

DMPC Decision – PCD 570**Title: Pilot of GPS tagging for knife crime offenders on licence****Executive Summary:**

The Police and Crime Plan and the London Knife Crime Strategy contain commitments to pilot the use of GPS tagging with knife crime offenders being released from prison on licence. After the initial launch of this pilot in February 2019, an expansion is now planned, to increase the pilot area from 4 to 20 boroughs. It is planned that the expanded pilot will impose new tags until April 2020, subject to final ministerial approval of the end date.

This decision seeks agreement on the procurement strategy and the allocation of the budget to enable the expansion. It also details the planned funding for partnership resources to increase the effectiveness of the pilot in reaching its stated aims, which are to improve the risk management and rehabilitation of those who wear the tags and to share data appropriately for improved crime detection.

Recommendation:

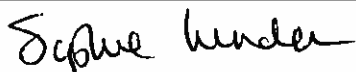
The Deputy Mayor for Policing and Crime is recommended to:

- A) Approve maximum funding of £730,000 to deliver the GPS tagging for knife crime on licence pilot.
- B) Approve the procurement process for the extension of the GPS tagging pilot, which has used the Government Marketplace framework to appoint Buddi Ltd as the preferred supplier.

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**

3/5/19

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. The Police and Crime Plan includes a commitment to “work with the Criminal Justice Service to improve offenders’ compliance with licence conditions, including through the use of GPS tagging”. The London Knife Crime Strategy also includes a commitment to “test the use of GPS tagging technology for offenders who are released on licence following a custodial sentence for a knife related offence”. Finally, there is also a Justice Devolution commitment to “consider new opportunities to target (GPS) at other cohorts of offenders such as those convicted of a knife crime who are released on prison licence”.
- 1.2. GPS monitoring as a requirement of community sentences was successfully piloted by MOPAC between March 2017 and March 2019 in eight London boroughs. This pilot, which started with persistent offenders and later included knife crime cases, has been well received by stakeholders and led to the development and testing of innovation in the field of offender management. Key learning from this evaluation report included support from stakeholders for greater use of GPS with offenders, especially with higher risk groups.
- 1.3. Building on the community sentence pilot and the above commitments, MOPAC launched a new GPS pilot on 18th February 2019 for knife crime offenders being released from prison on licence. To be eligible an offender must be:
 - Aged 18+
 - Serving a sentence for any offence involving the possession or use of a knife
 - Being released from a London prison to an address in one of the initial four pilot boroughs (Lambeth, Lewisham, Southwark and Croydon).
 - Being released during the operational period of the pilot
- 1.4. Additional screening of cases is done locally by probation services to ensure that only those cases whose risk can be proportionately and justifiably managed by GPS have it included in their licence conditions.
- 1.5. The specific aims for the pilot are:
 - That GPS data is used to improve the management of the risk posed to known adults, children and the public.
 - That GPS improves the enforcement of licence conditions and increases deterrence from further offending.
 - That location data is used to challenge offender’s thinking and lifestyle and improves rehabilitation.
 - That GPS location data is shared appropriately for enhanced crime detection.
- 1.6. Given the positive response from stakeholders and practitioners to the announcement of the pilot within the four boroughs, it is now planned to extend the pilot to up to 24 boroughs. The rationale for this extension is to increase the benefits of GPS monitoring for offender management to as many areas as possible within the time remaining. This would increase the potential public protection benefits of this pilot as much as possible. Increasing the total number of tags imposed would also lead to more meaningful and definitive findings in the evaluation.
- 1.7. This pilot has the support of the Violence Reduction Unit. The pilot supports the goals of violence reduction in seeking to test whether GPS can improve the management of the risk posed by prisoners being released following a conviction for knife related offences. The

pilot will use GPS not only to increase deterrence, enforcement and restrictive conditions to protect known victims and the public, but will also use GPS information to support engagement with relevant services and specifically challenge individuals to change their lifestyle to move away from behaviour associated with increased risk of violence.

- 1.8 The evaluation of the GPS knife crime tagging project will be undertaken by MOPAC Evidence and Insight, using a model that builds on the approach previously employed for the offenders tagged on the Persistent Offender Programme. The evaluation will employ a mixed-methods approach, combining performance monitoring, process and, if the sample size allows it, impact analysis.
- 1.9 Assessments of the impact of the tag on reoffending will be undertaken by comparing offending rates for the tagged cohort with a matched group of offenders who have not been tagged. However, this element of the evaluation will depend on the number of tags being fitted - previous work has indicated that the minimum figure required to undertake a robust impact analysis would be at least the maximum number of tags expected (300) – and the identification of an appropriate control group.

2. Issues for consideration

- 2.1 The plan for the extension of the pilot and the expected increase in volume of tagged offenders is set out below:

Launch date	Boroughs	Running total of boroughs	Running total of maximum tags expected
18/2/19	Lambeth, Lewisham, Southwark and Croydon	4	100
June	Westminster, Newham, Tower Hamlets, Hackney, Waltham Forest*	9	180
August	Camden, Islington, Haringey, Enfield*, Barking & Dagenham, Redbridge	15	250
September	Ealing, Wandsworth, Hammersmith & Fulham, Barnet and Brent	20	300

*Newham, Tower Hamlets, Hackney, Waltham Forest, Camden, Islington, Haringey, Enfield have had access to GPS under the community sentences pilot – hence launch would be underpinned by previous staff knowledge.

- 2.2 The boroughs to be included in this expansion have been chosen as those areas with levels of knife crime that would justify inclusion in the pilot and also those boroughs which can be grouped together for effective delivery purposes.
- 2.3 To support the expansion of this pilot extra resources will also be required to ensure that the increased numbers of those monitored can be dealt with effectively. This will include a dedicated Police intelligence Analyst, to support the crime mapping function. Crime mapping allows eligible offenders to have their movements automatically cross referenced against the location of reported crimes. Data is only released when a match is confirmed, and this is then forwarded on to local Police for investigation. Crime mapping will only be carried out for offenders assessed as “more likely than not” to reoffend (1).
- 2.4 A seconded member of staff from the National Probation Service will also be required for the expansion, to support the identification, management and enforcement of cases and

1 As defined by having an OGRS (Offender Group Reconviction Scale) score of 50%+, which is an actuarial measure of risk of reoffending.

staff training. This member of staff will work alongside the MOPAC Delivery Officer who has responsibility for the implementation and delivery of the pilot, and MOPAC's Evidence and Insight Team who will be responsible for the evaluation.

- 2.5 The new contract for the provision of GPS tags and monitoring has been procured through the government Digital Marketplace, which is a government framework to enable procurement between public sector organisations and approved suppliers. This process has been supported by Metropolitan Police Service's Commercial Services team. The Digital Marketplace was used to identify potentially suitable new providers, assess the candidates, choose the successful provider and finalise the contract terms. This supplier will be contracted to provide all GPS equipment and undertake the monitoring of tag wearers and the fitting, removal and maintenance of all equipment. The requirements for this supplier include that an appropriate number of their staff must have security clearance at SC (security check) level, to allow full access to prisons, so that tags can be fitted just before release. They must also have previous experience of working with offenders. The GPS monitoring data will also need to be stored and accessed via a public, rather than private, cloud service (2) and processed within the UK. As a result of this process Buddi Ltd have been identified as the preferred supplier and a contract is now being drawn up to supply this service.

3. Financial Comments

- 3.1 The maximum approved budget for this expanded pilot is £730,000 allocated from additional Mayoral funding totalling £20.4m provided at the end of the 18/19 financial year to reduce violence. This The breakdown of these costs is as follows:

Items	Allocated budget
Police and Probation Intelligence Analysis and Support	£96,000
Evaluation assessment and report	£60,000
MOPACT project management costs	£75,000
GPS tagging and monitoring	£469,000
Lost tags	£30,000
Total	£730,000

4. Legal Comments

- 4.1 Section 62(2) of the Criminal Justice and Court Services Act 2000 (the 2000 Act) provides that released prisoners may be subject to licence conditions which may include electronic monitoring conditions. Sections 62(2B) of the 2000 Act provides that the person who is to be made responsible for the monitoring is of a description specified in an order made by the Secretary of State. The Electronic Monitoring (Responsible Persons) Order 2018 provides a description of the persons who may be made responsible for the monitoring of individuals subject to electronic monitoring whilst on licence. Further organisations, in addition to those listed below, could be added to this list via the parliamentary statutory instrument process, depending on the outcome of procurement processes and whether this addition received support from central government and received parliamentary

² A public cloud is one in which the services and infrastructure are provided off-site and data is hosted inside a third-party data centre. As a result, all of the maintenance, upgrades, and updates are handled by this third party. A private cloud is one in which the services and infrastructure are maintained on a private network. These clouds offer the greatest level of security and control, but they require the company to still purchase and maintain all the software and infrastructure, which reduces the cost savings. All of the management and maintenance that goes with this private cloud is now the responsibility of the company.

consent. However, currently only those employed by the following organisations can be responsible for the electronic monitoring of those on licence —

- (i) Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747);
- (ii) Alcohol Monitoring Systems Limited, Lancashire Gate, 21 Tiviot Dale, Stockport, Cheshire, SK1 1TD (Company Number 07993509);
- (iii) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826).

- 4.2 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." This is a broad power and the extension of the pilot is aimed at deterring further offending, improving rehabilitation and enhancing crime detection all of which would enable the efficiency and effectiveness of the police service. In addition, 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.
- 4.3. 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."
- 4.4. MOPAC must in exercising its functions have regard to the police and crime plan issued by MOPAC.
- 4.5. 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.
- 4.6 Officers must ensure that the arrangements comply with the Financial Regulations and the Contracts Regulations.

5. Commercial Issues

- 5.1. Under MOPAC's Scheme of Consent and Delegation the strategy to award the funds, whether through grants or contracts can be approved by the DMPC.
- 5.2. Officers must ensure the Financial Regulations and Contract Regulations are complied with

- 5.3. This procurement will take in to account and comply with the GLA Group's Responsible Procurement (RP) Policy. The GPS tags will be rented from the supplier, not purchased, to increase the environment sustainability of the pilot

6. GDPR and Data Privacy

- 6.1 For the purposes of this project, MOPAC are a joint controller with HMPPS.
- 6.2 MOPAC is a joint controller for the purposes of delivering an evaluation of the programme. The evaluation will require access to personally identifiable information (PII). Data will include standard PII covered under Article 6, special category data covered under Article 9 and criminal conviction and/or offence data under Article 10.
- 6.3 A Data Protection Impact Assessment (DPIA) has been produced to identify and minimise risks to data subjects.
- 6.4 MOPAC also receives, processes and uses personally identifiable information for professional contacts in relation to this project. This is required for the management of the project and is processed under the lawful basis of public task, in the exercise of our official authority.
- 6.5 All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018.
- 6.6 It will be a requirement of the G-Cloud procurement process for the GPS monitoring provider to store and process all data within the UK.

7. Equalities Comments

- 7.1. 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.
- 7.2. The Police and Crime Plan 2017-2021 contains within it a focus on: *'Reducing inequalities in communities' At the heart of our mission is a focus on setting an agreed standard and addressing the disparities we see across the city, making sure that a basic quality of service is there for everyone in London.*
- 7.3. MOPAC is aware that young adult males are disproportionately represented in the cohort of those imprisoned for knife crime offences. Probation caseload data also shows that black or minority ethnic (BAME) groups are over-represented in the cohort of those serving a custodial sentence for knife crime offences. As a result of the disproportionate representation of all these groups within the group of those convicted of knife crime, it is envisaged that percentages of the groups included in the pilot will be broadly similar to the percentages of these same groups included in the cohort of those given a prison sentence for knife crime offences.

- 7.4. The extent to which individuals from the above groups are included in the pilot will be monitored as part of the evaluation and reviewed at the six-month period, to ensure that any disproportionality can be addressed if this occurs with regard to the individuals who are included in the pilot. The decision as to which case to include is taken by the allocated probation Offender Manager, based on the assessed risk and need of each case. Clear guidance has already been given to staff about the criteria for assessing cases and further guidance or training can be provided to mitigate any disproportionate impact of the pilot.

8. Background/supporting papers

None



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 – NO

ORIGINATING OFFICER DECLARATION

		<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.		Yes
Legal Advice: TFL legal team has been consulted on the proposal.		Yes
Equalities Advice: Equality and diversity issues are covered in the body of the report.		Yes
Commercial Issues The Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.		Yes
GDPR/Data Privacy <ul style="list-style-type: none">GDPR compliance issues are covered in the body of the report and the has been consulted on the GDPR issues within this report.A DPIA has been completed		Yes
Director/Head of Service: has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.		Yes

OFFICER APPROVAL**Chief Executive Officer**

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

3/5/19

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