

**REQUEST FOR DMPC DECISION – PCD 149****Title: Tackling high volume re-offending****Executive Summary:**

MOPAC launched the Gripping the Offender (GtO) pilot in 2016, providing a whole system response to offenders causing the most harm to communities and the greatest demand on the criminal justice system. The pilot, delivered in 8 London boroughs, strengthens current Integrated Offender Management (IOM) processes with enhancements in five strands: Policing, Courts, Offender Management, Pathways out of crime and Case tracking.

GtO included commissioning the London Community Rehabilitation Company (CRC) through the Ministry of Justice (MoJ) framework agreement. This provides an important strategic partnership between MOPAC, CRC and the MoJ in tackling high volume offending, and one which will support the progressive discussions regarding devolution.

The development of the pilot will support the delivery of the proposed Police and Crime Plan in reducing repeat victimisation; addressing the complex needs of prolific offenders who cause significant harm, and in continuing to develop and deliver co-commissioning plans to reduce reoffending. Core elements of GtO will continue to ensure there is a further period of delivery to measure its effectiveness but this decision also commences a new programme of work to support a coordinated response across London to tackle high volume offenders.

This new programme will go further in addressing the way in which Integrated Offender Management works in the pilot area, with the aim of identifying improvements to how we better manage this group of offenders across London. This will aim to develop a stronger partnership approach, laying the structure for more effective and integrated commissioning of services and greater innovation to shift high reoffending rates. The programme will also test new approaches to effective offender management including a young adult problem solving court and GPS tagging.

Therefore this funding is to support the extension of the pilot for a further 18 months, with a maximum investment of £620,000 from MOPAC, to allow time to test existing commissioned services, introduce additionality aligned to the PCP future commitments, and to put in place a rigorous evaluation which will influence longer term investment decisions with regard to offender management.

**Recommendation:**

That DMPC

- Approve the development of the programme of work to tackle high volume reoffending and build on the Gripping the Offender pilot, to align with the proposed priorities of the Police and Crime Plan
- Approve a total project cost of £ 841,000 with a maximum MOPAC spend of £620,000 spend over 2 years to deliver the pilot as set out below.
- Delegate responsibility for future decisions on this pilot, and authority to sign any individual grant or contract agreements relating to the work, to the Chief Executive Officer, providing there are no substantial changes.

**Deputy Mayor for Policing and Crime**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature****Date****PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC****Decision required – supporting report****1. Introduction and background**

- 1.1 In December 2014 MOPAC successfully applied to the Home Office Police Innovation Fund and received a total of £1.4m over two years, matched with cross partner funding, to design, test and evaluate an approach that creates an enhanced whole system response to those offenders causing the most harm to communities and the greatest demand on the broader criminal justice system.
- 1.2 This was known as the Gripping the Offender (GtO) pilot and aligned with two Local Justice areas- North and East London. Prolific offenders living in Camden, Enfield, Hackney, Haringey, Islington, Newham, Tower Hamlets and Waltham Forest are eligible for management under the scheme. Six of these eight boroughs have a higher rate of eligible offenders than the London average number of offenders per 1,000 population.
- 1.3 According to data collected in December 2016, over 1,100 offenders were being managed under GtO arrangements. 5% were female offenders. 30% are aged 18-25, 28% 26-34 years, 36% 35-49 years, and 6% 50+ years.
- 1.4 During the 2 years 15/16 and 16/17 GtO introduced enhanced services in 3 phases:
  - **Phase One:** Commenced February 2016
    - An enhanced pre-sentence report service for GtO nominals in Highbury Corner and Thames Magistrates Courts.
    - Enhanced Offender Management Services including services for 18-25 year olds both through the gate and in a rehabilitation activity requirement (including increased intensity of support, mentoring, trauma informed practice, Cognitive Behavioural Therapy, and a family intervention), and a prison co-ordination function.
    - Cross partnership delivery and consistency of the IOM baseline
  - **Phase two:** Commenced from June 2016
    - An enhanced policing offer including a research function for GtO nominals. The increased intelligence picture for these nominals leads on to an offender focused tasking process.
    - Pathway interventions offering employment opportunities and mental health interventions.
  - **Phase three:** Commenced from November 2016
    - Female personalised budgets delivered by London CRC.
    - Planning for mandatory GPS tags for GtO offenders sentenced to an Electronic Monitoring requirement under a Community Orders and Suspended Sentence Orders.
- 1.5 The services commissioned under GtO are a significant uplift to the baseline Integrated Offender Management Service and were put in place based on evidence of what was needed to support

prolific offenders move away from career offending. These additional services have been well received and are being accessed across the pilot area, which is supported by early evaluation reports.

- 1.6 Evidence and Insight continue to evaluate GtO; positive messages have been received through stakeholder feedback, including: strong support for the rationale for the pilot; the positive impact the pilot has had on partnership working; and the additional resources available for offenders through the enhanced service offer. Feedback has also led to the development in service design as set out below (2.11).
- 1.7 The new programme will allow for a developed and targeted operating model building on the learning from GtO. The overall aim of the pilot is to reduce reoffending by this cohort, to reduce repeat victimisation, and to reduce the demand on the criminal justice system and the associated costs.

## **2. Issues for consideration**

- 2.1 The GtO pilot ends in March 2017, this Decision is requested at this time to enable continued delivery of a whole systems approach to address prolific offending; a gap in service would result in the decommissioning of interventions that are beginning to yield successful outputs. Due to the phased delivery approach GtO outcome data is not yet available; delivery for a further 18 months would enable a robust evaluation.
- 2.2 The development of a programme of work to tackle high volume offenders provides a significant opportunity to reduce repeat victimisation of high volume crimes. Of those offenders subject to GtO in December 2016, 27% had a current conviction for theft, 21% for burglary, 15% for violence, 10% for drug possession/supply, 4.5% for driving offences, and 3% for robbery.
- 2.3 MOPAC invests a significant level of London Crime Prevention Funding into IOM programmes within boroughs, this pilot provides MOPAC with an increased opportunity to work with partners on the delivery of IOM services in the pilot area. Through this MOPAC will hold stakeholders with IOM delivery responsibility to account to deliver a consistent and quality baseline across London, in this way this programme will help deliver the next proposed Police and Crime Plan objective in getting the basics right and drive the culture of Criminal Justice transforming from a system to a service.
- 2.4 This new programme will support the delivery of the priorities set out in the draft Police and Crime Plan:
  - Reducing repeat victimisation- to address the complex needs of prolific offenders who cause significant harm.
  - To enable the delivery of young adult court approach
  - Young adults- commission new services within the 'Gripping the Offender' pilot project. To provide intensive support from a range of agencies to repeat offenders within this age bracket.
  - To develop and deliver co-commissioning plans with the Ministry of Justice, the National Offender Management Service, prisons, the National Probation Service and the London Community Rehabilitation Company to reduce reoffending.
- 2.5 The GtO pilot provided MOPAC with significant commissioning opportunities including utilisation of the MOJs commissioning framework in working with the London Community Rehabilitation

Company. This strategic partnership between MOPAC, CRC and the MoJ in tackling high volume offending, supports the progressive discussions regarding devolution.

2.6 The new programme will build on the existing governance structure formed under GtO including Local Implementation Groups, and the Programme Board, reporting to the London Reducing Reoffending Board and ultimately the London Crime Reduction Board.

## 2.7 Additional Services

2.7.1 The pilot takes further opportunities to address high volume offending through innovation, including introducing GPS tagging (as set out in PCD 112) and a Young Adult Court approach. The pilot provides MOPAC with the only currently viable opportunity to undertake these strands of work.

2.7.2 GPS tagging will be launched in March 2017 as a requirement of a Community Order or Suspended Sentence Order; eligible offenders are those who fall within the pilot cohort. The successful delivery of this will be supported by the enhanced pre-sentence report service.

The programme will evaluate GPS tagging in the following ways:

- The use of the technology to support compliance.
- Whether GPS tags are imposed as an alternative to custody, when imposed as a requirement of a community order or suspended sentence order, and when combined with other enhanced services available.
- How information on an offender's location at a specific date and time supports crime detection, where additional intelligence exists to justify this lawful exchange of information.
- The use of GPS tags in relation to priority sections of the cohort including women and young adults.

2.7.3 In collaboration with HMCTS the pilot will seek to introduce a Young Adult Court focusing on the specific needs of 18-25 year old offenders including maturity. MOPAC will work with the Centre for Justice Innovation and the Transition to Adulthood Alliance taking consideration of their recommendations for delivery of problem-solving courts.

A Young Adult Court could provide the following functions (these are all to be agreed with HMCTS as part of the design of the service):

- Specialist listings for young adults
- Specialist magistrates presiding over hearings
- Involvement of the young adult's family
- Adapting court proceedings to make them more accessible for young adults
- Exploring the court room environment to improve engagement of young adults
- Introduction of post sentence reviews
- Alignment with specialist provisions to enable referrals

2.7.4 The programme will develop an MPS analytical function for prolific offenders. The intelligence function and offender based tasking process put in place under GtO will expand to build in the role of intelligence held by and shared with partners. Development of cohort profiles in areas such as vulnerability, and safeguarding will ensure data and intelligence is shared across partners managing prolific offenders which is vital to the whole systems approach.

The MPS analytical function will also support the implementation and functioning of GPS tagging.

## 2.8 Continued Services

Changes will be made to the delivery model and enhanced services put in place under GtO; there will remain a focus of priority groups within the cohort including young adult and female offenders.

Summary of envisaged service delivery:

- Pre-Sentence report service- to be maintained to support the whole systems approach.
- Enhanced Offender Management- mentoring. Consideration required as to whether this service has met the aims of the GtO pilot to meet young adult offenders at the gate on release.
- Enhanced Offender Management- Prison coordination. To be continued to enable full evaluation.
- Enhanced Offender Management- Increased intensity of support. To be continued to enable full evaluation
- Enhanced Offender Management- cognitive behavioural therapy and family interventions. Developments to ensure delivery to meet outputs required to support continuation.
- Enhanced Offender Management- female personalised budgets. To be continued to enable full evaluation.
- Employment pathway- To be continued to enable full evaluation.
- Mental health pathway- a well-received service, to be continued to enable full evaluation.

2.9 Additional focus will be given to addressing the services in place for prolific offenders as they leave custody, this will align with work being undertaken to develop a Prison Pathfinder.

2.10 An evaluation will be completed in 2019 and will be available to inform future policy and commissioning decisions.

## 3. Financial Comments

3.1 The total project cost for 18 months from April 2017 will be £841,000. This will enable the continued delivery of those enhancements deemed to be working well under GtO, in addition to the development of the Young Adult Court Approach.

3.2 Minimum cross-partner match funding is being sought to the total of £221,000. There is significant opportunity to pull in greater matched funding on the basis that the outcomes that support cross borough working.

3.3 Where match fund is not secured, services put in place under GtO will be limited or decommissioned. This would impact on the range of enhanced services put in place, but would not on the whole system approach, nor the additional services introduced in 2017/18 and 2018/19. There is however significant benefits for other CJS agencies to invest in this programme, in that it will support their wider objectives (for example the CRC contract includes payment by results based on a decrease in reoffending).

3.4 Discussions have commenced with the London CRC and the NPS to secure their continued commitment to the pilot. Further opportunities will be explored with the MOJ, NHS England and charitable trusts.

3.5 The total proposed MOPAC spend across 2017/18 and 2018/19 is £620,000. This is expected to be funded from within the MOPAC Core budget and underspend via reserves.

#### **4. Legal Comments**

- 4.1 MOPAC's general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3(6) of the 2011 Act provides that MOPAC must "secure the maintenance of the metropolitan police service and secure that the metropolitan police service is efficient and effective." Under Schedule 3, paragraph 7 MOPAC has wide incidental powers to "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office." Paragraph 7(2) (a) provides that this includes entering into contracts and other agreements.
- 4.2 Section 143 (1) of the Anti-social Behaviour, Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or arrange for the provision of (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area and (b) services "intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour." Section 143(3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate.
- 4.3 MOPAC must in exercising its functions have regard to the police and crime plan issued by MOPAC.
- 4.4 Under MOPAC's Scheme of Delegation, approval of the strategy for the award of individual grants and the award of all individual grants (for crime reduction or other purposes) is a matter generally reserved to the DMPC (paragraph 4.8). The release of funding in accordance with the proposals set out in this decision form is accordingly to be approved by the DMPC. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Executive Officer, is in accordance with the general power of delegation in paragraph 1.7, and more specifically paragraphs 5.4, 5.12 and 5.13
- 4.5 Procurement for the enhanced Through the Gate service falls within the exception set out in MOPAC's Contract Regulations which applies where there is no acceptable alternative supplier, on the basis that the CRC is the only service provider that is able to deliver the required enhanced offender management offer. It is understood from officers that there is an existing Commissioning Framework in which was procured by the Ministry of Justice (MoJ), acting for the purposes or relevant procurement legislation as a central purchasing agency, to enable Police and Crime Commissioners, and MOPAC, to commission the CRC to deliver certain services relating to its "Transforming Rehabilitation" programme. It is understood that the MoJ have confirmed that additionality to their existing contract to afford access to the services required here. Therefore there will not be a competitive tender process and the commissioning of this service will be a change within the contract that the MoJ have with the CRC allowing MOPAC to call off the services required. It is understood that this will be underpinned by a Service Level Agreement between MOPAC and the CRC, and officers should ensure that all necessary documentation required to formalise the calling off and provision of the elective services in question is put in place and executed.
- 4.6 Procurement for the enhanced pre-sentence report capacity also falls within the exception set out in MOPAC's contract regulations which applies where there is no acceptable alternative supplier, on the basis that it is understood from officers that the National Probation Service is the only agency able to deliver this service. In such circumstances it is permissible that this contract be awarded by a single tender action. Officers must ensure that appropriate contract documentation is put in place between and executed by MOPAC and the National Probation Service before the commencement of the services.
- 4.7 Procurement of services required for the young adult court must be procured in accordance with MOPAC's contract regulations and applicable law.

- 4.8 To the extent that third party funding is required to meet the costs of the proposals set out in this report (see 3.2 above) officers must ensure that legally binding commitments are put in place with funders prior to placing any reliance upon the same.

## **5. Equality Comments**

- 5.1 MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 5.2 There are some offenders that are over-represented within the cohort. Young adult offenders (aged 18-25) will be a priority focus due to the significant volume of the cohort that fall within this transitional age group, as well as their high reoffending rates and the opportunity the pilot presents to test a new approach to address the additional needs this cohort of offenders often exhibit. This transitions age group is also a priority for the Reducing Reoffending Board.
- 5.3 Female Offenders will be a priority focus due to the cohort size being smaller, their bespoke needs and the positive impact that interventions can have on this target group. Female offenders are also a priority for the Reducing Reoffending Board and wider work is being developed to test approaches for providing an enhanced service to females in the south and west of London. As this pilot is being developed in north and east London it allows for a further approach to reducing female offending to be tested.
- 5.4 Due to the prevalence of offenders with mental health problems, there is a focus on addressing mental health issues within the programme.
- 5.5 Equalities data will be collected throughout the programme and will be used within the programme evaluation.
- 5.6 To ensure maximum impact of the funding whilst ensuring value for money, a targeted approach of use of the funding is required. Due to the over-representation of 18-25 year olds and the distinct needs of female offenders, it is proposed that certain elements of the whole system approach will be tested with these two cohorts with a basic uplift of service provided to the whole cohort in the pilot area.

## **6. Background/supporting papers**

N/A

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date:

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

**ORIGINATING OFFICER DECLARATION:**

	Tick to confirm statement (✓)
<b>Head of Unit:</b> The Samantha Cunningham has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
<b>Legal Advice:</b> The TfL legal team has been consulted on the proposal.	✓
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report. The Workforce Development Officer has been consulted on the equalities and diversity issues within this report.	✓

**OFFICER APPROVAL****Chief Executive**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

R. Lawrence

Date

23/2/17