



HM Prison & Probation Service

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Director General of Operations
HM Prison and Probation Service
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HM Senior Coroner Andrew J Cox
Cornwall Coroner's Court
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10th June 2024

Dear Sir,

Inquest Touching the Death of Michaela Anne Hall

Thank you for your Regulation 28 Report of 27th March 2024, following the Inquest into the death of Michaela Hall. You kindly extended the time for the issue of this response to the 8th June 2024.

I know that you will share a copy of this response with Michaela Hall's family, and I would like to take this opportunity to express my condolences for their loss.

In your Report, you raised the following concerns specifically in relation to the Probation Service

The practice of PSOs (or probation staff generally) self-allocating files to themselves, in particular, where they are under-qualified and insufficiently experienced to do the work required. You may feel an express policy provision mandating that managers allocate files/reports is required.

Probation Instruction PI 04/2016 Determining Pre-Sentence Reports (last updated 12th January 2024) includes at para 1.21 that Probation Service managers must ensure that the delivery of pre-sentence reports ('PSRs') is undertaken by staff with suitable qualifications and/or levels of competence in line with the Probation Professional Register Interim Policy Framework (re-issued 28th March 2024).

To support the allocation process in the future, a new guidance document has been created which clarifies when Probation Officers (POs) or Probation Services Officers (PSOs) should be allocated to prepare a pre-sentence report and this guidance is currently out for consultation, prior to publication. This guidance will provide greater clarity on the types of pre-sentence reports

which are, subject to manager discretion, appropriate for preparation by PO and PSO grades. It aims to ensure that Probation court staff can confidently understand when they may undertake the preparation of a pre-sentence report dependent on their grade and the circumstances of the case.

A need to ensure that domestic abuse cases are allocated to officers with the appropriate expertise;

Probation Instruction PI 05/2014 sets out the basis for Case Allocation and is now supported by supplementary Guidance on the Case Allocation Process.

A new digital tool has now been implemented that enables a streamlined approach to allocation notifications and recording from courts for community cases. The tool provides information on the case for allocation, including risk of serious harm, risk of reoffending and risk registrations, and individual workloads to support the Senior Probation Officer making an informed and defensible allocation decision. As the information and the allocation activity are completed within the same tool, this requires access to fewer separate systems making it simpler to access/find the necessary information.

The completion of OASys risk assessments and SARAs contrary to relevant guidance – you may feel this reflects a training issue;

We have reviewed the current Risk and OASys training material, including Spousal Assault Risk Assessments ('SARA's) which has been re-developed into a blended learning product for new entrants. This strengthens the existing face-to-face component and provides a suite of digital resources focused upon the fundamental principles of risk assessment and management practice. This new product was launched from March 2023 and the suite of digital resources are available to all learners, to visit and revisit as and when required. All PQIPs (those training to become Probation Officers) and new entrant PSOs are mandated to complete this learning and this is assured through management oversight of the competency based framework that underpins development and pay progression.

We have also launched a new safeguarding and domestic abuse blended learning package, incorporating a live training event delivered virtually, providing reflective practice opportunities, digital tools and accessible learning resources. These are available at the point of need, to embed practice and improve performance outcomes. Every PQIP completes the new blended learning package following completion of the mandatory Safeguarding e-learning and Domestic Abuse e-learning, which is a requirement for all Probation Service staff. The Domestic Abuse e-learning has been updated to reflect the latest e-learning techniques as well as up to date evidence on domestic abuse.

A national rollout plan has ensured learning placements are prioritised and based on role and identified need, with training having commenced in April 2022. PQIP learners and new entrant PSOs have been prioritised, and all staff are to have completed the new training package by April 2025.

Within the South West Region specifically, a rolling package of training for practitioners is currently being delivered which includes:

- Assess Confidently and Manage Effectively;
- Completion of OASys Sections 1-13 (which identifies factors linked to offending);
- OASys Risk of Serious Harm assessment/Risk Management Planning;
- OASys Sentence Planning;
- Professional Curiosity Harnessing Professional Judgement;
- Touch Points Model for Senior POs; and
- Quality Management for Senior POs.

Monthly Protected Development Days have also been introduced across the Region since January 2023. These development days provide protected time during which staff are expected and encouraged to complete mandatory training and/or other identified learning and development activities, including those detailed above.

Whether 15 days for completion of a comprehensive risk assessment is too long where, in a domestic abuse setting, with the perpetrator and victim living together, the level of risk can change very quickly;

Risk assessment and management is an ongoing process reliant on gaining information from multiple sources and agencies. There are points where assessment is made using both dynamic and actuarial tools. OASys includes a sentence plan that can only be finalised once particular elements are in place or referrals completed, for example securing accommodation or receiving fuller information from partner agencies. The OASys assessment is a point of time record of that fuller information and does not prevent risk management action from being taken.

OASys and Risk of Harm Guidance provides staff with an understanding of risk escalation and the need to be alert to change, responding swiftly. It is important relevant assessments are updated accordingly, however this may follow the required management actions being undertaken. Adherence to such practice is monitored through management oversight of cases which in further detailed in guidance.

A risk assessment takes place when writing a pre-sentence report (and in the absence of a PSR an allocation risk assessment is completed). Historically, a shorter period of time for completion of a comprehensive risk assessment was not achievable and compromised the fullness of information on which it was based. In light of the concerns you have raised in your Report, this is something that will be considered as part of the development of a replacement to OASys which is currently taking place.

A need effectively to 'join up' probation with other agencies. It was noteworthy here that probation was represented at MARAC (by definition, meaning the victim was considered to be high risk) yet both the OASys risk assessment and SARA assessed the perpetrator as medium risk – a contradiction that you may feel should have been apparent immediately;


The Probation Service recognises the need to work closely with other agencies in order to share relevant information and work collaboratively to effectively manage the risk posed. We routinely

engage with Multi Agency Risk Assessment Conference ('MARAC') panels, whose focus is upon the perspective and protection of the victim. Because of this, the assessment tools and risk definitions used to calculate risk differs from those used by the Probation Service, so on occasion the risk level outcomes may vary, particularly if risk reducing restrictions to limit the perpetrator re-offending are in place. That said, it would be reasonable to expect that where risk to a victim is identified as high this would be mirrored in the OASys and SARA or clarity provided as to the relevant difference.

It is acknowledged, however, that the development and maintenance of these close working relationships with other agencies, including information sharing arrangements, is of paramount importance and careful consideration is now being given to how this can be improved. We will continue to work to enhance the service provided, working with our partner agencies, to safeguard and protect victims of domestic abuse.

Thank you again for bringing your concerns to my attention. I trust that this response provides assurance that action is being taken to address these matters.

Yours sincerely,

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Chief Probation Officer