

REQUEST FOR DMPC DECISION – PCD 401

Title: 2018/19 & 2019/20 – MOPAC Offender Budget

Executive Summary:

This decision outlines the proposed Offender Budget for 2018/19 and 2019/20. This funding is required to deliver the commitments within the Police and Crime Plan 2017-21, the Mayor's Knife Crime Strategy and the Memorandum of Understanding with the Ministry of Justice on justice devolution that are aimed at reducing reoffending and improving the effectiveness of the criminal justice service in London.

The total budget requested is £1,428,000 in 2018/19 and £755,000 in 2019/20. This will fund resource to:

- support the delivery of specific programmes of work as set out in the Mayor's Knife Crime Strategy, including additional commissioning capacity within MOPAC.
- implement the MoU with the Ministry of Justice on devolution. This is supplemented by additional resource dedicated to London from the Ministry of Justice.
- deliver initiatives and activities, defined within the Police and Crime Plan, that are focussed on reoffending and supplement statutory provision.

Having reviewed delivery and spend for 2017/18, it has been identified that there is a need to carry over a small number of committed offender commissioning funds for 2017/18 to 2018/19.

Recommendation:

That the DMPC:

- Agrees the overall funding of £1,428,000 for 2018/19 and £755,000 2019/20 to support the Mayor's commitment towards reducing reoffending and serious violence.
- Agrees a carry over of £349,100 from 2017/18 to 2018/19 to cover the main implementation of commitments from the Knife Crime Strategy and the review of Drug Implementation Programmes. All activity is up and running and will be spent within 2018/19.

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

Sybil Lecken

Date

05/07/18

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

Decision required – supporting report

1. Introduction and background

- 1.1 A key ambition within the Mayor's Police and Crime Plan is for a better criminal justice service in London which puts victims of crime first and reduces reoffending. This decision sits alongside the Victims and Witnesses decision, and focuses on those programmes of work targeted at reducing reoffending and serious violence as well as the broader intention to improve the effectiveness of the criminal justice service in London.
- 1.2 This decision directs funding to four broad areas of work that are focused on MOPACs ambition to tackle and reduce offending behavior. These are:
- Implementation of the knife crime strategy
 - Justice devolution to London
 - Reducing reoffending – delivery of PCP commitments
 - Independent Custody Volunteering Scheme

Implementation of the knife crime strategy

- 1.3 To tackle the impact of increasing national levels of knife crime on our streets the Mayor committed to produce and implement a new Knife Crime Strategy for London that will bring together police, partners and communities to take tough action against knife crime, reduce the availability of weapons and improve the services available to victims of knife crime and their families.

The Knife Crime Strategy (KCS) was launched in June 2017 and contains over 50 commitments within the following key areas;

- **Targeting lawbreakers** – recognising that knife crime has increased and that this is a major concern for the public, the Mayor, and the police. Commitments in this section are focussed on the immediate enforcement response to Knife Crime
- **Keeping deadly weapons off our streets** – addressing the accessibility and availability of knives focusing on retailers and licencing
- **Protecting and educating young people** – recognising the importance of prevention and working alongside schools
- **Standing with communities, neighbourhoods and families against knife crime** – working with Londoners who want to stand up against knife crime and the harm it does to communities and families
- **Supporting victims of knife crime** – ensuring that improving support to victims is at the heart of a holistic response
- **Offering a way out of crime** – recognising that young people should be offered interventions which help them move away from criminality towards a brighter future

This decision is focused on approving funding to address offenders of knife crime, on the basis that knife crime commitments relating to victims are addressed in victims decision PCD 337.

Justice Devolution to London

- 1.4 In March 2018 the Mayor signed a MoU with the Secretary of State for Justice and the Chair of London Councils to work towards justice devolution to London. The purpose of the MoU is to jointly identify how devolution can facilitate a transformation in criminal justice outcomes for Londoners, including a reduction in reoffending and repeat victimisation. This document does not equate to

instant devolution but provides a road map over the next year to enable decisions to happen in the near future on budgets, powers and greater influence over the justice system from Whitehall to central government.

- 1.5 The MoU includes 35 commitments and some of which are significant programmes of work requiring multiple activities – such as greater influence of the new contractual arrangements for probation. These are to be operationalised by March 2019 along with an agreement for a second MoU which sets out the agreed approach to devolution by Spring 2019. This decision provides the funding to support the implementation of the MoU until July 2019. The funding requirement for beyond July 2019 will be driven by what is within the second MoU, so will require a further decision in the new year.

Reducing Reoffending

- 1.6 MOPAC does not have a statutory responsibility in relation to rehabilitation of offenders, however the Mayor set out his commitment in the PCP to better targeting of a cohort of offenders that are high cost and risk to London. The decision is focused on the approval of funding to support this work, testing and innovating with a view to both reducing reoffending but also challenging an ineffective criminal justice system. The specific commitments in the PCP which relate to this include:
- Continue to drive forward and test innovative and whole-systems approaches to tackling persistent offenders to support greater consistency and effectiveness across London.
 - Review the use of community sentences in London to ensure that the right interventions are used with offenders to reduce their risk of reoffending, and work to improve compliance with community orders, including through the further use of electronic monitoring.
 - Work with the Ministry of Justice, HM Prison and Probation Service, the National Probation Service, the London CRC, local authorities and other partners to deliver a new prison pathfinder of integrated services.
 - Work to divert low-risk women from the formal criminal justice processes through police-led triage and push for additional investment from partners to expand access to specialist women's centres so that female offenders across London have access to gender-appropriate provision designed to tackle reoffending.
 - Review custodial provision in the capital and conduct a feasibility study on a more effective custody solution for London's young offenders, with a view to keeping young people close to home and reducing their reoffending. This will include work with the Ministry of Justice and the Youth Custody Service to develop a pilot of a secure school in London.

2. Issues for consideration

Implementation of the Knife Crime Strategy

- 2.1 Knife Crime and wider violent crime continues to be a major issue of concern to the Mayor and Londoners, as we have seen steep national increases over the past year. The Knife Crime Strategy outlines a comprehensive public health approach to tackling knife crime which incorporates understanding the problem, prevention, intervention, and enforcement activity in partnership with other agencies.
- 2.2 To be able to address the strategic issues of serious violence, whilst maintaining effective commissioning and delivery of the knife crime strategy, additional short-term resource is required in 2018/19. To effectively address the issue of serious violence in London, whilst maintaining effective commissioning and delivery of the knife crime strategy, there is a need to bring in additional resources in this financial year. The resource is required to help ensure all relevant partners are prioritising the need to tackle serious violence and recognising the national rise in levels of serious violence.

- 2.3 Delivery against the commitments of the knife crime strategy have been phased in order to allow for prioritisation; such as prevention work in schools, the creation and dissemination of the London Needs You Alive media campaign, engagement activity, the production of local borough action plans, the distribution of knife wands, and the allocation of the Knife Crime Community Seed Fund. Significant resources have been invested into the above programmes since June 2017.
- 2.4 To continue to deliver against all commitments in the Mayor's Knife Crime Strategy, additional funding is required in 2018/19 to ensure effective and timely commissioning in the following areas: *Enforcement Support, Education and Safeguarding and Community and Stakeholder Engagement.*
- 2.5 This decision requests approval of £653,000 in 2018/19 for the implementation of the knife crime strategy.

Justice Devolution

- 2.6 Devolution of elements of the criminal justice system to London is both a Mayoral manifesto pledge and Police Plan and Crime Plan commitment. The agreement of an MoU with MoJ and London Councils which facilitates a more integrated approach in the way justice services are delivered in London, and creates a transparent framework to achieve co-design, co-investment and Co-Commissioning as well as some initial testing of the devolution of specified justice responsibilities is a strong indication that this is going in the right way. However significant resource is required to get London ready for the next stage to enable more significant devolution of powers and budgets to London.
- 2.7 The additional resource will enable:
- The operationalising of all commitments by March 2019.
 - devolvement of the pre-court and outreach elements of the Court Based Witness Service by March 2019.
 - An agreed and defined role for the Mayor/MOPAC as a co-commissioner of Probations Services for the next generation of contracts – along with budget, implementation plan and resource requirement to deliver.
 - The development of a financial model or the devolution of custody budgets for female offenders to support a whole system approach to reducing reoffending amongst this cohort.
 - A new MoU setting out areas of devolution and extending the programme of work beyond MoJ responsibilities to other central government departments by May 2019.
- 2.8 This decision requests approval of £165,000 in 2018/19 and £55,000 in 2019/20 for Justice Devolution.

Reducing Reoffending – implementation of PCP commitments

- 2.9 The Police and Crime Plan includes a substantial number of commitments to support a reduction in reoffending. Funding is being requested to support the implementation of a number of these commitments. Specifically:
- Designing and implementing a **Prison Pathfinder** (at HMP ISIS) to test a model to support violence reduction in prisons. This is costed over two years with 18/19 being primarily focused around design and commissioning and with a greater investment for delivery in 19/20. The funding will be used to take a holistic approach to violence reduction including interventions focussed on changing behaviour as well as work to address institutional drivers of violence.
 - **Ensuring greater consistency on how London boroughs manage persistent offenders.** The persistent offender programme, which is a whole system approach to managing the most prolific offenders in eight boroughs in London, which is currently funded under PCD149 is

scheduled to complete in September 2018 with the full evaluation being published in December 2018. Funding is required to support the sustainability of elements of the pilot, ensure the lessons are embedded across London and more broadly establish a more consistent and effective pan-London approach to integrated offender management (IOM).

- Contributing to MAPPA arrangements in London. MOPAC inherited a commitment from the MPS to part fund the **Director for MAPPA** (who sits under the National Probation Service) over three years ago. MAPPA is a multi-agency statutory requirement between the NPS, MPS and HMPPS. It is recommended that we continue this investment for 2018/19 and 2019/20.
- Funding development of interventions for **Domestic Violence perpetrators** as part of the VAWG strategy.
- **Reviewing custodial arrangements in London and for young Londoners**, covering police custody, secure beds and secure accommodation for those on remand or sentenced. MOPAC seeks to commission a study that will consider both the accommodation and rehabilitative services required to reduce reoffending, meet young people's needs in the secure estate and on release and how these should be commissioned. The study will also consider how resources are currently, and in the future, could best be, used and commissioned to achieve the above principle focus.
- Supporting the Metropolitan Police Service in developing **effective and fair protocols** for their interaction with **children who are in care homes**.

2.10 This funding is complementing existing decisions which are delivering on the PCP commitments on reducing reoffending including PCD 79 on the London Crime Prevention Fund, PCDs 358 and 259 on electronic monitoring. There is also a further decision expected on the diversion of female offenders.

2.11 This decision requests approval for £610,000 in 2018/19 and £700,000 in 2019/20 for Reducing Reoffending.

3 Financial Comments

3.1 This Decision seeks to allocate £1,428,000 in 2018/19 and £755,000 in 2019/20 from the MOPAC budget to respond strategically to deliver projects and commitments as set out in the Mayor's Police and Crime Plan and Knife Crime Strategy. This includes much needed additional staff capacity to support project initiation and programme management.

Commitment	Total funding requirement 18/19	Total funding requirement 19/20
Knife Crime Strategy	£653,000	£0
CJS devolution	£165,000	£55,000
Reducing Reoffending PCP commitments	£610,000	£700,000
Total	£1,428,000	£755,000

3.2 In addition this decision approves the carry over of £349,100 to support the delivery of activity in relation to the knife crime strategy and the Drug Intervention programme review that was additional scheduled to have been spent in 2017-18.

4 Legal Comments

4.1 Paragraph 4.8 of the MOPAC's Scheme of Consent and Delegation provides the DMPC with delegated power to approve business cases for revenue or capital expenditure of £500,000 and above.

- 4.2 All MOPAC suppliers are legally required to be compliant with the GDPR and the Data Protection Act 2018. During our commissioning and procurement processes, where personally identifiable information will be used or gathered, we will seek 'significant guarantees' on GDPR compliance. We will also ensure that each programme that uses personally identifiable information has a DPIA to identify, manage and mitigate any risks to data subjects.

5 Equality Comments

- 5.1 Under s149 of the Equality Act 2010 (the Equality Act), as a public authority the Deputy Mayor/MOPAC must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under this Act; and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 5.2 This decision concerns the budget for the delivery of work contained within the MOPAC Police and Crime Plan and the Mayor's Knife Crime Strategy. Each of these was subject to an Integrated Impact Assessment which can be viewed at https://www.london.gov.uk/sites/default/files/pcp_-_integrated_impact_assessment.pdf and https://www.london.gov.uk/sites/default/files/pcd_225_london_knife_crime_strategy_2017.pdf
- 5.3 Aspects of the reducing reoffending work stream are specifically targeted to asset vulnerable groups including:
- Work to divert low-risk women from the formal criminal justice processes through police-led triage and push for additional investment from partners to expand access to specialist women's centres so that female offenders across London have access to gender-appropriate provision designed to tackle reoffending.
 - Review custodial provision in the capital and conduct a feasibility study on a more effective custody solution for London's young offenders, with a view to keeping young people close to home and reducing their reoffending.
- 5.4 The Justice devolution MoU includes a commitment to work across the system to consider and address BAME disproportionately within London criminal justice agencies. It also includes a specific focus on vulnerable cohorts including female offenders, young adults (acknowledging maturity challenges) and young offenders
- 5.5 The Police and Crime Plan and the Knife Crime Strategy were subject to an Integrated Impact Assessment which covers activity to be delivered through this budget.
- 5.6 The Justice devolution MoU includes a commitment to work across the system to consider and address BAME disproportionately within London criminal justice agencies. It also includes a specific focus on vulnerable cohorts including female offenders, young adults (acknowledging maturity challenges) and young offenders

6 Background/supporting papers

- 6.1 Mayor's Knife Crime Strategy
- 6.2 The Knife Crime Strategy Integrated Impact Assessment
- 6.3 Justice Devolution MoU

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>
Head of Unit: The Head of Unit reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: Legal advice is not required.	
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓

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 *04/07/18*

