

Police and Crime Committee –Thursday, 9 March 2017**Transcript of Item 6 - Probation Services in London**

Steve O’Connell AM (Chairman): Now turning to the main part of this morning’s meeting, can I very much welcome our guests. Tajinder Matharu is Head of Performance and Quality, National Probation Service (NPS), London. Welcome. Our very own Samantha Cunningham, whom we had the pleasure of working with at the Mayor’s Office for Policing and Crime (MOPAC), is now Acting Director Integrated Offender Management at MOPAC. Welcome. Commander Neil Jerome from the Metropolitan Police Service (MPS). This is within your portfolio amongst other important matters. Helga Swidenbank is Director of Probation, London Community Rehabilitation Company (London CRC). Welcome. Linda Neimantas is Head of Quality and Performance, London CRC. We have an esteemed panel of guests. You are very much welcome.

As I said, this morning we will be talking about and discussing probation services in London. The first set of questions, which will be mine, will be about the landscape and will be about scene-setting and we will have more detailed questions further on.

Yesterday we did have a very high-level announcement from the Chancellor [of the Exchequer] about devolution and we have some questions about that later. Only a few weeks ago there was a Justice Matters meeting, which, Helga, you were attending --

Helga Swidenbank (Director of Probation, London CRC): Yes.

Steve O’Connell AM (Chairman): -- in this very Chamber, quite possibly, which is helpful to this work that we are doing.

My very first question, really, is to set the scene. This is to everyone, particularly to the MPS and London CRC. Can you briefly explain the role of your organisation in managing offenders in London, just so that I understand the present relationship?

Helga Swidenbank (Director of Probation, London CRC): London CRC is responsible for managing low-risk and medium-risk offenders in London. We have approximately 30,000 services users on our books at any one time and 12% of those are women.

In terms of the nature of the offences we manage, the top three offences of our service users include drug misuse, common assault and malicious wounding. That is really just to give you a flavour. We are a contracted service. We are contracted by National Offender Management Service (NOMS). We cover all 32 boroughs.

The nature of the services we deliver includes unpaid work, community supervision and Through the Gate provision. A number of our services are delivered through a supply chain. For example, we work with RISE, which is a mutual that delivers accredited offending behaviour programmes on our behalf. That is a summary.

Steve O’Connell AM (Chairman): Thank you very much. That was good. Tajinder [Matharu], do you want to explain how your relationship builds and how that works?

Tajinder Matharu (Head of Performance and Quality, NPS, London): Yes, absolutely. In terms of the NPS, we deliver services to the courts and that is primarily in terms of advice to courts at the pre-sentence stage. We produce about 2,000 pre-sentence reports a month and they advise sentencers in terms of what sentence they may impose on offenders who commit crimes.

Post-sentence, we assess and allocate each and every one of those cases. We retain a selection of those cases, about 20%, high-risk cases, those violent or sexual offenders who are subject to a Multiagency Public Protection Arrangement (MAPPA), for example. We also retain a proportion of foreign national offenders and any other public-interest cases. The rest of the cases are assessed and allocated to providers, the London CRC, for example. That is the court interface and that is where our first interface with the CRC comes in.

For those cases that we retain, our caseload is about 16,500 and 10,000 of those are in custody right now. We get a small proportion of community orders every month. They are all high-risk or have committed sexual violent crime and we manage those cases. We purchase some interventions - and unpaid work is a good example - from the CRC in relation to our caseload.

In addition to that, one thing I should mention is that we also offer statutory support to victims of crime in line with the Victims' Code.

Steve O'Connell AM (Chairman): We are going to hear a little bit more detail later. You talked about supporting victims. Can you give us from both viewpoints some idea about what support you give to the offenders heading your way and some detail around that, both of you, if you could, from the offender viewpoint?

Helga Swidenbank (Director of Probation, London CRC): We could probably take it in sections. In terms of unpaid work, it is really about discharging the duty of the court. We will supervise people's unpaid work hours in the community through a number of routes: people working in groups, working individually in charity shops and that kind of thing. That is pretty straightforward.

Through the Gate activity happens when people are in custody and so we serve London prisoners in custody. We do that through the male estate and through the women's estate. At all three women's prisons on the fringes of London, we have a presence and we are working with women as they come into custody initially. We help to assess them, help to prepare them for release and then signpost them into the community.

Steve O'Connell AM (Chairman): We have some questions about female offenders later.

Helga Swidenbank (Director of Probation, London CRC): That is that bucket of activity. Then the third bucket of activity is the activity that happens in the community. Our offender managers will meet service users regularly, talk to them about their offending behaviour and, again, signpost them into interventions in the community if those are not interventions that we provide for them.

Steve O'Connell AM (Chairman): OK.

Tajinder Matharu (Head of Performance and Quality, NPS, London): It is not dissimilar. In terms of the cases that go into custody, they will all be allocated a responsible officer, an offender manager, in the community. In general, they will all have an annual sentence plan and that is planning for their time in custody in terms of what rehabilitative activities they mean to undertake to reduce their risk and also ready them for release, whenever that may be.

Similarly, with those cases that are in the community, we will allocate them an offender manager, who will assess their risk and manage that. We will put together a risk management plan and work with partners - police colleagues, health colleagues or whoever it might be - in order to manage that risk in the community and reduce it where possible.

Steve O'Connell AM (Chairman): This is when the offenders are in the community?

Tajinder Matharu (Head of Performance and Quality, NPS, London): In the community.

Steve O'Connell AM (Chairman): That is what was interesting and the next question will be about that and I will bring the MPS in as well. How do you three groups work together to manage the offenders then, when in the community, and what sort of support is there around that? I will ask for all of your opinions on that as well. Commander, do you want to comment on the MPS's role in that relationship?

Commander Neil Jerome (MPS): Yes. There are three main ways in which we work with partners to reduce reoffending. The first is through our MAPPA arrangements, which are clearly set out as a statutory arrangement. The other is through our Youth Offending Teams, which again is a statutory arrangement. The last is through our Integrated Offender Management (IOM) teams, which is non-statutory and not laid down in legislation, but we do know through the evidence that by dealing with a small number of recidivist offenders - those individuals who are committing a higher number of offences - we can reduce offending overall.

There are other areas that we work in with partners, for example, with some of our gang individuals to prevent them from reoffending, as well as domestic abuse perpetrators and particularly with regards to female offenders as well.

Helga Swidenbank (Director of Probation, London CRC): We work collaboratively with all the agencies in London at every level, at borough level and local council level all the way up to the pan-London level. As my colleague from the MPS described, we work through IOM and we work with safeguarding and so we have very strong relationships across London.

Steve O'Connell AM (Chairman): This is a transitional period. That is the actual word. It is Transforming Rehabilitation (TR). In 2014 a change was identified. Indeed, after April [2017], there are going to be further changes in the national piece and we have some questions about that later. There is a sense that there is a lot of change.

Helga Swidenbank (Director of Probation, London CRC): Yes.

Steve O'Connell AM (Chairman): The change probably means that there were issues and there are continuing issues. That suggests that there might be or have been some friction points where offenders may, between the different organisations, fall between the cracks. What are your comments around that? Has that been the case and, as three organisations, how do you address that?

Helga Swidenbank (Director of Probation, London CRC): From my perspective, it is probably important to note that the TR agenda was deliberately disruptive and, certainly at the time when the then Secretary of State [for Justice] was talking about the policy, he wanted to shake things up and generate an environment for innovation. That was the deliberate intent.

Those of us working in this field have worked very hard to try to retain frontline services consistently whilst managing the significant change plan and change programme that we are all working through. It has been a significant challenge being able to maintain relationships and retain our focus on the service users whilst still undergoing this structural change.

We are still in it. We are still embedding our operational model. We are still embedding our performance. We will talk about inspection later. We are not quite there yet. Certainly, from my perspective, it is going to take at least another 12 months before we get ourselves into a steady-state position and things feel a lot more stable. In the meantime, what is really important is that we maintain relationships across agencies and across sectors.

Steve O'Connell AM (Chairman): We have questions about the change in the United Kingdom network but, Tajinder, you are here also representing or speaking for NOMS. Did you want to comment on that?

Tajinder Matharu (Head of Performance and Quality, NPS, London): The NPS has had a different journey in terms of going from 35 probation trusts to being one national service. Our focus has been over the last couple of years to harmonise that service delivery nationally but recognising that there is still a need for some local autonomy. It is about trying to find a balance between that.

Our primary role, as the senior leadership team in London, has been to protect frontline staff from that activity as much as possible so that they can focus on service delivery, but there are real challenges there and some of that will have come out in the Her Majesty's Inspectorate of Prisons (HMIP) inspection. It is really about trying to refocus our energies.

Steve O'Connell AM (Chairman): Lastly from me, if I bring MOPAC and Samantha in, what role has MOPAC in checking and monitoring performance across the two partnership organisations? How does MOPAC intervene and control that?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): MOPAC does not have any formal operational or performance management role at the moment over the CRC. That contract is managed through the Ministry of Justice (MoJ). It is on a national level at the moment and I am sure we will come back to the devolution point later.

What I would say, though, is that we have a significant responsibility strategically around partnerships in London and, most importantly, around the delivery of the Police and Crime Plan. Currently, within the draft we are very clear that seeing a shift from the criminal justice system, which suffers in part from some of those elements of siloed working into a service for both offenders and victims, as a mayoral priority.

From my perspective, we have very productive relationships with each of the three organisations. We have a formal statutory role around victims and victims commissioning and of course there is alignment and linkage between what happens with offenders and what happens with victims in London. We are also jointly commissioning on programmes of work around prolific offenders and female offenders in London at the moment, which has been part of that pragmatic approach in terms of our commission. Predominantly, but not solely, working with the CRC has been what has underpinned getting to the point of a successful devolution discussion with central Government recently.

We do not have a formal performance management role as it is, but we do have agreement that we are starting to have performance meetings with the CRC and the MoJ as of next month to start to open up the contracts so that, from my perspective, I can understand how we support the CRC and the MPS in terms of that improvement and those plans around transition, which, as Helga [Swidenbank] said, are still ongoing since the beginning of TR.

Steve O'Connell AM (Chairman): The previous Deputy Mayor [for Policing and Crime] held MOPAC Challenges that Keith Prince AM and I attended. We have partnerships in the criminal justice system. There is aspiration. The Mayor's emerging Police and Crime Plan has some very ambitious comments and aims around that same subject and you heard that the Chancellor [of the Exchequer] made some very high-level agreements in the Concordat yesterday, which we are very keen to find more detail about.

My last point, really, is that the London Crime Reduction Board did establish, a while back, the London [Reducing] Reoffending Board, which was chaired by MOPAC.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Sure, yes.

Steve O'Connell AM (Chairman): According to my briefing, that has not met since 2015 and the London Crime Reduction Board does not seem to be meeting anymore. That seems rather --

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): The London Crime Reduction Board last met in November last year [2016]. I am sorry that I do not have the dates in front of me, but the next meeting is at the beginning of April [2017].

The London Reducing Reoffending Board all of my colleagues at the table attend. That meets quarterly and has met quarterly at every point in the last two years. At the moment, it is chaired by me. I would say that that is a very productive Board.

Steve O'Connell AM (Chairman): Good.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I am not sure whether comments would be given from my colleagues, but my opinion is that we have got ourselves as a partnership in London to be able to support the challenges that have come from that transition. There are challenges both about how the contracts work and also about how broader partners in London support the work of the CRC and the MPS. It has been meeting every three months and will continue to do so.

Steve O'Connell AM (Chairman): It is alive and kicking but, according to whoever runs the MOPAC website, that revered and auspicious website, there is no detail whatsoever. The last set of minutes is from March 2015 and so all of this wonderful work you are doing goes unnoticed.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): OK. I will get that up. I apologise for that. I will pick that up.

Steve O'Connell AM (Chairman): It goes unnoticed by Londoners --

Caroline Pidgeon MBE AM: Which is transparency.

Steve O'Connell AM (Chairman): -- which is rather odd and again, as Caroline has pointed out, there are issues around transparency.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): That was a very helpful point.

Steve O'Connell AM (Chairman): Thank you very much.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): OK, I will pick that up.

Steve O'Connell AM (Chairman): We have some questions now around performance.

Len Duvall AM: Yes, let us turn to a question and, really, it is to the MPS people. Can I just begin with TR? Is it too early to judge how it is going? There have been some interim results. Is that true? How does it compare to other areas and what is the current thinking on the interim results that have been produced?

Helga Swidenbank (Director of Probation, London CRC): You are absolutely right that it is too early to call. Our contract tracks cohorts of offenders across a 12-month period with a six-month time lag and so we

are judging people across an 18-month timeframe. The first full set of results will not be out until October of this year [2017] and we are awaiting those eagerly.

You are right to point out that there has been an interim report. It is heavily caveated in terms of the quality of data. In relation to where London sits on that report, it is pretty much mid-table. Durham is at the top end of that table in terms of reducing reoffending rates, Merseyside is at the bottom and we are pretty much mid-table.

Len Duvall AM: That is on the data, but in terms of the overall scheme and elements of it, is there an interim report about what is working well and what is not working well?

Helga Swidenbank (Director of Probation, London CRC): We would probably judge our performance based on NOMS published data around our service level measures. Those are currently being reviewed and being discussed by NOMS about what they are measuring. They are very much input-focused - for example, the length of time it takes to complete a sentence plan - rather than output-focused. It is difficult to tell from the service level measures that we submit monthly whether or not that is having an actual impact on reducing reoffending.

Shall I ask my NPS colleague to come in here?

Tajinder Matharu (Head of Performance and Quality, NPS, London): You are absolutely right that there are interim figures out, but they are heavily caveated. I could easily sit here and say, but one of the things we need to try to understand that I do not know right now is how the CRC and NPS cohorts should look and how to compare the two. We cannot compare the two anyway, but previous historic data will be for the whole Probation cohort and now it will be two different organisations. What should it look like? We do not know.

The London NPS region does look slightly better than other parts of the country and we have planted that seed, but I would not say that we can rely on that until we get some interim data in October [2017]. I have been in many meetings over the last couple of months talking about how this is going to be measured. It is a beast in itself with the reoffending stuff.

From what we do have, we know what the evidence is around reducing reoffending and recidivism and we know what the quality indicators are. It is those things that we can rely on. Not just from the HMIP; we do it ourselves in-house in terms of building quality and effective practice. The NPS is just about to establish an effective practice division, which shows our commitment to effective practice. Those things will give indicators.

Yes, absolutely, the bottom line will always be reducing reoffending, but it is way too early to tell right now.

Len Duvall AM: I suppose it is too early to tell to see if the Government's policy or vision for the Probation Service is being met at this stage. Will that come in October? When is it fair for someone like me to start looking at when the Government change the system to make a judgement? Should I be waiting for October or should I be waiting for a longer period of time?

Tajinder Matharu (Head of Performance and Quality, NPS, London): October will give us the 2015 cohort of offenders. That will give you an early indication of the impact TR did or did not have. However, again, it is heavily caveated. That is the first contract year. It is with all of the changes that you described earlier that the organisations are going through. It will be at least three years' worth of data that we would need to really ascertain what impact there has been, if any.

The other thing to say is that even with the current reoffending statistics that are published, they do show a reduction overall in general. It is not going up. It is not going significantly down, but it is there or thereabouts.

Len Duvall AM: With a reduction down to 2005/06 levels, it is pretty constant, is it not? It was going up slightly and it is now coming down. Do you think that that trend is going to be continuing, then? Are you expecting the next round of figures to continue to go down? You hope for it but are you telling me that it is going down and there is a trend there? It does look fairly consistent.

Tajinder Matharu (Head of Performance and Quality, NPS, London): "Hope for it" is perhaps the best way to describe it. What we would really want to see is a significant drop, but it is caveated with a number of things. We are not the sole individuals responsible for reoffending rates. The other thing to remember is that these statistics focus only on the cohort of community cases in terms of what is attributed to probation services. Licence cases and prison cases do not count.

There is a lot of work that needs to be done to understand this and we need to work together to understand it a lot better than we currently do.

Len Duvall AM: If I am going to make a judgement at this moment in time, is it work in progress or is it going fantastically well and we are on the right track?

Tajinder Matharu (Head of Performance and Quality, NPS, London): It is work in progress.

Helga Swidenbank (Director of Probation, London CRC): If I can, it is probably worth reflecting on the National Audit Office 2015 report, which talks about major transformation projects. It did an assessment of major transformation projects across Government and came up with a number of lessons learned. TR is probably one of the most complex and ambitious change programmes that any of us on this side of the table have ever lived through.

There were a number of warnings that were made. It said that this will take time. Three to four years is not an unrealistic amount of time to bed in new change.

It also talks about banking benefits too soon. To your point, a year is too soon. What is coming out is really interesting and we need to pull out the learning from the data that is coming out, but 12 months is too soon. From my perspective, with the level of organisational change that I am leading my organisation through, it will take at least three to four years before we start to see the real, genuine results.

What I would say is that contractually we are incentivised to reduce reoffending and so we are absolutely focused on what is working. We are really keen to pull out the lessons learned and to make sure that we operationalise those and feed that into day-to-day practice so that it is having an impact on reducing reoffending on the front line.

Len Duvall AM: Let us turn to the MPS. In terms of the reforms that were made, can you just outline what changes have been made in the way that you carry out your work? You did not specifically want to home in on NOMS but you mentioned the three areas from MAPPA to - the middle one I have lost and then you went on to the non-statutory --

Commander Neil Jerome (MPS): Youth Offending Teams.

Len Duvall AM: Youth Offending Teams. What changes has the MPS proposed in the way it works when responding to this change in the way probation has worked? Can you paint us a picture?

Commander Neil Jerome (MPS): Indeed. At the MAPPA level, it is dealing with those offenders who are at the highest risk of reoffending, be that through violence or sexual reoffending. There is a MAPPA co-ordinating office in London and the MPS plays a very key part in that. There are a number of subgroups and the MPS plays, again, a key part in those subgroups to look at how we manage those offenders and reduce their reoffending.

The Youth Offending Teams are an established process. There has been very little change in terms of how they operate.

The IOM is the one that is non-statutory. That operates across all of the London boroughs. There is always going to be local variation between each of those boroughs. What we are trying to do is to bring a consistency in terms of how we operate across those boroughs, but there is always a balance there between how we operate consistently across London whilst recognising that the crime profile in each borough is going to be different and the arrangements within each local authority area are going to be different as well.

We are trying to ensure that there is co-ordination and consistency across the MPS in terms of how we operate but also recognising that that is an alliance of different bodies and, moving forward - and we are still in those early stages - just ensuring there is that consistency so that, when we do measure the performance, it is a consistent performance across the MPS and we are able to deliver that consistency of service whilst balancing against that local difference.

Len Duvall AM: Can we just try to understand why this variation exists? What is it? Is it down to borough staffing and what is allocated or is it down to the crime profile? Tell us. Paint us a picture in terms of - no one wants to target boroughs - the difference between them. Is it an inner and outer thing? Is it suburban versus --

Commander Neil Jerome (MPS): No, it is not.

Len Duvall AM: Fine. Explain this variation, please.

Commander Neil Jerome (MPS): The factors that are at play are, firstly, for MAPPA and for the Youth Offending Teams, there is a clear statutory framework laid down and set out in terms of how they would operate, but there is not that for IOM. It is left to each area to determine how it is going to operate and there is not that statutory framework, firstly.

Secondly, there is an issue with staffing in terms of the consistency of staffing and the turnover of individuals who are working locally. Relationships are built upon that consistency and, with a higher turnover of staff, it clearly is a challenge.

Then there are the changes in terms of the local service provision. You will find that some local authorities will be commissioning services through the non-statutory sector and will be engaging with those different agencies to provide support services for offenders. Others will not be investing in terms of that provision.

We have a difference in terms of crime profile as well. There will be some boroughs that will be more focused on gang activity and there will be others that will be focused more on some of the high-volume prolific offending such as burglary and vehicle crime.

Len Duvall AM: This is the first time I have heard on this Committee - and I am a regular attender and I might have missed one or two - a police officer tell me about a non-statutory service, which I think is honest,

in terms of saying, "This is how it is", but a service that has such an impact in terms of fighting crime. That goes back to one of the first issues. The reason why we deal with reoffending is prevention.

Is there a document you can point us to that is public - or, if not public, that we could have access to - that tells us what advice you are giving to boroughs about operating the IOM service? Is there something that says, "This is the advice. This is the toolkit. This is how you should do it if you want to do it"? The issue, again, from many years of listening to issues around Territorial Policing and the role in terms of the boroughs, is that even though it is a non-statutory service, there is an issue of consistency. It is not about whether you can or not; this has to be done. Is the MPS planning to say to the boroughs at some stage, "In some form or another, depending on the various [factors] that may exist here, you have to do the following around this type of service", whether it is a Christmas card to all the burglars to say, "Merry Christmas. We are watching you", as a minimum approach to being a bit more sophisticated? Was it Diamond that was one of the projects?

Caroline Pidgeon MBE AM: Yes, Diamond.

Len Duvall AM: It was targeting wards and clusters and actually making it a bit heavier at the other end of the spectrum. What is it that the MPS is doing here, to be honest?

Commander Neil Jerome (MPS): We do set out how each of the boroughs will operate from a MPS point of view in terms of how we expect our officers to go about discharging the offender management function locally. There is a range of tactics. Sending Christmas cards is one. There is not a menu of tactics that are laid out and, "In these circumstances, you use these". We allow officers to have their own professional discretion in how they deploy that. There is a consistency across the MPS in terms of how we expect each of our boroughs to operate.

The inconsistency is because you will find in some boroughs that they will have a particular focus on a particular crime type that will be different in a neighbouring borough. You would expect that. You will also find that there will be some boroughs that will be investing more in terms of the support that they will give and there will be others that will not.

There is a consistency across the MPS in terms of how we will operate internally and what we need to work through is how we encourage our partners to engage at that same level.

Len Duvall AM: Where is this thinking? Should there not be advice? In terms of training now and reduced numbers of assets that you have, should there not be advice to a Borough Commander and a senior management team saying, "This is the range of options you have. You should be considering these throughout the year to drive down this reoffending issue"?

I am surprised by that. I am not saying that it is a question of the leaders, but as a local government practitioner, we used to get all sorts of advice from the Audit Commission. I know that that is gone and they will have to flounder, but why is there not that advice and why is there not that toolkit or someone doing that and pushing from the centre about driving down reoffending rates?

Commander Neil Jerome (MPS): There is a range of what I would term 'standard tactics' that you would use in terms of those individuals: home visits, conducting surveillance operations on those individuals when the intelligence determines that, a whole range of different tactics that we would use. Those are well established.

You will also find that there will be tactics that are deemed to be more innovative and off the wall. The Christmas cards, when they were first introduced, were innovative and slightly off the wall. They are probably now a little bit more mainstream. You have to be careful about how you use that because there is only a very short shelf life to it.

In terms of allowing our officers to have that professional discretion with their professional knowledge around those tactics, it might be hotspot targeting or it might be surveillance operations. There will be a whole range. We do not have those written down in a manual for officers to use. We rely on their professional discretion, their professional knowledge and their training to implement whatever tactics they think are suitable for those particular individuals.

Len Duvall AM: You had a Her Majesty's Inspectorate of Constabulary (HMIC) report. It was the police effectiveness, efficiency and legitimacy (PEEL) report, which said about your inconsistency around that. Is there a time when there is an expectation that somehow that inconsistency is going to go, then? What is the thinking about that?

I am just going to read you what was said about your inconsistency and then you tell me whether there is something structural and that inconsistency is OK. The HMIP said, when it came in and saw you and looked at what you were doing:

"We found that the implementation of these changes was being left to individual boroughs without being coordinated from the centre. This has led to inconsistencies in both resourcing and in the criteria for offenders that should be managed."

Is that then what you are saying to us that there will always be an inconsistency and that, in some ways, we might want to celebrate that or we are not really going to be driving down the figures in the way that we want?

Commander Neil Jerome (MPS): There does need to be a greater degree of consistency across the boroughs in terms of how we operate and in terms of how we measure, but there will always be a balance in recognising the unique characteristics of each borough as well. What we do not want to do is to be in a position where we constrain with one size fits all. We need to have that local flexibility to reflect local crime, local priorities and what the public are telling us in terms of what is important to them, but at the same time ensuring that there is a consistency across London in terms of how we deliver that. That is what we need to work on in terms of making sure that we have that consistency but that it does not constrain that local flexibility for local priorities.

Len Duvall AM: The Committee has also been working on the borough mergers issue, which we think poses a number of challenges to the MPS and almost 'inconsistency' could become the new mantra of the MPS in terms of some of those issues.

Are you involved in the very process of borough mergers and where does it fit into one of the many things that MPS has to achieve in that area or whatever we decide to call the new merged boroughs? Is this going to be an important issue and is this an opportunity to get more consistency in the MPS?

Commander Neil Jerome (MPS): I would agree with you. Yes, there is that opportunity and that --

Len Duvall AM: Yes, and are you grasping it?

Commander Neil Jerome (MPS): We are. I am linked in and my team is linked in to ensure that there is that consistency across each of the merged boroughs.

Len Duvall AM: All right. It would be very useful if you could provide some evidence to this Committee about that and the input you are having on some mergers.

Can I just ask a quick question to MOPAC? Where do you fit into this, then? What do you think of the inconsistency in the MPS and what are you saying about that in your conversations with the MPS?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): In terms of IOM programmes?

Len Duvall AM: Yes.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): There are two things, really. Firstly, just to support Neil's perspective, we have to have the flexibility. The fact that IOM is not a statutory requirement on any of the partners around the table at IOM meetings means, inevitably, that we will get inconsistency across the 32 boroughs. From MOPAC's perspective --

Len Duvall AM: Much as I am being very nice and reasonable in the way I am asking questions, I do not think I accept that. I have not heard, albeit you have exchanged with me, that there is an element that we should accept the inconsistency that we have at the moment and we should be working to reduce that.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I do not disagree that we should be working to reduce it. There are two points, though. There is the point about the inconsistency of the tactical response to the offenders and then there is the point about the inconsistency of how the partners come together in each of the 32 boroughs and which partners are proactively - or not proactively - engaged in those arrangements. I do not disagree that we should be looking to reduce the inconsistency of both of those points.

Tactically, just to agree with Neil [Jerome], my experience is that, although it is not written down, there are very consistent elements of tactical intervention from the police around repeat offenders. The work between the NPS and the CRC and in the MPS is genuinely consistent, albeit there are a number of different tactics that might be used.

Where we need to look to drive down the inconsistency is about the prioritisation of reducing reoffending at a local borough level. That is one of the challenges that have come with TR. There is a connection directly between the previous set of questions about probation services and the changes that they have gone through and the IOM meetings locally. Because they are not required on a statutory footing in each of the boroughs, as safeguarding boards are or community safety partnership boards are, there is a choice there for local partners as to whether or not they come around the table to work together or not. In the main, my experience is that the majority of London partners in each of the boroughs do come together to bring their resources together and to think about how they reduce reoffending. That is different to - and an extension of - the tactical operational tools used by the MPS. We do need to look to drive down those inconsistencies and to promote IOM as a good way of working at a local level.

A lot of work has been done - just to go back to your previous question - and there is some documentation both from the Home Office, which in my personal view is out of date at the moment, and an operational guidance tool for London that was drafted about three years ago about what good practice looks like from an IOM perspective in a local borough. It is not so much about the tactical deployment from the MPS perspective, but how the meetings should run, who should be there, what we mean when we talk about 'pathways to reducing reoffending' and how local authorities contribute to that.

My view is that through the changes that have happened with the probation services, inevitably what has happened is that some of those non-statutory partnerships have suffered as a result of those changes because it is unprecedented in terms of the level of change. My view is that that is getting back on track a lot more

now and the changes that have been put in place through the CRC's recent improvement plan have seen some of those local partnerships starting to come back together in a much stronger way.

We do need to reduce the inconsistencies and we also need to continue to support local authorities at the table and to be engaged in offering some of those pathways out of crime. From MOPAC's perspective, we fund out of the London Crime Prevention Fund (LCPF) a number of different IOM co-ordinators and commissioned services within different boroughs to support those programmes. Through the Police and Crime Plan, it will be one of the priorities to look at how we continue to work with London boroughs to provide that support.

Len Duvall AM: Am I right in thinking, then, as a priority, with MAPPA, you cannot afford to drop the ball --

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): No.

Len Duvall AM: -- and so you have to and it is statutory? On the issue of the Youth Offending Teams, there is going to be some very advanced work there about reoffending and targeting, probably more so than in any other area. This is a priority, then.

In that priority of offending, should a number-one target for some fresh thinking, maybe, be about those who cause violence? I would imagine that - a starter for ten - domestic violence reoffending can lead to murder unless there is a proactive, preventative approach. There may well be sophisticated partnerships at borough level and there will be some inconsistency about resourcing that from the non-policing element of those issues.

Burglary is a pretty horrific crime with the violation of someone's space and their possessions in some senses. I do not get a feeling that there is any target, even non-statutory, for trying to drive down and do the prevention in terms of making me safe and us safe. Where is that thinking coming from? If we have the MPS doing the day-to-day job, should that not be with MOPAC?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): We have been quite clear. Certainly, in the draft Police and Crime Plan at the moment, we have four priority cohorts that we have outlined within that plan.

One is prolific offenders, which is not exclusively but generally where repeat burglars, for example, would sit. It is that sort of grouping in a borough where you would think of repeat acquisitive crime. They are in within the prolific offenders and that is generally where that cohort would sit. We have been really clear that there are a very small number of offenders in London, compared to our overall offenders, who cause significant harm to communities and to victims. We are really clear that we want to continue to work with partners across London to focus resources and co-commission around that.

There are two perspectives on that. Firstly, we are currently invested in working with the London CRC on an enhanced programme of support around prolific offenders in eight boroughs in the northeast of London to trial different interventions to see if they make a difference and to think about how we support those local IOM arrangements.

Secondly, that focus on prolific offenders is underpinning some of the conversations we are having with the MoJ at the moment about how we target what are quite limited resources to have the biggest impact on victims and Londoners more generally in terms of reducing reoffending.

Among the other three priority areas, we have talked in the draft Police and Crime Plan about young offenders and also about young adults, those who transition from the youth estate into the adult estate, and the problems that that causes. Often it happens behind closed doors with that transition and so what the MPS

receives out of the system is something different to what went in. There is a challenge about how we work around that.

The third is around female offenders. We are really clear that in terms of how we work with female offenders as a whole group, not just the prolific ones, we need to think differently about the solutions and the interventions to support a reduction in reoffending. We recently launched and have invested in work with the CRC around bespoke solutions to improving the quality of the casework and also interventions to support that.

We are quite clear that that cohort approach is really important because there are 40,000 offenders - I probably do not have the right number but a significant number of offenders - in London. We suffer from volume. We need to think about how we work together to target those cohorts on whom we know we can have the most significant impact.

Len Duvall AM: Thank you.

Sian Berry AM: It was a quick question to the MPS about the youth offending services. You said that they are statutory --

Commander Neil Jerome (MPS): They are.

Sian Berry AM: -- but are you seeing inconsistencies within boroughs and changes within boroughs when they are going above the statutory minimum? I have seen boroughs that, for example, cut back on the services they give to first-time offenders because of targeting their resources on people with more problems.

Commander Neil Jerome (MPS): There is a far greater degree of consistency with Youth Offending Teams. There is always going to be a variation from borough to borough but there is, largely, a consistent service delivery across the MPS in terms of those Youth Offending Teams.

Sian Berry AM: Are you seeing a general reduction of any kind as things are being cut back?

Commander Neil Jerome (MPS): It is difficult to say at this stage.

Sian Berry AM: OK. We will be monitoring that closely.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Sorry, Steve, [O'Connell AM, Chairman] if it is helpful, I would just say that in terms of the cuts from the Youth Justice Board (YJB) in the last three years, there have been significant cuts from national funding to youth offending services and so we will be seeing a reduction and we are seeing that reduction across London in terms of the those services.

Steve O'Connell AM (Chairman): Yes. All right. Anyway, the next set of questions is about the recent performance report around London CRC and the MPS, which was pretty damning, in fairness. We need to explore that.

Peter Whittle AM: As the Chairman said, it is about the report [*Quality and Impact Inspection: The Effectiveness of Probation Work in the North of London*] that came out in December [2016] by Dame Glenys Stacey [Her Majesty's Chief Inspector of Probation]. It stated that the probation situation was actually putting people "at risk". What is your view on that? What is your thought on the report generally?

Helga Swidenbank (Director of Probation, London CRC): I will start. Certainly, we acknowledge the report and we acknowledge many of the findings of the report. We have done an awful lot of work since the

inspection took place, which happened in August last year [2016] and so we have had a number of months now to address our performance and to put performance plans in place.

Six themes emerged for us from that report, one of which was around the 'at risk' question, but they are all linked. For example, she was critical of the quality of the work that was taking place in London and she was critical of caseloads, of poor oversight, of service users not complying with their sentences, of our cohort, of our operating model and also of the relationship with the MPS.

What I would say is that London has a history of poor performance and so, whilst we absolutely take this seriously and are doing an incredible amount of work to put right the findings of the report, reports from 2009 onwards have been critical about the provision of probation services in London and so this is part of a history --

Peter Whittle AM: We should not really derive any comfort from that, should we?

Helga Swidenbank (Director of Probation, London CRC): No, not at all. The point is that London has a legacy of poor performance. It is an incredibly complex environment to work in. The report also talks about the work of probation services being unrelenting; 17% of probation delivery happens in London.

I just wanted to put it into that context, but that is not me making an excuses. We have an awful lot of work in London CRC to put right the findings of Dame Glenys.

Peter Whittle AM: The thing is that when the report says you are putting people "at risk", it is about as damning as you can get --

Helga Swidenbank (Director of Probation, London CRC): Yes.

Peter Whittle AM: -- considering that that is your very point.

Helga Swidenbank (Director of Probation, London CRC): Yes. I can talk you through some of the activity that we have put in place to address some of those concerns.

In terms of the quality of work, we have undertaken a considerable amount of work with our staff team. We have gone through a performance management approach to the staff team and have put training in place to uplift standards.

One of the other contributing factors to the concerns raised was around caseloads. She reflected that there were some very high caseloads in London. We now have an average caseload of 55, which is making our offender managers' work much more manageable and they are able to meet and manage their service users in a way that they probably were not able to do in August of last year.

In terms of poor oversight, I have done some significant restructuring within my senior management team and we also have enhanced management information. We are now tracking absolutely everything that comes through London CRC, including service user compliance. We now know exactly the status of each of the 30,000 cases that we sit on and we know where they are and who they are being seen by. We are able to flag when there are concerns.

We have done some work looking at our operating model. We had implemented at the beginning of last year a cohort model based on criminogenic needs. We had five cohorts within London probation. We moved away from an area-based structure to clustering our service users into a women's cohort, young adult males, a mental health cohort and so on.

Peter Whittle AM: Sorry. That is very interesting, but could I just say again and really emphasise this point? The report found a “simple” and unacceptable “lack of management attention” to whether offenders turned up to appointments and whether their offending behaviour was being challenged. This is right at the very heart of it.

Maybe I could ask you, Tajinder, what you made of the report. It is all very well to start mending your ways now, but this is extraordinary. This is dire.

Tajinder Matharu (Head of Performance and Quality, NPS, London): In terms of the MPS and what the Inspectorate found, I have my notes here from the day we met before it was published. They described it as “mixed” and we accept that it is mixed. Most of the public protection work we undertook was found to be sufficient, but I am not for a minute saying that there is not too much of it, which is how they described it. There is still too much that is not up to standard. We completely accept that.

You are absolutely right that we can put things in place retrospectively and that narrative paints a picture, but I would get into the detail of it. We spoke about MAPPA earlier. There were six MAPPA cases in the sample and there were only 21 cases in the sample from the MPS. It is important to have that context. Five of those six MAPPA arrangements were found to be sufficient or better. What they did point out was some confusion between MAPPA and IOM and the statutory versus non-statutory and how we manage that.

It is important for us and our staff on the front line to build on those positives going forward and not focus just on those. There is good work out there and there always has been. It is how we build on that good work as opposed to just focusing on what the negatives might be. However, you are absolutely right that there is too much work and the --

Peter Whittle AM: It is a total failure, is it not?

Tajinder Matharu (Head of Performance and Quality, NPS, London): I would not accept that it is a total failure because, when you look into the detail, there is some good work in there.

Peter Whittle AM: Sorry, Helga, Tajinder, for your bodies, as it were, what is the interface like? How do you work together, particularly in addressing all of these myriad problems? How does that work?

Helga Swidenbank (Director of Probation, London CRC): We have formal meetings where we interface, which are set out in our contract, and we have shared obligations to meet both at a very senior level and going down the organisation. What supports that is growing informal relationships. I have a very strong informal relationship with the Deputy Director at the MPS responsible for London and I meet with her regularly and members of my senior team meet with their counterparts. That is supported by a number of activities that we are sharing, for example, sharing training, sharing conversations and processes around performance management. We are attempting to work together to ensure that we are supporting the delivery of probation services in London.

Linda Neimantas (Head of Quality and Performance, London CRC): If I can just add, Tajinder [Matharu] and I work very closely because we are counterparts in our two organisations and that is working really well.

Tajinder Matharu (Head of Performance and Quality, NPS, London): Absolutely.

Linda Neimantas (Head of Quality and Performance, London CRC): Together, we are addressing a number of the key interfaces. For example, we have just run training, which was for CRC staff but we had a

member of the MPS come and deliver some of that training, which was incredibly helpful. That is the kind of manner in which we want to continue working this year.

Peter Whittle AM: Do either of you think that it would be much more effective to have just one body doing this? Are there too many cooks, as it were, spoiling the broth for it to be so bad?

Helga Swidenbank (Director of Probation, London CRC): It might make things more simple. However, I am very excited about what TR allows us to do. Our mission is to reduce reoffending in London and removing the shackles of government and having a contract allows us to be much more flexible and allows us to think slightly differently. I am excited about the future.

At the moment, it is just incredibly complex and it has been a highly complicated change programme that we are all weaving our way through. We are trying really hard not to impact on the lives of service users and to carry on that really important work while we get ourselves organised and allow ourselves to be able to do the really exciting and innovate reducing reoffending work that we know we have the potential to do. At the moment, we are working through the complexity.

Peter Whittle AM: You did go through, did you not, some of the things you are trying to do?

Helga Swidenbank (Director of Probation, London CRC): Yes.

Peter Whittle AM: Can you just pinpoint the chief ones that you would say? Without going through the bullet points, what are the main things you are trying to do to change this situation?

Helga Swidenbank (Director of Probation, London CRC): To address your particular point about risk - and I am going to ask Linda, too, who has been leading on this - there are two areas. One is management information and how we are offering oversights and then what we are doing around uplifting our staff skillset. I will ask Linda to pick up on this because she is leading it.

Linda Neimantas (Head of Quality and Performance, London CRC): In terms of management information, we have a far more robust process in place now in terms of how we manage service users coming into the office every week, how often they are reporting and making sure that they have a plan in place. We have to report back to NOMS, which manages our contract. We have far more robust processes than we did before and we are continuing to enhance those.

As well, last year - and this started before the HMIP report as well because we recognised that we had a challenge with our performance - we made a significant investment in our staff. For all of our offender managers in the organisation, we went through a performance and talent management process. We looked at where they were all performing. All of those staff who were not performing to the right standard have all been through significant and extensive training to make sure that they are very clear about the foundations of the job and know what the standards are. That is something that we are very proud of, in fact, in terms of the training that we have been delivering.

Peter Whittle AM: Could I just ask Samantha what you think about this? In your discussions with the MoJ, how do you think these terrible shortcomings - not just shortcomings but basic failures - can be overcome in London?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): It is important for us to say that there were a number of different conversations before Christmas [2016] between the Mayor and the Deputy Mayor [for Policing and Crime] and Ministers, which were very positive, and some really honest and quite transparent information was provided from the CRC and the MoJ about the what the issues were,

about those 40 cases that were looked at as part of the HMIP report and about what the improvement plan looks like following that.

I do not want to reiterate what Helga [Swidenbank] has said. There is a challenge but, to me, the challenges are separate. One at the moment is around the operational performance of probation services in London, which is about both the CRC and the MPS, how they have responded to the significant change programme over the last two years and how that has impacted on their service users. That is what has come through from the HMIP report. Secondly, what sits alongside that is whether we have the right arrangements for London in place - which is a different question - to ensure that London is getting the most value out of, for example, the CRC contract and whether the way the contract is commissioned and managed is in the best interest of London and London's needs. For me, those two questions are different. We have been quite clear in not aligning the two things.

The outcomes of the HMIP, from my perspective, demonstrate two organisations that have struggled to respond to the change programme through TR. It was immense. It happened very quickly. What we are seeing is an impact on service users as a result of that. From this office's perspective, the Deputy Mayor [for Policing and Crime] and the Mayor are content that they have had the improvement plan explained to them in a way that makes sense and they are content that the CRC and the MPS are working together to put those improvements and immediately required changes in place.

Alongside that is a different question, which is Helga's point about how there is a legacy of poor performance around probation services in London and whether or not the current arrangements through TR and the way the contracts are managed sits in the best place to ensure that London gets what it needs.

One of the things that you as a Committee have asked lots of questions about this morning is how these three organisations work together to manage those offenders in London. There is a big opportunity through the Mayor's office, which currently has formal oversight with the MPS, to think about what that should look like for CRC probation services in London and how these two organisations could be more integrated and managed and commissioned in a different way. That is not going to happen from a national perspective just because it is too difficult to do. It is not because the MoJ does or does not want to do it. It is just too difficult to do that from a national perspective.

From my point of view, the HMIP report was telling and it was clear, I think for all of us, probably not that surprisingly, in terms of the impact that the TR changes and - let us be honest - financial cost saving exercises have had on provision over the last two years. However, from this office's perspective, we are content with the improvement plan that has been put in place.

The CRC ran two days of partnership work with senior strategic partners in London at the end of January [2017] with chief executives. We were really pleased with the view and the support that came from the London boroughs following the conversations.

The right actions are now in place. The challenge is a bigger one, though, which is that we need to think about how London is going to help manage and help to improve those services in the longer term around reoffending, as opposed to what are largely just case-based issues of performance that have come through the HMIP report.

Peter Whittle AM: Thank you very much.

Steve O'Connell AM (Chairman): We now have some questions, really, about caseload pressures and also some thoughts about devolution.

Caroline Pidgeon MBE AM: Just before that, I wanted to pick up. Helga, I was listening very carefully to what you were saying and I accept that it must have been very difficult with this change in structure and so on. I used to work in the National Health Service (NHS) and I have lived through several reorganisations and I know the impact that that would have on staff morale. However, you said you only “acknowledge” many of the recommendations in the report and so do you not agree with the report?

Helga Swidenbank (Director of Probation, London CRC): We agree with the findings of the report. The point we made at the time was that it looked at 40 cases and so it was 0.1% of our caseload and it was in an area where we knew we had significant performance problems. That is --

Caroline Pidgeon MBE AM: You do not think that it fully reflected the service but it did reflect the area it looked at?

Helga Swidenbank (Director of Probation, London CRC): It absolutely reflected the area it looked at and what it allowed us to do is to draw out themes and take a look at what was happening across the rest of London and, as Linda [Neimantas] has just described, talk to the entire organisation about upskilling.

Caroline Pidgeon MBE AM: Has staff morale been an issue when going through all of this change?

Helga Swidenbank (Director of Probation, London CRC): Staff morale has been really buffeted not just by the inspection report but through the whole TR process. I am relatively new to probation. I joined London CRC in November 2015 and I arrived at a time when staff were grieving the split between the MPS and the CRC. They have been through an awful lot. Part of our job as a senior team is to say, “We have a change plan in place. We are really optimistic about the future. These are the things we are doing to try to fix it”. Yes, staff have been pretty buffeted over the last few years with TR and the consequences of it.

Caroline Pidgeon MBE AM: Thank you. I want to talk about caseloads. The December [2016] inspection highlighted that individual probation officer caseloads ranged from 50 to 100 cases and some senior officers were overseeing more than 900 cases, which was unsustainable. You have said that now, two months on, your average caseload is 55. That still means that some people have much higher caseloads than perhaps they should have.

Helga Swidenbank (Director of Probation, London CRC): The inspection took place in August [2016]. As soon as we had that informal feedback from the Inspectorate, we took action around that. We were cognisant of the caseload differentiation prior to that, but we have been working on this since August.

Caroline Pidgeon MBE AM: How are you reducing the caseloads? Are you recruiting more? You had a 20% vacancy rate.

Helga Swidenbank (Director of Probation, London CRC): Yes. We have done recruitment and, also, our operational remodelling. I will start with recruitment. We have done a significant recruitment exercise both looking externally and talking to our agency staff about converting into permanent staff. That is ongoing and we are very confident about the outcomes of that. We did some recruitment last week and had some really good-quality people, which we are delighted about.

We have also looked at the operational model. The operational model that we had implemented at the beginning of January 2016 did not help caseloads and we had a significant disparity. We had some of our offender managers who were managing caseloads of approximately 20 and others had in the hundreds. We have changed the way we move business around, which has allowed us to spread that caseload more evenly. We do now have an average of approximately 55. There are some slightly higher but they are not significantly higher.

Things are feeling much more comfortable. I visit an office a week and what I have been hearing over the last month or two is that people are feeling much more comfortable with their caseloads and much more confident about how they are working with their service users and thereby mitigating some of the risks that were highlighted earlier.

Caroline Pidgeon MBE AM: What would an ideal best-practice caseload be? Would 40 cases really be more appropriate or are you saying that 55 is absolutely manageable? It sounds like a huge amount to me.

Helga Swidenbank (Director of Probation, London CRC): Yes. Our view is that 55 is manageable. Remember that we are working with low to medium cases, some of whom are still in custody. Our people have mixed caseloads. Linda, did you want to --

Linda Neimantas (Head of Quality and Performance, London CRC): Yes, indeed. Fifty five is absolutely manageable and remember that most work takes place in a case in the first three months of an order. That is where the work needs to focus. If you are an offender manager with a caseload of 55, it would be spread across the timeframe and so you would have some cases that are coming up to expiry. Those 55 cases are not all within the first three months of the order. It is very much manageable.

We are very robust with our management information as well and so we are constantly monitoring caseloads and all of our area managers and senior probation officers are held to account in terms of caseloads. It is something that we are robustly managing.

Caroline Pidgeon MBE AM: Can I just ask from Tajinder's point of view what the average caseload is? You have the more serious offenders, do you not?

Tajinder Matharu (Head of Performance and Quality, NPS, London): Yes, and it does vary a little bit. We introduced in autumn last year [2016] a seven-tier system. Each tier of case, depending on the characteristics of the caseload, attracts a weighting and that is how it is worked out. If an average probation officer was working fulltime, they would have about 35 or 40 cases tops, but you have to remember that a lot of that is in prisons and —very few in custody. It will vary between officers.

Caroline Pidgeon MBE AM: All right. It was just helpful to get that comparison. In terms of supervision, it is really important with these cases and I know you have talked about how you have brought in enhanced management tracking and everything and it is flagging. However, in the supervision of those officers and helping them when they perhaps come to an obstacle with a particular offender, what is the ratio there in terms of cases and supervisors to those staff?

Linda Neimantas (Head of Quality and Performance, London CRC): The average of senior probation officers to offender managers is between 10 and 12 fulltime equivalent members of staff. For each senior probation officer, the expectation is that they are supervising each of their offender managers once a month so that they can go through their caseloads and make sure that the foundations of the work that needs to be done are being completed. Again, that is something that is manageable and is a key part of the Senior Probation Officer's job.

Caroline Pidgeon MBE AM: That is seen as a manageable workload as well and caseload?

Linda Neimantas (Head of Quality and Performance, London CRC): Yes.

Caroline Pidgeon MBE AM: OK. The National Audit Office report talked about there being a significant gap between estimated caseloads that the CRCs used to cost up their bids and the actual volumes they are working

with. Another one had cut frontline employee numbers in line with its work volumes. I know that London is different, but do you think that the contracts are sustainable due to this gap in predicted and actual caseload volumes?

Helga Swidenbank (Director of Probation, London CRC): This is a very live debate that is currently being considered by the Probation System Review (PSR). The MoJ is conducting a very extensive review across the country into this very question about volumes and associated revenue. We are contributing to that and we are waiting anxiously for the outcome to see what the MoJ will come up with in terms of a resolution.

Caroline Pidgeon MBE AM: Is it an issue for you in London?

Helga Swidenbank (Director of Probation, London CRC): We have a very positive relationship with NOMS and it is very aware of our organisational challenges and accepts the legacy issues. The conversations we are having at the moment are about holding our revenue at a steady state until the outcome of the PSR is announced.

Caroline Pidgeon MBE AM: Is the revenue enough to cover the workload that you have?

Helga Swidenbank (Director of Probation, London CRC): At the moment, we are OK.

Caroline Pidgeon MBE AM: Are you different to other regions, as it were?

Helga Swidenbank (Director of Probation, London CRC): My hesitation is because a lot of this is a commercial conversation and it is very much in the mix with the PRS. At the moment, we are OK and we are working very hard with NOMS to focus on operational delivery.

Caroline Pidgeon MBE AM: OK. Is there an impact from this issue of funding - and obviously you are discussing that up the line - on probation officers and on offenders in terms of what you are able to deliver and provide?

Helga Swidenbank (Director of Probation, London CRC): If we do not get a favourable outcome from the PRS, yes, it will have an impact on the number of staff we will be able to employ to provide services. If we do not get a favourable outcome, it will bring lots of things into question.

Caroline Pidgeon MBE AM: It is really quite worrying, is it not, that you cannot afford to run the contract to provide the service you need for the volume of offenders.

Helga Swidenbank (Director of Probation, London CRC): We are making very robust representations to NOMS and the MoJ about what we think we need to deliver good-quality services to London.

Caroline Pidgeon MBE AM: All right. I am going to move on to something else and take you out of the hot seat.

Let us talk about devolution. If I can ask Samantha, what does it actually look like? We talk about devolution all the time, particularly politicians. We love talking about it. What does a devolved criminal justice service actually look like for London? What would it mean for reoffending rates? What would it mean for Londoners, as it were?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Let me write the reoffending bit down because I will forget that when I have finished talking about what it actually means.

Thank you. That was a really helpful question. You are right as well that there have been lots of conversations about devolution for a long time and that devolution will help to fix things, will improve performance and will help do away with a lot of the challenges that we have just talked about in terms of offending and contracts.

In the last four to six months we have been having really good conversations with the MoJ about what criminal justice devolution should or could mean for London. From our perspective, the key priority has been that it does not stop things, if that makes sense. We have in place, in my view, quite pragmatic and appropriate joint commissioning arrangements at the moment with the CRC and I want that spirit of pragmatism and addressing the problems to continue and not to be halted by a programme of developing a memorandum of understanding (MoU) that takes a long time.

For London, what does criminal justice devolution mean? It means two things, really. Firstly - and we have different language around this and so a lot of the conversations will be about language - it means agreeing a set of joined or aligned priorities. From my perspective, that means what our co-commissioning priorities are over the next three to five years in terms of criminal justice for London.

From the Mayor's office, we have agreed that we think the priorities for London are around lots of the issues that we have talked about today. We are very focused on youth justice for the reasons that have been flagged. Resources are reducing. There are challenges around how the national is able to work with London boroughs in that respect. We would like to bring a stronger partnership together around London for that to jointly invest.

Secondly, we are very committed to female offending. The evidence, which is obviously a key component of the MoJ's ask, is clear around female offending in terms of the fact that more spend time in prison on shorter sentences than they should and generally behave better than males in terms of reducing reoffending and compliance. Therefore, we should do something better in London.

Thirdly, it is around prolific offending. Linked to the conversation around prolific offending is what we could be doing differently to keep some of these individuals out of prison for longer periods of time to be able to do rehabilitation work with them. We have started some interesting work around tagging as an extension of the work we have been doing around sobriety. We see that use, challenge and testing around tagging as being an important joint piece of work between us and the MoJ.

Fourthly, in terms of co-commissioning, it is looking at the transition points, like the point around young adults, and whether or not the way that young adults are treated and supported through the system makes sense.

They are the four areas where we want to joint work. That is not about saying that we want immediately budgets devolved or responsibilities devolved, but we do want commitment around joint work, joint outcomes and joint ambitions so that we can do aligned programmes of work in those areas.

The second part of what devolution means to us is where we think the devolvement of services and budgets makes sense in terms of improvements in either performance or quality of services. There are two key areas. One is around what we have talked about, which is the CRC contract. Our ask at the moment is thinking much more about how we work with the MoJ, not saying, "Let us lift and shift the contract management and the budget", but saying, "Let us get some better joint arrangement between national contract management and regional commissioning and contract management", so that we can help to address some of the very pertinent issues you have raised about funding and what might come out of the PSR.

Secondly, we are clear that we should be seeking better solutions for victims out of the criminal justice devolution arrangement for London and that we have in our gift services that are delivered through the MPS

and statutory services that are commissioned through us with the current funding from the MoJ. We would like to be able to expand that so that we have a service for victims going into court and have a direct responsibility for ensuring that pathway and consistency of care, as opposed to what we have at the moment, which are bump points, quite frankly, for victims, who have to repeat their stories or receive different forms of support along the way.

Caroline Pidgeon MBE AM: OK. I want to pick up on that. Really, it is more soft joint working or whatever. You are not asking for the budgets to be devolved and the management of contracts. You are just wanting a better way of jointly doing things?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): It is a combination of those two things. In the first four areas that I talked about, we are asking for integration and joint commissioning commitments from the MoJ. In the latter two around the CRC contract, we await what happens from the PSR because that is important in terms of understanding those questions about funding. In terms of victims and the victim court service, we are quite clear that we think a devolvement of that service to London makes sense and, for victims in London, it makes sense.

Caroline Pidgeon MBE AM: OK, but you have been looking - and I cannot find it but I read in here somewhere the exact time - at devolution for quite a few years, and yet we had the announcement yesterday in the Budget and all it talks about is:

“We will work together to develop a shared view of the benefits and ... identify the criminal justice services that can best be delivered locally ...”

It feels like that is what you have been doing for several years. Are you disappointed with what came out yesterday or do you think that within a few months you are going to have something firmed up?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I am not disappointed. It is a commitment. What I am particularly pleased about is that in the same statement it says:

“A MoU will be agreed by June 2017 to support the process for collaborative working.”

From my perspective, it is that MoU that is really important because that is where the detail will sit in terms of how we will work together, what resources will look like and mean, what areas will be directly devolved and what will be part of collaborative working.

Caroline Pidgeon MBE AM: Do you expect that by June in that memorandum - you will have real devolution of budgets and services?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): We will have clear agreements and timeframes. What we will not be able to do and what it would not make sense to say is that at the beginning of the financial year we are going to see budgets devolved, but what we will have by June is a clear timeframe of what those agreements are, which I am personally quite excited about. It is a good shift forward.

Also, we are now in a position to make sure that the work we have done in the last two to three years, working jointly together in London to do all that we can without devolution, has really been shown to be impactful.

The other thing I would say is that we talk a lot about Manchester and Manchester's successes, but Manchester started at this point and quite significant work has happened and contracts have been devolved from this as a starting point.

Caroline Pidgeon MBE AM: How is this going to look in terms of reoffending rates? What impact is devolution going to have?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): That is a good question. Those performance indicators will be some of the key things that will have to be looked at as part of signing off that MoU in June.

From my perspective, the focus and concentration on cohorts is really important to us. What I am not going to say is that a devolution deal for London will mean that reoffending rates will drop by 20%. That is not realistic in terms of the challenges we have around current services, the budgetary challenges we have and the sheer volume we have in London. We are confident, as are our partnerships in London, that if we focus on specific areas and target and work better together, we can deliver better outcomes. It is about thinking again about female offenders and prolific offenders. We want to see successes in those areas linked to a reduction in reoffending.

I would also like to make the point, though, that from our perspective it is also about the victims. We are really interested in how we improve the quality of services and what victims in London are telling us as a result of any changes to services, too. It would be a combination of those two things.

Caroline Pidgeon MBE AM: Then, to the rest of the guests, do you support the idea of devolving some powers and responsibilities for criminal justice to City Hall? Do you have any concerns about it or do you see that there will be benefits? I will start with the Commander.

Commander Neil Jerome (MPS): Yes, it is supported by us. One size does not fit all, simply put, across the nation. London is complex and it has some unique issues, clearly. Being able to have flexible, fleet-of-foot arrangements in place that allow us to focus on what is occurring here will give the local autonomy to those organisations to work through what is best for London as opposed to trying to make it fit to a national footprint.

Helga Swidenbank (Director of Probation, London CRC): We have a contract with NOMS. It is our primary client and so that is where we currently sit. Certainly, I enjoy a very good relationship with MOPAC and we see that there is an absolute advantage to working in a London-centric way.

Tajinder Matharu (Head of Performance and Quality, NPS, London): We operate to a service level agreement with NOMS as well, but most of what we do is within a statutory framework. In terms of the London picture, if devolution would help provide a better service to service users and victims, then, absolutely, we support it.

Caroline Pidgeon MBE AM: Thank you very much.

Steve O'Connell AM (Chairman): It is interesting, the conversation about devolution. I share Caroline's concerns. We have been talking about devolution for some years under the previous administration. The announcement yesterday is to be welcomed, but it was very high-level and we will be very interested in the June 2017 memorandum, which will by then be in the second year of this Mayor's term, and his Police and Crime Plan.

Anyway, moving on to support for short-term prisoners, there is clearly an issue around there. Nearly 60% of offenders reoffend within 12 months. Keith, you have one or two questions around this subject, I believe.

Keith Prince AM: I have indeed, yes. First of all, I would like to talk about the work that NOMS has done to increase its understanding of short-term prisoners. There seems to be a number of issues and certainly in London an undesirable cycle of a short-term sentence, a release, not working well with the probation services, a recall, another short sentence and another release. A recent report said, "The release and recall is a poor outcome for offenders".

I just wondered what NOMS has done to increase its understanding of how short-term prisoners are responding to supervision. Would anyone like to have a pitch at that?

Tajinder Matharu (Head of Performance and Quality, NPS, London): What has NOMS done to understand short-term prisoners?

Keith Prince AM: Yes. What work has NOMS done to increase its understanding of how short-term prisoners are responding to supervision? It seems that the outcomes are not very good at the moment.

Tajinder Matharu (Head of Performance and Quality, NPS, London): The legislation, the Offender Rehabilitation Act (ORA), was introduced and that brought that cohort of offenders into supervision and so they all received 12 months of supervision post-release. However, you are absolutely right that some of what we see is that revolving door syndrome manifesting itself in a slightly different way. They are on the books now and previously they were not being supervised. One of the challenges is to try to understand the difference between a licence period and the post-sentence supervision period, what can and cannot be done in that period, what is commensurate with their offending, their behaviour and what is legal, even. The work we are doing from an NPS point of view is to understand our cohort of offenders - and we do have a small cohort of offenders in that bracket - to try to understand their needs better.

We are looking actively at alternatives to recall where appropriate. We have introduced, for example - London was one of the pilot areas but it has now been introduced nationally - the ability to vary licence conditions locally. Previously we had to go to prison governors to do that in a bit more of a bureaucratic process. We can now do that locally and local heads of clusters and senior managers can do that locally. We are exploring different ways to try to address the recall issue. I do not mean to make it smaller than it is, but it is one cohort of offenders amongst everybody else. We will do the same with everybody and try to understand what their needs are and how we can work with them better, but the recall issue we are definitely are addressing.

Keith Prince AM: You are changing processes, but really the question was about what you are doing to understand how prisoners are responding. Are you looking at the psyche? Are you looking at why you have this continuous revolving door, as you quite well put it? Yes, we can try different things, but often it is trying to get inside the psyche of the people that makes the difference, does it not? What are you doing on that?

Tajinder Matharu (Head of Performance and Quality, NPS, London): The evidence base is quite strong in terms of reducing recidivism and reoffending. We are talking about a specific cohort of offenders. In response to HMIP, as one of the responses in the NPS, we have rolled out a performance and quality action plan with quality development officers who will do some quality assurance work. One of the things they will do, amongst many others, is try to understand our cohort of offenders better and exactly the issue that you refer to.

It is still early. We do not have the evidence right now in terms of this cohort of offenders, whether their needs or whether the reasons for them reoffending or this revolving door is different to anybody else. I suspect there are probably subtle differences, but I do not know what they are right now. Is it about availability of services in the community? It may be. The resettlement piece and that Through the Gate piece in terms of how we work with them in custody is an important factor as well. There are a number of things, but again it comes

back to us working together, especially with the Through the Gate piece, to really understand what those needs are.

It is a work in progress. We do not have the evidence right now to say, "This is what we have done and this is what we have found", but it is a very good point that you make.

Keith Prince AM: Has anyone else done any work on this at all?

Helga Swidenbank (Director of Probation, London CRC): I am very happy to speak to the principles of Through the Gate, which we are contracted to deliver. TR introduced the concept of Through the Gate, although, having said that, a number of governors were very clear prior to TR that in that high-risk period of somebody leaving custody in the first 24 or 48 hours post-release, they are very vulnerable and so any motivation for change they may have had can disappear within those first 48 hours. What the CRC is contracted to do is to work with people when they come into custody at the very beginning to help assess needs and work with them in their last 12 weeks prior to discharge.

Keith Prince AM: The next question is going to be about giving an example of effective Through the Gate provision and what it looks in London and so you might as well roll that into what you are saying now.

Helga Swidenbank (Director of Probation, London CRC): We work with them in the last 12 weeks prior to discharge and then put them in touch with and attempt to try to get the Offender Manager whom they will be working with in the community to start building that relationship with them prior to release, the aim being a continuity of relationship that helps to bridge that vulnerable few days post-release. When that works well - and it is still a very early service that has been in place for approximately a year - we deliver that in two different ways across London. We deliver it through self-delivery in the women's estate and we deliver it through our supply chain in the male estate. We have some very strong --

Keith Prince AM: Sorry, I do not understand a word of that. I am a bit simple and so, if you could just explain that, you said one was self-delivery and the other one was something else.

Helga Swidenbank (Director of Probation, London CRC): We employ our London CRC staff across the female estate for three prisons just outside London and they deliver the Through the Gate services. What that means in reality is that they meet with people who are about to go out on release and talk to them about things like education, training and housing and they do what they can to signpost them, resolve any issues they might have around tenancies and that kind of thing. Then we work with third-sector partners in the male estate. The third-sector partners we work with include Penrose, Catch22 and Novus.

Keith Prince AM: Subcontractors?

Helga Swidenbank (Director of Probation, London CRC): We subcontract those services. There are some examples of very good services. Catch22, for example, in [HM Prison] Feltham worked very well with the young men coming out of Feltham.

Keith Prince AM: Are you saying that some of them are not very good?

Helga Swidenbank (Director of Probation, London CRC): Varying quality, but you asked me for an example of good practice and I probably would pinpoint Catch22 in Feltham. It is very well established and it has very good relationships with the young people there. Building those relationships prior to release and going into the community has been something it has been able to do very positively.

Keith Prince AM: That still does not really answer the question about understanding but, anyway. The Chief Inspector's probation report says that "services were poor and there was little to commend", but the mitigation there was, as you talked about, education and accessing services. You are not really in direct control of a lot of the education and housing and so what are you doing to build bridges with these partners in housing, education and employment? Clearly, as you said, people are very vulnerable for the first 48 hours if they do not have a home to go to - I would feel quite vulnerable myself - and also if they cannot access education or cannot access employment. What do you do prior to their release in order to facilitate that so that they do not just walk out into a very hostile environment?

Helga Swidenbank (Director of Probation, London CRC): Using housing as an example, we subcontract to St Mungo's, which is a housing charity. St Mungo's workers work in the prisons we provide services to and are able to offer specialist housing advice. What we do not have is housing stock to be able to give to people on release and so we are absolutely reliant on working with other voluntary sectors and with the local councils to try to either secure tenancies or find accommodation for our people when they are coming out of custody.

Keith Prince AM: What happens if you cannot and how often is it that you cannot?

Helga Swidenbank (Director of Probation, London CRC): We have a service level target and we are asked to find 90% of our service users accommodation that lasts at least three months. Our average across all of the London estate is about 80%¹ at the moment and so there are a number of people who are coming out without accommodation. Our target is to find settled accommodation for people coming out of custody for a three-month period.

Keith Prince AM: You find them accommodation as they come out for a minimum of three months?

Helga Swidenbank (Director of Probation, London CRC): Yes. At the moment across London, our average is around 80% and so there are some areas where it is harder to find and some cohorts for whom it is harder to find accommodation for people and others where it is more straightforward. It is a huge challenge and it is a challenge that is not unique to service users across London.

Keith Prince AM: What you are saying is that 20% of people fall through that net?

Helga Swidenbank (Director of Probation, London CRC): Yes.

Keith Prince AM: In comparison to the 80% whom you find a home or accommodation for and the 20% whom you do not find accommodation for, what are the comparative reoffending rates for those two cohorts?

Helga Swidenbank (Director of Probation, London CRC): I do not have specific data on that, but what I do know is that accommodation is an absolutely critical part of helping to address someone's offending behaviour. You made the point yourself that if you were coming out of custody without anywhere to live, you would feel incredibly vulnerable. We understand that that is a really important part of trying to stop offending.

Keith Prince AM: Are you dealing with the MPS or MOPAC together? What, jointly, are you doing to mitigate that situation?

Helga Swidenbank (Director of Probation, London CRC): We have conversations on a local level and so our local officers and our local relationships are talking to local councils. On a pan-London level I am having

¹ Following the meeting, the Director of Probation, London CRC, corrected the 80% figure for settled accommodation in February 2017 to 73%.

conversations with London Councils and council Leaders about what they are doing around housing provision but, as I would say, it is not unique to service users across London. There is a dearth of --

Keith Prince AM: Have you highlighted this dilemma to MOPAC, for instance?

Helga Swidenbank (Director of Probation, London CRC): Yes, and when we met at a Justice Matters meeting last week, this was one of the key issues that we discussed as a challenge for London.

Keith Prince AM: What is MOPAC --

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Sorry, what is my answer in terms of the 20% or my answer in terms of the need?

Keith Prince AM: We know the need. Can I ask you when this was brought to your notice? Was it only last week?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): No. If our focus is on reducing reoffending, we know that there are a number of distinct 'pathways' in terms of offenders that are a priority if you want to impact on reoffending rates. Housing is one of those; physical and mental health would be another one, linked to substance misuse. There are others: debt management, employment. There are seven key pathways that as a strategic partnership we would look at and become aware of in terms of each of the areas.

When I talked before about the cohort groups, in our work with each of cohort groups, there is a need - and there remains a need - for better data about which offenders are not currently able to access the required support, whether that be housing, mental health support, physical health support or employment. We are working through the London Reducing Reoffending Board in order to do that. The 'needs' picture has always been a key part of the data that we have looked at in terms of performance for London.

The other bit that I would say, which is really important, is when we were talking about local IOM arrangements. This is exactly what local IOM arrangements are supposed to be about. The reason the 32 boroughs come together once a month and talk through their list of offenders, when they are being released from prison and what their needs are, and why probation would be present at those meetings and the police is to discuss then with the local authority how they can meet those broader needs. Housing is generally present at IOM meetings and so are substance misuse services and health colleagues would be there.

Keith Prince AM: Do we have good boroughs and naughty boroughs, then?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): We have inconsistency across boroughs and I could not tell you in terms of each of those pathways which boroughs are better performing than others. Housing generally follows the housing trend when you are looking at central London boroughs. It will be far more challenging in terms of accommodation across the board than it will be, potentially, in some of the outer London boroughs.

Keith Prince AM: How long have we known about this housing thing?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Housing as a pathway and a priority need for offenders has been the test of time, really. It has always been an issue because there are two --

Keith Prince AM: I must admit that I cannot have been doing my job properly because no one ever mentioned it to me.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): There are two elements to the housing need, really, for offenders. One is that when you go into custody, into prison, particularly for those on short-term sentences, what often happens is that offenders will lose their housing arrangements because nobody will tell somebody that they are not there to pay their rent. There are some very practical things that happen.

My view is that the fact that short-term sentence prisoners now receive supervision will go some way to help with that because we know that they are in prison and we know when they are coming out, which we did not know as local partnerships before. That problem has always been present. For 20 years I have been involved in this area of work and, when I have worked on local boroughs and sitting in IOM meetings, it has always been a need that has been discussed.

Aligned to that, though, is a bigger piece of work, which is one that links to the devolution question and what the benefits are of devolution for London. One of the benefits is that if we are working and understanding better the contract, the contract value and the payments around the CRC contract, we will have a closer relationship with London boroughs than naturally the MoJ would have. That ability then to put in place formal agreements around housing and access to pathways potentially becomes slightly simpler. I am not saying that it is easy at all because there are 32 of them, but it is slightly simpler. We do not have those formal agreements around access to housing or prioritisation of any particular offender into housing for London.

Keith Prince AM: Could the Mayor do that, though? Even though at the moment that responsibility has not been devolved, as you quite rightly say, the Mayor has far more influence with the boroughs than the MoJ or the MPS.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes, that data and those conversations are happening and being presented. There is no requirement placed on the local authority to provide accommodation to offenders. That is absolutely our fundamental stumbling block. That work that we talked about, though, in terms of encouraging and funding IOM programmes locally --

Keith Prince AM: I am sorry to cut across you, Samantha, but the Mayor has tremendous leverage with boroughs.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes, we are starting to apply a lot of that.

Keith Prince AM: It cannot be hundreds of people, can it? How many people get released per year from prisons?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I do not know that figure off the top of my head, but there are on average 40,000 offenders in London and every one of those offenders I would go so far as saying will have complex needs in terms of either physical or mental health, housing or substance misuse.

Keith Prince AM: It is about just over 100 per borough then, if you average that out. Did you say 40,000 people are being released a year?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I do not know whether it is being released. There are 40,000 offenders either in custody or being managed in the community on average every year in London.

Keith Prince AM: Only a percentage of that would be released, then, would they not? You must have a ballpark figure.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): For example, generally, a local IOM scheme will be managing something between 100 to 200 offenders depending on what it has prioritised locally and what its list looks like. Every one of those offenders will have some sort of housing need, just as an example. Then, if you take that volume, which is quite significant then when applied to the broader housing issues that will exist in every London borough, certainly at the moment as well - and this has got worse over the last five to six years - there will be a pressure. Just as an example, MOPAC has agreed and done some work recently to put in place a reciprocal housing agreement for victims of domestic violence. Just to put it into context, victims of domestic violence, until that point, received no priority through local authority housing for a move. It had to be linked to some other broader need that was prioritised within housing options. If it is a starting point that a victim of domestic violence does not have prioritisation for housing, then starting to look at offenders becomes much more complex and complicated.

From my perspective, we are doing two things. As Helga said, we talked about this a lot at Criminal Justice Matters and housing leads with the GLA were present in those discussions. We are working with London Councils through the Housing Directors' Group in terms of that data and that need and we are working through local IOM arrangements in terms of continued funding support for local authorities to continue to engage because the key thing is that it is not a statutory requirement placed on a local authority to reduce reoffending. Therefore, we have to work with them in good faith to develop those partnerships and those arrangements to support the pathways.

Keith Prince AM: It must be in the interests of a local authority to reduce reoffending because, if they live in their borough and reoffend, chances are that it is going to happen in their borough, is it not?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes. My experience is that most of the 32 boroughs would agree with that. It is then making that practical and so turning that into agreements around access and support for those offenders that becomes very complicated. In the last eight to 10 years, the budgets around substance misuse, supported housing and all of those things we had in local areas has been significantly reduced. We have severe probation changes and transition mixed with local authorities managing their core minimum requirements, largely linked to statutory responsibilities that they have to deliver against.

Keith Prince AM: As I said earlier - and I will shut up in a second - the Mayor has tremendous leverage. It may not be that the Mayor can help them with providing a house, but certainly most boroughs want something from the Mayor. There is always a *quid pro quo* in relation to the Mayor.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): We are committed to working on that. As I said, that is part of the conversation that started at Justice Matters two weeks ago.

Keith Prince AM: That is where the Deputy Mayor [for Policing and Crime] could really have a conversation with the Mayor and say, "Look, I need some housing in X borough", and the Mayor would say, "Actually, X borough needs whatsit". That it is life, is it not?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Those conversations, as I said, have started and those commitments around housing and pathways for reducing reoffending are in the draft Police and Crime Plan.

Keith Prince AM: I cannot remember what it is called off the top of my head, but MOPAC gives a not-insignificant grant to every borough every year, I believe.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes, the LCPF.

Keith Prince AM: That is the one, yes.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): That has continued. That is £72 million guaranteed over four years to the 32 boroughs. That is the funding I was referring to.

Keith Prince AM: If you have what I termed a naughty borough, we could say, "Scratchy backy".

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): That fund is in place to do a number of different things.

Steve O'Connell AM (Chairman): We do not need to continue. The point has been very well made by Keith and that was well worth exploring.

Just to give some comment around Justice Matters, apparently around a third of the people seen rough sleeping had at some point been in prison but only 3% of these people had come straight from prison. I do not want you to comment on this because we are running out of time. It is interesting because it suggests people leaving prison may have had housing provision for some time but then became vulnerable and are now rough sleeping. This is the MOPAC rough sleeper programme.

I am going to move on because we are running out of time. I know we are going to lose at least one guest who is going to meet His Royal Highness Prince Charles at about 12.15pm and so I want everyone to pick up a gear if possible. Assembly Member Eshalomi, you have questions around female offenders?

Florence Eshalomi AM: Just following on from support for short-term prisoners, we know that a number of female offenders are short-term prisoners, with a number being sentenced for less than a year. Just looking at the support that they receive, what impact do you feel that the TR programme has had on women offenders?

Helga Swidenbank (Director of Probation, London CRC): What TR has allowed us to do in the CRC is to focus quite a lot of our energy and thought into managing women offenders. We have women-specific teams in each borough that are working specifically with women in the community and also linking in with the Through the Gate activity that I described earlier. We have a commitment to setting up and extending women's hubs across London. We currently are supporting two women's centres in conjunction with MOPAC, the women's centre in Hammersmith, which is run by Advance, Minerva and the Beth Centre. We are supporting a number of women's hubs and the growth of women's hubs in London. We are supporting one in Sutton and Hackney and have just opened one in Islington. We are working in close partnership with MOPAC to carry on extending that and we are looking with interest to what is happening in Manchester and across the rest of the country.

On the point we were talking about earlier about the ORA, it has probably had a bigger impact on women offenders because, as you point out, many women offenders are sentenced to less than 12 months in custody and are being subject to supervision in a way they had not been before and had not been used to before. My

question of NOMS - and we will certainly do some internal research on this - is what impact the ORA is having on returning more women into custody. I guess the question we would pose is whether they are being returned to custody necessarily or if we be doing other things with them in the community.

Florence Eshalomi AM: You cited the work on women-specific teams and women's hubs. My understanding was that the £3.78 million provided by NOMS was specifically ring-fenced for women, but now there is not such a fund and so how are these provisions funded?

Helga Swidenbank (Director of Probation, London CRC): We are funding those from within our own budget. We talked earlier about reducing reoffending and we have a payment by results (PBR) mechanism and so where we understand that interventions work - and certainly I am of the view that women's hubs work for women - we are investing in those and we are supporting MOPAC in doing that as well.

Florence Eshalomi AM: Is there anything you wanted to add in, Tajinder?

Tajinder Matharu (Head of Performance and Quality, NPS, London): We have 600 women - that is 4% of our caseload - with 300 in the community at any one time. Our aspiration is absolutely to have gender-specific interventions and space and to work alongside partners to achieve that. One of the things is that there has been a gap in the last few years since TR on that front and we are committed to try to get there again on this space.

Florence Eshalomi AM: In terms of from the MOPAC perspective, Samantha, do you feel that the needs of women are being met by London CRC and the MPS?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I would go as far as to say that the needs of female offenders in London are not being met by any of the statutory agencies currently. As Helga said, the changes through TR and the focus on women have been extremely helpful and a good step forward. I am personally a big supporter of having short-term sentenced offenders on supervision because it means that we know where they are and we know when they are being released from prison. In terms of support in the community and rehabilitation, it is a really important factor. That is a slightly separate point to how many end up then being recalled back to custody.

The work that MOPAC has committed to is that we know there are far too many female offenders in London. The figures I have are that 78% of female offenders in London are serving short sentences of less than 12 months - which is not acceptable - and that more women end up in custody for short sentences than men. We also know that when put on licence, they are more compliant than males in terms of adherence to licence conditions. All of the evidence tells us that we should be doing something better.

We have in place, from MOPAC's perspective, two things. Firstly, we have been funding for the last four-and-a-half years the Beth Centre and the Minerva Centre in the Tri-borough, which are both excellent examples of good practice in terms of addressing women's needs. They both provide support in terms of now the formal supervision process and, most importantly, they provide the informal support that is needed in terms of the repercussions of female offending in terms of family life and all of those things. That is the first thing.

Secondly, we have put in place a really good starting point, which is what I would call it, which is the co-commissioning activity that is set between us and CRC. We have invested £500,000 to uplift and develop those centres so that 10 other boroughs in London can be direct beneficiaries of those services. I say "starting point" because it really is a starting point. Across London, we have a female offender strategy group that sits behind the London Reducing Reoffending Board. That is an excellent partnership. We have very good voluntary sector representation as well as statutory services on that and the MoJ is also a partner of that group. We have agreed through that group what the London vision is around female offending services in

terms of a whole systems approach, which starts with police custody and hopefully ends with prison, but certainly with what happens after prison.

That investment around the co-commissioned services is really very much the first phase of putting that whole systems approach in place. The key thing to note is firstly that London needs investment to support an immediate uplift in terms of provision of services, which is something that Manchester benefited from through criminal justice reinvestment monies about six years ago. Secondly, when we talk about devolution, it is a critical point for us - and we have expressed that to the MoJ - that joint investment and joint work around female offenders is something that we want to see progressed very quickly through the MoU.

Florence Eshalomi AM: Because of those statistics on the length of sentences that female offenders receive, do you think that a lot more needs to be done in terms of restorative justice (RJ)? I do not know if all of you saw the report by the Restorative Justice Council last March, which was highlighting the fact that a number of female offenders are not asked and there is a presumption that they would not like to apply for RJ. Has there been any additional work that any of you know that is looking at whether that is a route we should be pursuing for female offenders?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): There are two things. Firstly, we have commissioned a RJ service for London, which has been doing quite significant consultation with partners in terms of service providers and also with both offenders and predominantly victims in terms of how RJ could be more effectively used in London. The primary focus of RJ is the support to the victim and outcomes for the victim, but when we look at the cohort of female offenders, we know as well that data tells us that a huge proportion of those offenders are also victims of crime. We need to think within that context more strategically about the offer in interventions that we make available based on that gender-specific point that was made earlier. RJ potentially does have a place there, but there are lots of other different types of interventions that we should be considering that are specific to women and what women's needs are as part of the criminal justice system.

Florence Eshalomi AM: Just on that, in terms of the specific needs of women and a range of additional needs that they will need whilst they are in custody, do you feel that the officers have the right level of skill and understanding to deal with female offenders?

Helga Swidenbank (Director of Probation, London CRC): Yes, and one of the reason why we have women-specific teams is so that we can build on that knowledge and that understanding and offer training specific to that group of women. We have adopted a trauma-informed approach, which is an approach that really tries to get underneath the root causes of many of the behaviours. As Samantha alluded to, a lot of women in the criminal justice system are victims themselves and so understanding the root cause of that is at the centre of training and how we prepare our staff to work with women.

Florence Eshalomi AM: Just finally, we have cited the Police and Crime Plan and the support being offered to women. How do you think that the success will be measured in terms of whether that actually works regarding women offenders and the service they are going to be receiving?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Sorry, in terms of devolution or in terms of the Police and Crime Plan?

Florence Eshalomi AM: No, in terms of the Police and Crime Plan.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Success for me looks like a number of different things in terms of female offenders. There is the obvious point around a reduction of their reoffending, but for me it is also about the engagement in those services that they are

referred to, whether it be as part of their licensing conditions or as part of broader diversionary work that happens following sentence.

The other piece for me that is really important in terms of success is the approach that we have agreed as a London partnership is about a whole systems approach to reducing female offending. Most importantly, that is also when women come into the police custody. One of the key areas for success for me is that we are not charging women who do not necessarily need to be at that point charged, but we are making sensible decisions based on risk as well as the support to the individual about whether they should be referred to other services at that point before entering the system. For me, what success would look like at each point of the journey for that offender should be what happens at the point at which they come into police custody and reducing the numbers of women that are entering the system and then, for those who are in the system, ensuring not only that we reduce their reoffending but also that we address their needs.

Just to go back to that point around victimisation and offending, I see that as critical to success around women in terms of female offenders. We need to understand that we have helped them to be able to cope with the challenges that they have so that they do not resort back to offending, which is thinking about them as victims in terms of things like domestic violence, sexual violence and also other crimes that are linked to male offending patterns.

Florence Eshalomi AM: Definitely. On that, what are the timescales for the Mayor's female offender service in terms of when that will be rolled out? How long is the programme going to be?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): The broad timescale is within the timeframe of the Police and Crime Plan. What I would be more than happy to share with the Committee is what we have agreed as a broad outline of that in terms of the whole systems approach to female offending.

Florence Eshalomi AM: That would be helpful.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Within that, we have included our ambitions around the timeframe for different phases of rolling out a whole systems approach across London because we have to take into account both the geography and the different elements of the service.

I would say one thing, though. In terms of the agreement of the MoU by June [2017] as part of the devolution piece, we would want to see certain elements of that aligned in terms of the timeframes around the MoU and so they might slightly change depending upon what comes out of that agreement. I would be more than happy to share that.

Florence Eshalomi AM: Yes, that would be helpful.

Steve O'Connell AM (Chairman): Before we move on to the next set of questions, which is about voluntary sector engagement, I would like to welcome the teachers, boys and girls from Oakfield Preparatory School in Dulwich. Thank you for sitting and listening attentively. I hope you can stay a little bit longer. Well done, guys. It is great to see you. You look very smart in your uniforms. Today we are talking about people who have gone into prison and then have come out into the community and how they are looked after and made sure that they then do not perhaps commit any other crimes. It is a really good meeting and I am really pleased you have come along and spent some time. Welcome very much to City Hall. Thanks very much. We really do appreciate it. I hope you have a great day, whatever you are doing with the rest of your day.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Steve, could I just say welcome as well? Both of my daughters go to Oakfield.

Steve O'Connell AM (Chairman): Is your daughter there?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): She is not, no. She is too young. She is in year 3. Welcome.

Steve O'Connell AM (Chairman): It is obviously a fine establishment that you send your daughters to!

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes.

Steve O'Connell AM (Chairman): We have a very important parent here!

Sian Berry AM: I have questions about the voluntary sector. They start off to the CRC and NPS because the Government did announce that it was going to make voluntary sector engagement and the delivery of services via the collaboration with the voluntary sector a real part of its new plans.

My question is: how is that going? How much engagement do you have with the voluntary sector? As private companies, you perhaps are not as used to that as local authorities. How is that going?

Helga Swidenbank (Director of Probation, London CRC): You are absolutely right. Enshrined with that was a commitment to work closely with the voluntary sector. We work with the voluntary sector as part of our subcontracting arrangements and as examples of that I have already mentioned Catch22, Penrose and St Mungo's. We have a number of voluntary sector agencies that we work with and we require them to provide services on our behalf. We are very happy with that. That happens on a pan-London basis and then locally we engage with the voluntary sector to try to source local provision.

Sian Berry AM: Can you possibly go into a little bit more detail about that? You mentioned St Mungo's but also Catch22 and those are quite different organisations. Catch22 is very specific to a particular prison, in fact, whereas St Mungo's operates on a quite national level. Are you finding it easier to engage with the larger charities in the voluntary sector and less easy to engage with the smaller ones?

Helga Swidenbank (Director of Probation, London CRC): It is fair to say that the voluntary sector has been on a journey as well through TR. Certainly some of this has been difficult for them as well. Many of them have had to think about service provision and working within a contractual framework in a way they may not have had to do previously and some have responded in a more nimble way than others.

Part of the responsibility we have again in the contract is a market stewardship responsibility and so we have a requirement to nurture them through this, invest in working with them to provide management information and try to get them to the point where they are able to work within this new contractual framework. You are absolutely right that there are some organisations like Catch22 that are very comfortable and there are others that have required a bit more nurturing along the way.

Sian Berry AM: Can I ask you the same question?

Tajinder Matharu (Head of Performance and Quality, NPS, London): Two things. The first thing is that we are very clear that our service users are citizens and they are entitled to the same service as anybody else and so our first port of call is always to tap into those services, whether they are voluntary or statutory. Most of our work happens on that local level and so local clusters and local boroughs will see what services are available. That might be Single-Point-of-Contact (SPOC) Champion Officers who will do that work; it might be

Senior Managers who do some of that work. We have some very good examples from employment training availability in Southwark to a local football club coming into waiting rooms in Southeast London. We do not really have those formally, what Helga [Swidenbank] describes, although we may purchase some of those through contractual arrangements.

One of the barriers we do have in this field is information sharing, which we find time and time again. People are willing to offer services or they have money to offer services, but we do not have the information sharing and that becomes a hurdle. There are things to overcome, but mainly what happens is our engagement is at that local level.

Sian Berry AM: You do not subcontract in the same way?

Tajinder Matharu (Head of Performance and Quality, NPS, London): No.

Sian Berry AM: Can I ask again to CRC if there are any particular voluntary sector areas that are finding it more difficult to get involved? I know we have been talking to women's services and domestic violence services that operate and look after specific groups, often ethnic groups, and they struggle to get funding. They are not very well resourced, but they are very important because they are the only people that some women will go to for help.

Is it similar? Do you find that you have certain specialist groups that are difficult to reach that you are struggling with employing?

Helga Swidenbank (Director of Probation, London CRC): We set up our subcontracted arrangements right at the beginning of TR and so those arrangements are pretty much in place. What we have not done, with the exception of some of the work we have done with MOPAC, is gone back to the marketplace and talked to other voluntary agencies about joining us because those were established quite early on.

You have talked about women's services. Both Samantha and I have worked very hard to engage with local women's services because we are also cognisant that there are some very local and specific services in the community that we do not want to lose because they are addressing very specific needs. We have worked to try to set up a London women's consortium to deliver services for women. My point earlier was about having to nurture some of those services to a point where they understand a contractual commitment is something we have been working on for probably two or three years.

Sian Berry AM: Can MOPAC maybe talk about that?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I would like to, if that is all right. Some of this is related to TR and the commissioning and supply chain arrangements around the CRC, but also more generally it is related to the way that funding is going out to the voluntary sector. One of the key challenges around that supply chain is the way in which the payment comes from the MoJ through to the CRC and then out to the providers. Those challenges are not dissimilar to some other commissioners and funders, which also pay based on either resource or outcomes. That is just very challenging thing for some smaller organisations within London's communities.

Having said that, what I would say is that through the work that we have started to do - and female offenders are a good example - we have worked with the current commissioning arrangements and the supply chain arrangements that are in place with the CRC, but by being able to work more locally with the London boroughs, we are starting to have those conversations about which services locally could we be funding to be engaging in that programme of work, which, quite frankly, is slightly simpler than thinking about how that works in the CRC supply chain. Part of Helga [Swidenbank] and me coming together is to bring together

forces, if that makes sense, to make sure that where we have the specialist skills – and we want to develop that model over the three years – we are making sure that we give them the best chance they have of working within the context of those delivery arrangements.

Outside of that, the other thing I would say is that there are challenges that have come into play through TR just generally, which are national challenges about voluntary sector engagement into what is deemed to be private sector companies and PBR arrangements, which are just an ongoing challenge. In London we have a good starting point now. The female offender strategy group I referred to has seven or eight women's services represented on that board and some of those are in the supply chain, but the majority are not. The purpose for having them there is to challenge Helga and me continually about how are we bringing resources to support the model that sits outside of our statutory money that comes from charitable organisations to help develop that or, secondly, how we are making sure that our money is helping to develop and continue to, I suppose, honour the specialisms that we know that we need to reduce reoffending.

Sian Berry AM: Can you describe how the LCPF fits into that?

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Yes. That is the money that goes out to the 32 boroughs. In terms of that fund, I am a funder and not a commissioner and so, simply put, we provide quite simple guidance to the London boroughs about what the fund is for, which is largely delivery of the Police and Crime Plan, working with the local priorities and that we want them to be supportive in the partnership arrangements. The expectation is they work with their local community safety partnership to do that, but they come back to us with their data and their evidence and tell us how they want to spend those resources. What we do ask is that they provide us with information as to how much of that money is making its way out to the voluntary and community sector and so we have been tracking that for a number of years. We are just about to agree at the end of this month those grant agreements for the next two years for the 32 boroughs with an extension for the following two years.

Within that, I could not tell you the figure off the top of my head, but I could share that with you once those grant agreements are done. We will be really clear then on an annual basis how much money is going from the local authority commissioners out to voluntary and community services as part of their priorities. Interestingly, not all of it but a relatively strong proportion of it will be around women's services in terms of domestic abuse and sexual violence. It will be linked to those types of services and so we do see quite a strong draw through the LCPF. Certainly last year it was £7.5 million that went out for violence against women and girls (VAWG) services specifically, with I would say at least 60% of that making its way out to the VCS.

Sian Berry AM: Can I just bring up one final point about the transparency of this? Assembly Members have asked in the past for a list of what has been funded through the LCPF, but it is not published. There is not a list of the organisations that is routinely published.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): Our plan is to do that this time. The challenge is that, as I said, I am a funder, not a commissioner, and so I do not have those contractual arrangements with those providers, but we have agreement now through London Councils from the 32 boroughs to share what they are commissioning and who they are working with. We have to do a little bit of work over the next six weeks about what that looks like and how we share that, but the plan is that we will map that and provide that and it will be annually updated.

Sian Berry AM: That sounds great. Thank you very much.

Steve O'Connell AM (Chairman): Now the last set of questions is really a reflection of the fact that there are going to be more changes and we have some interesting questions around that.

Unmesh Desai AM (Deputy Chair): I have three sets of questions to ask of you. Let us look into the future. What are your views about the soon-to-be-launched Her Majesty's Prison and Probation Service (HMPPS)? What difference, if any, do you think it will make to managing offenders in London? That is to all of you.

Tajinder Matharu (Head of Performance and Quality, NPS, London): I am happy to start in terms of this. Michael Spurr, the Chief Executive [Officer of NOMS], made it very clear that this is about improving operational performance and prison probation services. What it does introduce is not just a label change on the door. From 1 April [2017], some of the back-office functions, commissioning arrangements, human resources functions and finance functions will move from NOMS as an agency or the HMPPS back into the MoJ. That is one thing that will definitely happen.

You have to remember that the HMPPS will still be made up of the Prison Service and the NPS. There are not going to be any significant changes in the short or the medium term. Immediately, I cannot see any significant changes for London. Perhaps what is more significant is that devolution agenda we spoke about earlier.

Linda Neimantas (Head of Quality and Performance, London CRC): I can speak on behalf of London CRC. We are providers to NOMS at the moment and so we are just waiting with interest to see what comes out of the reorganisation, where we fit, whether we move to the MoJ or whether we stay with the HMPPS. We are just watching with interest, really.

Samantha Cunningham (Acting Director Integrated Offender Management, MOPAC): I suppose my comment would be the same. At the moment, the reorganisation has not been clearly explained to me yet. I am hoping that will happen tomorrow as part of conversations about the devolution. I do not see any immediate impact in terms of the way that services are run or commissioned. I would hope there might be opportunities around the prisons and probation agenda coming together and being aligned better in the future.

Commander Neil Jerome (MPS): Like others, we wait to see the detail, but what we have been told is that for the people we interact with on a daily basis, those arrangements will remain in place, which I certainly would welcome.

Unmesh Desai AM (Deputy Chair): I will roll my next two questions into one. What is your ideal delivery model for probation services in London in terms of both coherence and sustainability and how do you think the Mayor can help achieve this particular vision? What more can the Mayor do to work on some of the issues that we talked about this morning? That is to you, Commander, and to Helga and Tajinder [Matharu].

Commander Neil Jerome (MPS): I would draw back to the arrangements that are in place for MAPPA and are in place for the Youth Offending Team. There is a clear framework in place. It is a statutory arrangement and there is engagement across all of the agencies. Each of the agencies puts into an executive function, which is pan-London, with a number of sub-groups. That provides a model for us moving forward. There are a number of benefits to that. That, for me, would be good place to move to.

Helga Swidenbank (Director of Probation, London CRC): In terms of a coherent, sustainable delivery model, taking the pan-London element aside for a moment, we are waiting with interest and anticipation for the outcome of the probation system review because we absolutely need a level of certainty around funding arrangements just to create a stable working environment for us to all operate in.

For London specifically, we are watching with great interest the devolution debate that is currently ongoing and we are participating in that and working closely with MOPAC. We certainly are comfortable with that direction of travel if that is the way we end up going.

What can the Mayor do to help? I talked at the beginning about a lot of activity we are doing internally to get ourselves back on a surer footing around delivering. There has been a lot of patience around the room for us and continued patience to allow us to fix some of the problems we know of in London would be my ask. Then we talked earlier about concerns around things like housing and so my ask to the Mayor would be for us to be able to sit around the table and look at how we can try to unpick some of these really thorny problems and try to create some solutions for our service users.

Tajinder Matharu (Head of Performance and Quality, NPS, London): I would agree with most of what has been said. From a service user perspective, it is really about enhancing the service we offer and the Mayor can really support that. We talked about the leverage earlier with local authorities, for example, in terms of housing. It is not limited to housing; it is other services as well. It is really about letting us understand the needs of our cohort of offenders in London and letting us leverage whatever we can, with whatever support the Mayor can offer us, in terms of enhancing that service we can offer, whether it is upon release or in the community.

Steve O'Connell AM (Chairman): Thank you. The Committee certainly will continue to take an interest, particularly after the changes you just touched upon, because we do not quite know how that is going to affect things. We are interested in the MoU around devolution in June and we are clearly interested in upping our game in London north around the things we have heard earlier. We will come back to this and revisit this, anyway. Again, thank you very much for attending and for your time.