



To: Business Coordination Board

From: Chief Executive

Date: 23 June 2016

SECTION 22A COLLABORATION AGREEMENTS FOR: ELECTRONIC MONITORING GPS PILOT

1. Purpose

1.1 The purpose of this report is to provide the Business Coordination Board (“the Board”) with details of the rationale for signing the Section 22A Collaboration Agreement under the Police Act 1996 (as amended) (“the S22A Agreements”) for the Electronic Monitoring GPS Pilot for the eight corporations sole (the Chief Constables of Bedfordshire, Northamptonshire, Cambridgeshire and Hertfordshire and the Police and Crime Commissioners for Bedfordshire, Northamptonshire, Cambridgeshire and Hertfordshire (“BeNCH”).

2. Recommendation

2.1 The Board is recommended to approve the signing of the S22A Agreement for the Electronic Monitoring GPS Pilot.

2.2 The Police and Crime Commissioner (“the Commissioner”) signs the Decision Notice to approve and sign the S22A Agreement.

3. Background

3.1 Sections 22A and 23 Police Act 1996 (as amended) (“the Act”) enable the Chief Officers of one or more police forces and two or more policing bodies to make an Agreement relating to:

- *the discharge of functions of the members of the Chief Officer's forces ("force collaboration provision") and for such other provision as shall be referred to in this agreement. "Functions" comprise all and any of the powers and duties of police forces, and/or*
- *the provision about support by a policing body for the police force which another policing body is responsible for maintaining ("policing body and force collaboration provision"). "Support" includes the provision of premises, equipment, staff, services and facilities.*

Provided that:

- *the Chief Officers think that such an agreement is in the interests of the efficiency or effectiveness of one or more police forces, and*
- *the policing bodies think that the agreement is in the interests of the efficiency and effectiveness of one of or more policing bodies or police forces.*

3.2 Through the Police Reform and Social Responsibility Act 2011 (Section 89) the presumption is now in favour of collaboration, i.e. joint working should be taken forward where in the opinion of Chief Officers or policing body collaboration delivers greater efficiency or effectiveness.

3.3 Following the introduction of the government's 'Transforming Rehabilitation' agenda, the Commissioners and Chief Constables in the BeNCH area have been working together through the BeNCH Area Reducing Offending Board.

4. Electronic Monitoring GPS Pilot

4.1 The intention to launch a GPS tagging pilot was announced in the Prime Minister's speech on 8th February and again by the Ministry of Justice (MoJ) alongside the Queen's Speech on 18 May. The Ministry of Justice (MoJ) wish to pilot GPS tagging for appropriate offenders to test a range of factors including how the GPS tag might impact on the behaviour of offenders, how those who are imposing the tags respond when given the option of a GPS tag, and what other benefits GPS tagging could bring.

4.2 Following an expressions of interest exercise, the MoJ has selected 2 pilot schemes, one for the East Midlands area and one for the BeNCH area. Pilots will be independently evaluated and the results will feed in to the broader Electronic Monitoring Strategy which is currently in development and will seek to identify how the range of tagging technology can be utilised to support rehabilitation, reduce reoffending, protect the public and support improved outcomes throughout the Criminal Justice System.

4.3 Benefits to the police in carrying out the pilots include building local capability, for example in the use of non-voluntary tagging, monitoring of a significantly larger cohort of offenders and the application of a range of different approaches to tagging offenders and increased capability to detect reoffending.

4.4 The pilot for this area will look at tagging offenders who would otherwise be refused early release or re-release, be recalled to prison or refused parole. The pilot project will require local police forces to fit the tags, monitor offenders and follow up breaches of conditions. This has been decided because the police have experience of

working with GPS tags, although there is a need to build in existing probation and CRC processes.

- 4.5 In order to achieve this, the MoJ requires a lead force, in the BeNCH area that is Hertfordshire. The funding will be provided to Hertfordshire Police and Crime Commissioner on behalf of the partners involved in the project. Procurement of the tags will be undertaken by the pilot areas, with support from the MoJ.
- 4.6 There will be a grant agreement between the MoJ, the four Commissioners and the four Chief Constables identifying the conditions on the grant and the purposes for which it is being given. Because the Commissioner for Hertfordshire will receive the grant on behalf of the partners a collaboration agreement will be needed between the four PCCs and four Chief Constables to allow Hertfordshire to carry out the functions required by the MoJ on behalf of all corporations sole.
- 4.7 Regular reports will go to the BeNCH steering group of progress with the project including financial reports. Dispute resolution, should this be necessary, also escalates to the BeNCH steering group and then the BeNCH Area Reducing Offending Board if that should be necessary including receipt of advice from the MoJ to assist with this role.

5. Next steps

- 5.1 The Section 22 Agreement will be considered by the BeNCH Area Reducing Offending Board on 27 June and will be taken through individual governance arrangements accordingly.

Recommendation

- 6.1 The Board is recommended to approve the signing of the S22A Agreement for the Electronic Monitoring GPS Pilot.
- 6.2 The Police and Crime Commissioner (“the Commissioner”) signs the Decision Notice to approve and sign the S22A Agreement.

BIBLIOGRAPHY

Source Document(s)	Draft Sec 22A agreement as discussed at the BeNCH Steering Group, 9 June 2016
Contact Officer	Cristina Strood, Head of Policy and Performance, Office of the Police and Crime Commissioner