

Reducing Reoffending in London

Why investing in local solutions will deliver



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01

executive summary



Reducing reoffending is critical to both protecting communities from crime and to delivering a more effective and economic justice system. This report argues that, to get the best outcomes, we need a system that puts assertive locally rooted co-ordination at its heart.

Prison populations have steadily increased in England and Wales, from an average of 64,601 in 2000 to 86,634 in 2012. Reoffenders contribute to this¹. Reoffending is also costly to the public purse; handling an individual reconviction could cost the public as much as £65,000 followed by up to £37,500 per year in prison². The 2010 National Audit Office report, *Managing Offenders on Short Custodial Sentences*, estimated that in 2007/08, the total cost to the economy of crime committed by offenders who had served short term sentences (less than 12 months) was between £9.5 billion and £13 billion³.

1 Berman, G (July 2013) Prison Population Statistics SN/SG 14334

2 Social Exclusion Unit (July 2002), Reducing Reoffending by Ex-prisoners, London Social Exclusion Unit

3 National Audit Office (March 2010), Managing Offenders on Short Custodial sentences, London TSO

Reducing crime and improving community safety are critical to **London local government's role in building and sustaining safe and prosperous communities**. A key element of this is the rehabilitation of offenders.

We believe that this is **best achieved through coordinated local services** that are rooted in local democratic and accountability structures.

More broadly, **local government has a significant role** in tackling crime and reducing offending. London boroughs:

- Coordinate and participate in local partnership working between the police, probation services, local NHS services and other voluntary and community sector partners.
- Commission and provide services to offenders such as drug and alcohol treatment and recovery; support with mental health need; housing, housing benefit, social services and employment support.
- Use civil enforcement powers such as ASBOs, injunctions and dispersal orders to tackle behaviour.

In May 2013 the government set out its plans to reform rehabilitation and probation services. London Councils has welcomed the planned extension of supervision and the provision of rehabilitation services to offenders that have served short term sentences (of less than 12 months), who currently do not receive statutory supervision from the probation service. However the intention to commission the majority of probation and rehabilitation services from the market at the national level raise a number of concerns - in particular how these reforms might affect joint working between local authorities, probation and the police to tackle reoffending at a local level.

Our review of the evidence and analysis of the government's plans lead us to conclude that:

- In the short term it will be essential that the government works closely with the Mayor's Office for Policing and Crime (MOPAC) and local government to ensure that new providers of probation service work with existing partnerships responsible for reducing reoffending.
- MOPAC and Community Safety Partnerships could play a useful role in ensuring local accountability for new providers of probation services.
- In the longer term pressure on all partners' budgets, as well as the reforms within the probation service, will mean that it will be critical that local government is given the powers and responsibility to align and coordinate the resources of local partners in order to achieve better crime reduction outcomes and better value for money.
- Government should consider how they can incentivise local government to reduce crime and reduce reoffending by investing in local delivery.

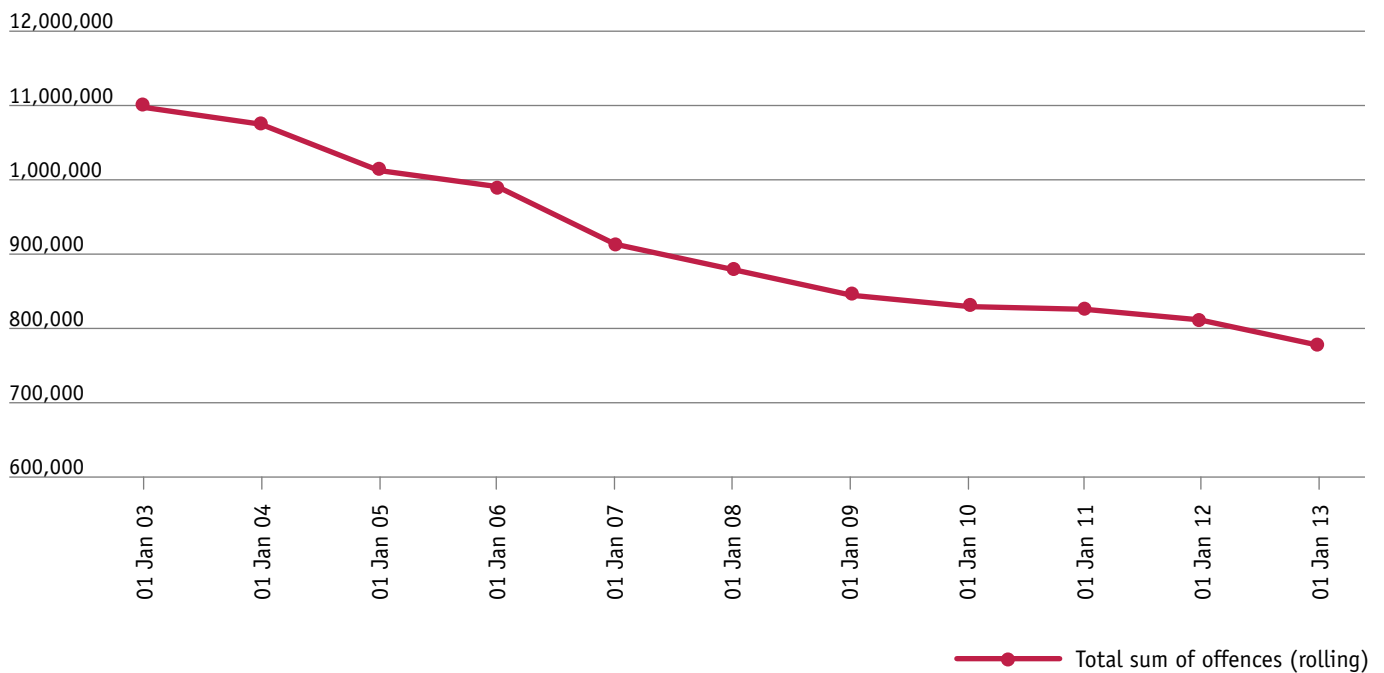
London Councils is working closely with the Mayor's Office for Policing and Crime to influence government on the challenges raised in this report and shape the implementation of the reforms in London.

02 background

Crime rates in London have been steadily decreasing (figure 1 below), however reoffending rates have remained stubbornly high (figure 2, next page). This suggests that a greater proportion of crime is being committed by those that have already been convicted of a crime.



Figure 1: Numbers of offences recorded by the Metropolitan Police⁴

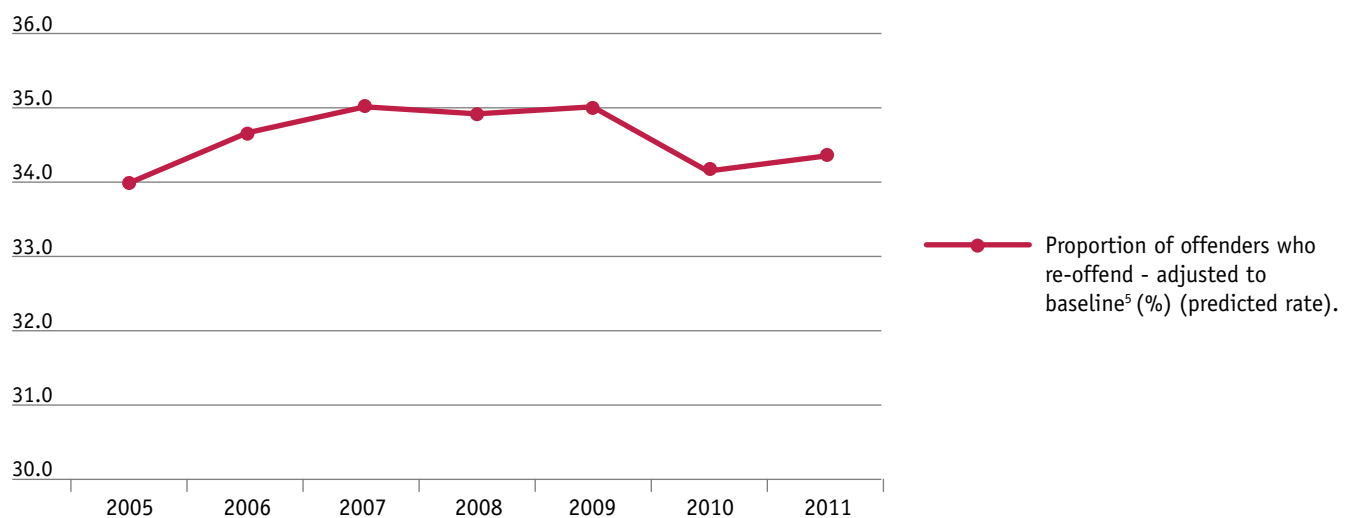


⁴ <http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/period-ending-march-2013---supplementary-tables/rft-recorded-crime-data-at-community-safety-partnership---local-authority-level-from-2002-03.zip>

Reoffending rates are based on the number of offenders who reoffend within a set timescale. Proven reoffending is that which results in a court conviction or caution. Recent proven reoffending data shows that nationally the proportion of adults reoffending within 12 months is as follows:

- Between October 2010 and September 2011, there were around 540,000 adult offenders. Around 140,000 of these offenders were proven to have committed a re-offence within a year. This gives a one year proven re-offending rate of 25.6 per cent.
- These re-offenders committed an average of 2.90 re-offences.
- 58 per cent of prisoners released from under 12 months' custody.
- 34 per cent of those starting a court order⁵.

Figure 2: Re-offending rates in London since 2005

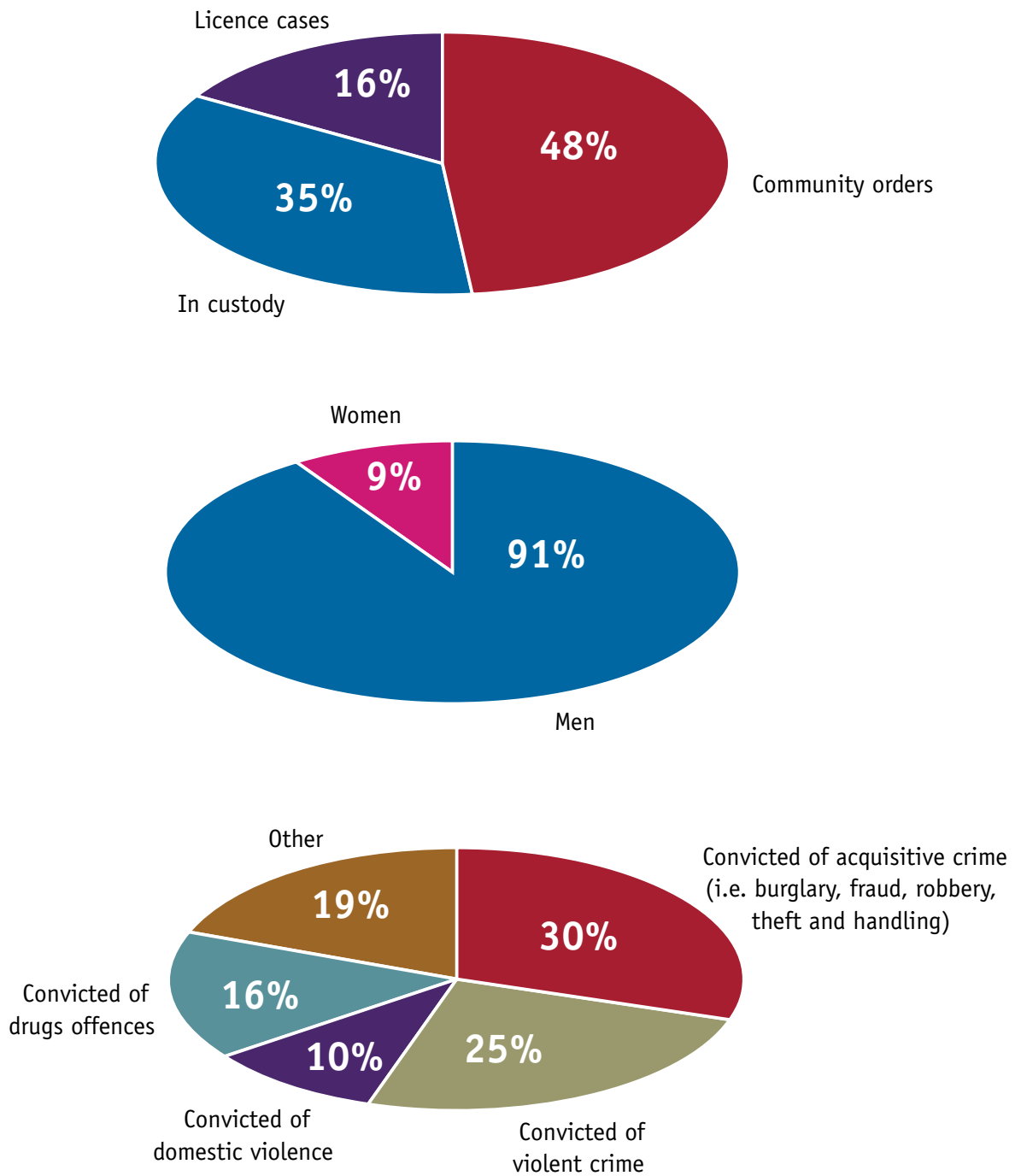


5 Ministry of Justice (July 2013) Proven reoffending statistics quarterly bulletin, London, Ministry of Justice: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225090/proven-reoffending-oct10-sep11.pdf

In London, latest figures show that, for that year's cohort⁶, the proportion of adults reoffending within 12 months is 33 per cent of a total cohort size who go on to commit a further 17,342 offences⁷.

Figure 3: London Probation Trust Offender Profile

40,000 offenders are supervised by London Probation Trust:



6 Number of offenders in cohort = 18,435

7 Ministry of Justice (July 2013) Proven reoffending statistics quarterly bulletin, London, Ministry of Justice: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225090/proven-reoffending-oct10-sep11.pdf

03

how partners currently work together to reduce reoffending



The role of local areas in reducing reoffending has grown and evolved in recent years. The mandate for reducing reoffending was passed to local areas with the introduction in April 2010 of a statutory duty for Community Safety Partnerships to formulate and implement a strategy to reduce reoffending. At the same time the probation service became a 'responsible authority' within CSPs. This duty requires local areas to fully understand their offender profiles, the ways in which mainstream services can be more supportive of the needs of offenders, where there are gaps in local provision which limit effectiveness, and, critically, where resources should be targeted to achieve a reduction in reoffending.

Community Safety Partnerships

Community Safety Partnerships (CSPs) were set up as under Sections 5-7 of the Crime and Disorder Act 1998. They are made up of representatives from the 'responsible authorities', which are:

- Police
- Local authorities
- Fire and rescue authorities
- Probation service (from 2010)
- Health.

The responsible authorities work together to reduce crime, tackle re-offending and protect their local communities. They work out how to deal with local issues like anti-social behaviour, drug or alcohol misuse and reoffending. A key strength of local Community Safety Partnerships is that they provide a forum for local partners to work collaboratively but also a forum for local accountability where partners can challenge each other and drive up performance.

Local government has a significant role in tackling crime and reducing offending. London boroughs:

- Coordinate and participate in local partnership working between the police, probation services, local NHS services and other voluntary and community sector partners.
- Commission and provide services to offenders such as drug and alcohol treatment and recovery; support with mental health need; housing, housing benefit, social services; and employment support.
- Use civil enforcement powers such as ASBOs, injunctions and dispersal orders to tackle certain behaviour.

Probation Trusts work with offenders aged 18 and over who have been either sentenced by the courts to a Community Order or Suspended Sentence Order, or released on licence from prison to serve the rest of their sentence in the community.

- They prepare pre-sentence reports for judges and magistrates, which help the courts to choose the most appropriate sentence. Pre-sentence reports include an assessment of the risk of reoffending and the risk of harm to the public which the offender presents. Probation services in England and Wales use Offender Group Reconviction Scale (OGRS) scores⁸ to help make that risk assessment.
- In addition, they work with offenders in the community to help them to stop committing further crimes and manage approved premises (hostels) for offenders with a residence requirement on their sentences or licences. They also work in prisons assessing offenders to prepare them for release.

Local probation trusts currently play crucial roles working with other agencies locally to tackle reoffending. They are key partners within:

- Community Safety Partnerships.
- Integrated Offender Management teams.
- Safeguarding Children Boards.
- Drug Intervention Programmes.
- Multi-Agency Public Protection Arrangements.
- Multi-Agency Risk Assessment Conferences (MARAC).

Locally **the police** play a key role in reducing reoffending by targeting and arresting those offenders who do not engage, who continue to commit crime or who are not complying with their licence or court conditions, thereby supporting compliance of conditions on orders or licences. They also support other local agencies through intelligence sharing.

⁸ OGRS scores use statistic factors e.g. age, gender, offence committed to predict the likelihood of proven reoffending within the subsequent period of two years

The **Mayor's Office for Policing and Crime (MOPAC)** have a role in tackling reoffending in London. The Mayor through MOPAC sets the strategic direction and accountability for policing. He achieves this by publishing a Police and Crime Plan. The Mayor must work with partners to prevent and tackle crime and re-offending. This means ensuring that the police:

- Respond effectively to public concerns and threats to public safety.
- Promoting and enabling joined up working on community safety and criminal justice.
- Increasing public confidence in how crime is cut and policing delivered.
- In practice this means working with the criminal justice system and other partners to improve crime reduction, seek swift and sure justice for victims and reduce reoffending rates.

Integrated Offender Management

Integrated Offender Management (IOM) has been promoted by the Ministry of Justice since 2008. It builds on the effective partnership work highlighted by the Multi Agency Public Protection Arrangements (MAPPA), Prolific and other Priority Offenders (PPO) and Drug Intervention Programme (DIP) processes.

IOM is a multi-agency way of working to reduce offending and tackle those offenders causing the greatest damage to their communities. In the majority of cases the key agencies engaged in delivering IOM are the local authority, the police and the probation service.

Local IOM approaches differ from area to area, reflecting local priorities, but the government has identified five common key principles. These are:

- All partners tackling offenders together.
- Delivering a local response to local problems.
- Offenders facing their responsibility or facing the consequences.
- Making better use of existing programmes and governance.
- All offenders at high risk of causing serious harm and/or reoffending are in scope.

The purpose of IOM schemes is to ensure that those most likely to re-offend are 'in view' of the agencies at all times. IOM brings greater coherence and consistency to arrangements for tackling the offenders of most concern to their communities – including those who do not have any form of statutory supervision. Working together agencies are able to manage offenders consistently using pooled, local resources.

Once selected to be part of the IOM cohort, each offender will have an offender management plan, the content of which will differ, depending on their level of motivation to change and their specific barriers to desistance. Those who show no motivation to change are targeted by the police and other law enforcement agencies. Those that are willing to change, but need assistance to do so, are offered help in the form of drug intervention, accommodation, employment, debt counselling etc.

04

what works in reducing reoffending?



Supervision alone is unlikely to prevent most offenders from going on to commit further crimes. While not all offenders are the same, effective offender management and rehabilitation works when there is a range of public and independent sector partners aligned and working together to provide: a 'wrap around' service that both 'manages' offenders that have a high risk of reoffending; provides rehabilitation services that tackle the root causes of an offenders' behaviour; and targets those offenders who are not engaging, who continue to commit crime, or who are not complying with their licence or court conditions.

Offenders often have complex and entrenched social problems. Some of these problems are considered to impact directly on their offending.

In September 2013 the Ministry of Justice published *Transforming Rehabilitation: a summary of evidence on reducing reoffending*. This publication provides an overview of key evidence relating to reducing the reoffending of adult offenders and outlines evidence on factors associated with reoffending as well as desistance⁹. It found that:

*“Desistance is connected both to the external, social aspects of a person’s life (such as the supportiveness of those around them) and to internal/psychological factors (such as what they believe in and what they want from life).”*¹⁰

The publication goes on to describe what the evidence shows is most effective when working with offenders. It concludes that key aspects for effectively working with offenders are:

- The role of skilled, trained practitioners.
- Well-sequenced, holistic approaches.
- Delivery of services and interventions in a joined-up, integrated manner.
- Delivery of high quality services.

We know that those working with offenders must work together to address these complex problems. It is only then that any attempts to tackle offending behaviour to reduce reoffending will be successful.

A previous review by Scottish government of the available evidence on what works in reducing reoffending also found that:

- Interventions are more effective when they are based on a sound assessment of risk, need and responsivity.
- Interventions that are appropriately matched to the offenders’ level of motivation are more likely to be effective in reducing reoffending. It is a consistent finding in the desistance literature that only those offenders who are sufficiently motivated to change and are optimistic about the future will manage to desist from offending.
- Interventions that aim to increase offenders’ sense of agency, self-efficacy and good problem-solving skills are more likely to be effective in reducing reoffending¹¹.”

Alongside the local probation trusts and other local partners, local authorities are key providers and commissioners of services that help tackle the drivers of offending such as drug and alcohol treatment and recovery; support with mental health needs; housing, housing benefit, social services; employment support. These local services look to address the seven pathways to reduce reoffending (described below) identified by the National Offender Management Service, and are often crucial in providing offenders the support they need to desist their offending behaviour.

1) Accommodation and support

A third of prisoners do not have settled accommodation prior to custody and it is estimated that stable accommodation can reduce the likelihood of re-offending by more than a fifth. It also provides the vital building blocks for a range of other support services and gaining employment.

⁹ Desistance is generally defined as the cessation of offending or other antisocial behaviour

¹⁰ Ministry of Justice (September 2013) *Transforming Rehabilitation: a summary of evidence on reducing reoffending*, London, Ministry of Justice p7

¹¹ Sapouna, Bisset, Conlong Scottish Government (October 2011) *What Works to Reduce Reoffending: A Summary of the Evidence*, Scotland, Justice Analytical Services Scottish Government

2) Education, training and employment

Having a job can reduce the risk of re-offending. There is a strong correlation between offending, poor literacy, language and numeracy skills and low achievement. Many offenders have a poor experience of education and no experience of stable employment. Nationally, it is estimated that over 50 per cent of offenders have no educational qualifications, 20 per cent have dyslexia, and 30 per cent have learning difficulties or disabilities.

3) Health

Offenders are disproportionately more likely to suffer from mental and physical health problems than the general population and also have high rates of alcohol misuse.

4) Drugs and alcohol

Around two thirds of prisoners use illegal drugs in the year before imprisonment and intoxication by alcohol is linked to 30 per cent of sexual offences, 33 per cent of burglaries, 50 per cent of street crime and about half of all violent crimes.

5) Finance, benefits and debt.

Ensuring that ex-offenders have sufficient lawfully obtained money to live on is vital to their rehabilitation. Around 48 per cent of prisoners report a history of debt, which gets worse for about a third of them during custody and about 81 per cent of offenders claim benefit on release.

6) Children and families

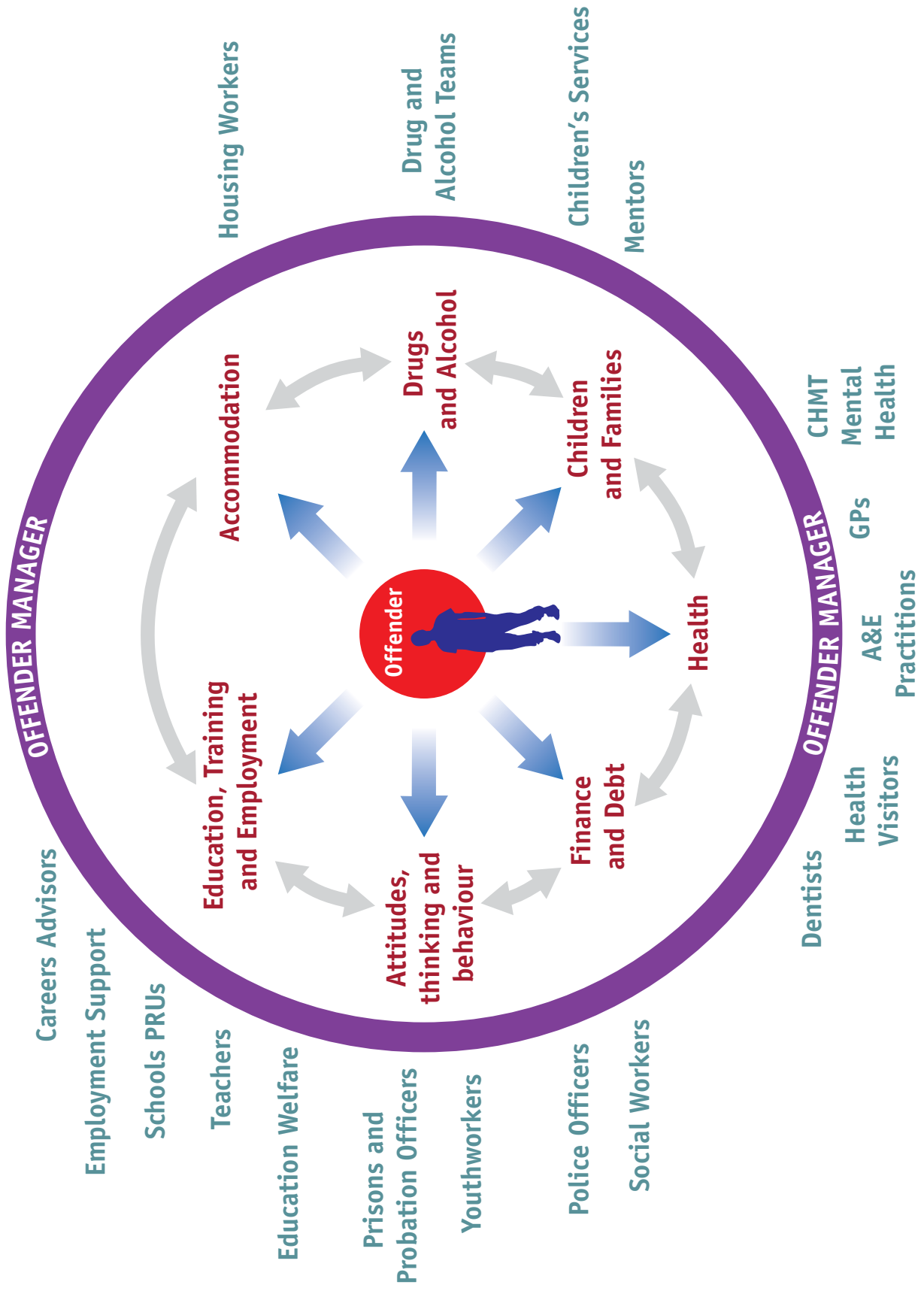
Maintaining strong relationships with families and children can play a major role in helping prisoners to make and sustain changes that help them to avoid re-offending. Custodial sentence adds strains on family relationships.

7) Attitudes, thinking and behaviour

Prisoners are more likely to have negative social attitudes and poor self-control. Successfully addressing their attitudes, thinking and behaviour during custody may reduce re-offending.

The pathways are interdependent and successful rehabilitation is likely to require the provision of support along several, if not all, of these pathways. and services must be integrated in order to ensure that individuals' specific needs are tackled effectively.

Figure 4: The seven pathways to reduce reoffending



05

good practice from the ground: case studies of reducing reoffending work from across London



In this chapter we explore a number of case studies from across London that provide examples of innovative and successful programmes that have been developed locally to reduce reoffending. In each of the case studies local partners have come together to:

- Understand and address their local offender profiles.
- Develop ways in which offending behaviour can be challenged.
- Develop services that can be more supportive of offenders including targeting resources intelligently to achieve a reduction in reoffending.

Case Study: RADAR Southwark

Reducing and Deterring Adult Reoffending (RADAR) is a service for people who have been sentenced to less than 12 months in prison, who live in Southwark, have a history of offending and are prepared to work to make positive changes in their lives. RADAR is made up of a team of workers with a range of different backgrounds and skills.

RADAR was set up to support people released from short prison sentences who are not currently entitled to specialist support services to help them resettle in the community.

When a client is accepted by RADAR they are allocated a key worker from the RADAR team who will help them to decide what services they need. Support is available across the Offender Rehabilitation Pathways.

An evaluation carried out following the first year of delivery (70 RADAR clients were tracked for a 12 month period to assess the impact of a RADAR intervention on reoffending.) found that

- Prior to RADAR intervention, the 70 clients who make up the evaluation cohort had committed 4,000 proven offences.
- The likelihood of reoffending within one year, based on previous offending, was calculated at 71 per cent for the under 12 months (U12Ms) cohort and 75 per cent for the Prolific and Priority Offender (PPO) cohort.
- 21 out of the 38 U12Ms cohort reoffended in a 12 month period; i.e., 55 per cent.
- Within the U12Ms cohort, the 'completed/continuing cohort's actual reoffending at 45 per cent was significantly lower than the 'dropped' out cohort at 69 per cent (average of 55 per cent all U12Ms).
- 19 out of the 32 PPOs cohort reoffended in a 12 month period; i.e., 59 per cent.
- Both the U12Ms and the PPO cohorts committed significantly less offences post RADAR intervention compared to their pre RADAR average monthly total. In total this averaged out to 104 offences less a year following RADAR selection.

RADAR Case Study'

'SV' is a 49 year-old male. SV committed his first offence at the age of 19. He began using heroin and crack cocaine at age 21. SV has a long history of prolific offending linked to the funding of his substance use.

Over the years he has spent a considerable amount of time in and out of prison, and upon release has always returned to his previous offending and substance using behaviour. He has received support, via community sentences, from the CDAT (Community Drug and Alcohol Team) in the past but had returned to offending behaviour.

In 2012 SV was selected for the RADAR (Reducing and Deterring Adult Reoffending) scheme. In October that same year SV was released from prison upon completion of a five month sentence. SV was met at the prison gates on his day of release by RADAR and DIP workers. They escorted him to his CDAT appointment, where he was assessed and prescribed a methadone script. From there they took him to the HPU (Homeless Persons Unit) to assess and address his housing needs, where he was placed into temporary housing. Since then SV has engaged well with the RADAR team.

- He is stable on his methadone script and is consistently attending his key work sessions with his CDAT key worker.
- He is still in safe and stable accommodation, and has now been placed into supported housing.
- SV applied for his benefits upon release from prison and is now in receipt of a regular fortnightly legal income.
- SV has now been referred to Southwark Works for support around education, training and employment. SV has not come to police attention since being on RADAR and will soon be put forward for possible deselected from the scheme as a successful completion.

Case Study: Islington Integrated Offender Management

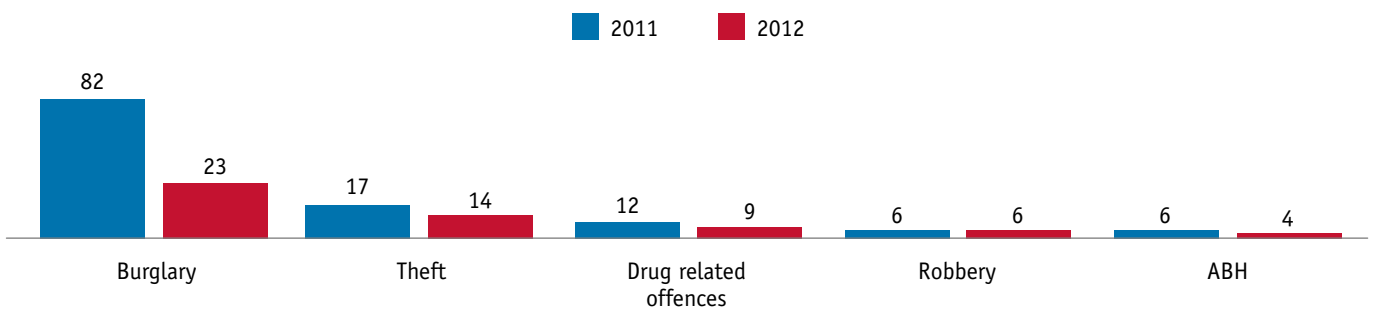
The FOCUS project is one of the key projects tasked by the Safer Islington Partnership to deliver, to adult offenders, a multi-agency team around the offender service. In practice this means the specific targeting of offenders for the purpose of reducing the frequency and seriousness of offences and improving their overall health. The long term aim, which is achieved in some cases, is to get offenders to desist from crime completely and offer alternative options.

Where offenders continue to commit crimes, they are exposed to a premium criminal justice response which involves robust enforcement to improve engagement with services and ensure effective sentencing. In addition, both local prisons have developed information sharing arrangements with LB Islington to improve engagement of any offenders on the FOCUS project who are in custody in Pentonville or Holloway Prisons.

Key Findings from Evaluation of FOCUS in 2012

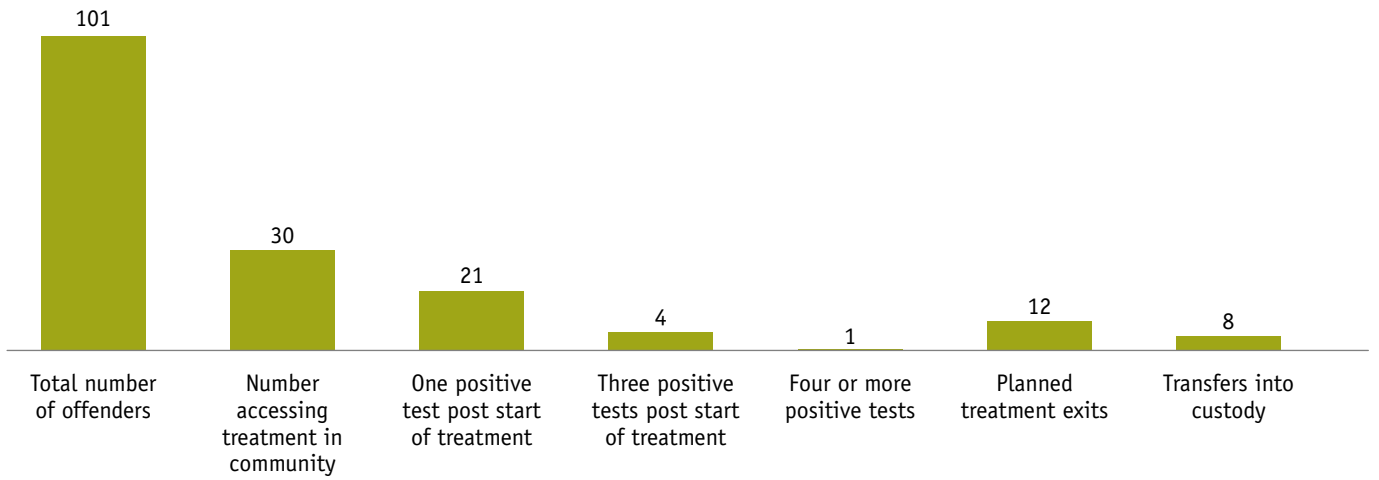
- There has been a significant reduction (55 per cent) in volume and frequency of being named as a suspect with cohorts tracked over two year period. (2011 and 2012) See table below.

Figure 4: Suspected offences - 2012 compared with 2011 (top 6 offence types 2011 and 2012)



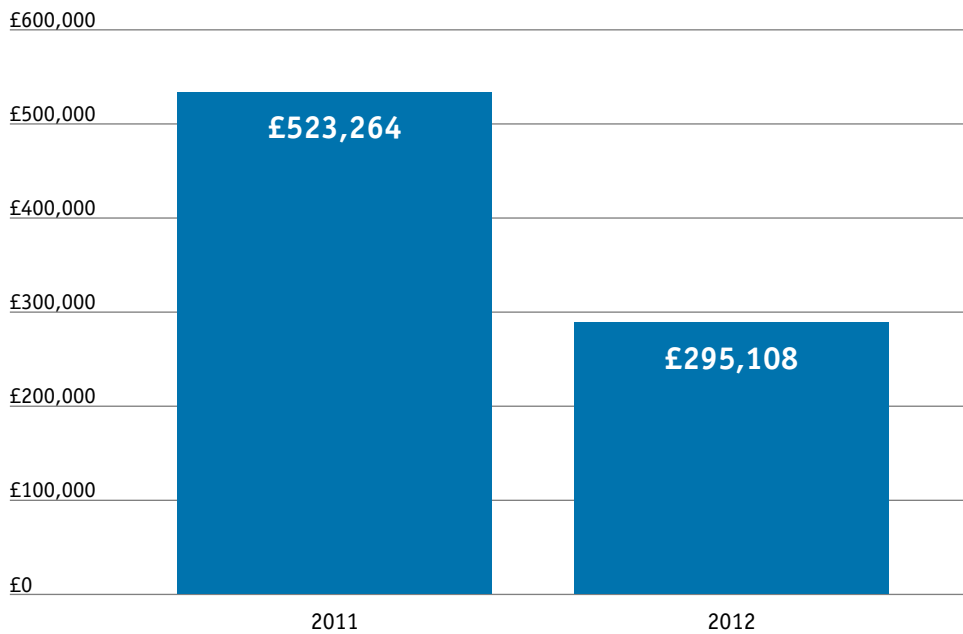
- There has been a significant reduction i.e. 45 per cent (from 176 to 98) in total numbers of offences committed by tracked cohort while there has been a slight increase in offences amongst 18-24 group 33 per cent (11 to 15 offences).
- Engagement in treatment and planned discharges. Treatment outcomes from the focus cohort are better than when compared to overall criminal justice cohort entering treatment and when planned discharges are viewed as a proportion of those starting treatment.

Figure 5: Treatment outcomes



The evaluation also saw a significant reduction in costs of crime, which can be attributed to the significant reduction in burglary offences amongst the cohort.

Figure 6: Average cost of crime



Islington IOM Case Study'

'X' is a 30-plus year-old woman. She has two children who are in foster care. She has a long offending history, including more than 10 offences relating to serious acquisitive crime over last two years. She has also been in prison a number of times although this has always been short term custodial sentences.

She has no permanent place of residence although she stays with a male friend who she says is violent towards her when he drinks. She also drinks heavily and uses crack. In terms of health and social care costs, she has generated significant costs to the system; from her multiple custody suite episodes to multiple short term prison sentences and costs of her offending to business as well as police time.

The short term goal of the IOM team was disruption of X's activities and effective interventions to stabilise her in a range of ways. Following referral to the team and the panels' decision to take her on, contact was made with the offender with an explanation of why she was being contacted but also what support could be offered to her. With her consent some visits were made to her home and an application for temporary housing put in at the same time as a referral to housing provision for those with drug and alcohol issues. The IOM staff became the "team around the offender" co-ordinating interventions and motivating her through the process. Episodes of offending dropped by 70 per cent and access to her own housing significantly reduced the episodes of DV while partnership intervention also started proceedings against her partner. She also started college and has not dropped out yet. Her relationship with her children who are still in care has improved and she is looking towards supervised visits.

Case Study: Sutton Targeted Drug Testing on Arrest - Cozart

Targeted Testing is a more selective pan-London approach to drug testing arrestees. It seeks to better identify those who may be using a range of illegal substances (notably heroin and crack cocaine) that may be directly attributable to offending behaviour. The local aims of the project are to:

- Ensure that Sutton Custody Teams are better able to identify drug misusing offenders who are criminally active, and who, with appropriate support and treatment, might be able to reduce or stop this behaviour completely.
- Provide a direct pathway through the required assessment by a drug and alcohol specialist (DIP) to drug support and treatment.
- Ensure rapid client access into treatment services at the earliest opportunity. The target audience for this project are substance misusing offenders, police officers involved in arresting them and victims of drug related crime.

Targeted Drug Testing on Arrest has been operational in the London Borough of Sutton since 1 January, 2013.

Working in Partnership

Sutton set out to develop a local operating model that would ensure specific partnership elements such as information sharing and joined-up working with drug misusing offenders, would be integral in supporting local operations.

Sutton established a number of distinct partnership outcomes for targeted testing on arrest locally and is continually measuring the schemes effectiveness as to how it is helping to reduce levels of drug related offending in Sutton.

The project has ensured a bespoke client focus element in the delivery of targeted testing on arrest, with a particular emphasis on offenders who are vulnerable through learning disabilities and/or emotional and behavioural disorders such as Autistic Spectrum Disorders (ASD). The performance management approach for the programme was broad enough to achieve multiple objectives as set out below:

- Measurable reductions in offending and reoffending rates for drug misusers.
- Measurable reductions in Property Crime.
- Measurable reductions in Violent Crime.
- Measurable improvements in health and social functioning of drug misusers.
- An increase in the number of drug misusers entering treatment.

The introduction of targeted testing on arrest in Sutton has been successful in reducing the number of drug misusing offenders 'falling through the net' and remaining outside of drug support and treatment.

Targeted testing on arrest has given the police custody teams and drug intervention project workers a tool with which to compel arrestees to engage in an assessment process that has resulted in an increase in the numbers of them subsequently entering treatment.

Case Study: Tri-Borough Adult Reoffending Service

The Tri-borough area has redesigned its approach to working with offenders which will result in the decommissioning of the Drug Interventions Programme across the Tri-borough, with resources being shifted to a new service model. This model was developed as part of the Tri-borough Whole Place Community Budget Pilot.

In designing a new Adult Re-offending services, the Tri-borough conducted a literature review to understand what works in reducing reoffending and delivering effective services for short sentence prisoners, as well as extensive stakeholder, practitioner and service user consultation. The service recognises and meets the identified key factors for successful programmes which were:

- Effective, timely and less time-consuming assessment procedures so that work with prisoners can begin promptly and is not held up by 'bottlenecks' at the beginning of the process.
- Effective case management from the point of assessment through to the post-release phase of intervention.
- Continuity of contact where possible with the same worker/mentor through pre and post release stages.
- Full monitoring and recording of work carried out with offenders, including referrals, to facilitate evaluation and provide a check on programme integrity.
- A high level of pre-release contact which addresses not only practical resettlement problems but also lifestyle, attitudes and motivation to change.
- Addressing thinking, motivation and self-management to help offenders with the personal resources, strategies and motivation to deal with the problems they face.
- Addressing the critical two week post-release by meeting offenders on day of release and providing intensive on-to-one support.
- Specific resettlement work in female prisons responsive to personal and social problems particular to women offenders.

- Improved employment opportunities and services for offenders not considered 'job ready' as a result of poor skills, drug/alcohol abuse.

The Tri-borough has commissioned a consortium of providers to run the project. The provider/s will carry out the following functions:

- i. Custody Referral Team:** This team will provide a preventative approach by engaging with all Tri-borough offenders at point of arrest in police custody, adopting a more comprehensive preliminary health screening and drug testing approach than currently being provided through DIP.

Assessments will be completed on a voluntary basis with all offenders who want to engage. Staff will screen for learning disabilities and mental health as well as substance misuse including alcohol, and then refer to appropriate services. Staff will also escort individuals to appointments to ensure that they are getting to treatment and attrition from custody to services is kept to a minimum.

- ii. Reducing Reoffending Key Workers:** Providing rehabilitative support to short sentence prisoners: The key workers will provide continuous support to short sentenced prisoners upon sentence and reception in prison and into the community, conducting comprehensive assessments, producing personalised action plans, providing front-loaded support in custody and the critical two weeks upon release and on-going support in the community, including advocacy to both mainstream and specialist services. The service is for adults only but will seek to work closely with the Youth Offending Service, Probation Service and ESF/GLA young offender resettlement project to ensure a smooth transition from the youth to adult justice system for those young people identified as potentially at risk of offending and receiving short sentences in the adult system.

- iii. Provide access to targeted interventions:** To address the high level of need across the short sentence prisoner cohort, the key worker will design individualised packages of support. Where services and commissioning arrangements already exist, these will be utilised, where there is a need for a service that is not currently available, there will be a small discretionary enabling fund to provide support. This fund will be spent depending on the individual needs of the offender, for example, it could fund bespoke access to psychological interventions specifically designed for people with a personality disorder or payment for a college course.

Case Study Haringey Youth Offending Service Roma Intervention Project

Haringey Youth Offending Service recently procured an intervention programme tailored to the needs of Roma young people involved in the youth justice system. The team is currently involved with 26 young people of Roma background, 18 girls/young women and 8 boys/young men. The age ranges from 13 to 18 years of age.

This group of young people present a significant challenge to the YOS in terms of reducing their reoffending. The offending committed by the Roma young people is overwhelmingly acquisitive in nature (shoplifting and theft from person) and persistent.

The YOS has worked with a number of young Roma girls where safeguarding concerns have been raised. These concerns include the trafficking of young people and use by criminal gangs as well as sexual exploitation by older men.

In this context, the YOS needs to be able to provide an intervention programme that is safe and supportive allowing trust to be built between the Roma young people and the service in order that reoffending can be reduced and safeguarding concerns addressed.

A meeting took place between Haringey YOS and the Roma Support Group. The above issues were discussed and the concept of a group/mentoring programme that could address these needs was developed. It was agreed that the nature of the young people's offending is clearly related to financial gain and a driver of this is the challenge faces by Roma people in accessing employment other than self-employment.

Haringey YOS identified that central to diverting young people from further offending is the ability to give them legal and positive means by which they can support themselves financially.

What developed was a group programme utilising Roma volunteers that could impart useful, culturally acceptable skills such as sewing and the repair/manufacturing of clothing that could then be used in a self-employed manner. This skills group is supported by project staff that run sessions that address issues such as offending behaviour, sexual health and safeguarding.

This group work is then followed up by a period of mentoring for the young people undertaken by individuals recruited from within the Roma community. The central aim of the mentoring is to enable the young people to stay out of trouble by developing self-employment strategies while monitoring their safety in the community.

Integrated offender Management - Lewisham Approach

Historical Context

In 2009 Lewisham was selected as one of the 'Total Place' local authorities. Total Place project was a detailed study of a given area of complex service delivery, with the aim of reducing duplication and pooling of local resources and funding streams. Lewisham selected 'Offender Management' as one of its Total Place strands. As a result, local offender management and criminal justice systems and processes were subject of comprehensive research and analysis. In summary, it was found that the system was not operating efficiently and that it was too complex, with many areas of duplication as well as a number of gaps in provision. Lewisham had also been involved in the 'Diamond Initiative' 2-year pilot. This involved creating a multi-agency team of offender managers who would work with 'non-statutory' offenders, i.e. those serving short sentences and who would not normally be subject to Probation Service supervision.

Ministry of Justice – financial incentives to local areas aimed at reducing demand on the Criminal Justice System

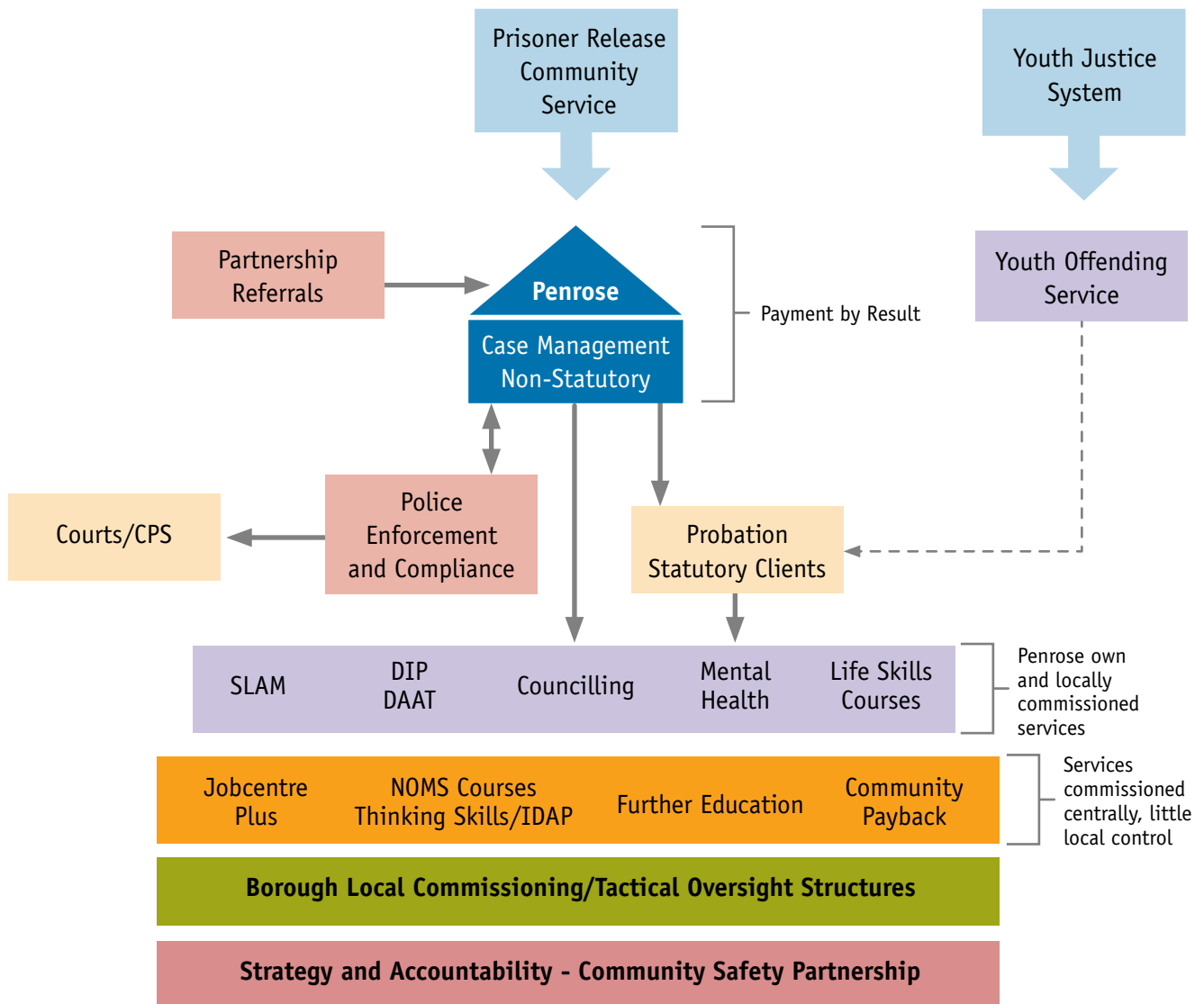
Lewisham was also one of the Local Justice Reinvestment pilot areas. These areas worked with the Ministry Of Justice (MoJ) to develop a local incentive scheme to reduce demand on the criminal justice system.

The fundamental premise of the model has been to incentivise local areas to reduce crime and reoffending, and it was expected that this would lead to a reduction in local demand on the CJS. This would result in significant savings for Ministry of Justice, and the pilot set a financial framework for these savings to be shared with relevant local areas.

Operation Penrose

As a result of Total Place and the Diamond Initiative Lewisham have developed a comprehensive offender management model based on an external organisation providing a 'Through the Gate' service for mainly non-statutory offenders, and to incentivise delivery through a Payment By Results arrangement. The crucial component of delivery is the provision of link personnel in police custody suite as well as selected London prisons. The contract was awarded to a London provider, Penrose, The chart below serves to illustrate the implemented system.

Figure 7: Lewisham – Offender Management Model



Lewisham’s aim was for the model to help achieve the reduction in demand on the criminal justice system they needed for the delivery of the Financial Incentive Model through a reduction in reoffending.

The provider is paid a fixed amount + ‘payment by results’ (PBR) component. The size of the PBR depends entirely on the re-offending rate of individuals under Penrose management. However the payment of the bonus payment itself is predicated on Penrose delivering DIP treatment targets.

Results and Performance

The most recent performance results for the programme show that re-offending rates among the cohort are comparatively low at 22 per cent, (Met Police and national average 26 per cent and 28 per cent respectively). In addition there have been positive results for the borough for the Local Justice Reinvestment measure of reducing demand on the Criminal Justice System. The results for year 1 for Lewisham were a 6.0 per cent reduction in demand for the adult cohort and a 20 per cent reduction in demand for the youth cohort. (This compared to a 4.5 per cent drop in demand (adult) and a 0.1 per cent increase in demand (youth) across England and Wales during the same period).

06

A new type of probation service



The Probation Service has undergone a series of reforms in recent years. The National Probation Service was formed in 2001, as part of a major reorganisation. Two years later, in 2003, the Carter Review of Correctional Services proposed further reform. The Carter report proposed the integration of the prison and probation services into a new Offender Management Service. The National Offender Management Service was duly launched in 2004. Following a further report from Lord Carter,³ on 1 April 2008, the National Offender Management Service was established as an agency, merging the Prison Service and NOMS.

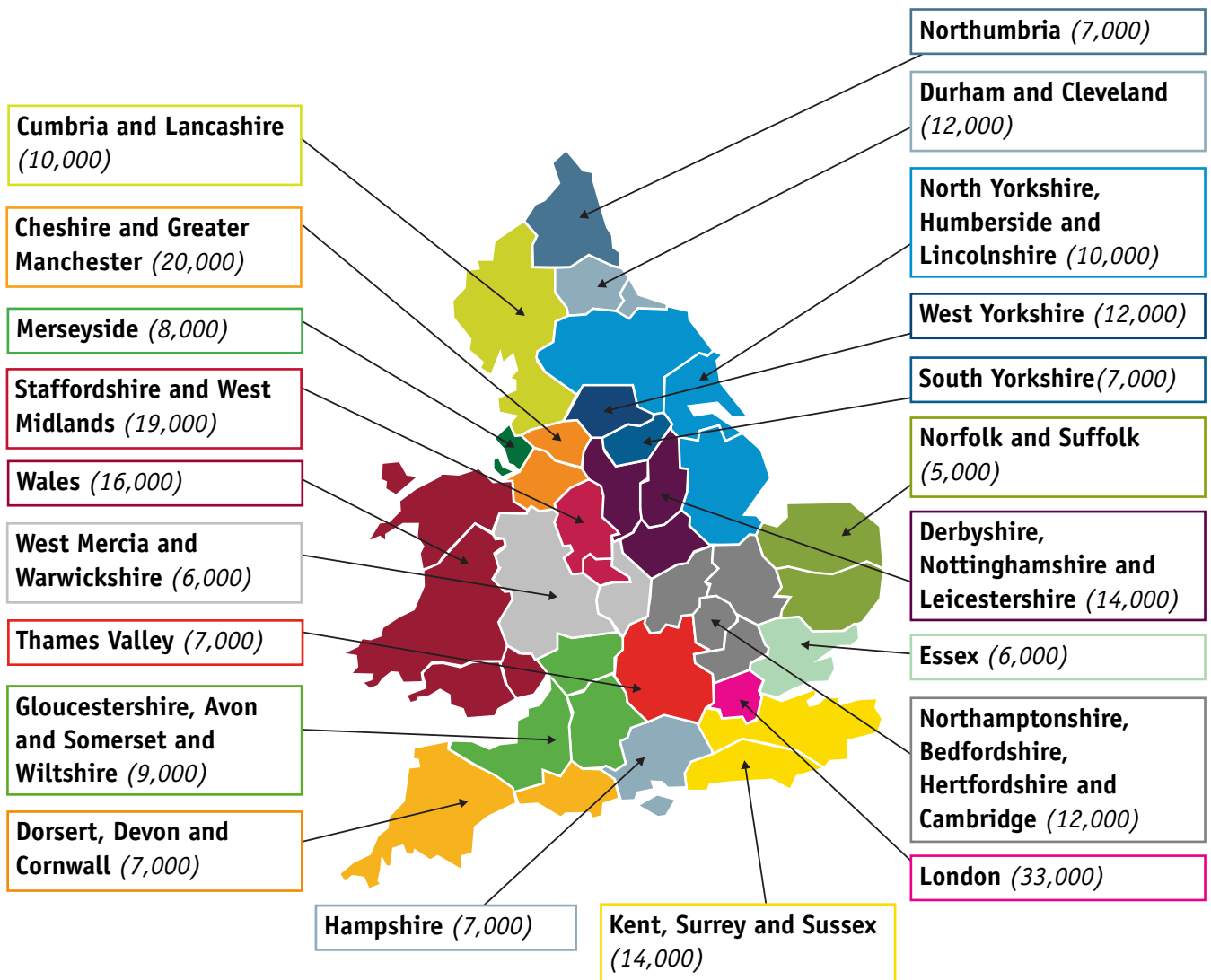
The Offender Management Act 2007 set out new arrangements for the provision of probation services. The Offender Management Act 2007 replaced local Probation Boards with Probation Trusts. The Act lifted from probation boards the statutory duty for making arrangements for probation services and places this duty on the Secretary of State who then contracts with trust providers to deliver probation services, in particular offender management. The Act also opened up the provision of rehabilitation services to the voluntary, community, and private sector.

On the 9th May 2013 the Justice Secretary made a statement to the House of Commons about the government's plans for further reforms of the probation service. At the same time the government published *'Transforming Rehabilitation - A Strategy for Reform'* which set out in further detail the government's plans for transforming the way in which rehabilitation and probation services will be delivered.

The core features of the government's plans for reform are:

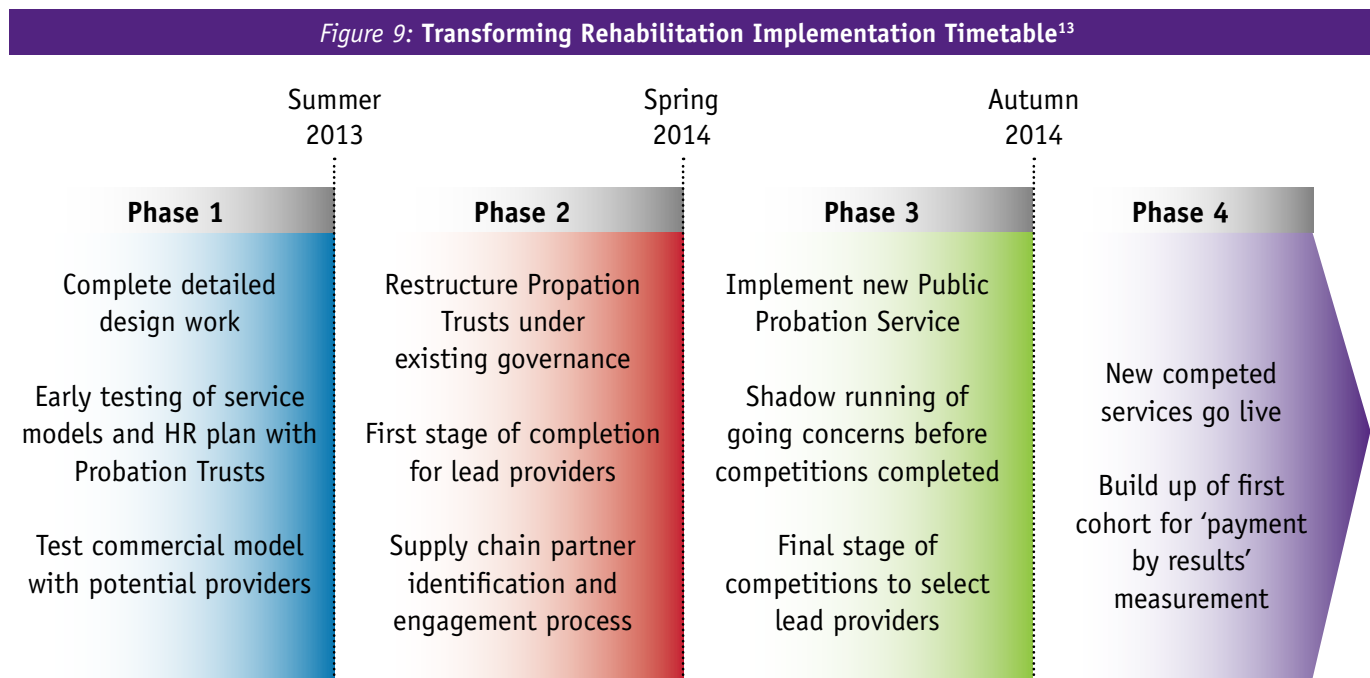
- To extend statutory supervision and rehabilitation in the community to offenders released from short custodial sentences of less than 12 months, a change that is being legislated for through the Offender Rehabilitation Bill. These offenders currently have no statutory licence or rehabilitation provision but have the highest reconviction rates. The government therefore intends to make sure that they receive targeted rehabilitative interventions, and extend statutory supervision to ensure they engage with these programmes.
- A new National Probation Service will be created to supervise high risk offenders. It is also intended that it will be responsible for taking action where lower level offenders breach the terms of their licence or community order, including missing appointments, refusing to engage with their rehabilitation, or drug taking.
- In order to be able to afford the extension of supervision to short term sentenced offenders the provision of offender services for low to medium risk offenders will be subject to competition with a far greater role for private and voluntary sector organisations, who will be paid by results in reducing reoffending. Through competition, the government aims to open service delivery to a much more diverse range of providers and achieve efficiencies.
- Providers will be commissioned to deliver community orders and licence requirements. They will be responsible for the delivery of rehabilitation services – for example, by providing mentors and signposting to services aimed at employment, accommodation, training and tackling addiction, to help offenders turn their lives around.
- In terms of numbers these reforms will mean that the probation service, which currently deals with 250,000 cases a year, will remain responsible for the 30,000 high risk cases, while control of the roughly 220,000 low to medium risk offenders will go to private firms and voluntary groups.
- The commissioning of these providers will be undertaken at a national level through the Ministry of Justice. This national commissioning function will be put in place to commission delivery of services across 21 'contract package areas' (see fig.8) within which private and voluntary sector organisations will be invited to bid for work. In London this is coterminous with the Mayor and encompasses all 33 local authorities and the Ministry of Justice estimates that this will equate to services for 33,000 offenders. It is currently unclear for how long initial contracts will last.
- A 'through the prison gate' resettlement service will be put in place, meaning most offenders are given support by one provider from custody into the community.
- These reforms will be supported by the realignment of the prison service to designate new local resettlement prisons, where the same providers who will be working with offenders in the community will work with them for three months before release. Each contract package area will be assigned a small number of designated 'resettlement prisons' which will release the vast majority of offenders to that area. This will enable the provider of rehabilitation services for the contract package area to allocate staff to engage with offenders during their time in custody, and then provide continuous service through their resettlement in the community.

Figure 8: Transforming Rehabilitation Contract Package Areas¹²



12 Ministry of Justice (May 2013) Transforming Rehabilitation: A Strategy for Reform, London, Ministry of Justice p31

The Ministry of Justice have set out a relatively short time frame for these reforms to be implemented. The intention is that the reformed system will be 'live' by autumn 2014 under the following timetable:



¹³ Ministry of Justice (May 2013) Transforming Rehabilitation: A Strategy for Reform, London, Ministry of Justice p34

07

how can the government's reforms be implemented effectively



Following the government's publication of *Transforming Rehabilitation: A Strategy for Reform*, London Councils considered what effect the planned changes might have on local efforts to reduce reoffending.

London Councils' has welcomed the government's objective of reaching as many offenders as possible with rehabilitative services, especially those most likely to re-offend. We have therefore welcomed the planned extension of supervision and the provision of rehabilitation services to offenders that have served short term sentences (less than 12 months), who currently do not receive statutory supervision from the probation service.

As the case studies demonstrate, local areas have attempted to bridge this gap through the development of reducing reoffending programmes (including Integrated Offender Management) that include or target offenders that have/or are serving short term sentences. Re-offending rates by these types of offenders costs the criminal justice system a disproportionate amount and has a significant effect on local communities and local perception of crime.

We also recognise the potential of the government's commitment to designate new local resettlement prisons. This is something that London boroughs have been pushing for some time. The ability to commission services that meet the needs of offenders close to release and returning to the community is made more difficult by local areas not having access to information about release dates or an offender's location within the prison estate.

Designating local resettlement prisons has the potential improve this situation so that local areas are able to work with prisons, and the National Probation Service or other probation providers to commission rehabilitation and resettlement services. We have however, asked government for reassurance that these reforms are achievable in London, given the particular pressures on prison spaces in London.

Other principles of the government's reforms are cautiously welcomed:

- Black box approach – Future probation providers will be free to design their programme activity to secure reductions in reoffending with minimal instruction from government. This freedom can encourage innovation.
- Payment by results – It is potentially beneficial that private sector companies are paid on delivery of outcomes rather than upfront. This has the potential to reduce the risk on public money.
- Personalisation – A focus on personally tailored support which meets individual needs should result in improved outcomes and better experience.

However the government's proposals have raised a number of concerns. In particular how these reforms might affect joint working between local authorities, probation and the police to tackle reoffending at a local level. There is a danger that the government's reforms miss the opportunity to ensure new providers fully integrate with local services, and support integrated, wrap-around, multi-disciplinary services that offenders need to achieve sustained recidivism. Ministry of Justice should take the opportunity to draw on the expertise, knowledge and resources of the London boroughs. Local authorities and local Community Safety Partnerships are well placed to bring together partners locally to spearhead this approach to service reform. In addition the government could do more to incentivise local areas to reduce reoffending, ensuring resources are spent in a more intelligent way to deliver better outcomes and provide savings for the public purse as a whole.

In London Councils' view:

Working with offenders facing multiple barriers is essentially a local activity. In every London borough there are multi-disciplinary teams that work with offenders. It is vital that future offender management and rehabilitation support is integrated with this approach in order to be effective and provide value for money. Any reforms to rehabilitation services need to deliver an integrated approach so offenders have access to a co-ordinated programme of activity.

London boroughs have a track record of working with offenders and delivering effective interventions. This provides a ready-made infrastructure for supporting offenders. A commissioning process that does not allow for providers to be fully integrated into local provision risks preventing new services from drawing on existing local knowledge and skills.

London boroughs deliver, commission and co-ordinate the core services that support offenders and their families – social care, childrens services (such as safeguarding) and education, housing, health and policing. If boroughs are not involved meaningfully in commissioning, there will be a missed opportunity to fully align services, develop strong referral pathways between key agencies, and ultimately develop a clear and effective customer offer to this vulnerable group.

The detail of London Councils' concerns are set out below. We also set out a number of recommendations for how the government should adapt their current plans to address these concerns in the short term as well as how in the longer term local areas could be further incentivised to reducing reoffending.

Nationally Commissioned Services

London Councils has raised concerns about the intention to commission probation services at the national level. Nationally commissioned services are out of kilter with this government's stated commitment to local, responsive services.

Experience tells us that there are significant question marks about national government's ability to performance manage delivery of nationally commissioned services which operate at a local level. There is already clear evidence from the Work Programme that commissioning these types of services from the market, when applied on a large scale and managed nationally, can lead to low levels of effectiveness with lacklustre performance from providers looking to minimise costs^{14 15}.

A key strength of local community safety partnerships is that they provide a forum for local partners to work collaboratively and a forum for local accountability where partners can challenge each other and drive up performance. Regionally this role is taken by the London Crime Reduction Board. The board's underlying principle is to improve accountability between partners, and is comprised of the Mayor of London, Deputy Mayor for Policing and Crime, and three London Council leaders. The MPS Commissioner acts as technical advisor to the board. It is not at all clear whether contracted providers will work in this way locally, or whether they will simply be driven by their contractual arrangements to the centre. This lack of local accountability could make it difficult in the future for providers of probation services to properly integrate with other local partners and lead to fragmented services. Developing and agreeing local shared priorities and targets across Community Safety Partnerships could also be stymied by providers beholden to contracts with the centre.

In order for the reforms to be successful government should:

- Recognise local authorities as key stakeholders in the design and delivery of the reforms.
- Work with London Councils, MOPAC and boroughs when commissioning a lead provider in London.
- Allow for local accountability through performance management at a regional and a local Community Safety Partnership level. This would also recognise the statutory responsibility local Community Safety Partnerships have to reduce reoffending. To achieve this, London could establish a 'London Re-offending Contract Board' as a sub-group of the London Crime Reduction Board. The role of this board could provide regional oversight of the delivery of the probation contract within the context of overall investment in, and responsibility for, reducing reoffending across London.
- Give MOPAC and local Community Safety Partnerships access to performance data for prime and sub-contracted providers in order to have local oversight of delivery.
- Develop, in partnership with local areas, clear mechanisms for MOPAC and local community safety partners to raise any performance concerns with contract managers at the Ministry of Justice.

14 Harrison, J London Councils (April 2013) Getting London Working. London. London Councils and The Missing Link: An Analysis of the Work Programme performance

15 Harrison, J London Councils (July 2013) The Missing Link: An Analysis of the Work Programme performance. London. London Councils

Maintaining Local Partnerships

As the case studies in this publication have demonstrated local areas have effective partnership working arrangements to manage and rehabilitate offenders. In some cases this includes co-location of partners and formal partnership agreements and information sharing protocols. As described in Chapter 3, Probation Trusts play a leading role in these local partnership arrangements. Introducing new providers has the potential to negatively affect these existing local partnerships. These are often partnerships that have taken years to build. It may also jeopardise local efforts to better align service delivery. In order for local partnerships to be maintained, new providers will need to be able to integrate with existing partnership arrangements.

For example the community budget pilots have demonstrated that for issues like reoffending, where multi-agency response is required, the key to achieving greater outcomes and reducing cost is aligning resources and integrated working across agencies at a local level. Doing so reduces duplication and promotes information-sharing through working together to break down public, voluntary and independent sector boundaries and joining up delivery silos.

The risk of disrupting these local partnerships is only exacerbated by the scale and pace of the government's reforms.

In order for the reforms to be successful government should:

- Work with local government during the pre-contract process to better understand local partnership arrangements.
- Work with local government prior to the assessment of provider bids assessment to understand what 'good' looks like when providers describe how they will work with local partners.
- Develop accountability and penalty measures within the contracting process to take action where providers fail to adequately work in partnership at a local level.

Diversity and Quality of Providers

A key component of the government's reforms is to encourage greater involvement of the private and voluntary sectors in the delivery of rehabilitation services to offenders. The intention is to cut re-offending and to improve outcomes and efficiency and that competition between providers will be used to drive efficiency, reform services and encourage innovation. Independent providers can and do play an important role in offender management. They offer a wealth of experience and specialist knowledge. These services are often commissioned locally benefitting from local knowledge of which providers have the biggest impact on offending levels.

However, we have expressed concern that the model of national commissioning with large contract package areas may result in a narrowing of the market of providers, with only large providers being able to compete for contracts. There is a widespread concern about the capacity of small providers to come together in consortia to deliver within the proposed new system, despite the recent government announcement of additional funding to support smaller providers and development of mutuals.

The Work Programme, for example, has seen a number of small providers being priced out of the market, after being used as bid candy for larger providers partly due to unrealistic pricing by prime providers and lack of referrals.

We are also concerned that the payment by results model may squeeze out small providers of often niche support, thereby losing often excellent services from the market of providers.

In order for the reforms to be successful government should:

- Include in its contracts appropriate incentives for providers to take account of the diverse needs of offenders and look positively at sub-contracting to smaller/local specialist providers where necessary.
- Set the expectation with providers that they should involve local authorities in any sub-contracting of services in order that they are able to benefit from their wealth of experience and local knowledge

Impact of a Payment by Results Model

Payment by results (PbR) models can and do work in terms of getting good value for money for tax payers and driving innovation. However getting the right payment by result model is important. Reducing reoffending is not straightforward, with many agencies and often many interventions required before an offender changes their behaviour. It is difficult to see how a payment by result model can respond effectively to that complexity. For example, despite the government's finessing of their financial model for these reforms, there is still a perverse incentive for providers to game the system, using 'creaming' and 'parking'.

The government needs to ensure that providers do not just work with those offenders that have less complex needs. In addition, there are concerns that PbR models, where successful, encourage savings to be paid out in profits to providers rather than reinvested into early intervention.

There is a real risk that new providers will lack incentive to either provide initial upfront investment or reinvestment of their resources into early stage interventions, when their profit-margins and payment mechanism is built on rehabilitating individuals already convicted of a crime. A recent report by the Social Market Foundation suggested that the PbR model being proposed by the Ministry of Justices risks "backfiring because their proposals mean that private and third sector organisations are in danger of losing money if they try to cut re-offending".

There are also implications of introducing new providers, who will (uniquely) be in line for payment by results, into existing local partnerships. We know that success in tackling re-offending requires the joint efforts of a number of partners. There is, therefore, the potential for tension to arise between statutory services and future providers of probation services. Statutory public sector partners are currently operating within challenging financial environments. However their services which will contribute to the successful outcomes which will trigger a payment for those contracted on a payment by results basis.

In order for the reforms to be successful government should:

- Put in place safeguards to prevent perverse incentives to 'cherry pick' the simplest of cases in order to achieve payment by results targets as this could lead to more difficult cases, which often require more specialist support, being parked.
- Give further thought on the implications of introducing new providers, who will be in line for payment by results into existing IOM partnerships.

Incentivising Local partners

Financial incentives can play a valuable role in ensuring resources are spent in a more intelligent way which delivers better outcomes and provides savings for the public purse as a whole. We believe that tackling crime and reducing reoffending is **best achieved through coordinated local services** that are rooted in local democratic and accountability structures and that effective crime reduction policies are based on local problem-solving. As such London Councils strongly advocates the local commissioning of services. We believe that local relationships and knowledge leads to better commissioning of services.

Recent modeling by the Tri-borough Community Budget pilot demonstrated that if local authorities invest in reducing offending and therefore prison numbers, the cashable savings would only be seen for the police, health and the criminal justice system, rather than councils.

This need to directly incentivise agencies to reduce offending was recognised by the Justice Reinvestment Pilots, where local areas were cash-rewarded for reducing demand on the criminal justice system by reducing offending. There was evidence from those pilots that this approach was seeing some success.

This all also needs to be seen in the context of the current fiscal situation local government finds itself in.

- Funding for local government has been cut considerably since Spending Review in 2010 (SR2010), which outlined 28 per cent cuts to local government compared to an average of just 8 per cent for central government departments. Further cuts in the 2013 Spending Round will lead to an additional 10-15 per cent reduction in 2015/16.
- This has led to pressure on local authorities spending crime reduction and community safety.

For example the Community Budget pilots as well as other local areas are prioritising early intervention for those who, potentially, have the highest need and who could ultimately be of high cost to the public purse. There is a commitment between partners that savings are then **reinvested** into those parts of the community budget providing resources for earlier interventions.

It will therefore become critical for local government to be given access to new powers and responsibility to align and coordinate the resources of local partners to deliver better crime reduction outcomes with the limited finances that are available. Therefore in the longer term government should consider devolving the responsibility and the budget for commissioning rehabilitation services to London. This approach would be rooted in existing local delivery and co-ordination skills as well as democratic accountability structures. This would ensure Pan-London oversight and locally co-ordinated decision-making, commissioning and delivery. This approach could work as collaboration between the Mayor, as Police and Crime Commissioner, and London local authorities and use the established partnership structures to achieve this, including the London Crime Reduction Board.

In the longer term government should

- Consider how to invest in local programmes that engage those at risk of becoming involved in the criminal justice system early and further upstream.
- Consider devolving the responsibility and the budget for commissioning rehabilitation services to London.

conclusion and recommendations

In *Transforming Rehabilitation*, the government has set out far-reaching, ambitious proposals for how rehabilitation services will be delivered in the future. The changes proposed have significant implications for how local government will work with partners to reduce reoffending in the future. There is a real danger that successful local multi-agency programmes to tackle re-offending, as described in this publication, will be lost in the government's reforms and it will be essential that incoming prime providers take advantage of valuable local knowledge and experience.

London Councils is working closely with the Mayor's Office for Policing and Crime to influence government on the challenges raised in this section and shape the implementation of the reforms in London.

Our review of the evidence and analysis of the government's plans lead us to conclude that:

- In the short term it will be essential that the government works closely with MOPAC and local government to ensure that new providers of probation service work with partnerships responsible for reducing reoffending.
- MOPAC and Community Safety Partnerships could play a useful role in ensuring local accountability for new providers of probation services.
- In the longer term, pressure on all partners' budgets, as well as the reforms within the probation service, will mean that it will be critical that local government is given the powers and responsibility to align and coordinate the resources of local partners in order to achieve better crime reduction outcomes and better value for money.
- Government should consider how they can incentivise local government to reduce crime and reduce reoffending by investing in local delivery.

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