

# Revolving Doors Agency response to MOPAC's Police and Crime Plan consultation

March 2013



## About Revolving Doors Agency

Revolving Doors Agency is a charity working across England to change systems and improve services for people with multiple and complex needs, including poor mental health, who are in repeat contact with the police and criminal justice system. This response is informed by our research, our work with partners, and by the direct experience of members of our service user forum who we consulted on the draft police and crime plan.

For further information see: [www.revolving-doors.org.uk](http://www.revolving-doors.org.uk)

## Introduction

Revolving Doors Agency welcomes the strong emphasis on partnership working in the draft police and crime plan, in particular the acknowledgement that *"the Mayor must work with partners to prevent and tackle anti-social behaviour, crime and re-offending as well as protecting the vulnerable"* (MOPAC, 2013, p. 7).

Across the capital, we estimate that there are around 5,000 people at any one time that are caught in a 'revolving door' of crisis and crime<sup>1</sup>. They are experiencing multiple and complex needs and committing repeat offences, but failing to get the help they need to turn their lives around. These individuals are among

the most vulnerable in London, but their repeat offending and anti-social behaviour is costly to the police, to communities, and to the public purse.

We believe that the Mayor is uniquely positioned to bring together partners and develop a strategy to tackle this problem. Doing so effectively could cut crime, improve health outcomes, reduce reoffending and make more effective use of police resources by reducing the number of repeat arrests. Given MOPAC's role in reducing crime and reoffending in London, this should form an important part of the police and crime plan.

**We suggest that MOPAC includes a commitment in the police and crime plan to develop a pan-London partnership strategy tackling multiple and complex needs.** This would fit with other London-wide strategies outlined in the 'crime prevention' chapter of the plan. Given the repeat offending of many individuals with multiple and complex needs, developing and implementing the strategy could be the responsibility of the proposed director of offender management. Through this, MOPAC could provide a key role in complementing and better coordinating a range of programmes that are already happening across London to address this issue.

Alongside this suggestion, our response considers the Mayor's expressed mission and each of the three strategic areas in the plan: police performance and resources, crime prevention, and justice and resettlement. Taking each in turn, we make recommendations on how these strategies can best be delivered to respond to the repeat offending of people with multiple and complex needs, before moving to consider cross-cutting issues around commissioning.

<sup>1</sup> See our briefing paper *Repeat Offenders with multiple needs in London: An analysis of needs and relevant decision making structures* available here: <http://www.revolving-doors.org.uk/documents/repeat-offenders-multiple-needs-london/>



## Key Recommendations

- The Mayor should include a commitment to developing a pan-London strategy for tackling repeat offending by people with multiple and complex needs in the police and crime plan. This would involve working with a range of partners, would fit with other 'crime prevention' strategies proposed in the plan, and could be led by the proposed director of offender management in MOPAC. It would also help the Mayor to deliver on aspects of his health inequalities strategy.
- The Mayor and MOPAC should make mental health a priority in the plan, and work with partners such as mental health trusts, local authorities and the NHS Commissioning Board to ensure that the police deal more effectively with mental health issues, and that there is a joined-up and effective approach to liaison and diversion across London.
- MOPAC should take a lead in improving the data and evidence available on multiple and complex needs in London in order to improve assessment of outcomes and to inform commissioning decisions. As part of this, MOPAC should follow the Mayor's manifesto pledge and ensure that data on repeat arrestees is collected and analysed by the Metropolitan Police Service (MPS), enabling them to assess the need of this group and effectively tackle this problem.
- We urge MOPAC to acknowledge the important role that service users and ex-offenders can play in the system. MOPAC should make particular efforts to engage disadvantaged groups and offenders as part of their community engagement strategy. Moreover, service

users and ex-offenders could play an important role in broader attempts to "grow the police family" (MOPAC, 2013, p. 21) through mentoring and peer research. This should build on work by probation trusts to increase service user involvement.

- We welcome MOPAC's acknowledgement of the importance of Integrated Offender Management (IOM) approaches in tackling repeat offending. MOPAC should encourage a wide range of agencies, including health and housing, to be involved in IOM schemes across London at both a strategic and operational level.
- MOPAC should use their commissioning and partnership-facilitating role to encourage joint-commissioning, including exploring how they could 'pool' different Payment by Results (PbR) schemes at a local level to better integrate services around overlapping outcomes. We welcome MOPAC's support for the Tri-borough community budget in Westminster, Kensington & Chelsea, and Hammersmith & Fulham.

## Mission and Priorities

We welcome the Mayor's stated mission to create "A capital city where all public services work together and with communities to prevent crime, seek justice for victims and reduce reoffending" (MOPAC, 2013, p.6).

As the government's Breaking the Cycle green paper acknowledged, "a significant proportion of crime is committed by offenders who have multiple problems" (MOJ, 2010, p.7). Many repeat offenders face multiple and complex needs, which can include a combination of common mental health problems, drug and/or alcohol misuse, homelessness, learning difficulties and a range of other behavioural, practical,



emotional and skills-based needs (Anderson, 2010, Anderson 2011a). Fragmented service responses and poor continuity of care for this group often lead to ineffective contact with mainstream public services, which work in silos and are designed to meet single needs rather than multiple problems at once (Anderson, 2011b). Taken together, these unmet needs can lead people into a cycle of crisis, crime and repeat victimisation.

An approach built on coordinated responses in the community which enable holistic, personalised support to the individual while linking into the criminal justice system to ensure continuity of care, can provide a key foundation to tackling these problems. As such, the strong emphasis from MOPAC on partnership working is encouraging. As the plan states:

“Operating in a complex city with many thousands of public, private and voluntary sector organisations providing justice services, MOPAC will strive to break down silos, provide strategic leadership, and lobby for the adoption of an evidence-based approach to public safety, built upon collaboration, innovation and smart crime policies” (MOPAC, 2013, p.32).

Much of the response below considers how MOPAC could best achieve this through leading partnership strategies and encouraging co-commissioning with other agencies around shared objectives to tackle the multiple and complex needs faced by many repeat offenders. Key partners in creating an environment where effective, joined-up solution for this group can thrive include:

- **Offender health commissioner** – The offender health commissioner leading the London area team of the NHS Commissioning Board will be responsible for commissioning healthcare services in prisons across the capital, while the government also supports the transfer of police custody healthcare to the NHS. They will also commission the mental health liaison

and diversion services which are discussed in more detail below.

- **Health and wellbeing boards** – will have an overlapping interest in the health of offenders in the community as part of their duty to reduce health inequalities. They will also determine the content of local Joint Strategic Needs Assessments (JSNAs), and develop a joint health and wellbeing strategy.
- **Director of public health** – will need to have due regard to the health needs of offenders to fulfil their responsibility to ensure that “disadvantaged groups receive the attention they need, with the aim of reducing health inequalities” (Department of Health, 2012). Their role includes working with strategic partners to deliver “holistic solutions to health and wellbeing” (Department of Health, 2010).
- **London boroughs** – As the plan acknowledges, boroughs are often in the best position to commission and deliver local interventions (MOPAC, 2013, p. 35-36). All local authorities have responsibilities and funding to allocate to reducing reoffending within their community, and MOPAC has an important role in providing pan-London strategic oversight and scrutiny over how this role is fulfilled.
- **Voluntary sector** – Many innovative local interventions and solutions come from voluntary sector providers, and the voluntary, community and social enterprise (VCSE) sector has much to offer MOPAC through being rooted in communities and working with the most disadvantaged groups. We support the response of the London Safer Future Communities network to this consultation.



The Tri-borough community budget pilot in Westminster, Kensington & Chelsea and Hammersmith & Fulham provides an example of how MOPAC and local authorities can work in partnership to refocus resources.

### Tri-borough community budget

The Tri-borough community budget brings together existing resources spent on adult reoffending, with the aim of reducing crime and the cost of crime by reducing the number of reconviction incidents by adults sentenced to short custodial sentences. Prior to this, £6m a year was spent on nine separate reducing reoffending programmes across the Tri-borough. These targeted statutory offenders, despite the fact that short-sentenced prisoners (SSPs) are disproportionately likely to reoffend, and often have high levels of health and social care needs.

The scheme will provide an innovative new approach which includes an end-to-end keyworker providing consistent support and facilitating access to a range of services in the community. A custody referral team will enable a more preventative approach and comprehensive early assessment of an individual's needs at point of arrest, while a Tri-borough reducing reoffending team provides individualised assessment and personalised action plans for offenders in the community, building on the Integrated Offender Management (IOM) model.

The project hopes to reduce the number of reconviction incidents among SSPs by 10% across the tri-borough area. It also seeks to build a cost/benefit case which will demonstrate savings through reduced reoffending and more efficient use and targeting of resources.

## Police performance and resources

### Cutting neighbourhood crime by 20%

The key crime categories identified as making up 'neighbourhood crime' are burglary, vandalism/criminal damage, theft of and from a motor vehicle, violence with injury, robbery and theft from the person. While the precise crime profile of 'revolving door' offenders is varied, we know that this group of repeat offenders with multiple and complex needs are likely to commit a high level of these 'neighbourhood crimes'. The offending profile of London's Diamond Initiative client group reflects this (Daweson et al, 2011). As such, **tackling multiple and complex needs more effectively could have a positive impact in reducing these "victim-based offences"**.

### Boosting Confidence by 20%

We welcome MOPAC's intention to increase confidence in the Metropolitan Police Service (MPS) as part of their mission that the Met "becomes the UK's most effective, most efficient, most respected, even most loved police force" (MOPAC, 2013, p. 6).

As acknowledged in the draft plan, community engagement is a key part of this. However, it is important that efforts are made to engage with the whole community, including the most marginalised and excluded groups such as those with multiple and complex needs. While this 'revolving door' group may come into frequent contact with the police as offenders, many are often simultaneously the victims of crime (Anderson, 2010). Indeed, the most excluded and vulnerable groups in London are more likely to be subject to the repeat victimisation, which MOPAC has rightly identified as a priority in the plan (MOPAC, 2013, p. 15).

Consultations with our service user forum have revealed low levels of trust in the police. They also revealed an unwillingness to report crimes





of which they are the victim. **MOPAC's strategy for community engagement needs to include specific efforts to engage these excluded groups.** Not only is this important in terms of building confidence, there is also value in including the voices of 'experts by experience' in policy issues and service design. This may require special effort, as people suffering multiple needs can be among the hardest to reach due to their chaotic lifestyle. However, many organisations, including voluntary sector organisations across London, already have established service user forums with which MOPAC could work. If the Mayor or MOPAC staff would like to discuss any issues with members of our service user forum, we would be happy to facilitate this.

As acknowledged in the draft plan, there are also issues around fair treatment and police behaviour which contribute to low levels of trust in the police. An important example is stop and search, which is disproportionately experienced by BME groups and by young people. In 2010/2011, there were 593,036 searches conducted by the MPS, of which only 44,889 (7%) resulted in an arrest<sup>2</sup>. We welcome the acknowledgement in the police and crime plan that MOPAC will scrutinise MPS performance on stop and search.

We also welcome the broader acknowledgement that "the conduct of police officers is a critical component in building and maintaining public trust and confidence in policing" (MOPAC, 2013, p. 16). It is important that officers are well trained to deal with many different issues, including mental health issues, if they are to build confidence among the most disadvantaged and vulnerable groups in the community.

<sup>2</sup> These figures include section 1, section 60 and section 44 searches.  
<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/police-research/immigration-tabs-q4-2011/stops-searches-1011-tabs>

## Using police time and resources more efficiently

In this difficult financial context, we acknowledge the need for substantial efficiency savings to be made in the Metropolitan Police Service (MPS) budget. It is important that police time and resources are used in a more efficient way if MOPAC is to achieve its aim "to cut the budget by 20% while improving standards and cutting crime" (MOPAC, 2013, p. 18).

As mentioned above, people with multiple and complex needs come into frequent contact with the police and emergency services. They are often repeatedly arrested, and their criminal and anti-social behaviour puts pressure on police resources and harms communities. Preventing crime and reducing reoffending by this group would free up police resources. This is discussed further below.

It is vital, however, that improved information is available in order to understand and tackle this problem. **MOPAC should ensure that data on repeat arrests is collected by the MPS, enabling them to assess the needs of this group and tackle the problem of repeat detainees in police custody.** Currently, this data is not analysed. Addressing this would inform a potential strategy around repeat offending and multiple and complex needs, while keeping with the Mayor's manifesto promise to:

*"consider how police data on repeat offending could be used more productively with other organisations that deal with other problems commonly faced by repeat offenders such as mental health, housing, drug and alcohol abuse"*

*(Boris Johnson, 2012, Fighting Crime in London p. 23)*

## Policing and mental health

Despite not being mentioned in the draft plan, mental health has a serious impact on police time and resources. A pertinent example of this



is the amount of time police spend dealing with people suffering a mental health crisis.

### **The police and the Mental Health Act**

The police spend a large amount of time dealing with people experiencing mental distress. One problem often raised is the amount of time spent discharging responsibilities under the Mental Health Act. Section 136 of the Mental Health Act (1984/2007), for example, enables the police to detain individuals suffering an apparent mental health crisis in a public place who are in "immediate need of care and control".

It is important that people in this situation are able to access appropriate care in a timely manner. This requires close joint-working between police and mental health services to assess the individual in an appropriate place of safety. However, research across the country has shown that there is often difficulty linking with mental health services, leaving police officers spending many hours waiting with a section 136 detainee and sometimes detaining individuals in police custody.

There were 23,907 'place of safety' orders nationally in 2011/12, of which an estimated 8,667 used police custody rather than a more appropriate mental health hospital. London has the highest rate of detentions under the Mental Health Act, at 79.9 per 100,000 population compared with an average of 52.5<sup>3</sup>. As such, these issues are particularly pertinent to the MPS. MOPAC will have an important role in driving forward local solutions to these issues with partners, and in doing so freeing police officers for the front line.

<sup>3</sup> The figure for 'place of safety' detentions combines s135 and s136 detentions, although there were only 338 s135 detentions in this period - <https://catalogue.ic.nhs.uk/publications/mental-health/legislation/inp-det-m-h-a-1983-sup-com-eng-11-12/inp-det-m-h-a-1983-sup-com-eng-11-12-rep.pdf>

There is much scope for improvement in how the police deal with these issues. The MPS are already undertaking work at an operational level to improve how they deal with mental health issues, coordinated by the MPS Mental Health Programme Board. The independent commission into mental health and policing, chaired by Lord Victor Adebawale, is also to report soon, and will make a series of recommendations around how the Met respond to all incidents involving mental health.

**MOPAC will have an important role in scrutinising these developments, and ensuring that the recommendations of the independent commission are enacted by the MPS.**

Beyond this, **MOPAC should also make mental health a priority and show strategic leadership in bringing partners together to improve responses across London.** MOPAC holds an important strategic position from which to encourage a more holistic approach to mental health problems in capital. Alongside the Mental Health Trusts, one key partner will be the offender health commissioner in the London area team of the NHS Commissioning Board, who as mentioned above will commission the mental health liaison and diversion services which will (subject to business case) be rolled out nationwide by the Department of Health by 2014.

Building on the recommendations of the Bradley Report (2009), these schemes will provide a service to every police custody suite. They will improve responses by ensuring that mental health and other problems are identified earlier, to inform charging decisions and allow individuals to be diverted away from custody where appropriate. The aims of these services link closely with the Mayor and MOPAC's priorities. As a recent mapping document by the Offender Health Collaborative states:

***"An effective network of liaison and diversion schemes will only be successful if it: reduces first time entrants; and the use of custody***



*(both children and young people); re-engages people with services; drives out delays; meets the needs of victims; improves health and wellbeing outcomes; and reduces reoffending."*

*(Offender Health Collaborative, 2012, p. 2)*

Currently in London, there is a diverse range of services, which operate either at court, at police custody, or both. This includes services based at Thames Magistrates' court and in Westminster, which have been identified as pathfinder sites (Offender Health Collaborative, 2012, p.4). **MOPAC should link closely with partners to ensure that liaison and diversion services work effectively, and engage with London's offender health commissioner on the roll-out and commissioning of services across London.** This could also contribute to MOPAC's target of improved efficiency in the court process, as discussed below.

**MOPAC also has a role in ensuring that these services have good links with community services, which offer them somewhere to divert people to.** Facilitating a strong community connection could also contribute to MOPAC's vision of neighbourhood policing, by encouraging and supporting services which work closely with neighbourhood police and offer suitable community liaison and options for officers dealing with mental health related incidents. MOPAC should work with partners to encourage intelligent, community-based schemes that can improve police information and responses around mental health. One such scheme, currently being piloted in Brent, was mentioned by a member of our service user forum. It was initiated by the NHS trust, who in partnership with local PC World stores, have provided service users at risk of offending with a memory stick in case they are arrested:

*"If I'm arrested now I just give the policeman my stick and pin number and out will come my medical*

*history. It's got my key worker, my doctor, my community nurse...and then they know".*

## Crime Prevention

We welcome MOPAC's intention to **create a strategy for Crime Prevention based around the "three Ps"; people, places and problems.** The best way to cut costs for the police and broader criminal justice system is to reduce demand by preventing crime. A greater emphasis on prevention rather than simply detection would produce better outcomes for communities through reduced levels of crime, as well as better outcomes for those at risk of offending, who may be supported to turn their lives around by the earlier intervention of appropriate community services.

### Problems

We welcome MOPAC's aim to develop London-wide crime partnership strategies around key problems – namely drugs, gangs, violence against women and girls, and alcohol (MOPAC, 2013, p. 22-23). We agree that

*"greater success could be delivered through the development of London wide strategies that identify our shared approach to prevention, enforcement and diversion", and that "the Mayor is in a unique position to bring together a whole range of agencies who must work together effectively if these difficult and complex problems are to be successfully tackled"*

*(MOPAC, 2013, p. 22).*

This approach, based on strategic leadership alongside **"robust performance monitoring and holding all [partners] to account"** (MOPAC, 2013, p. 22) should also be applied to tackling repeat offending by people with multiple and complex needs. While the problems



identified in the plan so far are all important crime prevention issues, any crime prevention strategy must also tackle the high proportion of crime caused by a relatively small number of 'revolving doors' offenders. We suggest that **the Mayor and MOPAC should include a commitment to a pan-London strategy to tackle multiple and complex needs in the police and crime plan.**

**This strategy could be led by the proposed director of offender management within MOPAC**, as many people in this 'revolving door' group will have come into repeat contact with the criminal justice system already. This would be a key part of the director of offender management's role *"to work with partners to improve the multi-agency approach to supporting offenders"* (MOPAC, 2013, p. 28). This is also appropriate because of the key role that Integrated Offender Management (IOM) schemes would play in the strategy. IOM already offers a framework to bring partners together with the potential to tackle the multiple needs of many prolific offenders, and is discussed further below.

**This approach should move beyond offender management, however, and recognise the significant overlap with the Mayor's agenda to reduce health inequalities in the community.** Offenders are among the most disadvantaged groups in the community, and often have high levels of health and social care need (Brooker, 2008; Brooker, 2011). A strategy built on supporting strong, coordinated and community-based interventions for this group, which enable holistic, personalised support to the individual, could simultaneously improve offending and health and wellbeing outcomes among this group. In dealing more effectively with multiple and complex needs in the community, the Mayor and MOPAC have an opportunity to provide a strategic link between crime prevention and offender rehabilitation, which is too often artificially separated in the funding and design of services.

All of the agencies mentioned above will be key partners to be brought within this strategy, including directors of public health and health and wellbeing boards who have an overlapping responsibility for offenders with multiple and complex needs in the community in terms of reducing health inequalities. MOPAC should also be aware of the good work and investment already going on in the capital around multiple and complex needs, all of which could have an impact on crime prevention. This includes:

- **The Big Lottery 'Fulfilling Lives' Programme** – The Big Lottery fund is investing £100m over eight years in 15 areas to improve the lives of people facing multiple and complex needs. It aims to improve outcomes for people facing a combination of offending, mental health, substance misuse and housing issues by bringing together services and preventing these individuals falling through gaps. Two of the identified areas are in London, with the schemes covering Camden and Islington, and Lambeth, Lewisham and Southwark<sup>4</sup>
- **Tower Hamlets Link Worker scheme** – This service model links clients through a dedicated worker with services to address their multiple and complex needs, as well as providing practical and emotional support to clients. This has proved an effective approach to supporting individuals with multiple and complex needs, and has been employed in a number of areas (Anderson, 2010). The Tower Hamlets scheme provides an outreach service for people with mental health problems (including substance misuse), who come

<sup>4</sup>

[http://www.biglotteryfund.org.uk/prog\\_complex\\_needs.htm?regioncode=-uk](http://www.biglotteryfund.org.uk/prog_complex_needs.htm?regioncode=-uk)





into contact with the police and criminal justice system.<sup>5</sup>

- **Tri-borough Community Budget –** As noted, the Tri-borough community budget in Westminster, Kensington and Chelsea and Hammersmith and Fulham is targeting resources to reduce reoffending among short-sentenced prisoners (SSPs) across the boroughs. The design of the project, with a lead professional facilitating access to a range of services as well as pooled budgets, will provide a good model for tackling the multiple and complex needs of ‘revolving door’ offenders.
- **Integrated Offender Management (IOM) –** IOM schemes across the capital are already providing an opportunity to bring services together to tackle the multiple needs of priority prolific offenders. Examples of good practice include Islington IOM, discussed below
- **Justice reinvestment pilots –** offer a promising way of funding more preventative work addressing offender’s health needs by redirecting cost savings by reduced demand on the criminal justice system to pay for interventions tackling the causes of crime. The London pilot project made savings of £950,000 to the justice system in its first year, which has been ploughed back into preventative work in the community.<sup>6</sup>

Revolving Doors Agency has built up almost 20 years of knowledge and experience around what works to improve outcomes for people in this group. We would be happy to work closely

with the Mayor and MOPAC to help develop this strategy moving forward.

### People

Regarding the **people** strand of this chapter, we support the establishment of Safer Neighbourhood Boards to improve community engagement. As mentioned above, we stress the importance of including people with experience of multiple needs and the criminal justice system as part of attempts to engage the whole community.

We also suggest that MOPAC makes special efforts to engage service users and former offenders in efforts to boost volunteering and “grow the police family”. We welcome that in the proposed cadet scheme “25% of all cadets will be recruited from among young people who are vulnerable to crime and/or social exclusion” (MOJ, 2013, p.21). However, **we also urge MOPAC to acknowledge the role that adult service users and former offenders could play in using their experience as mentors.** This model has been successfully employed by St Giles Trust, and championed more recently in Chris Grayling’s *Transforming Rehabilitation* reforms. Members of our service user forum also raised its importance:

*“It’s good to see someone, like if you’re a drug addict, and you think ‘oh I can never stop taking drugs’, to see someone who has stopped is 100 times better than someone who has never took it just telling you”.*

We have also had success training former service users as peer researchers. Members of our service user forum have reported that becoming involved in service user involvement has helped them to build self-confidence and skills which can aid their recovery, as well as providing a stepping stone towards other employment.

<sup>5</sup> <http://www.homelessuk.org/details.asp?id=UK22329>

<sup>6</sup> <http://www.justice.gov.uk/information-access-rights/transparency-data/justice-reinvestment-pilots-first-year-results>



## Justice and Resettlement

We strongly welcome the Mayor's emphasis on broader justice and resettlement outcomes as a major priority – in particular the focus on rehabilitation and reducing reoffending. This section of the response addresses each of "the three Rs"; improving reparation, building in reform, and ensuring effective rehabilitation to cut reoffending rates.

### **Reparation**

We acknowledge the importance of reparation in the criminal justice system. It is important, however, that this punitive aspect is balanced with the rehabilitative needs of the offender. Community sentences can be an important means of balancing punishment with effective rehabilitation in the community, and they have been shown to be more effective than a short prison sentence at reducing reoffending by 8.3% (MOJ, 2011). Increasing the confidence that the public and sentencers have in this option is important, and so we welcome the intention behind MOPAC setting the ambitious target of a 20% improvement in compliance rates.

In order to achieve this ambitious target, it is important to understand some of the reasons for non-compliance so that offenders can be better supported to meet the requirements of their order. Offenders with multiple and complex needs are likely to be living chaotic lives, and can find it difficult to engage fully and keep appointments. Non-compliance can also be caused by a failure to cope with existing problems, such as drug or alcohol misuse or deteriorating mental health. Other reasons may include practical issues such as childcare problems, or difficulty understanding the terms of their order due to a learning disability.<sup>7</sup> **All**

<sup>7</sup> This is discussed more fully in our response to the government's *Punishment and Reform: Effective Community Sentences* consultation, available here: <http://www.revolving-doors.org.uk/documents/transforming-rehabilitation-response/>

**of this highlights the importance of ensuring that the correct, personalised support is provided to offenders on community sentences to enable them to comply with their order.**

Members of our service user forum also suggested that the nature of the activity required in the order was an important part of driving up compliance rates. Where service users were included in meaningful activity which they saw as useful, they suggested that they were far more likely to comply:

***"In London, it's normally pick up litter and that kind of stuff...it's punishment, ok, but in nine months' time, what have I learnt? How to clean the streets? Or how to pick up litter by the river bank? If you make my community sentence more around something I want to do, then not only am I going to do the 6-9 months, but chances are I'm preparing for work, and that's what you want...you've got nine months to teach somebody something."***

This highlights the importance of the individual believing in the purpose of the order. While we acknowledge the importance of the punitive purpose of a community sentence, it is also important that they go beyond punishment to leave the offender in a better position afterward. As one forum member said:

***"The more you make it just about punishment is the more chance they'll reoffend."***

One member raised an example they had seen in Brighton, where a menu of options was provided for the offender to have some choice over their tasks. **While we acknowledge the motives behind plans to give the community more control over sentencing options, we also suggest that the Mayor supports an approach which involves the offender in the process too, with a focus**



**on maximising compliance and reducing the likelihood of reoffending.**

This fits closely with the desistance literature, which highlights the importance of offenders feeling part of the process. Successful desistance is a process actively involving offenders, not done to them, and it is important that the work specified in community order acknowledges this in order to balance punitive and rehabilitative purposes (McNeill et al, 2012, p. 9) This research also stresses that desistance is a complex process, which is likely to involve lapses and relapses (McNeill et al, 2012, p. 8).

**Breach and prison recall should always be a last resort, and offender managers should be given greater flexibility to use their discretion as to what response is suitable to an incident of non-compliance. It is important that MOPAC considers these issues when holding other providers to account for their compliance rates, and takes on a role that also shares information and promotes best practice in supporting compliance.**

**Abstinence-based approaches**

These considerations should also inform the approach taken to alcohol and drug-related offences that are laid out in the police and crime plan. While appropriate for some, an abstinence based approach backed up by *"an intensive testing regime and a swift and sure punishment for those who fail to remain abstinent"* (MOPAC, 2013, p. 28) will not be the best approach for all and depending on the punishment could prove counter-productive.

For offenders with multiple and complex needs, substance misuse is often linked to other issues including self-medicating for mental health issues or related to past trauma. Imposing strict sanctions, such as the proposal in the plan to follow the HOPE programme and jail those who fail to remain abstinent, is more likely to raise breach and re-incarceration rates among this group rather than promote rehabilitation.

**Rather than then making compliance more difficult by pursuing an abstinence-**

**based approach for all, MOPAC should support a more personalised approach to these problems which takes account of the full range of needs of the offender and supports the journey towards abstinence rather than creating further barriers.**

**Sentencing decisions**

We have some concerns over how MOPAC and the Mayor view their role in commenting on sentencing decisions. We agree that *"sentencing decisions need to be based on complete and robust information"* (MOPAC, 2013, p. 31). Liaison and diversion services mentioned above could have an important role in this, providing advice to courts around the health and social care needs of offenders which can inform sentencing and especially any rehabilitative aspects that may be included in a community order. Where the Mayor can support this to ensure a more holistic approach to providing information to courts, this would be valuable.

However, we oppose plans for the Mayor and MOPAC to challenge sentences that they deem *"unduly lenient"* (MOPAC, 2013, p.31). There is a danger that this could lead to populist rhetoric, and a reduced rather than improved understanding of sentencing in the public. It could also place pressure on sentencers to rely more heavily on prison rather than more effective community alternatives, which are commonly seen as a "soft" option.

A better approach would be to use MOPAC's engagement role to better explain sentencing to the public, and in particular to make the case for tough and effective community sentencing. MOPAC could learn from the Ministry of Justice's 'open justice' initiative<sup>8</sup>, which better informs the public about the sentencing process without electing to comment on individual cases.

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<sup>8</sup> See <http://open.justice.gov.uk/>



## Reform

The Mayor has set an ambitious target to reduce court delays by 20% as part of the aim to “build in reform” to the criminal justice system. While we acknowledge the need for both efficiencies and improved public confidence that drives the “swift and sure justice” agenda, we also stress that it is important to consider the potential impact of arbitrary targets around this on the provision of information to courts.

Members of our service user forum raised concerns that an emphasis on greater speed could lead to a decrease in standards of information around health and social care needs to court. In particular, concerns were raised about the length of time it can take for psychiatric reports. MOPAC should pursue this target in such a way that improves information to courts while achieving efficiencies.

### Together Mental Health Court Liaison service

The Together Forensic Mental Health Practitioner service operates in 18 projects across 14 London boroughs. They work closely with court and probation services across London to identify mental health problems among defendants and offenders, and ensure this information is made available to the courts. They also support the client, divert into community services where appropriate, and provide advice and training around mental health to courts. The evaluation of the Mental Health Court pilots suggests that by adopting this approach, Together has helped to reduce court delays by improving information flow and reducing the instances where lengthier psychiatric reports are required (Winstone and Pakes, 2010).

Further information is available here:  
<http://www.together-uk.org/our-mental-health-services/criminal-justice-mental-health/>

## Rehabilitation

We welcome the strong emphasis on the rehabilitation of offenders. With a reoffending rate of 26%, rising to an average of 59% among short-sentenced prisoners released from London prisons, improving rehabilitation and resettlement in order to cut reoffending is a clear priority for the Mayor and MOPAC. As the plan states, “there are a small number of prolific offenders who are responsible for a large proportion of offending” (MOPAC, 2013, p. 26). Many of this small group of prolific offenders have multiple and complex needs that combine to make it difficult for them to break the cycle of reoffending. As such, we strongly welcome MOPAC’s acknowledgement that:

***“Research demonstrates that the likelihood of reoffending is reduced by working with offenders to deal with problems such as housing, substance misuse and training and employment. We will therefore work towards ensuring there is better and more universal resettlement and a better grip on persistent and prolific offenders”***

***(MOPAC, 2013, p.26).***

Members of our service user forum stressed the importance of tackling issues around housing and homelessness in this improved resettlement plan. As one forum member stated:

***“If you cover the homelessness first, that will solve a lot of the crimes...when I was homeless, I had to do my hussle just to get through the day...but now that I’ve got my place, you know, and a lot of people I know, now they’ve got their places they’re a lot more settled”.***

However, housing is one of many problems faced by individuals this group. As such, **we suggest that Integrated Offender Management (IOM) must form an important part of this plan, and we**





**welcome the strong recognition in the draft plan of the importance of establishing effective IOM across London.**

At its most effective, IOM will bring in a range of partners beyond the police and probation service at both a strategic and operational level. This should include mental health, drug, alcohol and housing agencies, who are important in making available and facilitating access to the range of services offenders with multiple and complex needs may require to enable them turn their lives around and desist from crime.<sup>9</sup>

In Islington, we have helped to facilitate improved links between the IOM scheme and mental health services, while alongside the London Criminal Justice Liaison and Diversion Advisory Group (LCJLDAG) we are writing mental health guidance for IOM schemes as part of our role as a workstream lead on MOPAC's IOM strategy. As the Mayor and MOPAC are no doubt aware, important work is also ongoing within the MPS to improve the IOM model throughout London.

**Islington IOM**

Strategic leads from Probation and local mental health services have been working together within Islington IOM to improve pathways into treatment for the high proportion of the cohort who experience mental health issues, but who fail to access or engage with Community Mental Health Teams. Improving Access to Psychological Therapies (IAPT) clinics are now being delivered on-site in probation, alongside monthly case surgeries in which mental health staff are available to advise offender managers on managing complex cases. Islington IOM can be seen as an example of the multi-agency problem solving approach that IOM schemes can provide.

**MOPAC has an important role in providing strategic leadership on this work, and ensuring that IOM in London includes input from a wide range of agencies, including housing and mental health.**

As such we welcome the proposed establishment of a director of offender management within MOPAC *"to work with partners to improve the multi-agency approach to supporting offenders"* (MOPAC, 2013, p. 28). As mentioned above, we feel that as well as coordinating IOM and linking closely with offender health structures, the director of offender management should also lead on a strategy tackling the multiple and complex of offenders in the capital. This would fit naturally within the proposed role, and contribute significantly to tackling repeat offending across London.

**Young people**

We also welcome the Mayor's proposed target of reducing reoffending rates for young people leaving custody by 20%. There are particularly high rates of reoffending among this group, and we acknowledge the good work already done by the Mayor through partnership initiatives such as project Daedalus. However, **we suggest that this definition of young people be extended to include approaches that address reoffending by young adults (18-25).** As the Transition to Adulthood Alliance (T2A) has demonstrated (see T2A, 2012), provision for this group is often poor and many young people fall through the substantial gaps that exist between youth and adult justice. By taking an approach to young adults which takes account of their developing maturity, and ensuring a smoother transition from youth services, MOPAC could also have a significant impact on the reoffending rates of this group.

<sup>9</sup> For further information see our briefing *Integrated Offender Management: Effective alternatives to short sentences* available here: <http://www.revolvingdoors.org.uk/documents/iom/>



### London T2A Pilot

Based in Croydon, and led by the St Giles Trust, the project works with young adults in the community and in prison before and after their release. It provides intensive support to divert young adults away from offending and enables them to build a new life for themselves. Support offered includes help with housing, accessing training and employment, as well as emotional support with issues such as relationships, behaviour, self-esteem and self-perception.

The service is delivered by trained key workers who are all ex-offenders, which ensures a level of trust and credibility. The London T2A project works alongside local police, youth offending teams and probation service, who make direct referrals. Croydon Probation has now established a dedicated young adult service, and St Giles Trust has established the T2A approach in several new boroughs, including a cross-borough project in Brent and Westminster.

A summative evaluation of the T2A pilots has shown improvement in outcomes, with a 9% reconviction rate in the cohort and breach rate of just 9% for those on community sentences or licences. The number in employment also trebled, and the number classified as NEET halved (Catch 22, 2012).

It is also important that this ambitious target around youth reoffending does not direct attention and resources away from tackling adult reoffending, and that MOPAC builds on the Mayor's manifesto commitment:

***"to review what can be learnt from the Daedalus approach to youth crime and what can be applied to tackling repeat offending among adults" ( Boris Johnson, 2012, Fighting Crime in London p. 23).***

## Commissioning and Payment by Results

### Pooling budgets and joint-commissioning

We welcome the emphasis that MOPAC places in the police and crime plan on joint-commissioning with other services, and in particular the pledge to *"work with the National Offender Management Service to jointly commission services for offenders – in particular offender health services"* (MOPAC, 2013, p.32).

The Mayor and MOPAC have an important role in facilitating partnerships, and encouraging joint-commissioning around shared outcomes can be an important means of bringing this about. This can also be a way of streamlining public spending and using resources more efficiently, as different agencies pool funds towards shared problems rather than each dealing with them through their own isolated budgets. There are a number of promising examples of this already happening across London, including the Tri-borough community budget mentioned above.

As part of this, we support the *"aspiration to draw together disparate national and regional funding programmes to produce one single pot that boroughs can access"* (MOJ, 2013, p.35). The intention to encourage more localised commissioning is welcome, although we stress that MOPAC provides strong strategic guidance, leadership and scrutiny to ensure that there is a strong pan-London direction to this work where appropriate.

### Paying by Results

We recognise the potential value of Payment by Results (PbR) and its focus on outcomes, although we also have a number of concerns. The way that PbR is applied by MOPAC will have to be designed carefully to ensure that this model works for people with multiple and complex needs. In particular, there is a danger that placing too much risk on providers and



paying by binary measures of reoffending could lead to 'parking' and 'creaming', whereby providers prioritise the easiest cases to achieve payment and neglect more challenging cases such as individuals with multiple and complex needs. Contracts need to be designed in a way to avoid this, for example by targeting schemes specifically at this group, rewarding providers for intermediate outcomes, or ensuring that higher rates are paid for harder to help individuals.<sup>10</sup>

**We also encourage the Mayor and MOPAC to give further consideration to how they could use their commissioning and partnership-facilitating role to 'pool' different PbR schemes at a local level to better integrate services around overlapping outcomes.** PbR is being expanded into a range of different policy areas. As well as the Work Programme, PbR elements are present in the Troubled Families agenda, and are increasingly applied in the drug and alcohol sector and local government commissioning. There is also a rough sleeping Social Impact Bond (SIB) being piloted in London.<sup>11</sup> Given that many of the clients of offender services will also be involved in other programmes, it makes sense to explore how funding can be pooled by different PbR schemes. This would provide a more holistic focus on a range of outcomes, and ensure the most efficient use of funds.

### Evidence-based commissioning

We support the Mayor's stance on evidence-based commissioning. However, as noted above, accurate data on the 'revolving doors' group of repeat offenders with multiple and complex needs is scarce. This is due in part to the complexity of need, but also to ineffective contact with services. **It is crucial that MOPAC not only commissions based on evidence, but acknowledges a responsibility to help build this evidence base.** One important contribution would be to ensure that the MPS collects and analyses data on repeat arrests, as mentioned above.

**It is also important that providers are supported and enabled to produce robust evaluations of their services.** Smaller VCSE agencies may struggle to provide evidence for interventions which are nonetheless providing important interventions. Project Oracle has provided an important basis for this. We also strongly welcome the commitment to *"providing boroughs the time and assurance to deliver meaningful results through opportunity for longer term funding (up to four years)"*. It can take a longer period to achieve the substantial life change required for many repeat offenders with multiple and complex needs, and as such we agree with MOPAC that this approach would provide *"a useful foundation for tackling complex and ingrained crime and offending problems"* (MOPAC, 2013, p. 36).

<sup>10</sup> We are in the process of developing a briefing on how PbR models can be made to work for people with multiple and complex needs. For further information, see our response to the government's *Transforming Rehabilitation* consultation, available here: <http://www.revolving-doors.org.uk/documents/transforming-rehabilitation-response/>

<sup>11</sup> <http://www.london.gov.uk/social-impact-bond-rough-sleepers>

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