



To: Business Coordination Board

From: Chief Constable

Date: 01 November 2018

TACKLING RE-OFFENDING THROUGH DEFERRED PROSECUTION

1. Purpose

1.1 The purpose of this report is to update the Business Coordination Board ("the Board") on the work of Cambridgeshire Constabulary ("the Constabulary") and partners to tackle reoffending through the use of deferred prosecutions and effective support interventions.

2. Recommendation

2.1 The Board is recommended to note the direction of travel.

3. Background

3.1 Cambridgeshire Office of the Police and Crime Commissioner and Cambridgeshire Constabulary were successfully awarded £250,000 from the Home Office Police Innovation Fund in both 2016-17 and 2017-18. The bid proposal was to tackle the root causes of early offending behaviour through a conditional deferred prosecution. This would provide a foundation for multi-agency pathways to reduce demand on policing and other services.

3.2 Currently the bulk of investment is further 'downstream', spent on managing known offenders, rather than 'upstream' in preventative and early intervention work. We need to do more to manage demand on policing and other services, and improve the impact of attending court. Where low level crime takes place, there is an opportunity to respond in a way which ensures that they do not reoffend, while also reducing costs.

3.3 We recognised that we have joined up our response to the most vulnerable through the Multi-agency Safeguarding Hub. We also recognised that we could learn lessons from the Troubled Families methodology and multi-agency safeguarding work. The bid was based on a need to look at the whole system, and create truly integrated pathways which:

- Maximise the impact on reducing reoffending

- Provide resolution for victims
- Reduce demand on services.

3.4 Anticipated benefits included:

- Savings from court processes and related police time and longer term savings through reduced demand across agencies
- The root causes of an individual's offending behaviour would be addressed early, before they escalate and require more costly interventions, while holding over the prospect of prosecution to ensure compliance
- Holding the offender to account for their behaviour, but not adversely affecting the rest of their life with a criminal record
- Ensuring the delivery of the most appropriate interventions by fewer agencies where previously many organisations may have acted independently, often duplicating services and giving conflicting advice and assistance
- Multi-agency working to ensure that every contact offenders have with services reduce their likelihood of reoffending
- Increased victim satisfaction
- Ensuring that the issues causing offending behaviour are tackled by the most appropriate agency
- The potential for prosecution should increase the motivation of the offender to get issues dealt with.

3.5 In December 2017 the National Police Chiefs Council (NPCC) published a national strategy on charging and out of court disposals. It included a principle that out of court disposals have conditions attached to them which seek to address underlying offending behaviour through rehabilitative conditions and/or swift reparation to victims and communities. The Cambridgeshire model was highlighted as a good practice case study. This strategy also highlighted the preferred position of adopting a two tier Out of Court disposal mechanism for Adult offenders - Community Resolution and Conditional Cautions thus removing all other options (simple cautions, cannabis warnings and Penalty Notices for Disorder (PND)). Cambridgeshire adopted this position on 1st February 2018.

3.6 This approach is in line with the Government's commitment to delivering a criminal justice system that protects the public, punishes those who have broken the law in a meaningful, proportionate way, and supports offenders to turn away from crime. It also reflect the Government's focus on a shift away from custody towards managing and supporting offenders in the community. This was most recently highlighted in the Ministry of Justice consultation on '*Strengthening probation, building confidence*'. The new '*Victims Strategy*' published by the Ministry of Justice in September 2018 includes to increase opportunities for victims to engage in alternative solutions to court. It highlights that out of court disposals allow the police to deal quickly and proportionately with low-level offending without victims having to go to court.

4. 'Offender Hub' and 'business as usual'

- 4.1 Police identify suitable individuals and hold over their prosecution, pending compliance with conditions for dealing with the issues underpinning their behaviour. A swift multi-agency assessment process, working closely with the Liaison and Diversion Service in custody and the Outside Links service in the community, enable appropriate conditions to be set, and agreed with the offender.
- 4.2 Bespoke options for support include support for debt management; housing issues; anger management; drugs or alcohol misuse; mental health or other health needs; employment, education and training. Appropriate interventions are provided by partner organisations. Grant agreements for substance misuse support providers have ensured sustainability of the service and include reference to referrals at all stages of the criminal justice system, which covers community resolutions and conditional cautions.
- 4.3 Compliance is monitored throughout and if the conditions are not met, the prosecution will continue.
- 4.4 The administration and monitoring elements of this work are now embedded into mainstream resources and no additional staffing has been required. This is a significant achievement. Service providers have committed to providing resources to meet current and anticipated volumes, to ensure the sustainability of the model. The Police and Crime Commissioner has provided a small £30k grant to enable the Outside Links service to continue to operate on a mobile basis to enable referrals across the county for the next 12 months. This one-stop shop approach is vital to the success of the conditional cautions. May this year saw the highest level of conditional cautions so far (70). If this could be sustained and there were some 700 to 800 in a year this would amount to an additional cost of around £40 per head.
- 4.5 The original bid was also clear about the need to further develop multi-agency pathways. The needs assessment commissioned as part of this project continues to enable us to have productive discussions with a wide range of partners about key issues such as housing, employment and substance misuse service pathways which are key to desistance. This has included providing estimates of service users in the criminal justice system who are likely to have an accommodation need, to inform service planning in local authority housing teams. It has also enabled good links to be developed with the Cambridgeshire and Peterborough Trailblazer Project which is developing homelessness prevention and partnership pathways to support the implementation of the Homelessness Reduction Act 2017. In the final quarter we were able to build on the findings on housing from the needs assessment to commission a focussed piece of work to support the development of clearer pathways through criminal justice and housing agencies to support desistance.

5. Evaluation

- 5.1 An independent evaluation for this project was completed by Cordis Bright earlier this year, following a successful tender process in 2017.
- 5.2 The cohort of over 600 offenders benefitting from participation in this scheme between September 2016 and February 2018, shows a compliance rate of 84% for the

conditions set and comparable re-offending rates from those previously diverted through the use of Out of Court Disposals. Since the report was completed, preliminary data indicates that re-offending rates had reduced further. The report identifies particular success with those with more entrenched criminal behaviour.

- 5.3 The early cohort considered in the evaluation was small (140) given the need to wait for a full year's reoffending history. Plans are being developed to review the data for the following six month cohort.
- 5.4 The report findings show that of seventeen identified outcomes the following has been achieved:
- Nine of the outcomes have been completely achieved
 - Seven have been partially achieved
 - One has not been achieved - this specifically relates to a reduction in wrap around service requirements, which has increased during the project as a result of early identification of need. The outcome was very much seen as a longer term benefit rather than an early result from the pilot.
- 5.5 The evaluation makes nine recommendations to further support the work, with actions in hand and in many cases complete.

6. Future development opportunities

- 6.1 There is a need to continue to link in with the national evidence base on this area of work. The Home Office Innovation Fund enabled Cambridgeshire to act as an early adopter for the approach which is now being advocated nationally. The premise was a low-cost model that would be sustainable as business as usual. There are now a range of models in place which are likely to have varying impact depending on the scale of investment. The key will be to identify which model provides the most cost effective outcome.
- 6.2 Building on the evidence base from the work undertaken in Hampshire, the Constabulary has been selected as one of seven pilot forces for the extension of the use of conditional cautions for standard risk domestic abuse cases meeting a strict eligibility criteria.

7. Recommendation

- 7.1 The Board is recommended to note the direction of travel.

BIBLIOGRAPHY

Source	<p>Agenda item 7.0 Innovation fund – Tackling re-offending through deferred prosecution, Business Co-ordination Board, 1st March 2018</p> <p>http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2018/01/18-03-01-BCB-Agenda-Item-7.0-Tackling-re-offending-through-deferred-prosecution-V2.pdf</p> <p>Charging and out of court disposals strategy 2017-2021, National Police Chiefs' Council, December 2017</p> <p>http://www.npcc.police.uk/Publication/Charging%20and%20Out%20Court%20Disposals%20A%20National%20Strategy.pdf</p> <p>Conditional Caution Scheme: Evaluation, May 2018</p> <p>http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2018/10/Conditional-Caution-evaluation-final-report_final-web.pdf</p>
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