SNAO also examined the Swedish Public Employment Service in its capacity as a liaison partner of the PPS. Since municipalities and county councils are also key liaison partners of the PPS, the SNAO collected information from them even though they are not auditees.

The SNAO's conclusions

The Government does not exercise adequate direction over pre-release cooperation

The SNAO finds that, by and large, the Government has imposed explicit requirements as regards the sentence planning to be carried out by the PPS. Those requirements have been laid down in the Government's general instructions and annual appropriation directions for the PPS.

The Government's views on how cooperation should work in relation to the clients of the PPS are expressed in its budget bills. However, this is not reflected in the direction that the Government exercises over the Public Employment Service, nor in the legislation applicable to municipalities and county councils. On the other hand, the PPS is given special responsibility to cooperation with those actors.

The extent of cooperation concerning PPS clients that takes place today is neither reported nor commented on in the budget bills. It is thus not clear from those bills how various actions taken have influenced that cooperation at a general level. There is at present no overall picture of how cooperation for PPS clients works in practice; such a picture would be necessary as a basis for the exercise of direction and control.

The SNAO considers that cooperation requires specific direction because it presupposes that a range of individual actors, whose tasks are often different, will decide priorities that supplement each other or require

coordination. Since the Government has not imposed any explicit requirements to specify the responsibilities of the other actors, cooperation activities have in practice developed in different directions. This entails that clients may be treated differently depending on what municipality they belong to.

Inadequate quality of sentence planning

Not all clients have a plan drawn up for them

The SNAO finds that not all clients have a sentence plan drawn up for them, even though this is a statutory requirement. In the case files examined by the SNAO, 9 per cent of clients entirely lacked a sentence plan. In the absence of a plan, neither risk and needs assessments nor measures to prevent reoffending are documented. This makes it considerably more difficult to track the implementation of the client's sentence.

The PPS also fails to meet the requirements laid down in the Sentence Planning Regulations. The SNAO's examination of case files shows that half of all initial plans are not adopted before the deadline, that one plan in four is not revised to the requisite extent during the time spent in prison, and that in half of all cases no final revised version of the plan is adopted when the client is about to be released.

The SNAO finds that the PPS's reporting to the Government on the proportion of clients for whom plans are established does not give a true and fair view of the situation for the total group of clients. The quality of the information underpinning this reporting can also be called into question.

Shortcomings in the various steps of planning

The PPS's sentence planning is carried out in a number of steps. The SNAO's audit shows that there are quality shortcomings both in the various planning steps and in the linkages between them.

Two of the aspects assessed by the PPS are the risk that a client will reoffend and the risk that a client will misbehave while serving his or her sentence. The audit finds that the risk assessments are incomplete. The SNAO takes a serious view of this given that risk assessments form the basis of various important decisions, for example about the prioritisation of clients and the planning of interventions. Further, in 38 per cent of cases no objectives have been drawn up. The objectives are intended to make it explicit what a client needs and what the desired outcome is. The absence of objectives makes the contact person's work with the client more difficult and also affects opportunities for follow-up. The shortcomings in follow-up identified by the audit entail, among other things, that information about the achievements made by a client may be lost. This, in turn, affects opportunities for knowledge transfer when a client changes prisons and contact persons.

The follow-up performed of client plans is inadequate. This may undermine opportunities to conduct research into the relative effectiveness of various interventions and thus also the development of relapse prevention.

To ensure high-quality planning, where the right intervention is made for a client at the right time, the SNAO considers that plans should be logically coherent and the choice of interventions should be made on the basis of risk and needs assessment as well as explicit objectives. However, it emerges from interviews with operational staff and managers that there is a consistent lack of coherence among the various planning steps. It is not always clear how the needs, objectives and interventions mentioned are linked to each other.

It is further rarely clear who documented the information in a plan or when documentation took place. This affects the reliability of the information contained in plans. There is thus a risk that incorrect decisions will be made in relation to interventions, measures for social reintegration, etc., given that information in sentence plans forms part of the basis for such decisions.

Sentence planning is not conducted efficiently

The SNAO considers that the quality shortcomings of sentence planning are so extensive that they affect the PPS's ability to conduct efficient and effective operations. These shortcomings also undermine opportunities to reduce reoffending.

Because of the quality shortcomings of planning and the inadequate reliability of the information contained in plans, it is not rare for planning to start from scratch when a client is assigned a new contact person.

The SNAO further notes that, in practice, the system under which the non-custodial services are responsible for internal coordination of sentence planning does not work completely. One proposed explanation for this are cultural differences within the PPS between the prison services and the non-custodial services. The shortcomings as regards responsibility for coordination undermine both opportunities for effective in-house work and opportunities for cooperation with other actors. The skills, knowledge and contacts of the various operational branches are not fully made use of, and planning may be going on in two places at the same time.

Causes of the shortcomings

The SNAO considers that the main cause of the shortcomings is that top management of the PPS have not exercised sufficiently explicit control. The SNAO finds that the training in sentence planning provided to employees has not been sufficient. There is thus a need to consider what skills are required for planning and how the availability of those skills is to be ensured. It can be questioned whether it is reasonable in practice for all PPS frontline employees to serve as contact persons with responsibility for sentence planning. Further, the regulations and general advice issued have not provided staff with adequate guidance in their day-to-day work. Top management have not made it clear what good-quality planning involves nor what the responsibility for coordination vested in the non-custodial services entails.

The reinforced organisation intended to support operations and enhance the quality of sentence planning has not been sufficient. This reinforced organisation has not been made permanent but will remain for as long as the PPS deems there to be a need for it. Given the shortcomings identified during the audit, the SNAO considers it important that the PPS should assign a high priority to the continued provision of support for sentence planning.

The existing IT support is not, in the SNAO's opinion, so designed that it fully supports sentence planning. There is a lack of logical coherence among the various component parts, which lowers the quality of plans and makes follow-up of interventions more difficult. The inadequacy of coordination with the PPS's other systems also entails lower efficiency.

Integrated follow-up of the PPS's work on sentence planning is important in order to enable top management to exercise control over operations. The SNAO's audit highlights shortcomings in the PPS's follow-up of sentence planning. The annual investigations and the follow-up of the non-custodial services' responsibility for coordination have not been carried out in a way that has ensured high quality. One starting point for improving relapse prevention, in the SNAO's opinion, should be the sentence plans drawn up for clients and the follow-up of those plans. At present, insufficient use is made of this opportunity.

Lack of structure in cooperation

The PPS does not make contact in good time

The audit shows that in 39 per cent of the plans examined, it is not clear that any external contacts were made prior to the release of the client. According to the interviews with its cooperation partners, the PPS too often makes contact too late. Moreover, sometimes the prison and non-custodial services both make separate contact with, say, a client's home municipality, proposing different interventions.

Sentence planning is intended to clarify the division of responsibility between the PPS and other actors. The audit identified shortcomings not only in the division of responsibility but also in the responsibility for coordination vested in the non-custodial services. Because of the shortcomings in internal coordination, the PPS does not come across as a single cooperation partner to other actors, which makes cooperation more difficult.

Cooperation structures are lacking

The SNAO's audit shows that structures for cooperation in relation to PPS clients are largely lacking. In the SNAO's opinion, structures that facilitate and promote cooperation are necessary for PPS clients given that they make up a group that may find it difficult to be assigned priority by other actors in society. The lack of cooperation structures entails that cooperation is at present strongly dependent on individuals and highly vulnerable. What is more, this may result in clients with similar needs being treated differently depending on how well cooperation works.

The PPS highlights a number of successful cooperation projects in which it has co-located its operations with those of county councils, municipalities or the Public Employment Service in order to be able to meet clients' needs better by coordinating the work of several actors. However, the SNAO notes that those examples refer only to limited target groups in a few places in Sweden.

The Public Employment Service provides different support across Sweden

The PPS itself considers that cooperation works best in practice with the Public Employment Service. Even so, the SNAO finds that there are unjustified differences in the interventions made by the Public Employment Service in the six PPS regions. What is more, this task is assigned different levels of priority across Sweden. Further, even though there is a need for agreements between the Public Employment Service and the non-custodial services of the PPS, they have so far been concluded only to a limited extent.

Causes of the shortcomings

The SNAO considers that the Government has not done enough to facilitate cooperation in relation to PPS clients. Among other things, the Government has not laid down adequate rules specifying municipalities' and county councils' duty to liaise with the PPS. The ongoing inquiry into addiction and abuse services³ is therefore vital when it comes to identifying and investigating opportunities to improve conditions for cooperation.

Top management of the PPS have not exercised sufficiently explicit control over their agency's cooperation with other actors. There is a lack of guidelines at the same time as operational managers and staff feel that it is unclear what they are expected to do. Further, the PPS does not follow up its cooperation with others in a systematic manner, which entails that its top management lack an overview and a basis for exercising control.

Neither the PPS nor the Public Employment Service has followed up the agreements concluded between them at the local level, meaning that they both lack a reliable overview of how their cooperation works. The inadequacy of follow-up causes problems in the agencies' exercise of control over their operations and in their reporting to the Government. The agencies now intend to start following up both their local agreements and a joint cooperation project involving them and individual municipalities.

Consequences for PPS clients

A plan cannot be translated into practice unless it has the support of the client or at least is familiar to him or her. If the client is not involved, this may undermine his or her motivation and receptiveness to interventions. The audit shows that clients' involvement and motivation are documented only to a limited extent.

The lack of cooperation structures and the high level of dependence on individuals in cooperation entail a risk that clients who are in a similar situation may be treated differently and that clients may not receive the interventions they need.

The SNAO finds that the shortcomings identified by the audit affect clients' opportunities to receive appropriate interventions for social reintegration, etc., in conjunction with their release from prison. Today, 45 per cent of PPS clients are released from prison without any social-reintegration

³ Terms of Reference 2008:48.

intervention being made.⁴ The Government has stated that the proportion of clients receiving such interventions must increase.⁵

The SNAO's audit has identified differences between groups. Among other things, it shows that one in five young first-time prisoners lacked a plan.

The shortcomings in the PPS's sentence planning and in its cooperation with other actors ahead of the release of its clients may entail that the interventions carried out for clients during their time in prison are not followed up through support in conjunction with their release. Another risk is that no support will be provided in immediate connection with their release. In both of these cases there is a risk that the PPS's efforts will be ineffectual, with clients reoffending.

The SNAO's recommendations

Below are the SNAO's recommendations for the Government, the Prison and Probation Service (PPS) and the Public Employment Service.

It is recommended that the Government should:

- improve opportunities for cooperation in relation to PPS clients, by formalising the requirements for cooperation in its instructions for the Public Employment Service and the PPS and by striving to clarify the statutory requirements for municipalities and county councils to liaise with the PPS;
- instruct, through supplementary terms of reference, the existing commission of inquiry into addiction and abuse services to investigate how conditions for structured cooperation can be improved and to review opportunities for joint assessment of clients during their time on remand or in prison; the commission of inquiry should also take a position on which actor should bear principal responsibility for this.

It is recommended that the Prison and Probation Service (PPS) should:

- improve follow-up of sentence planning and of individual plans to ensure that its reporting to the Government gives a true and fair view and to underpin the development of its relapse-prevention efforts;
- investigate its skills needs and ensure, based on its findings, the availability of appropriate skills for sentence planning;
- ensure that the conditions under which its employees carry out sentence planning are improved in the following respects:
 - guidance should be drawn up to clarify how the requirements laid down in the Regulations (KVFS 2008:12) are to be met in planning;
 - continuation of support should be assigned high priority, for example through a reinforced organisation for sentence planning;
 - IT support should be developed in such a way that it assists sentence planning, follow-up and documentation; more effective use should be made of the information contained in the IT systems;

⁴ Annual Report for 2008 of the Swedish Prison and Probation Service, p. 18.

⁵ Government Bill 2009/10:1, Expenditure Area 4, p. 46.

- ensure the coordination of the PPS's internal work on sentence planning;
- clarify cooperation requirements and support the creation of cooperation structures across Sweden;
- ensure that integrated follow-up of cooperation is carried out at the national level to create an overview, a basis for the exercise of control and opportunities to disseminate good practice.

It is recommended that the Public Employment Service should:

- follow up its cooperation with the PPS to create an overview and improve the basis for the exercise of control;
- review the number of hours and the extent of support that its contact persons need to perform the task in question.