



Ministry
of Justice

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Dear Juliet -> John,

EFFECTIVE COMMUNITY SENTENCES AND THE ROLE TREATMENT REQUIREMENTS CAN PLAY IN PREVENTING DEATHS IN CUSTODY

Thank you for your letter of 27 June, regarding the Independent Advisory Panel (IAP) on Deaths in Custody and the Magistrates Association survey. I am responding on behalf of the Secretary of State as Minister responsible for Offender Health, and I know he would want to join me in congratulating the Panel and the Magistrates Association for undertaking this interesting and important piece of work.

I hope from your meetings with Ministers, including your recent meeting with Minister Robert Buckland QC MP, it is clear that we concur about the importance of identifying those with vulnerabilities, and taking action from the moment they first moment come into contact with the criminal justice system.

As you will appreciate from the Secretary of State's recent speech, we are committed to ensuring that a range of sentencing options are available to sentencers, including effective community sentence options to divert these vulnerable people away from custody as appropriate, reducing the use of short term custodial sentences.

We recognise that the use of community orders as an alternative to a custodial sentence has been low in recent years, particularly around mental health treatment requirements (MHTRs) and, as you note, we are expanding our programme of work to support the increased use of community sentence treatment requirements (CSTRs). As part of this programme, we recently added new sites to the existing five sites, which will now include Bolton, Salford and Trafford in Greater Manchester, and six boroughs in South East London.

This expansion is in light of the recently published CSTR process evaluation¹ which has shown encouraging progress in the five sites with over 440 CSTRs ordered during the testing period and MHTRs sentenced in court increasing from 56 to 251 compared to the previous year. The evaluation findings also showed that 33% of MHTRs were a combined order with a drug or alcohol treatment requirements for individuals with co-existing mental health and substance misuse problems.

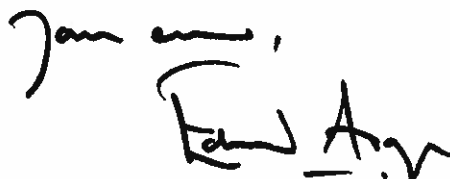
¹ <https://www.gov.uk/guidance/healthcare-for-offenders#community-sentence-treatment-requirements>

As your report confirms, providing the right information to sentencers is crucial – both on those cases in front of them and on provision more generally in their area, and we are keen that, especially in cases which are complex or where there is a vulnerability, that a pre-sentence report is requested.

Finally, can I reiterate how useful it is to see the findings of your report on the role that treatment requirements may have in preventing deaths in custody.

Although you have recently met with Minister Buckland QC to raise some of these issues, I am happy to discuss the survey and its recommendations, and to give you some more detail of our ambitions for the development of the treatment requirement protocols that we believe are instrumental to increasing their use. As ministers with interlinking portfolios, I would suggest that this meeting includes an invitation to my Department of Health and Social Care colleague, Jackie Doyle Price.

I am grateful for your valuable insights on these issues, and I look forward to continuing our conversation.

Yours sincerely,

EDWARD ARGAR MP