

DMPC Decision – PCD 1604

Title: Extension of GPS Tagging 2024-26

Executive Summary:

This decision seeks approval to extend MOPAC's GPS tagging provision until March 2026. This will include a two year extension to the GPS knife crime programme and a short extension to the domestic abuse pilot of no more than three months (after which we are advised that new MoJ provision will be in place to replace this). Additionally, a new GPS tagging pilot for Stalkers will also be introduced to run until March 2026. This extension is based on approval from the Secretary of State for Justice, which has now been obtained for this period.

This decision seeks agreement to extend the pilots by 24 months to 31st March 2026 using the allocated budget of £1,030,000 per year. This decision also seeks agreement to carry forward up to £200,000 from the 2023/24 GPS tagging budget to use in 2024/25 to meet the demand for tags. On this basis the total funding for the two year extension period will be £2,260,000.

The continuation of this GPS work will involve the extension of the current contract with the GPS provider by a further 12 months to 31st March 2025 up to a maximum value of £1,100,000.

This decision also seeks agreement that a new procurement process will take place using the government Digital Marketplace to appoint a GPS provider for the year 2025/26 for a period of 12 months. The total value of this procurement will be £900,000 plus any carry forward from 2024/25 that is later approved to be used for this process.

In each year £130,000 will be used for the funding of police, probation and project support resources, to ensure effective delivery of the programme so that it meets its overall goal in improving public protection.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the extension of the GPS Tagging programmes for two years to March 2026 at a total cost of £2,260,000
2. Approve the carry forward of £200,000 from 2023/24 to 2024/25 from the GPS Tagging budget to meet the demand for tags

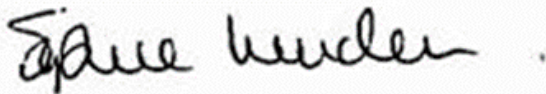
3. Approve the extension of the current GPS monitoring contract for a period of 12 months to the maximum value of £1,100,000.
4. Approve a procurement process using the government Digital Marketplace for a GPS monitoring contract for 2025/26 up to the value of £900,000 plus any carry forward from 2024/25 that is later approved to be used for this process.
5. It is recommended that the Director of Commissioning and Partnerships, in consultation with the Chief Finance Officer are granted delegated authority, to approve the procurement for 2025/26 and award contracts following procurement and for signing future documents in relation to this decision, including contracts and variations. Approval of this decision remains with DMPC as per MOPAC's Scheme of Delegation.

Deputy Mayor for Policing and Crime

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

The above request has my approval.

Signature



Date 01/03/2024

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

1. Introduction and background

- 1.1. The Police and Crime Plan and the London Knife Crime Strategy contain commitments to pilot the use of GPS tagging with knife crime offenders being released from prison on licence. The MOPAC GPS tagging for knife crime pilot started in February 2019 and since April 2020 has been live in all London boroughs. The pilot, which has now developed into an established programme, provides an important risk management tool for probation practitioners and to date over 1,500 offenders have been given GPS licence conditions as part of this pilot.
- 1.2. Following ministerial approval, a new MOPAC pilot to test the use of GPS tagging with high-risk domestic abuse perpetrators was launched in March 2021. This pilot is also available across all London boroughs and to date over 600 high risk offenders have been given GPS licence conditions as part of this pilot.
- 1.3. The aims for the two current GPS pilot are:
 - That GPS data is used to improve the management of the risk posed to the public, children and known adults, including past, current and future intimate partners.
 - That GPS improves the enforcement of licence conditions and increases deterrence from further offending.

- Offenders subject to GPS have their thinking and behaviour challenged and positively changed through the use of location data in supervision
 - That GPS location data is shared appropriately for enhanced crime detection.
 - Best practice learning is developed around how information on these cases can be shared with police, victim/survivor safety agencies and other professionals, within legal boundaries and ICO guidelines.
- 1.4. The evaluation of MOPAC's GPS pilots is being undertaken by MOPAC Evidence and Insight, using a model that builds on the approach previously employed for the offenders tagged on the Persistent Offender Programme. The interim evaluation report for the GPS for knife crime pilot was published on the MOPAC website in June 2020. In 2021 the final evaluation report for the GPS tagging for Community Sentences pilot was published. Both of these reports detail the value of GPS as a tool to manage risk and offending behaviour and monitor compliance with conditions.
- 1.5. The GPS for Domestic Abuse pilot has also been evaluated by MOPAC Evidence and Insight, with a positive process and performance evaluation published in May 2023 showing benefits for victim protection and risk management. A final process and performance evaluation of the knife crime pilot is now being finalised. This also includes early impact findings including reoffending and compliance outcomes which demonstrate the positive impact of GPS tagging and the benefits this brings.

2. Issues for consideration

- 2.1 This decision seeks agreement for the extension of the MOPAC GPS tagging programme for knife crime offenders until 31st March 2026. All eligibility criteria for the knife crime pilot will remain the same, with the continuing aims of improving public and victim protection and reducing reoffending.
- 2.2 In addition, a short extension to the GPS tagging pilot for domestic abuse is proposed from 1st April for no more than three months. This will allow for the planned close down of this pilot and for this provision to be transferred to the MoJ's new Domestic Abuse Programme for Offenders on Licence (DAPOL), which is launching in London from May 2024. This will ensure that there is no gap in provision for domestic abuse offenders who require a GPS tag on licence when they return to London. All existing cases within the MOPAC domestic abuse pilot will remain monitored within the same arrangements until their tagging period expires, with all monitoring to be completed by December 2024.
- 2.3 This decision also seeks agreement to start a new pilot for non-domestic abuse stalkers. This pilot will be based on the established operating model for eligible prisoners on determinate licence being released back to London. The aims of the pilot will build on previous work with domestic abuse offenders, namely, to protect victims, strengthen enforcement and support effective risk management. In addition, the pilot will include promoting the use of GPS tags for stalking cases who are being considered for community sentences. Where GPS is included, these cases will be managed within

the MoJ's national GPS programme. However, these two cohorts of London stalking offenders will monitor and evaluated as part of the same pilot and the potential benefits of GPS in these parallel contexts will be promoted and explored in tandem.

- 2.4 Based on analysis of the current trend of increasing usage, during the 24 months to March 2026 it is envisaged that up to 1,100 offenders will receive a GPS tag on release from prison. This will largely be made up of knife crime and stalking offenders.
- 2.5 The existing contract with the electronic monitoring supplier, Buddi Ltd, was procured using the G Cloud 13 Framework from the Crown Commercial Service and ends on 31st March 2024. This decision asks for approval to activate a 12-month extension to this contract to a maximum value of £1.1m.
- 2.6 To support the extension of the pilot there will be a requirement for continued resource, including a dedicated Police Intelligence Analyst to support how monitored cases are recorded and identified on police systems.
- 2.7 The total budget for the project also includes funding for dedicated project support to enable probation and other CJS practitioners to identify, manage and enforce GPS cases. This resource will continue to provide policy development, data analysis and staff training expertise within the extended pilots.
- 2.8 The extension of GPS tagging for domestic abuse offenders and the new pilot for Stalkers, which both involve close operational partnerships and joined up working with the MPS, support the recommendations of the Casey review to strengthen and improve the support for women and girls affected by these offences.

3. Financial Comments

- 3.1 This decision requests approval to extend the GPS Tagging pilot for 24 months until 31st March 2026 at a total cost of £2,260,000 across the two years: £1,230,000 in 2024/25 and £1,030,000 in 2025/26.
- 3.2 The cost in 2024/25 of £1,230,000 will be split between £1,100,000 for the 2024/25 contract extension for the GPS tagging pilots for knife crime, domestic abuse and stalking perpetrators and £130,000 for project support costs. This will be funded from the 2024/25 GPS Tagging budget plus carry forward of £200,000 from the 2023/24 to 2024/25 to meet projected demand, subject to this approval.
- 3.3 A new procurement process will take place to put in place a new contract for GPS monitoring for the year 2025/26, up to a maximum value of the available budget of £900,000 plus any additional funding agreed. A further £130,000 will be required in 2025/26 for project support costs which will be funded from the GPS staffing budget.

Item	2024/25	2025/26
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GPS tagging and electronic monitoring contract	£970,000	£800,000
Lost tags; Missed appointments	£130,000	£100,000
MPS analyst, Probation and project support (funded from GPS staffing budget)	£130,000	£130,000
Total	£1,230,000	£1,030,000

4. Legal Comments

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

- Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826);

4.2 MOPAC's general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3(6) of the 2011 Act provides that MOPAC must "secure the maintenance of the metropolitan police service and secure that the metropolitan police service is efficient and effective." This is a broad power and the extension of the pilot is aimed at deterring further offending, improving rehabilitation and enhancing crime detection all of which would enable the efficiency and effectiveness of the police service. In addition, under Schedule 3, paragraph 7, MOPAC has wide incidental powers to "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office." Paragraph 7(2) (a) provides that this includes entering into contracts and other agreements.

4.3 Section 143 (1) of the Anti-social Behaviour, Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or arrange for the provision of (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area and (b) services "intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour."

4.4 Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or

above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months.

5. Commercial Issues

- 5.1 The original procurement for this service (as agreed in PCD 1405) took place using the government Digital Marketplace (G Cloud 13). The contract used the standard Digital Marketplace crown commercial template as required under G-Cloud for a period of 12 months. This extension will involve the activation of the 12 month extension clause of this contract until 31st March 2025.
- 5.2 To provide GPS tagging and monitoring provision from 1st April 2025 until 31st March 2026, we envisage that a new procurement will be undertaken in early 2025 using the government Digital Marketplace to put a new contract in place.
- 5.3 This procurement has taken account and complies with the GLA Group's Responsible Procurement (RP) Policy. As with past MOPAC contracts with GPS suppliers, the tags will be leased rather than purchased to increase the environmental sustainability of the pilot.
- 5.4 The actions proposed can be taken in compliance with procurement legislation and MOPAC's Contract Regulations.

6. Public Health Approach

- 6.1 This pilot has the support of the Violence Reduction Unit as it seeks to test whether GPS can improve the management of the risk posed by prisoners being released following a conviction for knife related or domestic abuse offences. Thus far in the pilot, GPS has been used not only to increase deterrence, enforcement and restrictive conditions to protect known victims and the public, but also to support engagement with relevant services and to specifically challenge individuals to change their lifestyle to move away from behaviour associated with increased risk of violence.

7. GDPR and Data Privacy

- 7.1 For the purposes of this project, MOPAC are a joint data controller with HMPPS.
- 7.2 MOPAC is a joint controller for the purposes of delivering an evaluation of the programme. The evaluation will require access to personally identifiable information (PII). Data will include standard PII covered under Article 6, special category data covered under Article 9 and criminal conviction and/or offence data under Article 10.
- 7.3 A Data Protection Impact Assessment (DPIA) has been produced to identify and minimise risks to data subjects. This document has been updated to reflect the extension of the pilot and the inclusion of domestic abuse and stalking perpetrators.

7.4 MOPAC also receives, processes and uses personally identifiable information for professional contacts in relation to this project. This is required for the management of the project and is processed under the lawful basis of public task, in the exercise of our official authority.

7.5 All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018.

7.6 It is a requirement of the G-Cloud procurement process for the GPS monitoring provider to store and process all data within the UK.

8. **Equality Comments**

8.1 MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.2 The extent to which individuals from the above groups are included in the pilot is monitored through two Equality Impact Assessment documents, one for each pilot, which are reviewed regularly to ensure that any disproportionality can be addressed. The decision as to which cases are included is taken by the allocated Probation Practitioners, based on the assessed risk and need of each case. Clear guidance has already been given to staff about the criteria for assessing cases and further guidance and training continues to be provided to mitigate any disproportionate impact and examine the causes when this takes place.

9. **Background/supporting papers**

- Appendix 1 PCD 1405 - Extension of GPS tagging pilots 2023/24

Public access to information

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

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

Part 1 Deferral:

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

If yes, for what reason:

Until what date: n/a

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

Is there a **Part 2** form – NO

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: Legal advice is not required.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Public Health Approach Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence. This has been reviewed and supported by a senior manager within the VRU.	✓
Commercial Issues The Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> • GDPR compliance issues are covered in the body of the report and the Data Protection Officer has been consulted on the GDPR issues within this report. • A DPIA has been completed 	✓
Drafting Officer Tom Dodsworth has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The Head of Service has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

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



Signature

Date 27/02/2024